



# CHAPTER 8

THE LEGISLATIVE AGENDA  
FOR SECURITY REFORM

08

Security remains a major challenge to the country. There has been significant loss of lives and property due to the increasing rates of insecurity in the country. This is the reason security has ranked very high in the legislative activities of the 8th National Assembly.

The National Assembly set up an Ad-hoc Committee on reforming the National Security Infrastructure. The Committee has since submitted its report.

Highlights of some of the other security challenges have been the increase in the activities of the Boko Haram in the North East, and growing militia activities in the North-West especially in states like Zamfara and Sokoto. These are growing threats that rank highest in terms of their implication to the survival of the country and its democracy.

The Senate has carried out investigative motions and hearings on the activities of

murderous herdsmen and their clashes with farmers in the North-Central region.

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The Senate has also taken significant interest in the worrisome and growing

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threats of cybercrime in the country. In 2017 alone, the Senate passed eight resolutions dealing with security including the growing cases of jungle justice in the country, the state of insecurity in southern Kaduna, the proliferation of small arms and light weapons, ethnic clashes in Ile-Ife, the increasing rate of kidnappings in the country, the rising rate of rape and sexual assault on women, communal clashes in certain communities in cross-river state, the death of 26 young Nigerian girls off the coast of Libya, and the state of security in Adamawa, Borno and Yobe States.

Also in 2018, the Senate took further action on the security situation in the country through motions including: calling attention to the urgent need to look into killings in Zamfara State, where several people lost their lives; the continuous killings in Benue State; the proliferation of dangerous firearms in Nigeria; the gruesome killing of 40 people in Sokoto State by armed bandits; the need to investigate the importation of military items without the approval of the National Security Adviser. The Senate took the extraordinary step to invite the President to come and brief the National Assembly on what the administration planned to do to halt the growing insecurity and killings in the country. This was after two major incidences - one in Benue state where there were three separate church killings within a short space of time, and the other being the Plateau revenge killings over slaughtered cows.

Bills and relevant areas of intervention for security of lives and property as well as social re-engineering:

- North East Development Commission Bill
- The Police Reform Bill 2018
- The Prisons Reform Bill
- The Compulsory Treatment of Gunshot Wound Victims Bill
- Sexual Harassment in Tertiary Institutions Prohibition Bill
- Discrimination Against Persons with Disabilities Bill
- Prevention and Punishment for Torture Bill
- Anti-Jungle Justice Bill

## NORTH EAST DEVELOPMENT COMMISSION BILL

The Bill establishes the North East Development Commission (NEDC) charged with the responsibility to, among other things, receive and manage funds from allocation of the Federation Account and International Donors for the settlement, rehabilitation and reconstruction of roads, dwellings and business premises of victims of insurgency as well as tackling the menace of poverty, poor literacy levels, ecological problems and other related environmental or developmental challenges in the North East States.

## The Police Reform Bill 2018

The legal framework for the Nigerian Police improves significantly from what is currently obtainable in the Police Act. The new proposal clearly states the guiding principles and objectives of the police service to include efficiency and effectiveness, public accountability and transparency, protection of human rights and fundamental freedoms, and partnership with other security institutions. These underlying principles were clearly emphasized all-round the provisions.

The bill rightly removes the old provisions of supernumerary police officers. These are police officers attached to private properties or individuals by an application to the police force. It sets out clear procedures for the appointment, removal and tenure of Inspector General of Police (IGP), Deputy Inspector General of Police and the Assistant Inspector General, which is currently lacking in the Police Act.

The bill provides a mechanism for assessing the performance of the IGP and Commissioners around a robust functional structure. This is important as it has been lacking in the extant Police Act. The proposal minimizes presidential influence and interference in the operations of the police.

The bill mandates police officers to undergo specialized trainings and ensures that intending officers go through psychological evaluation to ensure their suitability. It provides more detailed and best practices provisions on the powers of police to execute a search and arrest. In other to ensure transparency and dissuade abuse of human rights, it makes it mandatory for the police to keep substantial records of searches and arrests. This is a major reform initiative that seeks to create a ring of accountability on such vexed issues as arrest, detention and processing of suspects.

The bill provides for Community Police Forums to ensure efficient community policing. The framework created is the most comprehensive yet, and provides clarity of roles in the implementation of the community policing initiative. It further seeks to establish the Police Complaints Response Unit as a unit that will oversight the police by investigating

and recommending disciplinary actions to appropriate authorities for erring officers. This is more like the ombudsman scheme for the police. In that case, it needs to be ringfenced to be more efficient and independent.

For the first time, we have a directive principle on which our police must exercise its powers and authority. These principles include efficiency and effectiveness; accountability and transparency; protection of human rights and fundamental freedoms; and partnership with other security institutions. The bill also includes methods of dealing with abuse of weapons by police officers.

Another major feature is the establishment of a Community Police and Boards in all the States of the Federation that will consist of broad representatives of the community and the State to ensure effective, efficient and participatory community policing.

## THE COMPULSORY TREATMENT OF GUNSHOT WOUND VICTIMS BILL

Over the years, Nigerians have lamented the level of neglect of citizens left to die of gunshot wounds on the pretext that such victims may have been shot while committing criminal acts. For too long, the default has been not to render help to such persons on the presumption of guilt of some crime or the other.

The 8th National Assembly found this practice not only repugnant and heinous, but also a complete violation of the constitutionally guaranteed presumption of innocence until proved guilty in a court of competent jurisdiction, which is granted all persons within the territory of Nigeria. This bill puts paid to this practice and criminalises the abandonment victims of gunshot wounds until such victims provide police reports.

## SEXUAL HARASSMENT IN TERTIARY EDUCATIONAL INSTITUTIONS BILL 2016

The bill makes provision for the prohibition and punishment of sexual harassment of students in our educational institutions.

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The bill recognizes need to create equal learning opportunities for students of tertiary institutions in an atmosphere devoid of sexual harassment. The bill makes it an offence for educators to engage in any form of sexual activity with students.

## DISCRIMINATION AGAINST PERSONS WITH DISABILITIES (PROHIBITION) BILL 2015

The Bill ensures the integration of persons with disabilities into society; it establishes a National Commission for Persons with Disabilities and vests it with the responsibilities for their education, healthcare and the protection of their social and economic rights.

Amongst other things, the bill clearly spells out the rights of disabled persons, their participation in politics, and provides for free medical and health services for mental disability. It makes it mandatory for employers in public organizations to as much as possible have persons with disabilities constituting at least five per cent of their work force.

## PREVENTION AND PUNISHMENT OF TORTURE BILL 2015

The bill gives effect to the provisions of section of 34(1) of the 1999 Constitution on the right to respect of human dignity and protection from inhuman treatment by prohibiting and preventing any form of torture or cruel, inhuman or degrading treatment or punishment. It provides for the crime of torture and a clear definition of acts that constitute torture.

## ANTI-JUNGLE JUSTICE BILL 2015

The Bill prohibits and protects persons from suspect lynching, mob action and extra-judicial executions by any person or security officer of the Police, armed forces or any paramilitary organization. The Bill empowers the Attorney General to open an investigation into every case of jungle justice with a view to the prosecution of all persons involved.

