

# 19 Wrongful Arrests and Human Rights Violations During Criminal Investigations in Nigeria

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## INTRODUCTION

Wrongful arrests and human rights violations during criminal investigations represent a critical concern within Nigeria's criminal justice system. Despite constitutional safeguards and Nigeria's commitment to international human rights frameworks, violations such as arbitrary arrests, unlawful detentions, forced confessions, and the use of torture remain prevalent. These violations not only infringe on the fundamental rights of individuals but also undermine the integrity of criminal investigations, erode public trust in law enforcement, and obstruct the broader goals of justice and accountability. The issue has gained national and international attention, particularly in the wake of widespread protests against police brutality in Nigeria, exemplified by the #EndSARS movement in 2020.

The Nigerian Constitution (1999, as amended) explicitly provides for the protection of human rights. Section 35 guarantees the right to personal liberty, stipulating that individuals shall not be subjected to arbitrary arrest or detention. Furthermore, Section 34 affirms the right to dignity, prohibiting torture and inhuman or degrading treatment. In addition, Nigeria has domesticated international instruments such as the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment through the Anti-Torture Act of 2017. Yet, the implementation of these legal frameworks remains grossly inadequate. According to Amnesty International (2020), Nigerian police officers, particularly within disbanded units like the Special Anti-Robbery Squad (SARS), routinely engaged in practices that blatantly violated these laws, including the extortion, beating, and illegal detention of suspects.

One of the root causes of wrongful arrests in Nigeria is the systemic failure of the investigative and judicial mechanisms. Law enforcement officers often operate without proper evidence or warrants, relying instead on profiling, suspicion, or external pressures to arrest individuals. These practices are exacerbated by a culture of impunity, where officers rarely face consequences for misconduct. A report by the National Human Rights Commission (NHRC, 2021) revealed that arbitrary arrests and the use of torture are commonplace, often used as tools to extract confessions or

hasten investigations, regardless of their legality. Moreover, suspects are frequently denied access to legal representation and are held in detention for periods far exceeding the constitutionally allowed 24 to 48 hours without being charged.

The role of socioeconomic factors in perpetuating these violations cannot be overlooked. Many victims of wrongful arrest come from marginalized communities, where access to legal resources is limited. The police often target individuals based on appearance, occupation, or location—factors that reflect systemic inequalities in Nigerian society (Okonkwo, 2018). Young men, particularly those perceived as “internet fraudsters” or “Yahoo boys,” are disproportionately profiled, arrested, and mistreated without due process. This pattern of discriminatory enforcement contributes to the perception of law enforcement as a tool of oppression rather than protection.

Another major contributor to human rights violations during investigations is the inadequacy of police training and the lack of modern investigative tools. Many officers rely on outdated methods, including physical coercion, rather than forensic science or intelligence-led policing (Alemika & Chukwuma, 2019). The overreliance on confessions—often extracted under duress—as the primary form of evidence in criminal cases has led to numerous miscarriages of justice. These practices not only contravene ethical standards but also compromise the reliability of investigations, as coerced confessions can easily lead to wrongful convictions. Efforts to address these challenges have been met with limited success. Reforms have been proposed, such as community policing initiatives, the establishment of human rights desks in police stations, and the passage of laws aimed at curbing police brutality. However, the implementation of these reforms has been inconsistent and often lacks the political will and institutional support needed for meaningful change. Civil society organizations and the media have played a crucial role in bringing attention to these abuses, yet their advocacy is often met with resistance from entrenched interests within the security and political establishments.

This study seeks to critically examine the prevalence and implications of wrongful arrests and human rights violations during criminal investigations in Nigeria. By relying on secondary data sources—including reports from Amnesty International, Human Rights Watch, the NHRC, and relevant academic literature—the research explores the systemic, legal, and institutional factors that sustain these violations. It also assesses the effectiveness of existing legal frameworks and proposes practical strategies to ensure accountability and the protection of human rights. Understanding and addressing the root causes of these issues is essential not only for restoring public confidence in the criminal justice system but also for safeguarding democratic values and the rule of law in Nigeria.

## **Statement of the Problem**

Wrongful arrests and human rights violations during criminal investigations have become persistent and alarming issues within Nigeria's criminal justice system. Despite constitutional protections and international human rights commitments, individuals—particularly those from marginalized communities—are frequently subjected to arbitrary detention, torture, coercion, and denial of due process by law enforcement agencies. These practices undermine the rule of law, erode public trust in the police and judiciary, and compromise the fairness and effectiveness of criminal investigations. Moreover, the systemic nature of these violations suggests deep-rooted challenges such as inadequate police training, poor investigative procedures, corruption, and lack of accountability mechanisms. Without addressing these problems, Nigeria risks perpetuating cycles of injustice, increasing social unrest, and weakening democratic governance. Therefore, there is an urgent need to critically examine the causes, prevalence, and consequences of wrongful arrests and human rights abuses during investigations, and to identify practical strategies for reform that can protect citizens' rights and strengthen the criminal justice system.

## **Methodology**

This study employs a qualitative research methodology based on the systematic analysis of secondary data sources to explore wrongful arrests and human rights violations during criminal investigations in Nigeria. Given the sensitive and complex nature of the topic, secondary qualitative data provides rich, detailed insights into patterns, causes, and consequences of these violations without the ethical and practical challenges of primary data collection. The study draws on a wide range of secondary sources, including published reports from human rights organizations such as Amnesty International, Human Rights Watch, and the National Human Rights Commission (NHRC). It also incorporates legal documents, government publications, news articles, academic journal articles, and previous scholarly research relevant to police misconduct, criminal investigations, and human rights in Nigeria.

Relevant documents were identified through purposive and systematic search strategies in academic databases, official websites of human rights bodies, and online archives. Criteria for inclusion included recentness (preferably within the last decade), credibility of the source, and direct relevance to the issues of wrongful arrests, torture, coercion, and procedural abuses within Nigerian criminal investigations.

The collected data were analyzed thematically to identify recurring patterns, major themes, and critical issues. Themes include the legal and institutional framework governing arrests and investigations, documented cases of police abuse, the socio-political context enabling such violations, and the effectiveness of existing reforms. Content analysis was used to extract qualitative information regarding the nature of abuses, victim profiles, and systemic challenges reported by various secondary sources.

## **Literature Review**

The issue of wrongful arrests and human rights violations during criminal investigations in Nigeria has attracted significant academic and policy-related attention in recent years, especially due to persistent patterns of abuse within law enforcement agencies. Numerous studies have examined the legal, institutional, and socio-political factors that enable these violations and the consequences they pose for justice and governance.

At the heart of the problem lies the Nigeria Police Force (NPF), which is frequently accused of engaging in arbitrary arrests, unlawful detentions, torture, and extrajudicial actions. Alemika and Chukwuma (2019) identify a longstanding culture of impunity, poor investigative capacity, and systemic corruption as key contributors to these abuses. This is particularly evident in the use of force and coercive interrogation techniques to obtain confessions, often in the absence of credible evidence. According to Amnesty International (2020), the now-disbanded Special Anti-Robbery Squad (SARS) routinely engaged in torture, extortion, and illegal detentions, practices that were well documented yet rarely sanctioned by authorities.

Although Nigeria has established a strong legal framework intended to protect individual rights, enforcement remains weak. The 1999 Constitution of Nigeria guarantees personal liberty and protection from arbitrary detention (Sections 34 and 35), while the Anti-Torture Act of 2017 criminalizes torture and inhuman treatment. However, scholars such as Okonkwo (2018) argue that the legal protections are frequently undermined by law enforcement officers who either lack adequate training or deliberately violate procedures due to a lack of accountability. The Administration of Criminal Justice Act (ACJA) 2015 also mandates fair treatment of suspects and timely prosecution, but its implementation is uneven across states (National Human Rights Commission [NHRC], 2021).

Empirical evidence shows that the victims of these violations are often marginalized or vulnerable individuals, including young people, low-income earners, and ethnic minorities. Human Rights Watch (2019) documented numerous instances where young Nigerian men were targeted by police for simply possessing smartphones or laptops, under the assumption they were engaged in internet fraud. This reflects a broader pattern of profiling and social discrimination, where law enforcement disproportionately focuses on perceived "deviants" rather than using evidence-based policing.

The psychological and social consequences of wrongful arrests are profound. Victims often suffer from trauma, stigmatization, and loss of livelihood, while prolonged pre-trial detention contributes to prison overcrowding and judicial inefficiency. Eze (2020) notes that these violations fuel public resentment,

delegitimize the police, and contribute to rising tensions between citizens and the state. The #EndSARS protests in 2020, for example, were sparked by widespread frustration over police brutality and the impunity that surrounds these abuses.

Efforts at reform have included the promotion of community policing, creation of Police Complaint Response Units (PCRUs), and judicial panels of inquiry into police misconduct. However, these initiatives are often underfunded, poorly implemented, or lack legal enforcement. Oloyede (2021) contends that many police reforms in Nigeria have been superficial, failing to address the root causes of abuse such as poor remuneration, weak internal oversight, and entrenched political interference.

Civil society and international organizations continue to play a vital role in documenting abuses and advocating for reform. Media coverage, legal advocacy, and digital activism have helped bring attention to human rights violations, though these efforts are frequently hindered by government censorship and threats to journalists and activists (Adeyemi, 2019). Scholars agree that sustainable change requires institutional restructuring, capacity-building for police officers, stronger accountability mechanisms, and political will at all levels of government.

In conclusion, the literature reveals that wrongful arrests and human rights violations in Nigeria are not merely the result of individual misconduct, but rather stem from deep-seated structural and systemic weaknesses. Addressing these issues demands not only legal and policy reforms but also a cultural transformation within law enforcement institutions, grounded in transparency, accountability, and respect for human dignity.

### **Wrongful Arrests in Nigeria**

Wrongful arrests in Nigeria have emerged as a pervasive issue in the country's law enforcement and criminal justice system, reflecting broader institutional weaknesses, a lack of accountability, and systemic rights violations. Scholars, human rights organizations, and legal practitioners have highlighted the prevalence and consequences of wrongful arrests, particularly their impact on civil liberties and public trust in the police.

At the core of the problem is the misuse of police power. Studies show that law enforcement officers frequently arrest individuals without proper investigation or legal basis, often relying on suspicion, profiling, or public complaints rather than credible evidence. Alemika and Chukwuma (2019) argue that the Nigeria Police Force (NPF) suffers from inadequate training, poor investigative procedures, and an institutional culture that tolerates arbitrary actions. This leads to arrests that are not only legally unjustified but also procedurally flawed.

The Nigerian Constitution (1999) and various international instruments to which Nigeria is a party provide strong legal protections against arbitrary arrests. Section 35 of the Constitution guarantees the right to personal liberty and stipulates that no one should be arrested without cause or held beyond 48 hours without a court order. Despite these provisions, Okonkwo (2018) observes that police officers often act in violation of these rules, especially in areas where oversight is weak or non-existent.

Wrongful arrests disproportionately affect young people, the poor, and residents of urban slums, who are often profiled based on appearance, behavior, or possession of items such as smartphones or laptops (Human Rights Watch, 2019). Such profiling is commonly associated with allegations of cybercrime, even when there is no supporting evidence. These demographic groups lack access to legal representation and are more vulnerable to police harassment, increasing the likelihood of being wrongfully arrested (Amnesty International, 2020).

In many cases, wrongful arrests are used as a tool of extortion or intimidation. According to the National Human Rights Commission (2021), police officers frequently demand bribes to release unlawfully detained individuals, especially when no charges are filed. This practice creates a financial incentive for police to make baseless arrests, turning the criminal justice system into a mechanism of exploitation rather than justice.

The psychological and social consequences of wrongful arrests are significant. Victims often experience trauma, social stigma, loss of employment, and even physical abuse while in custody (Eze, 2020). Moreover, wrongful arrests clog Nigeria's already overburdened courts and prisons, contributing to delays in the justice system and prolonged pre-trial detentions.

Reforms have been proposed to reduce the incidence of wrongful arrests. These include the implementation of the Administration of Criminal Justice Act (ACJA) 2015, which mandates that arrests be based on reasonable suspicion and prohibits arrest for civil wrongs or debt. However, implementation remains uneven across states, and many police officers are unaware of—or ignore—the provisions of the law (Oloyede, 2021).

Civil society organizations and legal advocacy groups have also played a crucial role in raising awareness and providing legal aid to victims. Nonetheless, their efforts are constrained by limited resources and occasional hostility from security agencies (Adeyemi, 2019).

In summary, the literature establishes that wrongful arrests in Nigeria are the result of institutional dysfunction, legal non-compliance, and socio-political neglect. Addressing the problem requires comprehensive reform of police practices, legal

education for officers, stronger oversight mechanisms, and enhanced access to justice for vulnerable populations.

### **Reasons for Wrongful Arrests and Human Rights Violations During Criminal Investigations in Nigeria**

The prevalence of wrongful arrests and human rights violations during criminal investigations in Nigeria is rooted in a complex interplay of institutional, legal, and socio-political factors. These systemic issues have allowed abuse to thrive within the country's law enforcement processes, undermining justice and civil liberties.

#### **Weak Legal Enforcement and Institutional Impunity**

Although Nigeria has enacted several laws guaranteeing human rights and due process—such as the 1999 Constitution, the Anti-Torture Act of 2017, and the Administration of Criminal Justice Act (ACJA) 2015—the enforcement of these provisions remains grossly inadequate. Many law enforcement officers operate with little fear of consequences for violating suspects' rights. According to Alemika and Chukwuma (2019), the police in Nigeria often disregard legal safeguards during arrest and detention due to a long-standing culture of impunity and weak internal accountability mechanisms.

#### **Poor Training and Investigative Capacity**

Another critical factor is the lack of adequate training among police officers. Many are unfamiliar with proper investigative procedures, forensic methods, or suspects' constitutional rights, which leads to the reliance on coercion and forced confessions. Amnesty International (2020) reported that officers frequently engage in arbitrary arrests to secure quick "results," often targeting vulnerable groups without substantial evidence. This knowledge gap contributes to frequent violations during interrogations and investigations.

#### **Corruption and Extortion**

Corruption is a significant driver of wrongful arrests. Law enforcement officers often arrest individuals not because of criminal activity but to extort money from them or their families. The National Human Rights Commission (2021) notes that extortion has become institutionalized within the police system, with detainees routinely asked to pay bribes to secure their release or avoid fabricated charges. This financial incentive undermines the credibility of investigations and creates a cycle of abuse and exploitation.

#### **Social Profiling and Discrimination**

Certain groups in Nigeria—particularly young men, the unemployed, and those carrying smartphones or laptops—are frequently profiled by the police as internet fraudsters or criminals. Human Rights Watch (2019) observed that police officers often arrest individuals based on appearance, location, or economic status rather than

on evidence. This discriminatory profiling increases the likelihood of wrongful arrests, especially in urban areas where socioeconomic inequalities are stark.

### **Political Interference and Abuse of Power**

Law enforcement agencies are sometimes used by political actors to intimidate, arrest, or silence opponents and activists. This political interference undermines the neutrality of investigations and encourages the use of police power for non-legal ends. As Oloyede (2021) points out, the politicization of the police has eroded public confidence and further entrenched human rights abuses, particularly during elections or civil protests, such as the #EndSARS movement.

### **Overburdened and Under-Resourced Judiciary**

A slow and under-resourced judiciary contributes to prolonged detention of individuals who have been wrongfully arrested. Eze (2020) argues that delays in trials, lack of legal representation, and poor prison conditions exacerbate the suffering of victims of wrongful arrests. With over 70% of inmates in Nigerian prisons awaiting trial (CLEEN Foundation, 2020), many suffer indefinite detention without conviction, highlighting the systemic dysfunction within the justice system.

### **Extortion, and Denial of Legal Representation in Nigerian Detention Facilities**

Inmates within Nigeria's detention and correctional facilities frequently endure severe human rights violations, including physical torture, extortion, and denial of access to legal representation. These abuses persist despite Nigeria's constitutional protections and international human rights commitments, highlighting systemic failures in the administration of justice and prison oversight.

**Physical torture** is a pervasive method used by law enforcement and correctional officers, often during interrogation or as a punitive measure. According to Amnesty International (2020), detainees—particularly those in police custody—are routinely subjected to beatings, flogging, suspension from ceilings, electric shocks, and other forms of cruel and inhuman treatment. These acts are not only used to extract confessions, frequently under duress, but also to instill fear and submission, reflecting a broader culture of impunity within security institutions. The practice persists even after Nigeria's enactment of the Anti-Torture Act of 2017, which criminalizes all forms of torture and mandates accountability for perpetrators (National Human Rights Commission [NHRC], 2021).

**Extortion** is another critical concern in the Nigerian penal system. Many inmates report being forced to pay bribes to avoid further abuse, secure better living conditions, or obtain basic necessities such as food, medication, or communication with their families. In several cases, families of detainees are extorted before visitation rights are granted or bail processes are initiated (CLEEN Foundation, 2020). The monetization of justice not only reinforces inequality but also entrenches

corruption across all levels of the criminal justice system.

Compounding these violations is the lack of adequate legal representation for inmates, especially those from impoverished or marginalized backgrounds. The Nigerian Constitution guarantees the right to legal counsel (Section 36), yet this right is often ignored in practice. Many detainees—particularly those in rural or underserved areas—spend years in pre-trial detention without access to a lawyer or a court hearing (Alemika & Chukwuma, 2019). Public defenders are scarce, and legal aid services are underfunded, inconsistent, and often inaccessible to those who need them most. As a result, numerous individuals remain incarcerated not because they have been convicted, but because they lack the means or representation to navigate the legal system (Eze, 2020).

The consequences of these systemic failures are far-reaching. Torture undermines the reliability of evidence and leads to miscarriages of justice. Extortion erodes trust in public institutions and perpetuates inequality. The absence of legal representation strips inmates of their right to a fair trial and contributes to prison overcrowding. As Oloyede (2021) notes, the Nigerian criminal justice system suffers from structural inefficiencies that allow pre-trial detainees to constitute over 70% of the prison population—many of whom may be innocent or wrongly accused.

To address these challenges, scholars and human rights organizations advocate for comprehensive reforms, including the strengthening of legal aid schemes, enforcement of anti-torture laws, independent monitoring of detention facilities, and capacity-building for law enforcement and judicial officers. Without these reforms, the systemic abuse of inmates will continue to undermine justice and violate Nigeria's national and international obligations.

### **Breaches in Criminal Justice: Arbitrary Arrests, Protracted Incarceration, Torture, and Forced Confessions in Nigeria**

Despite constitutional and international safeguards, widespread breaches of human rights continue to characterize Nigeria's criminal justice system. These include arbitrary arrests, protracted incarceration, torture, and forced confessions, all of which reflect systemic institutional failings and a culture of impunity among law enforcement agencies.

**Arbitrary arrests** are a persistent problem in Nigeria, often conducted without warrants or reasonable suspicion. Security operatives, particularly the police, are known to target individuals based on appearance, location, or vague allegations. According to Human Rights Watch (2019), police frequently arrest people during raids or roadblocks without informing them of the reasons, violating Section 35 of the Nigerian Constitution which guarantees personal liberty and protection from unlawful detention.

Closely linked to arbitrary arrests is the issue of protracted incarceration, especially of individuals awaiting trial. A significant proportion of Nigeria's prison population consists of pre-trial detainees. The National Human Rights Commission (2021) reported that over 70% of inmates are held without conviction, often due to delayed investigations, lack of legal representation, or bureaucratic inefficiencies. Many detainees spend years in custody without seeing a courtroom, contravening both national and international fair trial standards.

**Torture** remains a method commonly used by security agencies to extract information or elicit confessions. Despite the Anti-Torture Act of 2017, law enforcement officers continue to subject suspects to inhumane treatment such as beatings, electric shocks, and suspension from ceilings. Amnesty International (2020) documented numerous instances where detainees were tortured in police custody, especially by now-disbanded units like the Special Anti-Robbery Squad (SARS). Such practices not only violate the dignity of the individual but also undermine the integrity of the judicial process.

**Forced confessions** obtained under duress are often presented as evidence in Nigerian courts, even though they are legally inadmissible if not given voluntarily. The use of coercive interrogation techniques to secure confessions from suspects is widespread, and many convictions have been based on such compromised evidence. Alemika and Chukwuma (2019) argue that inadequate investigative training, combined with pressure to secure convictions, compels officers to rely on confessions rather than thorough forensic procedures.

These systemic violations continue largely because oversight mechanisms are weak, and accountability is minimal. Victims of police abuse rarely receive justice, and security personnel are seldom prosecuted for misconduct. Legal and institutional reforms—such as better training, independent oversight, and strict enforcement of rights-based legislation—are urgently needed to curb these widespread abuses and restore public trust in the justice system.

### **Theoretical Underpinnings**

#### **Institutional Anomie Theory**

Institutional Anomie Theory, developed by Messner and Rosenfeld, posits that when economic success is overemphasized in society at the expense of legitimate institutional structures (such as the legal and moral order), deviance becomes normalized—even among officials. In Nigeria, the devaluation of democratic norms and the overemphasis on wealth accumulation and power contribute to corruption within the police force.

Officers often arrest individuals not to enforce the law but to extort bribes, enhancing their economic gain. This behavior is rationalized within a broader culture of

impunity and materialism, where legal institutions have lost their normative authority (Oloyede, 2021). The result is a law enforcement system where abuse is institutionalized and wrongful arrests are routine, especially when profit can be extracted from victims.

### **Discussion of Findings**

This section is structured to reflect the typical findings from a qualitative study using secondary data sources such as academic articles, NGO reports, and government publications. The findings of this study reveal a deeply entrenched culture of human rights abuse in Nigeria's criminal investigation process. Secondary sources, including reports by Amnesty International, the National Human Rights Commission (NHRC), and several academic studies, point to systemic violations such as arbitrary arrests, prolonged detention, torture, and denial of legal representation, which remain widespread despite existing legal safeguards.

### **Arbitrary and Unlawful Arrests**

Evidence shows that many arrests conducted by law enforcement agencies are arbitrary and without due legal process. Citizens are frequently apprehended without warrants, especially in densely populated urban areas, and often based on profiling, appearance, or mere suspicion. According to Amnesty International (2020), police units such as the now-disbanded SARS targeted individuals—particularly young men with laptops or smartphones—as suspected internet fraudsters without credible evidence. These arrests typically occur without informing the suspect of their offense, contravening Section 35 of the 1999 Nigerian Constitution.

### **Prolonged Detention Without Trial**

A major theme across all reviewed sources is the excessive use of pre-trial detention. Nigeria's prison population is largely composed of individuals awaiting trial, some of whom have been incarcerated for years without a formal charge. Reports from the National Bureau of Statistics (2021) indicate that more than 70% of inmates in Nigerian correctional facilities are awaiting trial. The slow pace of judicial processes, lack of legal aid, and poor coordination among justice institutions significantly contribute to prolonged incarceration, which often results in psychological trauma, loss of livelihood, and stigmatization.

### **Use of Torture and Forced Confessions**

Torture remains a prevalent tool of investigation in Nigeria, despite the Anti-Torture Act of 2017 and relevant constitutional provisions. Law enforcement officers frequently use physical violence to coerce confessions, particularly in the absence of forensic or technological investigation tools. According to the Human Rights Watch (2019), common methods of torture include beatings, suspension by limbs, and electric shocks. Confessions obtained under duress are often admitted in court despite being inadmissible under Nigerian law. This practice undermines the

integrity of the judicial process and increases the likelihood of wrongful convictions.

### **Lack of Legal Representation and Access to Justice**

The study also found that a significant number of detainees are denied access to legal counsel at the point of arrest and during interrogation. Many individuals—especially those from economically disadvantaged backgrounds—are unaware of their rights and lack the resources to hire private attorneys. Public defenders and legal aid services remain underfunded and overburdened. As a result, suspects are often coerced into signing statements or confessions without understanding their implications (Alemika & Chukwuma, 2019).

### **Institutional Impunity and Poor Accountability Mechanisms**

Perhaps the most troubling finding is the lack of accountability for rights violations by law enforcement agencies. Internal disciplinary mechanisms within the police are largely ineffective, and prosecutions of officers accused of abuse are rare. The NHRC (2021) notes that victims of torture and wrongful detention rarely receive compensation or official acknowledgment of wrongdoing. This fosters a culture of impunity, where officers commit violations without fear of consequences, thereby normalizing abuse as part of policing culture.

### **Conclusion**

The findings underscore a systemic failure within Nigeria's criminal justice system to uphold the fundamental rights of its citizens. Wrongful arrests and human rights violations during criminal investigations are not isolated incidents, but manifestations of deeper structural problems, including inadequate training, institutional corruption, poor oversight, and judicial inefficiencies. The persistence of these violations despite constitutional and international legal safeguards indicates a pressing need for holistic reform—ranging from police accountability, judicial efficiency, legal aid expansion, and civic education—to restore public trust and uphold the rule of law in Nigeria.

### **Recommendation**

To address the pervasive issue of wrongful arrests and human rights violations during criminal investigations in Nigeria, the following recommendations are proposed:

1. **Strengthen Legal and Institutional Frameworks** the Nigerian government must ensure full implementation and enforcement of existing legal protections, particularly the Anti-Torture Act 2017, Administration of Criminal Justice Act (ACJA) 2015, and provisions in the 1999 Constitution (as amended). These laws must be mainstreamed into the daily practices of law enforcement agencies through continuous legal education and institutional reforms.

2. **Police Reform and Professional Training** There is an urgent need for comprehensive police reform that goes beyond superficial restructuring. Training

programs should emphasize human rights education, ethical investigation techniques, and community policing strategies. Officers must be trained to conduct evidence-based investigations, with reduced reliance on confessions or physical coercion.

**3. Establish Effective Oversight and Accountability Mechanisms** Independent oversight bodies such as the Police Service Commission and National Human Rights Commission (NHRC) should be empowered and properly funded to investigate complaints of abuse.

### References

- Adeyemi, T. (2019). Media and police accountability in Nigeria. *Journal of African Media Studies*, 11(2), 145–160.
- Alemika, E. E. O., & Chukwuma, I. C. (2019). *Police Reform in Nigeria: Issues and Challenges*. Lagos: CLEEN Foundation.
- Amnesty International. (2020). *Nigeria: Time to End Impunity – Torture and Other Violations by SARS*. Retrieved from <https://www.amnesty.org>
- CLEEN Foundation. (2020). *Corruption and Human Rights Abuses in Nigeria's Criminal Justice System*. Abuja: CLEEN Foundation Publications.
- Eze, C. (2020). Police brutality and the quest for justice in Nigeria. *African Journal of Criminology and Justice Studies*, 13(1), 88–105.
- Federal Republic of Nigeria. (2015). *Administration of Criminal Justice Act (ACJA), 2015*. Abuja: Federal Government Press.
- Federal Republic of Nigeria. (1999). *Constitution of the Federal Republic of Nigeria (as amended)*. Abuja: Federal Government Press.
- Human Rights Watch. (2019). *Nigeria: End SARS and Police Abuses*. Retrieved from <https://www.hrw.org>
- National Human Rights Commission (NHRC). (2021). *Annual Report on Human Rights Violations in Nigeria*. Abuja, Nigeria.
- National Bureau of Statistics. (2021). *Prison Statistics: Prison Population by Total Detainees and Inmates Awaiting Trial*. Abuja: NBS Publications.
- Oloyede, A. (2021). Challenges of police reform in Nigeria. *Journal of African Governance*, 9(1), 33–49.
- Okonkwo, J. I. (2018). Policing and human rights in Nigeria: A legal perspective. *Nigerian Journal of Human Rights Law*, 6(2), 45–60.