

**THE POLICE AND CRIMINAL JUSTICE SYSTEM IN AFRICA:
AGENDA FOR REFORM**

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Abstract

Across much of the continent, cases of abuse by the police and security agencies are rampant. Indeed, protection of the populace by the police with no strings attached is often the aberration rather than the norm. Stories of police inefficiency, corruption and extortion of citizens abound. Recent political developments in Kenya, Zimbabwe and Nigeria, once again, brought to the fore the contentious issue of public protection on the continent. The clash between expectation and reality is one of the major issues at the heart of policing on the continent. Typically, emerging calls to the police either go unanswered or when answered, police lack the capacity for rapid response thus arriving at the crime scene too late or not at all. It is not uncommon for personal callers to police stations to pay bribes before being served. No wonder many citizens seek protection from alternative sources including private security, civil militia and vigilante groups as seen in many parts of Nigeria, South Africa, Kenya and Liberia among others. The paper seeks to examine various theoretical and practical problems of the police as a significant element in the criminal justice system in Africa. The paper will equally use the post-colonial state framework of analysis to capture the thesis that the criminal justice system in any society reflects the socio-economic system in operation. The paper will highlight the challenges facing the police in Africa and suggests ways of correcting them. The paper concludes by positing that unless basic structures change, police reform in Africa will be stunted.

Key words: Police, criminal justice, corruption, post-colonial state

Introduction

Criminal justice system – consisting of the judiciary, police, prosecutors, correctional services and the legal aid scheme - is not working in Africa. Despite assurances that it is working to reduce crime, the system is in fact slowly grinding to a halt, with staff shortages, lack of accountability, and corruption.

The Nigeria pre-colonial criminal justice system for instance differs both substantially and procedurally from contemporary criminal justice system in Nigeria. While we cannot posit that there was no crime in the traditional society, the justice system procedure involves almost all members of the society (Sa'ad, 1988; Kolo, 2002:13). According to Nweje (1975), it is an indisputable fact that very many, if not most, of the criminal offences and civil wrongs recognized by our laws of today, were also offences known to and administered by our ancestors long before the advent of the Europeans. Murder, robbery, arson, treason, ordinary stealing, burglary, even breaches of the peace and assaults, rape, incest, sacrilege and so on, were all offences recognized, provided for and punished by our native communities before the white man came. There were no established courts; but the village assembly usually met and heard and decided cases that arose between one person and another or between the community and some recalcitrant members. Depending on the arrangement of the particular community the tribunal that first heard the case was the family meeting - in Igbo land called Umunna. From this appeal went to the village assembly or meeting, made up of either just the village elders or the general adult population. Some larger communities (such as centralized monarchies of Benin and Oyo Kingdoms) had higher tribunals. There were differences in details from one community to another but the general pattern was the same or similar all the way (Nweje, 1975:186-187).

The evidence then, just as today as Nweje (1975) goes on to argue was subject to a similar standard or assessment. The eyewitness account always carried more weight than the hearsay. Weight depended on the integrity and credibility of the witness. Age, interest, known reputation and probability of the facts alleged having regard to all other circumstances of the case, were all considered.

If at the end of the hearing the tribunal was unable to say which side was telling the truth, the judgment was shifted from the province of human to that of the divine wisdom. Swearing on some juju was then ordered. Who swore the juju depended on the nature of the dispute. If a man was being accused of doing an act and he was denying, it was he, the accused, who swore that he did not do the act alleged. If on the other hand some property was in dispute, it was the person claiming it who swore. As stated earlier, the order varied from one community to another, but the pattern was usually along these lines.

Punishment for crime varied from beating to death or other form of execution of the offender and burning of his home and belongings, in the case of very serious offences, to fires and, in default, ostracism of not only the offender but also his family and anyone else who continued to associate with him, in other cases (Nweje, 1975: 188).

The above antecedent reveals that there might be less alienation in the traditional justice system of this society compared to the modern ones. As such the modern criminal justice system came up along with a series of changes, both in form and content. Such charges include alienation, deprivation, subjugation, exploitation and domination of the audience by members of the enforcing agencies. The changes which many hoped for after independence remained an illusion, and in fact, the situation has worsened (Kolo, 2002:13)

The advent of European administration ushered in an entirely new situation. The Code of Conduct prescribed by the new colonial masters was of universal application to all the communities, which before the colonial era were independent. As earlier stated, some of these new rulers either coincided with or were similar to the ones already prevailing in the various states. This presentation is an exposition of the various theoretical and practical problems of the police as a significant element in the criminal justice system. The paper will equally suggest ways of reforming the police to make it more efficient within the context of criminal justice system in Africa.

Clarification of Concepts

According to Dambazau (2007:174), criminal justice can be defined either as a legal process or as an academic discipline. As a legal process, it involves the procedure of processing the person accused of committing crime from arrest to the final disposal of the case. Newman (1978) adds that: criminal justice system is a legal entity, the interrelationships of criminal justice elements comprising of the police, courts, and the prisons, or correctional facilities. It is also a loose federation of agencies, “each separately budgeted, each drawing its manpower from separate wells, and each of profession into itself” (Newman, 1978:3).

Clare and Kramer (1977:3-4) posit that:

It is possible to view criminal justice as a sequence of decision making stages. Through this system offenders are either passed on to the next stage or diverted out of the system. This diversion may be due to any number of reasons such as lack of evidence or a desire to reduce the load on the system. Each subsequent stage of the process is dependent upon the previous stage for its elements, it is this dependent that best exemplifies the “system” nature of criminal justice.

As a field of study, criminal justice according to Dambazau (2007:174) provides a thorough understanding of the criminal justice system in relations to the policy. Students interested in pursuing professional careers within the criminal justice system focus on subjects with concentration on either law enforcement, corrections, or legal studies. The subject covered include criminal law, criminal procedure, jurisprudence, constitutional law, juvenile justice, administration of justice, criminal investigation, social psychology, forensic science, police science and management, introduction to criminal justice, security management, criminal courts, law of evidence, introduction to correctional institutions, and research methodology. The criminal justice researcher must be knowledgeable of law, and the legal process, because criminal justice system is a legal entity.

Merhern (1972:11) refers to criminal justice as the system by which police, courts and correctional institutions enforce basic rules of any society, as expressed in its criminal law. Reddem and Veron (1980) and Cohn (2003) add that the criminal justice system is a network of specialized agencies set up to deal with crime and criminals. The justice system covers three main areas - the police, prosecution and defense; the judiciary and all phases of the correction system in so far as society is involved in dealing with those who violate our criminal laws. These agencies discharge perhaps the most significant responsibility of government.

According to Mehern (1972), without effective system of criminal justice, there cannot be government in any realistic sense; anarchy prevails and no man is secure in his person or property. With effective justice system, government can operate, and order is maintained. The order so imposed may be tyrannical and unfair or it may be democratic and decent, depending on the justness of the laws and the character of the government that administers them, but in either case enough social control is maintained to allow the society to function (Mehern, 1972:211).

For the purpose of this paper, criminal justice system refers to a web of institutional relationships by which the police, courts and correctional institutions enforce basic rules of any polity as expressed in its criminal law legal system. Without an efficient and effective system of criminal justice and broad public support, there can be no government in any realistic sense, anarchy prevails and no one is secure in his person or property. The reverse is the case with an effective system. Nevertheless, all societies from time to time suffer partial breakdown in criminal justice, with widespread disregard to law in general or certain laws in particular.

Theoretical Framework of Analysis

Across much of the continent, cases of abuse by the police and security agencies are rampant. Indeed, protection of citizens by the police with no strings attached is often the aberration rather than the norm. Stories of police inefficiency, corruption and extortion of citizens abound. Typically, emergency calls to the police either go unanswered or, when answered, police lack the capacity for rapid response thus arriving at a crime scene too late or not at all. It is not common for personal callers to police stations to pay bribes before being served. No wonder many citizens seek protection from alternative sources including private security, civil militia or vigilante groups, as seen, for example, in many parts of Nigeria, South Africa and Kenya (Olonisakin, 2008:19-20).

Put differently, the criminal justice system in a capitalist society is a reflection of the capitalist mode of production operated by the country. Such a dependent linkage has its root in the classical underdevelopment and dependency theses of development that have slave trade, colonialism and neo-colonialism as their foundations. There is no doubt that the most laudable voice so far in the world is the voice of the dominating capitalist socio-economic formations, despite the fact that they constitute only a few countries in relation to the whole world. But consistent with the Marxist political economy, he who controls the means of production equally controls the faculty of mental production. Undoubtedly, the whole aim of the criminal justice system was to suppress and repress the local population in order to serve the metropole. Undoubtedly, the whole aim of criminal justice procedure was to suppress and repress the indigenes in order to serve the interest of the white man (Tamuno, 1970:1-2; Kolo, 2002:13). According to (Kolo, 2002:13):

... the Nigeria police force is operating in the interest of the rich/influential members of the society.

Wyse (2001:26) adds that

...officers attached to Lagos state special Anti-Robbery Squad (SARS) are said to be excessively rich. And the police authorities know this. Apart from abetting some robbers who pay them heavily in order to maintain and service contacts, the unit is alleged to be engaged in using some innocent suspects as baits for other criminals who can pay the price. People

arrested innocently or for trivial offences such as wandering in not unholy hours of the day, taken to SARS are sometimes presented and detained as robbers while the real criminals who can pay the price are let off the hook

A police inspector attached to SARS adds

... in SARS, we see real money, not this 'kobo-kobo' business police men outside see: but the only thing there is that you see blood every day" (Wyse, 2001:26).

THE WEEK magazine investigation has revealed some horrors. It was learnt that there exists a secret place in Nando town in Oyi local government area where some members of the state police command collude with ritualists to traffic in human parts. According to *THE WEEK* findings, those who fall victim to police arrests are taken to the hiding place and kept. If the victims families do not make much noise, the helpless victims are then sold to the ritualists for #1 million each (Atupulazi, 2007:31). This confirms the observation that he who controls the means of production equally dominates other aspects of human life. The rich and influential are the dominant members of the society who benefit more from dependent capitalism, and they have also conspired to make police operations in the society to reflect their interest.

Furthermore, available literature emphatically maintained that the Nigerian police are predominantly corrupt. This concrete public perception of the police is also confirmed by Ibeanu who wrote as follows:

extortion of money by law enforcement agents is clearly the most widely encountered problems among travelers across the borders of ECOWAS states. Evidence from our study clearly shows how widespread the problem is. It also shows that some sides of the borders tend to be more infamous for illegal demands for money than others, while some law enforcement agents also appear to be more notorious than others in extorting money from travelers.... At all the borders; three law enforcement agencies, namely, customs, immigrations and police generally scored between 70% and 80% of all the yes hits demanding illegal payments.... (Ibeanu, 2007:30).

Sa'ad (1989) explains:

...the pervasiveness of corruption is a result of turning the state into a main source of private accumulation; it has at least two main effects on law, justice and state in Nigeria. The Nigerian Law Enforcement Agents and judicial personnel and socio-cultural units of Nigerian society can hardly remain immune to corruption. In fact, police reputation for bribery and corruption is well-known in Nigeria (Sa'ad, 1989:19; Kolo, 2002:13).

Fasua et al (2006) adds that,

... many policemen who spoke to TELL on condition of anonymity sneered at the IG'S resolve to stamp out corruption by dismantling the checkpoints. " Dem no fit do am. Not even 10,000 fit dismantle roadblocks. Truly, dem cancel roadblock with mouth talk but dem permit us to do stop and search, now!" ...

The Corporal further alleged that bribing at checkpoints is similar to internally generated revenue, IGR, of a state government.

From it, dem ogas go buy fuel, stationery, other needs and share the rest. All na from our returns during stop and search,' (Fasua, et al, 2006:25)

From the above, it is axiomatic to posit that the majority of the personnel involved in criminal justice system are corrupt, especially the police. However, such persons are hardly called to book as often as other offenders. This kind of state of affairs made Odekunle (1978) to posit that even if crimes by the powerful are discovered, the probability of arrest, prosecution, conviction or imprisonment is rather low. The benefits of doubt is given to those who are with wealth and prestige while money is available to them to hire well connected and influential lawyers; to bribe witnesses and to pay if convicted - since they are usually given the alternative of a fine' (Odekunle, 1978;91-92).

Taking a swipe at the abysmal human rights records in Nigeria, the United States based Bureau of Democracy, Human Rights and Labour identified the most significant human rights problems as the abridgement of citizen's rights to change their government, politically motivated and extra judicial killings by security forces, the use of excessive force including torture by security forces, vigilante killings, impunity for abuses by security forces, arbitrary arrest and prolonged pretrial detention among others (Adejuwon, 2009:21).

According to the reports, Nigerian government has violated a significant section of respect for the integrity of the person including freedom from arbitrary or unlawful deprivation of life as there were proven cases of politically motivated killings by the government or its agents such as the Nigerian police, army and other security forces involving themselves in extra-judicial killing and the use of excessive force to apprehend criminals. Also Police and the Armed forces were instructed to use lethal force against suspected criminals in Odi village, a sleepy community in the Niger Delta after her youths killed eleven policemen in 1999. The celebrated killings in Abuja of six Igbo traders (Apo 6) by the police and the destruction of Zakibiam are too fresh to be forgotten in a hurry.

Generally, from the analysis above, the criminal justice, particularly the police, is conclusively a failure, and the police has not been professionally correct in the discharge of its duties. Majority of the police and other security forces are corrupt. There is a violation of the fundamental human rights and civil liberties of Nigerian citizens. And above all, the security forces are biased in their dispensation of justice in favour of the rich and the influential.

Thematic Explanations on Why the Police is Ineffective in Criminal Justice System in Africa

The universal expectation of the role of the police and other security agencies is to protect citizens by preventing crime and ensuring access to justice. At a minimum, the populace ought to have easy access to the police and feel safer as a result of the protection they offer. Yet most countries in the continent fail to meet the standard set by the United Nations for effective policing. The world body says that, at least, the ratio of police officers to population should be one police personnel to 450 in order to maintain security (Dambazau, 2007 and Olonisakin, 2008). This ratio should be much higher in polities experiencing civil strife and excessive high crime rates, but this has not had much impact in countries such as South Africa, Zimbabwe and Algeria. There is a general consensus that the police in Africa has been operating with a strength of personnel that is far below the capacity required to police the estimated Africa's population of approximately one billion, considering the

minimum United Nations standard. The world body says that, at the very least, the ratio of police officers to population should be one per 450 in order to sustain security. Table 1 below x-rays this dearth of personnel.

Table 1: Cop Count – Number of Police to Population

Country	No. of Police	Population	Police-Population Ratio
Botswana	6,500 (2007)	1.8 million	1 : 280
South Africa	132,000 (2007)	48 million	1 : 360
Nigeria	300,000 (2006)	135 million	1 : 450
Zimbabwe	23,000 (2004)	12 million	1 : 520
Algeria	60,000 (2006)	33 million	1 : 550
Libya	10,000 (2005)	6 million	1 : 600
Kenya	31,000 (2007)	36 million	1 : 1,160
Uganda	14,000 (2007)	25 million	1 : 1,800
Mali	4,800 (2004)	12 million	1 : 2,500

Source: Library of Congress Website, Uganda, Botswana and South Africa Police Websites, International Institute for Strategic Studies; CIA Factbook and BBC Focus on Africa, 2008, p. 20.

Olonisakin (2008:20) adds that in the seemingly more successful African states the difference in police conduct is a matter of degree and not of substance. Kenya’s recent post-election violence brought vivid pictures of police brutality to television screens across the globe. The actions of the Kenya’s security force have raised questions about its conduct and relationship with the ordinary people they are supposed to protect. Despite the protestations by the force that they were simply attempting to preserve law and order in the country, excessive force against unarmed protesters and the uneven implementation of policing led to suggestions that “kill and go” or “shoot-to-kill” order were in force in parts of Kenya. The Zimbabwean police too is known to be particularly brutal to its citizens (Eme and Elekwa, 2008:4).

Olonisakin (2008:20-21) explains:

The reasons for the entrenched practices of abuse, incompetence and corruption by the police across Africa are symptomatic of governance deficits in the concerned states. With decades of authoritarian rule and accompanying politics of patronage, it is to be expected that institutions responsible for security would instead be diverted to propping up various regimes. It is not surprising that out of this history has come badly paid and poorly trained police with little sense of their missions as protectors of citizens.

The police in Africa have been under intense public criticisms in recent times over its apparent inability to effectively prevent and control crime. So many factors have been attributed to this failed situation. Firstly, depending on the context, the police in the continent have historically either been neglected at the expense of a more effective and influential

military establishment or they have been politicized and militarized for regime survival. Adegbamigbe *et al* (2008:29-30) explain as follows:

Police detention centres, except for a few, stink to high heavens. In some cases, police posted out of their stations are abandoned to sleep in classrooms or inside abandoned cars like refugees in a war-torn country. Closely associated with lack of necessary equipment are poor office and residential accommodation which reduce the morale of an average Nigerian cop. In Lagos, policemen live and work under deplorable conditions. The odour wafting around Mobile Barracks 20 and 22 in Ikeja and Elere Barracks, Agege, is out wrenching. Occupants of these tenements struggle every morning to make use of two bathrooms and two toilets. Block 4 of Elere station with its concrete deckings falling off, revealing rusted iron rods, is a disaster waiting to happen. Occupants have, however, refused to move out for lack of alternative accommodation.

Olonisakin (2008:20) goes on to posit that, the security forces and the police have been used to repress the very people they are meant to protect. Taking the connection between governments and police conduct one step further, it has also been shown by analysts that functioning police can be seen as a good measure of police development. For example, Africa's process of political "liberalisation" has, in some instances, translated into political reform.

Secondly, corruption is said to be endemic and has eaten deep into the fabric of the police in Africa. According to Okereke (1993:1), many Nigerians perceive the policemen as lazy, corrupt, inefficient, bribe-taking, money extorting officers. A typical example usually cited in reference to the police attitude towards corruption is the "road block syndrome", in which it is alleged that the police extort money from motorists.

It is also a popular allegation that because of the financial benefits associated with road block duties, lower ranks pay their way to be assigned such duties with the promise of making daily returns to their superior officers. In criminal investigations, corruption is said to be present in most cases and is usually determined by the extent of bribe given by either parties to a case. In other words, the party that gives more is likely to influence the direction of the investigation in his or her favour (Dambazau, 2007:221).

Olonisakin (2008) goes further to add that police checkpoints serve more as a collection point for bribes than a place that instills a sense of security. One only has to drive through West Africa from the Seme border (between Nigeria and Benin) through Togo, to Aflao (at the border between Togo and Ghana) to understand the entrenched nature of police corruption. Seasoned travelers in this region know the standard amount needed upon approaching each checkpoint. Failure to pay could have dire consequences. In a recently reported incident, a staff member of The Centre for Democracy and Development was brutalized by Benin security officials for not paying a bribe of \$4 while traveling by road to attend Economic Community of West African States meeting at Burkina Faso. Ironically, the regional body proudly cite "free movement of goods and peoples" across West Africa as one of its key achievement.

Furthermore, it has also been observed that African police lack adequate law enforcement equipment. They lack transport, modern communication, arms and ammunition

and logistic facilities to conduct their duties effectively. Using Nigeria as their case study, Alemika and Chukwuma (2000:8) conclude as follows:

... quantitative and qualitative inadequacy of men and women, materials, and money within the Nigerian police as well as poor and inadequate social infrastructures ... within the Nigerian society, militate against police effectiveness, and positive estimation of the police by Nigerian citizens.

Dambazau (2007:222) on the other hand posits that:

the African police has a very serious image problem in the eyes of the populace it is established to serve. Consequently, the police in Africa is viewed with suspicion, “unfriendly”, “brutal”, “trigger-happy”, “extortionist”, “crime collaborators”, gross isolators of civil liberties and human rights

Ghana has recently seen a debate on the conduct of its police force. The Ghanaian chronicle recently carried an editorial discussing a number of alleged incidents involving police irresponsibility discharging their weapons which resulted in civilian deaths in which it is said that it had lost count of the number of people who have died through so-called stray bullets. The editorial bemoaned the fact that, unlike some countries where demonstrations are controlled using water-cannon, “here in Ghana, the police personnel go to demonstrations with cocked guns, ready to fire (Olonisakin, 2008:21).

The rising crime rate, especially violent crimes involving armed robbery, ritual murders, political assassinations, ethno-religious violence, and electoral violence, among others, has dampened the public’s hope of the capacity of the police to ensure the safety of people’s lives and property. The general thesis is that the police can neither solve the crimes already committed, through arrests and successful prosecutions, nor prevent or reduce, the incidence of crime in the continent. This perception is not withstanding the fact that the other segments of the criminal justice system, namely the court, and prison, do contribute to the slow pace or delay in handling criminal cases.

The Nigerian public, according to Dambazau (2007:224), has therefore become unwilling to cooperate with the police in crime prevention and control:

- (a) by refusing to provide or share information and expose criminal activities;
- (b) by avoiding getting involved in identifying criminals, by declining to report the incidence of crime in order to avoid being witness;
- (c) sometimes by acting against the efforts of the police, and
- (d) by taking the laws into their own hands (jungle justice).

Challenges Facing Policing in Africa

Crime is among the most pressing and visible social problems facing Africa. It has been referred to by the governments in the continent as a high priority issue. Crime also features prominently in the public concern along with issues of poverty, HIV/AIDS pandemic, wealth and job creations. Crime in Africa does not affect all people uniformly, although, for instance, the risk of victimization of violent property crimes, such as robbery and car hijacking, is fairly evenly spread throughout the population. However, the likelihood of a person facing victim of crime is strongly influenced by among other things, gender, age,

income, place of residence and race. The latter is still one of the interpretative keys of the victimization pattern in South Africa. As in other countries, socio-economic factors and living circumstances are key determinants of who is victimized by what type of crime.

According to South Africa Police Service (2002:1), given that apartheid policies in South Africa ensured that the race of any individual determines that person's socio-economic standing, race itself was (and to some extent still remains) one of the key determinants of the country's victimization patterns. The nature of the 1994 transition, particularly, opening of the borders, led to an increase in organized crimes. Local organized crime is generally less tightly knit and well-structured than the sophisticated foreign mafias. Crime syndicates in South Africa are regarded to be loosely structured and dynamic, effectively constituting a network of individuals engaged in illicit activities, posing serious challenges for the law enforcement. Some of the local organized crime groups have international links with Chinese Triads, Russian Criminal Organisation, the Italian mafia, and West African organized crime groups.

Second, there is a general view that much work is still needed in the areas of crime prevention, reporting detection and processing of cases. There are still considerable problems in processing crimes and offenders through the criminal justice system, and there are serious problems with prison overcrowding. Across much of the continent stories of police inefficiency and corruption and extortion of the populace abound. Africa (especially South Africa) has a reputation for producing mercenaries (soldiers of war) who are willing to sale their skills to the highest bidder.

As Peter Baker (2008:24) posits:

... with more than half a million registered security guards and about 5,000 security firms, the industry has an estimated annual turnover of \$9 billion. Its operations dwarf the 132,000 member police force

The reason for the explosion in the private security sector in the past decade is not difficult to find. Soaring crime rate and a police service of limited effectiveness are among the more obvious causes. The 2007 announcement by the South African police service was to commence employing private security outfits to "guard" police stations underscored both these problems.

Related to the above is the fact that crime has become an industry which is providing employment for many Africans, unskilled and skilled. Peter-Baker (2008:24) asks:

Can we say that the crime wave in South Africa and the obvious failure of the police service to protect civilians is a blessing in disguise because of the employment it provides for thousands in the private security industry? Or does the rise of the industry mean that it is only the wealthy who are protected?

Peter-Baker concludes by positing that critics view the growth of private security as both a danger and a symptom of the failure of the state to live up to its obligations. But proponents argue that the industry plays a significant role in strengthening democracy by ensuring access to professional, reliable and accountable private security as contained in the South Africa Bill of Rights (Olonisakin, 2008:24).

With the ever-growing private army in the continent, the great challenge for government in Africa is the maintenance of adequate controls over the mercenary industry. This is not only to safeguard against employee abuses but to enforce adequate training and working conditions, but also to control their excessiveness, their unconstitutional and even

criminal response to law-breaking. It is disastrous for any government to have to contend with groups that are breaking the law in order to exact revenge on those who have broken the law. It is a downward spiral for any government which is difficult to reverse. This is probably one of the greatest challenges facing policing in the continent today because the sector is not properly regulated, and efforts to bring criminals to book take place behind the back of the continent's authorities, then in a very vital sense, the governments would have lost the most primary basis for its right to rule.

Finally, the factors under pinning police inefficiency and corruption cannot be ignored. The institutionalized nature of graft in the police across the continent requires fundamental changes in the legal framework and institutional culture in the continent as a whole.

Recommendations

In order to promote better criminal justice system and a better image of the police by the citizens, there is an urgent need for reform. The following recommendations are suggested to equip the police for its role as a vibrant agent in the criminal justice system. Reform must extend beyond the police like Benin, where absurdly it is possible for the justice department to forecast takings from checkpoints and project this in its yearly budget. Nigeria, too, has a far distance to travel. A blot on the force in the country is the fact that the Police Act (2004) of pre-independence years remains in force in addition to which, unlike in South Africa, the Inspector General of Police is legislatively only accountable to the president and unless these basic structures change, police reform will be stunted (Olonisakin, 2008; Kazoni, 2008).

Also, there is a need for African leaders to sign a protocol and pass legislations like in South Africa where the "Mercenary Act 2007" banned former South African security personnel from selling their services abroad. Though this may be difficult to apply in Nigeria

Again, there is a need for African leaders to improve on their governance ratings to avoid governance deficits which fuel crisis and entrench practices of abuse; incompetence, and corruption across the continent. Adequate training, funding and improved welfare package and civic education will help in checkmating this governance deficit and attract qualified personnel to security outfits in Africa.

Furthermore, achieving change in ways that policing is conducted in Africa will ultimately mean the basic protection of citizens. This requires years of continuous commitment to inclusive governance, but will ultimately mean that governments will be able to justify their own existence by being able to protect life and property of electors in the first place.

Related to the above is that, the police needs image re-branding to bring back an improved perception of the force by the populace. Adequate training and re-orientation are necessary. To be able to attain this, police force uniform should be customized as in Britain and the United States and not the common identity card uniforms that are purchasable at the main market across the continent. Also, background information of new recruits should be ascertained before recruiting them. Emphasis should equally be placed on how to motivate and equip them and not on number.

Finally, there is a need for the police force in Africa to increase their crime information data bank and exchange such among themselves to be able to address the transnational crimes.

Conclusion

Police force which is our major focus as an element of criminal justice system in the continent is a product of colonial administration, although before the advent of colonialism, there existed traditional policing in the various societies in Africa. It is also the most controversial. The police are responsible for maintaining law and order, a function crucial not only to the basic tenets of Africa's social order, but also to the survival of democratization, democracy and the rule of law.

There are major contemporary issues associated with police in Africa, and these issues greatly impact on their activities. One of the most serious contemporary issues is police corruption and brutality, and their impacts on the ability of the police to prevent and control crime. These endemic issues are inimical to the constitutional responsibilities of the police towards the public. This facilitates the commission of crime, makes the public lose confidence on the police and governance in general, and increases the sense of insecurity. Police in Africa are known for their penchant to use excessive force. Events in the past prove that fact. The wider discretion exercised by the policemen, the impact of colonial rule and authoritarian regimes, and the poor state of police administration and welfare, all impact on the quality of policing in Africa.

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