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ROLES OF THE COURTS AND THE POLICE IN NIGERIA'S JUSTICE SYSTEM

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Abstract

The justice system in Nigeria is fundamentally anchored on the complementary roles of the courts and the police, which together ensure the maintenance of law and order, protection of fundamental rights, and the administration of justice. The police serve as the primary agency responsible for the prevention, detection, and investigation of crimes, as well as the arrest and prosecution of suspects in accordance with the law. The courts, on the other hand, function as impartial adjudicatory bodies vested with the constitutional authority to interpret and apply the law, determine the guilt or innocence of accused persons, and safeguard the rule of law through fair and timely adjudication. The Nigerian justice system rests primarily on two pivotal institutions: the courts and the police. Both bodies are constitutionally empowered to ensure public order, guarantee fundamental rights, and promote accountability under the rule of law. This article examines the legal foundations, operational roles, and contemporary challenges confronting these institutions in performing their duties. While the courts administer justice through fair adjudication and interpretation of the law, the police serve as the frontline agency responsible for crime prevention, detection, and enforcement of legal directives. It also examines the distinct yet interdependent functions of the courts and the police within Nigeria's justice system, highlighting their constitutional and statutory foundations, areas of collaboration, and points of friction. It also interrogates persistent challenges such as abuse of police powers, delays in judicial proceedings, corruption, inadequate resources, delays in court processes, police brutality, and weak oversight mechanisms undermine their effectiveness. inadequate funding, and weak institutional coordination, which undermine public confidence in justice delivery. The study concludes that effective justice administration in Nigeria depends on strengthened institutional independence, improved professionalism, enhanced accountability mechanisms, and sustained cooperation between the courts and the police to promote fairness, efficiency, and public trust in the justice system and further recommends the following strengthening institutional capacity, promoting professionalism, improving synergy between the courts and the police to enhance justice delivery in Nigeria.

Keywords: Courts, Police, Judiciary, Rule of Law, Justice System and Nigeria

1. Introduction

In every democratic society, the justice system exists to maintain peace, protect citizens' rights, and uphold the rule of law. In Nigeria, the courts and the police occupy central positions in this system. The police, as part of the executive, are mandated to enforce laws, prevent and detect crime,

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and apprehend offenders; while the courts, as the judiciary, interpret laws, adjudicate disputes, safeguard constitutional rights, and determine guilt or liability. Their interaction forms the backbone of criminal justice administration.

The Nigerian justice system operates within a complex constitutional and statutory framework that outlines the powers, jurisdiction, functions, and limitations of both the courts and the police. The Constitution of the Federal Republic of Nigeria 1999 (as amended) is the ground norm establishing the institutional architecture of the judiciary and the Nigeria Police Force (NPF). Under *Section 6 of the 1999 Constitution*, judicial powers of the Federation are vested in the courts established for the Federation and the States. These include the Supreme Court[2], Court of Appeal[3], Federal High Court[4], National Industrial Court, State High Courts, Sharia Courts of Appeal, Customary Courts of Appeal, and subordinate courts. The Constitution guarantees judicial independence[5], ensuring separation of powers as articulated in *Lakanmi v. A.G. Western Region*[6]. The 1999 Constitution (as amended) establishes the hierarchy and jurisdiction of various courts Supreme Court, Court of Appeal, Federal High Court, High Courts, Sharia and Customary Courts of Appeal, and Magistrate/Area Courts. The judiciary is empowered to interpret laws, adjudicate disputes, safeguard human rights, and provide checks on executive and legislative powers.

The Police Act [76]explicitly outlines police functions which includes prevention of crime, protection of lives and property, enforcement of laws, apprehension of offenders, intelligence gathering, and prosecution of minor offences.

The Constitution further mandates that the police maintain public safety and order, prevent and detect crime, and enforce the law. The Nigeria Police Force (NPF) is established under *Section 214* of the Constitution and governed by the Police Act 2020. The NPF is responsible for maintaining public order, preventing crime, protecting lives and property, and enforcing legal directives. The Administration of Criminal Justice Act 2015 (ACJA) Applies federally and guides criminal procedure reforms. Its objectives include speedy justice,efficient case management, humane treatment of suspects, and reduction of delays[87].However, persistent challenges such as procedural delays, allegations of corruption, and inadequate manpower threaten the efficiency of both institutions. This article examines the roles of

[2] ss. 230–235 CFRN 1999 as amended

[3] Ibid ss. 237–248

[4] Ibid ss. 249–254

[5] Ibid ss. 6, 84, 121

[6] (1971) 1 UILR 201

[76] Police Act 2020 s. 4

[87] Administration of Criminal Justice Act 2015 (ACJA) s.1

the courts and the police, highlighting their interdependence and the obstacles that impede justice delivery in Nigeria.

2. Roles of the Courts in Nigeria's Justice System

The courts serve as the primary institution for dispute resolution, rights protection, and constitutional interpretation.

2.1. Administration of Justice

The administration of justice constitutes the core function of the courts in Nigeria. Courts are constitutionally vested with judicial powers to adjudicate disputes between individuals, between individuals and the state, and among governmental authorities. Section 6 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) expressly vests judicial powers in the courts established for the Federation and the States, empowering them to determine civil and criminal matters in accordance with due process of law[9].Through the administration of justice, courts ensure peaceful resolution of disputes and prevent self-help, which could otherwise lead to anarchy. The judiciary acts as an impartial arbiter, applying established legal principles to facts presented before it. Nigerian courts have consistently emphasized that justice must not only be done but must be seen to be done, thereby reinforcing public confidence in the legal system[10].

In administering justice, courts are also guided by procedural laws such as the Administration of Criminal Justice Act (ACJA) 2015 and various civil procedure rules, which aim to ensure fairness, efficiency, and expeditious determination of cases. The role of the courts in administering justice is therefore indispensable to societal stability and democratic governance[11].

2.2. Protection of Fundamental Rights

One of the most critical roles of the courts in Nigeria's justice system is the protection and enforcement of fundamental human rights. Chapter IV of the 1999 Constitution guarantees rights such as the right to life, dignity of the human person, personal liberty, fair hearing, freedom of expression, and freedom of movement[12]. The courts serve as the primary guardians of these rights against infringement by individuals, institutions, and state authorities.

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[9] Constitution of the Federal Republic of Nigeria 1999 (as amended), s. 6.

[10] *Akinfe v. The State* (1988) 3 NWLR (Pt. 85) 729.

[11] Administration of Criminal Justice Act 2015.

[12] Constitution of the Federal Republic of Nigeria 1999 (as amended), Chapter IV

Under Section 46 of the Constitution, any person who alleges that his or her fundamental rights have been violated or are likely to be violated may approach a High Court for redress. Nigerian courts have interpreted this provision broadly to enhance access to justice, particularly through the Fundamental Rights (Enforcement Procedure) Rules 2009, which emphasize a liberal and purposive approach to human rights enforcement[13].

Judicial decisions such as *Ransome-Kuti v. Attorney-General of the Federation* underscore the courts' commitment to protecting fundamental rights, describing them as rights that stand above ordinary laws and are antecedent to political society[14].Through this role, the courts restrain abuse of power and uphold human dignity within Nigeria's justice framework.

2.3. Judicial Review

Judicial review is a vital mechanism through which courts ensure legality, accountability, and constitutionalism in governance. It empowers the judiciary to review actions, decisions, and omissions of the executive and legislative arms of government to determine their conformity with the Constitution and other applicable laws[15].In Nigeria, courts exercise judicial review to invalidate administrative actions that are ultra vires, unreasonable, or procedurally improper. This function reinforces the principle of separation of powers and prevents arbitrary governance. The Supreme Court has affirmed that no authority or institution is above the law and that courts have the final say on legal validity[16].

Judicial review also extends to electoral matters, appointments, and disciplinary actions taken by public bodies. By performing this oversight role, the courts act as custodians of legality and protect citizens from administrative excesses, thereby strengthening democratic accountability[17].

[13] Fundamental Rights (Enforcement Procedure) Rules 2009, Preamble.

[14] *Ransome-Kuti v. Attorney-General of the Federation* (1985) 2 NWLR (Pt. 6) 211.

[15] B.O. Iluyomade & B.U. Eka, *Cases and Materials on Administrative Law in Nigeria* (Obafemi Awolowo University Press).

[16] *Governor of Lagos State v. Ojukwu* (1986) 1 NWLR (Pt. 18) 621.

[17] *Amaechi v. INEC* (2007) 18 NWLR (Pt. 1065) 42.

2.4. Constitutional Interpretation

The courts play a pivotal role in interpreting the Constitution, which is the supreme law of Nigeria. Section 1(3) of the Constitution provides that any law inconsistent with the Constitution shall be void to the extent of its inconsistency. It is the responsibility of the courts, particularly superior courts of record, to determine the meaning, scope, and application of constitutional provisions[18].

Through constitutional interpretation, courts clarify ambiguous provisions and adapt constitutional principles to contemporary realities. Nigerian courts have adopted various interpretative approaches, including literal, purposive, and liberal interpretations, depending on the nature of the issue before them[19]. The Supreme Court, as the apex court, provides authoritative interpretations that bind all lower courts. Cases such as *Attorney-General of the Federation v. Abubakar* illustrate the judiciary's role in resolving constitutional disputes with far-reaching political and legal implications[20]. This interpretative function ensures constitutional stability and uniformity in legal application across the federation.

2.5. Criminal Justice Oversight

Courts play a supervisory role in Nigeria's criminal justice system by ensuring that criminal investigations, prosecutions, and trials comply with due process and constitutional safeguards. From arraignment to trial and conviction, courts monitor the conduct of law enforcement agencies and prosecutors to prevent abuse of power.

The right to fair hearing under Section 36 of the Constitution is central to criminal justice oversight. Courts ensure that accused persons are presumed innocent, informed of charges against them, and given adequate opportunity to defend themselves[21]. The enactment of the Administration of Criminal Justice Act 2015 further strengthens judicial oversight by discouraging delays, abolishing trial-within-trial in confessional statements, and promoting non-custodial measures[22].

[18] Constitution of the Federal Republic of Nigeria 1999 (as amended), s. 1(3).

[19] *Bronik Motors Ltd v. Wema Bank Ltd* (1983) 1 SCNLR 296.

[20] *Attorney-General of the Federation v. Abubakar* (2007) 10 NWLR (Pt. 1041) 1 ; *Fawehinmi v. IGP* (2002) 7 NWLR (Pt. 767) 606.

[21] Constitution of the Federal Republic of Nigeria 1999 (as amended), s. 36.

[22] Administration of Criminal Justice Act 2015, ss. 1, 15, 270–299.

By enforcing these standards, courts contribute to a balanced criminal justice system that protects both societal interests and individual liberties.

2.6. Sentencing and Corrections

Sentencing is a crucial judicial function that follows conviction in criminal proceedings. Nigerian courts are empowered to impose appropriate sentences based on statutory provisions, judicial precedents, and the circumstances of each case. Sentencing serves multiple purposes, including punishment, deterrence, rehabilitation, and retribution[23].

In recent times, courts have increasingly embraced restorative justice and non-custodial sentencing options, particularly under the ACJA 2015, which provides for probation, community service, and suspended sentences[24]. This approach aims to decongest correctional facilities and promote rehabilitation rather than mere incarceration. Courts also exercise oversight over correctional institutions by enforcing inmates' rights and ensuring compliance with constitutional and statutory standards. Through this role, the judiciary contributes to humane and effective correctional administration in Nigeria

.2.7. Promotion of the Rule of Law

The promotion of the rule of law is the overarching role of the courts in Nigeria's justice system. The rule of law requires that all persons and authorities, including the government, are subject to the law and that legal disputes are resolved through established legal processes[25].

Courts uphold the rule of law by ensuring equality before the law, safeguarding judicial independence, and enforcing compliance with court orders. Nigerian courts have repeatedly emphasized that disobedience to court orders constitutes a grave threat to democracy and constitutional governance[26].By maintaining legal certainty, protecting rights, and restraining arbitrariness, the courts reinforce public confidence in the justice system and contribute to democratic stability and national development.

[23] *State v. John* (2013) 12 NWLR (Pt. 1368) 337.

[24] Administration of Criminal Justice Act 2015, ss. 453–460.

[25] A.V. Dicey, *Introduction to the Study of the Law of the Constitution*.

[26] *Military Governor of Lagos State v. Ojukwu* (1986) 1 NWLR (Pt. 18) 621.

3. Roles of the Police in Nigeria's Justice System

3.1Crime Prevention and Detection

One of the foremost roles of the police in Nigeria's justice system is the prevention and detection of crime. Crime prevention involves proactive measures aimed at discouraging the commission of offences, while crime detection focuses on identifying and uncovering crimes that have already occurred. *Section 4 of the Police Act*[27] empowers the police to prevent offences and detect crimes. They conduct intelligence operations, patrols, and surveillance.

The police engage in preventive policing through patrols, surveillance, intelligence gathering, community policing initiatives, and public sensitization programmes. Regular patrols and visibility in public spaces serve as deterrents to criminal activity, while intelligence-led policing enables the identification of potential threats before they escalate into actual crimes. The adoption of community policing in Nigeria reflects a shift towards collaboration between the police and local communities, fostering trust, information sharing, and collective responsibility for security.

Crime detection, on the other hand, entails the identification of offenders through investigation, forensic analysis, and intelligence reports. The police utilize various tools such as criminal records, informant networks, and technological resources to trace suspects and reconstruct criminal events. Effective crime detection ensures that offenders are brought within the ambit of the law, thereby reinforcing public confidence in the justice system.

2. Arrest and Detention of Suspects

The power of arrest and detention is a critical function of the police in the criminal justice process. The police are empowered by law to arrest individuals reasonably suspected of having committed a crime or who are in the process of committing an offence. Arrest serves the purpose of bringing suspects before the law to answer allegations against them[28]. The police may arrest with or without warrant as provided accordingly under *Police Act*[29] and *ACJA*[30]. In *Ogu v. COP*[31], the court stressed the need for reasonable suspicion before arrest.

In exercising this power, the police are expected to comply with constitutional and statutory safeguards designed to protect fundamental human rights. These include informing suspects of the reason for their arrest, ensuring humane treatment, and avoiding arbitrary or unlawful detention. Detention is intended to facilitate investigation and ensure the suspect's availability for trial, not to punish or oppress.

[27] Police Act 2020 s. 4

[28] ibid

[29] Ibid ss. 18-25

[30] Administration of Criminal Justice Act 2015 ss. 20-27

[31] (1992) 4 NWLR (Pt. 234) 431

Within Nigeria's justice system, lawful arrest and detention are essential to the legitimacy of criminal proceedings. Any abuse of police powers at this stage, such as unlawful detention or torture, may undermine prosecutions and result in the exclusion of evidence or the acquittal of suspects, thereby weakening justice delivery.

3. Investigation of Crime

Investigation is one of the most significant roles of the police and forms the backbone of criminal prosecution. Upon the commission or report of a crime, the police are responsible for conducting thorough and impartial investigations to establish the facts, identify suspects, and gather admissible evidence.

Police investigation involves visiting crime scenes, interviewing witnesses, recording statements, collecting physical and documentary evidence, and employing forensic methods where necessary. The quality of investigation directly affects the outcome of criminal trials, as courts rely heavily on the evidence presented by the prosecution, which is largely generated by police investigations.

Police gather evidence, interview suspects, and analyze crime scenes. *Section 32 of the Police Act* mandates scientific and forensic investigation. In the case of *State v. Ogbubunjo*[32] the court recognized the importance of proper investigation in prosecution. In Nigeria's justice system, effective investigation ensures that only culpable individuals are charged, thereby protecting innocent persons from wrongful prosecution. Conversely, poor investigation may lead to weak cases, prolonged trials, or miscarriages of justice, highlighting the critical role of professionalism and competence within the police force.

4. Prosecution of Criminal Cases

Although the primary responsibility for prosecution lies with the Attorney-General of the Federation or of a State, the police play a substantial role in prosecuting criminal cases, particularly at the magistrate court level. Police prosecutors represent the state in many summary offences and less complex criminal matters. Under *Section 66 of the Police Act 2020* and *Section 174 of the CFRN 1999 (as amended)*, police officers can prosecute minor criminal cases in magistrate courts.

In this capacity, the police prepare charge sheets, present evidence, call witnesses, and conduct examinations in court. Their prosecutorial role bridges the gap between investigation and adjudication, ensuring that criminal cases are presented before competent courts for determination.

The effectiveness of police prosecution significantly influences the efficiency of the justice system. Well-prepared police prosecutors contribute to speedy trials and fair outcomes, while inadequate legal knowledge or poor case presentation may lead to delays, dismissals, or acquittals.

[32] (2001) 2 NWLR (Pt. 697) 431

5. Maintenance of Public Order

The maintenance of public order is a core policing function essential to social stability and the rule of law. The police are responsible for managing public gatherings, controlling crowds, and preventing disturbances that may threaten peace and security.

In Nigeria, the police regulate assemblies, protests, and demonstrations to ensure that they are conducted lawfully and peacefully. During periods of civil unrest, elections, or communal tensions, the police act as neutral arbiters tasked with preventing violence and safeguarding democratic processes.

By maintaining public order, the police create an environment conducive to the administration of justice. Courts, law enforcement agencies, and other institutions can only function effectively where there is peace, order, and respect for lawful authority.

6. Protection of Lives and Property

The protection of lives and property is one of the most fundamental responsibilities of the police in Nigeria's justice system. This role reflects the social contract between the state and its citizens, wherein individuals relinquish certain freedoms in exchange for security and protection.

The police respond to emergencies, prevent violent crimes, protect vulnerable persons, and safeguard public and private property. Through patrols, rapid response units, and special operations, the police seek to minimize harm to individuals and communities.This protective role extends beyond crime control to humanitarian functions, such as disaster response and rescue operations. By ensuring the safety of lives and property, the police uphold public confidence in the justice system and reinforce the legitimacy of state authority.

7. Enforcement of Court Orders

Another crucial role of the police in Nigeria's justice system is the enforcement of court orders. Judicial decisions would be ineffective without an enforcement mechanism, and the police serve as the primary agency responsible for giving effect to lawful court directives.

The police enforce arrest warrants, execute search warrants, provide security during court proceedings, and assist in the enforcement of judgments and injunctions where required. Their cooperation with the judiciary ensures that court orders are obeyed and that the authority of the courts is respected. Effective enforcement of court orders underscores the supremacy of the law and reinforces the principle that no individual is above the law. Failure by the police to enforce judicial decisions may erode public trust in the justice system and encourage lawlessness.

4. Challenges Facing the Courts in Nigeria's Justice System

These both institutions face structural, logistical, and conceptual challenges that undermine justice delivery. The Nigerian judiciary, though constitutionally established as an independent arm of government, continues to grapple with a spectrum of systemic and institutional challenges that

impede its ability to deliver timely, effective, and impartial justice. These challenges, which have been extensively discussed in academic literature, judicial commentaries, and civil society reports, collectively weaken public confidence in the justice system and undermine the rule of law. Some of these challenges are:

4.1 Judicial Delay

This is one of the most visible and widely criticized impediments to judicial effectiveness. Nigerian courts are notorious for congested dockets, a consequence of insufficient numbers of judges, outdated procedural rules, excessive adjournments, and a culture of litigation in which parties frequently exploit loopholes to stall proceedings. It is not unusual for cases especially civil disputes and appeals to last several years before resolution, with some stretching across a decade or more. The Supreme Court itself has publicly lamented the overwhelming number of appeals that reach it annually, far beyond what its justices can dispose of efficiently. Lower courts are similarly overburdened, often lacking the administrative staff and technological tools needed to manage caseloads effectively. As a result, justice is frequently delayed and, for many litigants, effectively denied.

4.2Corruption

This is a persuasive matter that has been the focus of numerous studies and reports, including those produced by the CLEEN Foundation. Corruption manifests in subtle and overt ways: from the improper influencing of court processes and judgments to bribery involving court staff responsible for filing, service of processes, or record compilation. Although many judicial officers uphold high ethical standards, the actions of a compromised few have far-reaching consequences, eroding public trust and casting a shadow over the credibility of the entire judiciary. The National Judicial Council (NJC) continues to discipline erring judges, but the persistence of the problem points to deeper institutional vulnerabilities and there's a need for stronger oversight mechanisms and improved remuneration to minimize susceptibility to unethical conduct.

4.3 Inadequate Funding

This particular challenge undermines virtually every aspect of judicial operations. For decades, the judiciary has depended heavily on the executive arm for the release of funds, a practice that not only threatens judicial independence but also limits the courts' ability to modernize their facilities. Many courts operate in dilapidated buildings, lack electricity or functional equipment, and have insufficient staff to support judicial work. Digitization an essential component of modern justice delivery remains limited, with e-filing, virtual hearings, and digital archiving largely restricted to a handful of courts in major urban centers. Poor funding also affects judicial welfare, contributing indirectly to issues like corruption and low morale. Although recent constitutional amendments and court judgments have reaffirmed financial autonomy for state judiciaries, implementation remains uneven.

4.4 Political Interference

This represents another long-standing distortion of the justice system, especially in cases involving politically exposed persons, high profiles or matters of significant public interest. Despite constitutional guarantees of judicial independence, the reality is that political actors particularly at state levels wield considerable influence over judicial appointments, promotion, and sometimes even case assignments. High-profile corruption and election-related cases regularly spark public debates about the extent to which the judiciary can withstand political pressure. While many judges demonstrate commendable courage in their rulings, the structural vulnerabilities of the appointment and funding mechanisms make the judiciary susceptible to undue influence.

4.5 Poor Record -Keeping

There is a continual suffering of the court from poor recording keeping systems, a problem that significantly contributes to delays and procedural inefficiencies. In many jurisdictions across Nigeria, courts still rely on manual, paper-based filing systems, handwritten court proceedings, and physical movement of case files. This exposes the system to risks of file loss, tampering, and disorganization. A single missing file can delay a case/matter for months, while the absence of centralized digital case management systems makes coordination between courts difficult. Although some recent reforms particularly following the COVID-19 pandemic have encouraged limited digitization, progress remains slow and uneven across states.

5. Challenges Facing the Police in Nigeria's Justice System

5.1 Inadequate Training and Equipment:

The Nigeria Police Force (NPF) has long lacked sufficient investment in modern investigative skills and equipment. Forensic capacity is especially weak: many complex crimes (homicide, sexual violence, cyber-enabled offences) are investigated largely through eyewitness accounts, confessions, and circumstantial evidence rather than properly conducted forensic work. That weakness leads to unsolved cases, wrongful convictions, and an overreliance on custodial interrogations. Practical consequences include slow or failed prosecutions, poor crime-scene management, and limited ability to use scientific evidence in court. Multiple academic and policy studies document gaps in forensic training, the scarcity of accredited laboratories, and limited continuing professional development for investigators problems compounded by shortages of vehicles, forensic kits, and modern communications/IT infrastructure[33].

5.2 Corruption and Abuse of Power:

Corruption (extortion, bribery) and human-rights abuses (torture, unlawful detention, extrajudicial force) are widely documented problems that undermine the police's legitimacy. High-profile episodes and long-standing reports about units such as SARS show patterns of brutality and

[33] Evaluating Police Awareness and Utilization of Forensic Science in Criminal Investigations: Evidence from the Edo State Police Command, Nigeria. https://jnasr.iuokada.edu.ng/wp-content/uploads/2025/06/paper-6.pdf?utm_source accessed on 10th December 2025

impunity[34]. Academics and human-rights organisations note routine practices in which officers demand bribes to drop cases or release detainees, and where custodial violence is used to extract confessions. The law also recognizes limits on police conduct: the appellate decisions in the *Gani Fawehinmi v Inspector-General of Police*[35] litigation show judicial attention to police discretion and limits on investigative powers, and the case is frequently cited in debates about accountability and the extent of police discretion in investigating high-level officials. The combined picture is a force whose public interactions are too often marked by abuse and weak accountability, which in turn fuels protests and calls for reform.

5.3 Poor Welfare and Working Conditions:

Low pay, delayed salaries, inadequate housing, and poor welfare packages reduce morale and create incentives for corrupt behavior. Studies and journalistic reviews of police remuneration show that many officers receive wages that do not match workload or the costs and risks of policing in Nigeria; this is coupled with shortages of decent barracks, medical care, and family support. Where welfare and reward systems are weak, officers are more likely to supplement income through unlawful means or be less motivated to pursue demanding investigations which reduces overall effectiveness[36].

5.4 Public Distrust:

Public distrust of the police driven by experiences or reports of brutality, corruption, and perceived impunity undermines cooperation. Effective policing depends on community intelligence, witness cooperation, eyewitness reporting, and confidence that complaints will be investigated fairly; where communities lack trust, they stop reporting crimes, withdraw witnesses, or rely on vigilante/community justice. The 2020 national protests (EndSARS and subsequent demonstrations) vividly illustrated public frustration with police misconduct and the breakdown in trust[37]. International and Nigerian reports link poor police accountability directly to diminished public cooperation and worse crime-control outcomes.

5.5 Over centralization:

The single national command structure hampers effective state-level policing. Nigeria's policing model is highly centralized: under the 1999 Constitution the NPF is under the Inspector-General, and policing remains a federal responsibility. Critics argue that this single national command creates a top-down bureaucracy that is slow to respond to local security needs, reduces state-level flexibility, and concentrates political control in Abuja which can weaken responsiveness to

[34] https://www.amnesty.org/en/latest/press-release/2020/10/nigeria-authorities-repeatedly-failing-to-tackle-impunity-enjoyed-by-notorious-sars-police-unit/?utm_source accessed on 10th December 2025

[35] (2002) LLJR-SC

[36] NIGERIAN JOURNAL OF PUBLIC SECTOR MANAGEMENT (NJPSM) 'Reward System and Employee's Job Performance: Assessment of the Police Welfare Packages in Nigeria'.

[37] https://www.hrw.org/news/2020/10/16/nigeria-crackdown-police-brutality-protests? Accessed on 10th December 2020

community-specific problems. Scholarship and policy papers on "state police" and decentralization outline how centralization contributes to poor local accountability, coordination gaps with state or local governments, and operational bottlenecks[38].

5.6 Interference by Political Actors:

Political interference - appointments, transfers, and pressure on investigations erodes professionalism and independence. When political actors influence operations (for example by shielding allies, directing investigations, or using the police for partisan ends), it reduces legal impartiality and encourages the police to prioritize political directives over public safety. Nigerian reform advocates and watchdogs have repeatedly pointed to political interference as a stumbling block to meaningful police reform and professionalization; the CLEEN Foundation and other civil-society organizations directly link lack of political will and interference to stalled reforms. The CLEEN Foundation has said that a lack of political will is a stumbling block to implementing the nation's policing system[39]. Judicial cases and human-rights report also highlight how politicization undermines due process and accountability.

6.Conclusion

The courts and police are indispensable pillars of the Nigerian justice system. While the courts ensure adherence to the rule of law and protect constitutional rights, the police maintain law and order, prevent crime, and facilitate the criminal justice process. However, structural inefficiencies, corruption, inadequate funding, and operational challenges continue to hinder effective functioning. The interaction between the courts and police remains crucial: the police initiate criminal proceedings, while the courts provide oversight, adjudication, and checks on police power. Strengthening both institutions is essential for democratic stability, protection of human rights, and public confidence in the justice system. The courts and the police form two essential pillars of Nigeria's justice architecture. The courts ensure fairness, legal interpretation, and protection of rights, while the police maintain order and enforce the law. Their functions are interdependent and critical for justice delivery. However, systemic challenges continue to hamper their effectiveness. Addressing these issues is necessary to restore public confidence, strengthen the rule of law, and enhance democratic governance in Nigeria.

7. Recommendations

7.1 Judicial Independence and Funding

Ensuring true financial autonomy for the judiciary especially through full compliance with Executive Order 10 and constitutional provisions protects courts from political interference. When courts can manage their own budgets, they function more impartially and efficiently.

[38] H.A. Ikedinma, 'NIGERIAN CENTRALIZED POLICE STRUCTURE AS AN ANTITHESIS OF COMMUNITY POLICING'

[39] https://cleen.org/2024/10/22/foundation-demands-effective-implementation-of-police-reforms/ accessed on 10th December 2025

7.2 Digitization of Court Processes

Introducing e-filing, virtual hearings, and digital record-keeping nationwide will reduce delays, prevent file loss, and make justice more accessible. Technology streamlines procedures and enhances transparency.

7.3 Police Reform

Effective reform requires continuous training, better investigative tools (including forensic labs), and promotions based strictly on merit. This strengthens professionalism and reduces corruption.

7.4Decentralization:

Establishing state police through constitutional amendment supported by strong oversight can make policing more responsive to local needs while preventing abuse through regulatory checks.

7.5 Human Rights Compliance

Strict enforcement of the Anti-Torture Act 2017, along with mandatory video-recorded interrogations and sanctions for violators, helps curb abuse and aligns policing with constitutional protections.

7.6 Strengthening ACJA Implementation

For the Administration of Criminal Justice Act to work uniformly across Nigeria, all states must adopt it fully and monitoring committees must ensure real compliance in investigations, prosecutions, and trials.**7.7 Anti- Corruption Measures**

Transparent disciplinary systems, both in the judiciary and the police, are crucial for restoring trust. Misconduct must be promptly investigated and punished without bias.

7.8 Public Awareness

Legal literacy programs empower citizens to understand their rights and obligations. Better community engagement also improves cooperation with police and confidence in courts. Strengthen Institutional Independence. Both the judiciary and the police need adequate funding and operational autonomy to function without undue influence from the executive or political actors.

7.9 Capacity Building and Training

Ongoing training for judges, magistrates, and police officers especially in ethics, human rights, evidence handling, and modern investigations improves the quality of justice delivery. Technological Upgrades. Tools such as digital case-management systems, forensic technologies, and body-worn cameras reduce errors, improve investigations, and enhance transparency and accountability.

7.10 Police Reform and Community Policing

Full implementation of the Police Act 2020 and expanded community policing encourages partnership between officers and communities, strengthening trust and intelligence gathering.

7.11 Reduction of Court Backlogs

Increasing the number of judicial officers, promoting ADR, and establishing fast-track courts for specific matters (like commercial or electoral disputes) will help tackle prolonged delays.

Enhanced Oversight and Accountability Independent and effective oversight bodies should monitor the conduct of courts and police, ensuring swift action against corruption or abuse of office.

7.12 Collaboration Between Courts and Police

Regular joint training sessions, shared communication channels, and coordinated procedures strengthen the relationship between investigators and judicial officers, ensuring smoother justice delivery.