



Rights of an accused person under police custody: An appraisal of administration of criminal justice law of Yobe State 2020 and police act

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Abstract

The rights of an accused person under police custody are fundamental to the Administration of justice and protection of human rights/ this paper appraises the provisions of the Administration of criminal justice law of Yobe State 2020 and police Act, with a focus on the rights of an accused person under police custody. The paper examines the constitutional and statutory frameworks governing the rights of accused persons including the right to dignity, the right to freedom from torture, and the right to fair hearing. It also analyzes the provisions of the Administration of criminal justice law of Yobe State 2020 and the police Act, highlighting their strengths and weakness in protecting the rights of accused persons. The paper argues that while the Administration of criminal law of Yobe state2020 and the police Act provide some safeguards for the rights of accused persons, there are still significant gaps and challenges in their implementation. The recommends reforms to strengthening the protection of the rights of accused persons including the establishment of independent oversight mechanisms and the provision of training for police officers on human rights and law.

Keywords: Accused persons, police custody, Administration of Criminal justice law, Police Act, human rights, fair hearing, dignity, and torture.

Introduction

This paper examines the critical role of criminal justice systems in society, particularly in Nigeria, where despite reforms such as the Administration of Criminal Justice Law (ACJL) and the Police Act, serious violations of the rights of accused individuals persist. These violations—ranging from torture and denial of legal representation to poor treatment in custody—are in conflict with both Nigeria's Constitution and its criminal justice laws. The paper aims to raise awareness about the rights of accused persons and the need for accountability in law enforcement.

Evolution of Human Rights

The concept of human rights has deep historical roots. In ancient times, the Achaemenid Persian Empire under Cyrus the Great introduced ideas such as the freedom of slaves and religious tolerance. Similarly, Islamic reforms by Prophet Muhammad and the Caliphs highlighted human rights principles like protection from oppression and religious freedom. The development of modern human rights began with pivotal documents such as the Magna Carta (1215), which introduced the idea of rule of law and the right to trial. The American Revolution (1776) and the French Declaration of the Rights of Man (1789) furthered these ideas, emphasizing individual freedom and equality.

Post-World War II, the atrocities committed during the war, including the Holocaust, led to the formation of the United Nations and the 1948 Universal Declaration of Human Rights, solidifying global civil, political, economic, and social rights.

Human Rights in Africa

In Africa, the journey toward human rights protection is tied to the creation of regional legal systems. One major achievement was the African Charter on Human and Peoples' Rights, which aimed to protect human rights across

the continent. During the 1960s, the Organization of African Unity (OAU) and other bodies began discussing the importance of a judicial framework to enforce these rights. Despite early efforts like the Law of Lagos and the Dakar Declaration, these frameworks were slow to take shape due to challenges like the focus on state sovereignty and the fight against apartheid.

Human Rights in Nigeria

Nigeria's relationship with human rights is marked by the country's historical participation in the Universal Declaration of Human Rights, its incorporation into the 1960 and 1963 Constitutions, and subsequent military interventions that suspended fundamental rights. The 1999 Constitution of Nigeria, as amended, remains the key legal framework protecting human rights, with distinct sections on Fundamental Objectives and Directive Principles (Chapter 2) and Fundamental Human Rights (Chapter 4). These constitutional protections are essential to ensure that individuals' rights are not violated by state actors or authorities.

History of the Nigerian Police Force

Before colonialism, policing in Nigeria was organized through local systems like the Dogarai in the north and Agemo in the Yoruba region. However, the modern Nigerian Police Force was established during British colonial rule. Beginning with the Hausa Constabulary in 1861, the police system evolved through various phases—eventually merging into a unified national force in 1968. The police were tasked with maintaining internal security, supporting prison, immigration, and customs services. The Nigerian Police Force, despite its colonial origins, plays a crucial role in maintaining law and order in the country today.

Police Duties and Powers

The Nigerian police, as outlined in both the Police Act and the ACJL, have various critical functions. These include preventing and detecting crimes, apprehending offenders, maintaining order, and ensuring public safety. The police have the power to arrest individuals, conduct searches, grant bail, and initiate criminal actions. The paper discusses the legal boundaries of these powers:

- **Power to Arrest:** Under the ACJL, police can arrest individuals with or without a warrant based on the nature of the offense. Arrests must adhere to legal provisions, with a focus on preventing abuses such as arbitrary detention.
- **Power to Search:** After a lawful arrest, police can search individuals, premises, and items to gather evidence or prevent further crimes. However, searches must be conducted within the limits of the law to protect individual privacy.
- **Power to Grant Bail:** The police have the authority to grant bail to suspects detained pending investigation. They must adhere to the legal timeframes, ensuring that detainees are not held beyond 48 hours without formal charges.

Rights of the Accused Under Police Custody

The paper emphasizes the legal protections afforded to accused persons under Nigerian law. The Criminal Procedure Act (CPA), the Police Act, and the Administration of Criminal Justice Act (ACJA) provide specific rights and protections to those in police custody, such as:

- **Right to Fair Arrest:** The police are prohibited from arresting individuals for civil wrongs or replacing a suspect with a family member. Specific protections exist for vulnerable groups such as minors or individuals with mental illnesses.
- **Right to Legal Representation:** The right to a lawyer is enshrined in Nigerian law, although issues remain regarding access to legal representation during police detention.
- **Right to Protection from Torture:** Section 35(4) of the ACJL mandates the recording of confessions to ensure that they are not extracted through torture or coercion.
- **Right to Bail:** Suspects must be granted bail under conditions that align with the law, ensuring they are not kept in custody unnecessarily. The police must also ensure that detainees are presented to a magistrate within the legal time limits.

Rights to Remain Silent

The right to remain silent is a vital legal safeguard to protect suspects against forced confessions, a practice historically prevalent in Nigeria's police interrogations. This right is outlined in the Administration of Criminal Justice Law (ACJL) of Yobe State 2020, Section 37(1), which affirms that a suspect may choose not to make a statement unless they voluntarily wish to do so. The law also allows the

suspect to consult with a legal representative prior to making any statement.

The right to silence in Nigeria parallels the Miranda Rights in the United States, which protect individuals against self-incrimination. Though the Nigerian legal system does not explicitly mention "Miranda Warnings," the ACJL of Yobe State provides similar protections by informing suspects about their rights, including the right to remain silent and the right to legal counsel.

However, despite these legal protections, torture and forced confessions persist in Nigerian police stations. Reports from organizations like Amnesty International and the U.S. Department of State highlight ongoing human rights abuses, with law enforcement often engaging in coercion to extract confessions. This presents a significant challenge to the Nigerian justice system, emphasizing the need for greater enforcement of legal protections against torture and forced confessions.

Right to Dignity of the Human Person

Nigerian law also upholds the right to humane treatment, safeguarding individuals from torture, cruel, inhuman, or degrading treatment during police custody. The ACJL of Yobe State 2020, Section 28(1), aligns with both the Anti-Torture Act and the Constitution of Nigeria (1999, amended 2011), which prohibits torture and mandates respect for human dignity.

Despite these safeguards, there is a well-documented issue with law enforcement practices, particularly in the Nigerian Police Force, where suspects often face physical abuse and threats. Research by the Nigerian Human Rights Commission and Amnesty International reveals that a large percentage of detainees have been subjected to such treatment. These practices undermine the credibility of the criminal justice system and call for urgent reforms and accountability measures to ensure that human dignity is respected.

Challenges in Law Enforcement

The persistence of torture and the lack of accountability within Nigerian law enforcement agencies reveal a deep-rooted issue. Reports of extrajudicial killings, deaths in custody, and police brutality paint a concerning picture of ongoing abuses despite legal provisions meant to protect suspects. This highlights the urgent need for reforms within the police system, ensuring that human rights protections are not only enacted in law but also effectively implemented in practice.

Right to Have a Legal Practitioner during Interviews

The right to legal representation during police interviews is fundamental for protecting suspects against coercion and ensuring fairness during interrogations. The **Constitution of Nigeria**, Section 36(6)(c), guarantees this right, while the ACJL of Yobe State 2020, Section 37(2), requires that a suspect's statement be taken in the presence of their legal representative or a designated alternative if the suspect cannot afford a lawyer.

The role of legal practitioners during interrogations is to provide legal advice, monitor the fairness of the process, and protect the suspect from mistreatment. The presence of a lawyer helps ensure that the suspect is fully informed of their rights, including the Miranda Rights, and prevents forced confessions or abuse during questioning.

Though the law mandates legal representation, enforcement is inconsistent, and suspects remain vulnerable to coercion without proper oversight. Thus, it is essential to strengthen mechanisms that ensure lawyers can meaningfully protect suspects' rights during police interviews.

Right to Bail

Bail is a fundamental right for suspects in Nigeria, particularly for those accused of non-capital offenses. The ACJL of Yobe State 2020, Sections 177 and 178(1), and the ACJA 2015, Section 158, provide that a person accused of a non-capital crime has the right to bail, with some exceptions for serious offenses such as capital crimes. Additionally, Section 30(1) of the ACJA 2015 mandates that a suspect must be released on bail within 24 hours if they are not brought to court, except in cases involving capital offenses. The Police Act 2020 further supports this right, ensuring that bail is granted without undue discretion, except for offenses punishable by death. Legal counsel plays a crucial role in ensuring fair treatment during the bail process, safeguarding against unlawful detention, and ensuring that suspects appear for their trial.

Right to Notify the Accused of the Cause of Arrest

Section 35(3) of the Police Act 2020 mandates that arrested suspects be informed of the reason for their arrest and that their next of kin be notified immediately. This legal provision helps safeguard against unlawful detentions and ensures that suspects are not left in the dark about the grounds for their arrest.

The ACJL of Yobe State 2020 and ACJA 2015 reinforce this requirement, ensuring that suspects are informed of the reason for their arrest within a reasonable time frame. Failure to comply with this provision is deemed unlawful and unconstitutional. This transparency helps prevent arbitrary detention and protects the rights of the suspect, enabling them to challenge wrongful arrests and ensuring the integrity of the arrest process.

Here's a concise three-page summary of the key points and issues surrounding the right to speedy trial, pre-trial release, and the right to an interpreter in Nigeria's criminal justice system.

Right to Speedy Trial

Key Legal Frameworks

1. Constitutional Provisions

- Section 36(1) of Nigeria's 1999 Constitution guarantees the right to a fair trial within a reasonable time, but no specific time frame is provided. The Supreme Court interprets "reasonable time" to ensure trials are not unduly prolonged, emphasizing the need for swift justice (e.g., *R. Ariori & Ors v. Muraino B. O. Elemo & Ors*).

2. The Administration of Criminal Justice Act (ACJA) 2015

- The ACJA aims to streamline trial processes with measures like electronic recording of confessions and requiring prosecutors to issue legal advice within 14 days, promoting quicker trials for less complex cases.

3. The Administration of Criminal Justice Law (ACJL) of Yobe State

- Section 35(4) mandates electronic recording of confessions, while Section 412(4) limits adjournments

to five requests and ensures no adjournment lasts more than 14 working days.

Implications of Delayed Trials: Despite legal provisions, delays persist due to case congestion, insufficient judicial personnel, and inefficient administrative processes. Delays affect justice delivery and can undermine public confidence in the system.

Challenges

- **Judicial Overload:** Nigerian courts often face high case volumes, causing delays.
- **Adjournments:** Multiple adjournments contribute to prolonged trials.
- **Under-resourced Courts:** Limited funding, infrastructure, and staff hinder progress.
- **Investigation Delays:** Law enforcement's delay in investigations can delay trials.

Addressing the Challenges: To ensure speedy trials, reforms are needed:

1. **Increasing Judicial Capacity:** More judges and efficient case management.
2. **Limiting Adjournments:** Enforce strict rules on adjournments to avoid delays.
3. **Improving Law Enforcement:** Timely investigations can reduce trial delays.
4. **Leveraging Technology:** Use technology to enhance trial processes and reduce errors.

Right to Pre-Trial Release

Pre-Trial Detention and Bail

1. **Pre-Trial Detention:** Involves detaining individuals before their trial, often without conviction, leading to potential human rights violations. Conditions in detention facilities are often harsh, exacerbating poverty, health issues, and social instability.

2. Bail Entitlement and Rights

- **ACJL Yobe State (2020):** Sections 177 and 178(1) guarantee the right to bail unless specifically excluded by law. If detained, suspects must be brought before a court within a reasonable time.
- **ACJA 2015:** Section 158 upholds the right to bail for suspects, ensuring they are not unjustly detained before trial.
- **Constitutional Provisions:** Section 35(4) of the Constitution mandates that an individual must be brought to court within two months of arrest or released.
- 3. **Police Act 2020:** Section 61(1) aligns with ACJA and the Constitution, ensuring suspects are granted bail if they cannot be charged within 24 hours.

Challenges with Pre-Trial Detention

- **Excessive Detention:** Many detainees remain in custody because they cannot afford bail, contributing to overcrowded detention centers and poor conditions.

- **Poverty and Bail:** Financial inability to pay bail keeps many suspects in detention longer than necessary.

Proposals for Improvement

1. **Enforcing Bail Rights:** Ensure strict enforcement of bail rights and prevent unnecessary pre-trial detention.
2. **Addressing Backlog of Cases:** Reduce delays in legal proceedings and provide better access to legal representation.
3. **Pre-Trial Detention as a Last Resort:** Use detention sparingly, and promote the release of individuals on bail when possible

Right to an Interpreter

Right to an Interpreter in Nigerian Law

1. ACJL Yobe State (2020) & ACJA 2015

- Sections 37(3) (ACJL Yobe) and 17 (ACJA) require the provision of an interpreter if the suspect does not speak or understand English, ensuring their rights are protected during trial.

2. International Standards

- The ICCPR guarantees that an accused person is entitled to free assistance of an interpreter, ensuring fair trial rights for those who don't speak the official language.

Challenges in the Use of Interpreters:

- **Police-Provided Interpreters:** Law enforcement officers often act as interpreters, which can lead to conflicts of interest, potential bias, and errors.
- **Lack of Independent Interpreters:** The system often lacks competent and independent interpreters, undermining the fairness of trials.

Proposals for Improvement

1. **Independent Interpreters:** Ensure that interpreters are independent from law enforcement to prevent conflicts of interest.
2. **Right to Engage Personal Interpreters:** Accused persons should be allowed to hire their own interpreters for full transparency and fairness.
3. **Competency of Interpreters:** Interpreters must be fully qualified in legal terminology to ensure accurate and fair communication.

Right to speedy trial

The right to a speedy trial is crucial to the fair administration of justice in Nigeria. Despite legal frameworks designed to ensure swift justice, delays are prevalent. The Constitution of the Federal Republic of Nigeria, the Administration of Criminal Justice Act (ACJA) 2015, and the Administration of Criminal Justice Law (ACJL) of Yobe State aim to enhance the speed and efficiency of trials but face significant challenges in practice.

Legal Frameworks for Speedy Trial

1. Constitutional Provisions

- Section 36(1) of the 1999 Constitution guarantees the right to a fair hearing within a reasonable time, interpreted by the Supreme Court to mean a period that ensures justice without undue delay.

2. The Administration of Criminal Justice Act (ACJA) 2015

- ACJA streamlines criminal justice procedures to reduce trial delays, including measures like the electronic recording of confessions and the issuance of legal advice within 14 days.

3. The Administration of Criminal Justice Law (ACJL) Yobe State:

- ACJL Yobe emphasizes efficient trial procedures, such as limiting adjournments and setting strict timelines for trial progress.

4. Challenges of Delayed Trials:

- Despite these legal frameworks, delays are often caused by case congestion, insufficient judicial personnel, and delays in investigations or administrative processes.

Importance of Speedy Trials

- A speedy trial protects the constitutional right to a fair hearing, prevents harm to the accused, and preserves public confidence in the justice system. Delayed trials can lead to public frustration and erode trust in the judiciary.

Recommendations for Improvement:

1. **Increasing judicial capacity** to handle cases more effectively.
2. **Enforcing rules to reduce adjournments** and unnecessary delays.
3. **Improving coordination with law enforcement** to prevent delays in investigations.
4. **Leveraging technology** to expedite trial processes.

Right to pre-trial release

The right to pre-trial release is another fundamental aspect of the Nigerian criminal justice system. Pre-trial detention often leads to human rights violations, including overcrowded conditions and economic hardship, making the right to bail critical for justice.

Pre-Trial Detention and Bail Entitlement

1. Legal Frameworks:

- The ACJL and ACJA guarantee the right to bail, ensuring that individuals are not detained before trial without just cause. The Nigerian Constitution also mandates that suspects should be brought before a court within a reasonable time.

2. Bail Provisions

- Sections 177 and 178 of the ACJL Yobe State and Section 158 of the ACJA affirm the entitlement to bail for non-capital offenses. If detained, suspects should be brought to court within a specified time, usually two months.

3. Challenges of Pre-Trial Detention

- Many suspects are detained because they cannot afford bail, leading to overcrowded police stations and prisons. This practice is a significant human rights issue, often exposing detainees to poor living conditions and health risks.

Recommendations for Improvement:

1. Ensure prompt and fair bail decisions for accused individuals.

2. Improve access to legal aid for those unable to afford legal representation.
3. Implement reforms to reduce overcrowding and improve conditions in detention facilities.
4. Encourage alternatives to detention such as electronic monitoring.

Right to an interpreter

Access to a competent interpreter is a critical right for individuals who do not understand the official language of the court, ensuring a fair trial process.

Legal Frameworks in Nigeria

1. ACJL and ACJA Provisions

- Both the ACJL and ACJA require the provision of an interpreter for suspects who do not understand English. The interpreter must be impartial and competent to ensure that the accused understands the charges and legal proceedings.

2. International Legal Standards

- International law, including Article 14(3) of the ICCPR, guarantees the right to an interpreter. This extends to both spoken communication and documents presented during the trial.

Challenges with Interpreters

- Often, law enforcement officers act as interpreters, raising concerns about bias and accuracy. The lack of independent interpreters undermines the fairness of the trial.

Recommendations for Improvement

1. Engage independent interpreters to ensure impartiality.
2. Allow accused persons to choose their interpreters for added fairness.
3. Ensure interpreters' competency in both legal terminology and the relevant languages.

Conclusion

The paper concludes that while Nigeria's laws provide robust protections for the rights of accused individuals, there are significant gaps in enforcement. Police actions often violate these rights, and systemic issues within the criminal justice system, such as overcrowding and poor detention conditions, continue to be challenges. The legal frameworks in Nigeria, such as the Constitution, ACJA, and ACJL, provide for the right to a speedy trial, pre-trial release, and access to an interpreter. However, the criminal justice system faces significant challenges, including delays, excessive pre-trial detention, and inadequate interpretation services. To uphold these rights effectively, Nigeria must prioritize reforms such as improving judicial capacity, enforcing bail rights, and ensuring independent, competent interpreters are available. The ultimate goal should be to ensure that justice is swift, fair, and accessible to all, thereby restoring public trust in the legal system. The right to a speedy trial, pre-trial release, and access to an interpreter are foundational to a fair justice system. While legal provisions in Nigeria, such as the ACJA, ACJL, and the Nigerian Constitution, support these rights, practical challenges persist. Delays in trials, excessive pre-trial detention, and issues with interpreter provisions remain significant barriers to justice.

Addressing these issues requires judicial reforms, better coordination among law enforcement agencies, and the use of technology to improve trial efficiency. Additionally, reforms to strengthen the right to bail and provide independent interpreters would significantly enhance the fairness of the criminal justice process.

Findings and recommendations

The study of the criminal justice system in Yobe State and the broader Nigerian context revealed the following findings:

1. **Frequent Violations of Human Rights:** The rights of accused persons are often violated, particularly in police custody.
2. **Torture and Inhumane Treatment:** Torture remains a widespread issue within the justice system, contributing to significant human rights abuses.
3. **Lack of Legal Representation:** Many individuals, especially in police custody, lack access to legal counsel, exacerbating their vulnerability.
4. **Poor Police Training and Oversight:** Police officers frequently lack adequate training in human rights, and oversight mechanisms are weak.
5. **Inadequate Facilities:** Detention facilities are overcrowded and underfunded, contributing to degrading conditions for detainees.
6. **Impose stricter penalties:** on officers who violate human rights.
7. **Create a dedicated department:** within the police to ensure the protection of accused persons' rights.
8. **Improve the legal aid system:** to provide more effective representation for those unable to afford legal counsel.
9. **Enhance police training:** on human rights and legal procedures.
10. **Improve custody facilities:** by investing in better conditions and medical care.
11. **Establish independent oversight:** to monitor police compliance with the law.

Finally by addressing these systemic issues, Nigeria can move towards a fairer and more effective criminal justice system that truly protects the rights of accused persons.

References

1. A Agaba, Practical Approach to Criminal Litigation in Nigeria (Bloom Legal Temple Abuja)
2. Alemika and Chukwuma, Police-community violence in Nigeria, (Centre for Law Enforcement Education, Lagos)
3. Barnabas C. Okoro, The Police, Law and Your Rights (Princeton Publishing Co. 2013)
4. Contini, F., 'Legal Informatics and the Technological Landscape of Justice System' in U. Eri, (ed)

- Proceedings of 2007 All Nigerian Judges Conference (National Judicial Institute, 2010)
5. Danziger, Danny; Gillingham, John. *The Year of Magna Carta* (Hodder Paperbacks 2004)
 6. DD Basu, *Human Rights in Constitutional law* (Prentice hall of india Pvt ltd 1994)
 7. Ehindro S.G *Police and Law in Nigeria* (Time Press 1986)
 8. Ese Malemi, *Administrative Law* (Princeton Publishers 2008)
 9. Falola, Toyin, Mathew Heaton, *The History of Nigeria* (Cambridge University Press 2008)
 10. Kehinde H Mowoe, *Constitutional Law in Nigeria*, (Malthouse Press Limited)
 11. National Open University of Nigeria, *Policing and Law Enforcement in Nigeria* CSS 341 Pp 34
 12. Osinbajo Y. (Ed.): *Unification and Reform of the Criminal Laws and Procedure Codes of Nigeria*, (Lagos: FMOJ, 1990)
 13. Vincent Rj. *Human Rights and International Relations* (Cambridge University Press 1986)
 14. R.K Dubey, *Encyclopedia of Human Rights and Duties* vol 1 (Centrum Press 2013)
 15. Susan Muaddi Darraj, *Milestone in Modern History: The Universal Declaration of Human Rights* (Chelsea Publishers an imprint of Infobase Publishing 2010)
 16. Temuno, Tekara, *The Police in Modern Nigeria* (University Press Ibadan, 1971)
 17. Turner Ralph, *The Meaning of Magna Carta Since 1215* (UK History Press)
 18. Yemi Akinseye SAN, *Issues on Criminal Administration in Nigeria: An Overview of the Changes and Application of Criminal Justice Act, 2015* (Nigerian Institute of Advanced Legal Studies)
 19. R K Salman *45 Rights of accused Person Under Nigerian Criminal Justice System: A need of Improvement* 2009 2 *Confluence Journal of private and Property Law*, Online Materials
 20. African Commission on Human and People's Right, *History of African Charter* < <http://www.achpr.org/instruments/achpr/history/> >
 21. Bience Gawanas, *African Union: Concept and Implementation Mechanisms Relating to Human Rights* <<http://wAvAv.kas.de/upload/auslandshomepaues/namibia/Human Rights in Africa/6 Gawa.nas.pdf>
 22. Ciobeta Eugen, *Evolution Of The Human Rights Concept* <http://wAvw.uab.ro/revisterecunoscute/revistedrcpt/annaJes10 2007/ciobotea en.pdf>
 23. Femi Falana *Constitutionality of Pre-detention Rights of Suspects* Premiums Times (Abuja, 9th February, 2016), < <https://opinion.premiumtimesne.com>> accessed 5th April, 2021 <http://wAvw.un.org/en/sections/universal-declaration/history-document/index.html>
 24. [bn Ishaq's "Record of the Constitution of Medina" < <http://www.rogerlouismartinez.com/wp-content/uploads/2015/01/Constiitution-of-Medina.pdf>
 25. Igboanage Chigozie C. And Ajah Ogbannaya Ajah, "Holding charge and pre-trial detention vis-a-vis the doctrine of Fair hearing in Nigeria" < w.thelawyerschronicle.com/holding-charge-and-pre-trial-detention-vis-a-vis-the-doctrine-of-fair-hearing-in-nigeria/>
 26. Legal. Match, *How Long Can You be Held in Police Custody?* < www.legalmatch.com/lawlibrary/articie/police-custody-lawryers.html>
 27. Legal' Services India, *Historical Development Of Human Rights* < [_http://www.legalserviceindia.com/constitution/constuk.htm](http://www.legalserviceindia.com/constitution/constuk.htm)>
 28. Olayemi Shofolu, *Rights to Bail Under Administration of Criminal Justice Act 2015* < odujinradefulu.com/content/right-bail-under-administration-criminal-justice-act-2015>
 29. Olayinka Oluwamuyiwa "Right of an Accused Person Under Nigerian Criminal Justice System" http://www.academia.edu/12347294/rights_of_an_accused_person_under_1._thenigerlanrcrtminaljustice_system>
 30. Sahara Reporters (New York 24th April 2018) < <http://saharareporters.com/2018/04/24/us-mte.s-Nigeria-low-respect-human-rights>> accessed on 10th June, 2021.
 31. Saviour Akpan, "Assessing the Administration of Criminal Justice Act" Premiums Times (Abuja, Febuary 19th, 2018 <https://opinion.premiumtiuesng.com>
 32. 7th April, 2021/assessing the- adminis.tration-of-criminal-justice-fn-nigeria-by-saviour-akpan>. United. For Human Rights, *A Brief History of Human Rights* <[http:// Avwww.humanrights.com/what-are-human-rights/brief-history/the-uniled-nal.ions.html](http://Avwww.humanrights.com/what-are-human-rights/brief-history/the-uniled-nal.ions.html)>
 33. United for human rights. "A Brief History of Human Rights" <<http://www.humanrights.com/what-are-human-rights/brief-history/>> accessed on 7th june, 2021.
 34. Yale Law School, 'Declaration of the Right of Man 1789' <<http://avalon.law-.yale.edu/>. 35.Saviour Akpan, *Assessing the Administration of Criminal Justice Act* ' Premiums Times i3 36.Professor Yemi Akinseye-George SAN 'Issues on Criminal Justice Administration in Nigeria'
 35. Adedeji Adekunle, Suzzie O. Oyakhire and Chukwuemeka Nwabuzor (Eds), *Issues on Criminal Justice Administration in Nigeria*
 37. MA Black, *Black's Law Dictionary* 4th Edition (West Publishing Company)
 38. DD.Basu, *Human Rights in Constitutional law* (Prentice hall of india Pvt ltd 1994), P5 -17 R.j Vincent, *Human Rights and International Relations* (Cambridge University Press 1986), P 13
 39. Ese Malemi, *Administrative Law* (Princeton Publishers 2008),p77
 40. Turner Ralph, *The Meaning of Magna Carta Since 1215* (UK History Press) Danziger, Danny; Gillingham, John. *The Year of Magna Carta* (Hodder Paperbacks 2004)
 41. African Commission on Human and People's Right, *History of African Charter* < <http://www.achpr.org/instruments/achpr/history/>> accessed on 7th june,2021.
 42. Aiemika and Chukwuma, *Police-community violence in Nigeria* (Centre For Law Enforcement Education, Lagos)
 43. Elkanah Babatunde, *Tbrture by the Nigerian Police Force: International Obligation National Response and*

- the Way Forward <
strathmore.edu/uploads/journals/strathmore-law-
review/SLR2/2SLR1_Article_9.pdf> accessed on 10th
June,2021.
44. Sahara Reporters (New York 24th April 2018) <
[http://saharareporters.com/2018/Q4/24/usrates-niEeria-
low-respect-human-rights](http://saharareporters.com/2018/Q4/24/usrates-niEeria-low-respect-human-rights)> accessed on 10th june,
2021.
45. Holtan, J. Criminal Litigation (Gulford College of Law
Publishing, 2005) P, 22 77 Op cit. P/45
46. Onyechukwu Duru, Right to be informed the Offence
Charged or Crime Alleged as a Constitutional
Safeguard to Ensure Fair Trial of an Accused Person.
Legal emperor <[http://legalempereors.blogspot.com/
2016/01/right-to-be-informed-of-offence-charged.html
?m=1](http://legalempereors.blogspot.com/2016/01/right-to-be-informed-of-offence-charged.html?m=1)> accessed on 10th June, 2021, 49