

COMPARATIVE ANALYSIS OF FACTORS ENHANCING APPREHENSION OF A TRAFFIC OFFENDER BY LAW ENFORCEMENT AGENCIES IN NIGERIA

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Abstract

The comparative analysis of factors enhancing apprehension of traffic offenders by law enforcement Agencies was done with primary data obtained through online questionnaire developed in google form and analysed with Chi Square Statistics. The four Agencies in focus are The Nigeria Police, The Road Traffic Officers (VIO), State Traffic Management Agencies and The Federal Road Safety Corps respectively. Findings at 0.05 significant shows that the behavioural changes are better extracted from drivers if enlightenment follows their penalization. The use of Fire Arms and other forceful means of apprehension have been effective during arrest. While forceful strategies apart from use of Arm is very effective during township patrols, the agencies that does their patrol mostly oh Federal Highways needs to collaborate and stay not far from other Armed law enforcement Agencies like the Military checkpoints to effect successful arrest. An upward review of fines imposed by Road Safety could also serve as deterrent particularly for those that have been caught and penalized before.

Introduction

Road Traffic Law is one important instrument used by the Government in reducing Road Traffic Crashes (RTC). It provides a framework for safe road use and lay down clear standards for drivers and riders behavior and prevents them from breaching it.

The first Traffic law in Nigeria was the highway (Motor Traffic) ordinance 1913 of Southern Nigeria. This has been followed by many other laws such as Federal Road Safety Commission (Establishment) Act 2007, and its subsidiary regulations. A highway Code has also been published which is not a law book in itself but can be cited in Court if its content is violated.

Since Traffic matters are mostly under the concurrent list of the legislation, all tiers of

government from local, State to Federal Government has jurisdiction over it, moreover, traffic offences are not regarded as criminal offences even when its outcome (particularly when life is lost) can atimes be more devastating than criminal activities.

Several studies show that traffic enforcement reduce crashes (Shaaka, 2017), Wells et al, (1992) also shows that traffic enforcement reduces crashes by 6% in Binghamton, in fact terrible crashes occurs at night when law enforcement agents are not there. Both Zaal, (1994) and Bates, (2014) argue that traffic enforcement depend on ability to create deterrent threats to road users and certainty of apprehension. However while Maroney and Dewar, (1987) said traffic enforcement does not eradicate drivers' intention to commit traffic offence rather suppresses it

temporarily. Bates (2014), notes that traffic enforcement alters drivers' behavior and has deterrent effect.

Iwarimie-jaja (1994:4) refers to agency which performs the function of prevention and apprehension of alleged offender as law enforcement agency, NOPRIN, (2004) went further to list criteria for measuring successful Policing as effectiveness (reducing the offenders), efficiency (cost-benefit), responsiveness (higher citizen perception of safety) and Equity (equal protection to all) respectively. Most of other researchers on effective traffic policing or enforcement are from developed countries (Tay, 2005), Wells (2008); Freeman et al, (2021) etc. The few from developed countries such as Enoch (2022) focus on drivers Police corrupt relationships and not comparison of traffic management strategies of the agencies involved.

However, several law enforcement agencies have been created by all tiers of government in Nigeria to implement Traffic Laws such as the Magistrate Courts, The Federal Road Safety Corps (FRSC), The Road Traffic Officers otherwise known as VIO, The State Traffic Management Agencies Nationwide and The Nigeria Police respectively. Without delving into their boundary and overlapping nature of their mandate, each agency handle one or more of each of the activities such as detecting traffic defaulters, apprehending and prosecuting the defaulters, adjudicating on traffic matters and then penalize the violators.

By implication, traffic management agencies can in some instances perform all the five roles in the criminal justice system. By this the mens rea is subjected to the Act reus. Hence the act of committing traffic offence is enough for the arrest while the

reason behind it does not matter except if the traffic offender wishes to prove further point in the Magistrate court. The enforcement of traffic law therefore begins with Enlightenment (i.e free vehicle checks), subtle enforcement (i.e warning driver schemes) and then full enforcement or arrest. The success rate of the law enforcement agencies in doing this differs due to several factors which this study seek for unravel.

Hypothesis

H₀₁=No significant difference in effectiveness of law enforcement agencies in terms of arresting traffic offender

H₀₂ =No significant difference in the effectiveness of factors enhancing apprehension of traffic offender.

H₀₃= Traffic offender hate all punitive measures after arrest equally.

Methodology

The research utilized Primary data obtained with electronic survey. The questionnaire was developed on Google form search engine (docs.google.com>forms) and distributed to respondents. The researchers' facebook account was preferred since he is a senior Road safety officer and most of his facebook friends are road safety inclined.

As at the time of distributing the online questionnaire, the researcher had a total of 4768 friends on his facebook account and these formed the entire universe of interest for the research. Five possible outcomes were expected from the respondents viz; like, comment, share, complete the questionnaire and no response respectively as shown below.

likes		comment		Share		completed		No response		Total
N	%	N	%	N	%	N	%	N	%	
442	9%	71	2%	44	1%	246	5%	4965	83%	4768

Table 1: showing the various responses obtained from the online respondents

Cochran Formula was used for sampling size determination viz

$$N = \frac{z^2 p(1-p)}{e^2}$$

Where z= SD at 95%=1.96

$$P = 1/\text{outcomes} = 1/5 = 0.2$$

$$e = \text{error} = 0.05$$

$$= 246 \text{ samples}$$

The questionnaire was re-shared on the facebook account weekly for the two months to ensure it reached all the audience and to obtain 246 sample sizes. Data from the compiled form were further subjected to Chi Square Test in the SPSS environment.

Analysis

Gender		Factors responsible for Arrest					Total	Pearson Chi-Square		
		Fire Arms and other forceful means	Deployment of Technology	Innovative Patrol procedure	Trained Manpower	Factors extraneous to service		Value	df	Asymptotic Significance (2-sided)
1	Male	87	22	27	16	48	200	9.755 ^a	4	0.045
2	Female	22	4	4	10	6	46			
Total		109	26	31	26	54	246			

Table 2: Pearson analysis of factors responsible for arrest by gender of respondents

A total of 200 Males and 46 Females responded to the questionnaire items out of which 109 respondents agree that the use of fire arms has been helpful in effecting arrest of traffic offenders. Since the level of significance is approximately 0.05 it

means that there is significant relationship in what both Male and Female respondents are saying, put in other ways, there is no significant difference between the population.

Category of road user		Factors responsible for Arrest					Total	Pearson Chi-Square		
		Fire Arms and other forceful means	Deployment of Technology	Innovative Patrol procedure	Trained Manpower	Factors extraneous to service		Value	df	Asymptotic Significance (2-sided)
1	Driver	84	22	27	19	51	203	9.709 ^a	4	0.046
2	Passenger	25	4	4	7	3	43			
Total		109	26	31	26	54	246			

Table 3: Pearson analysis of factors responsible for arrest by category of road user

A total of 203 Drivers and 43 Passengers responded to the questionnaire items. Drivers are of the opinion that both the use of fire arms and factors extraneous to service (i.e Bribery, corruption, etc) are more responsible for their arrest while passengers said it is mostly use of arms. Since the level of significance is

approximately 0.05 it means that there is significant relationship in what both Drivers and Passengers respondents are saying, put in other ways, there is no significant difference between the population.

Gender		Efficiency of Law Enforcement Agency in effecting arrest				Total	Pearson Chi-Square		
		Federal Road Safety Corps	Road Traffic Officers (VIO)	State Traffic Management Agency	Nigeria Police		Value	df	Asymptotic Significance (2-sided)
1	Male	47	66	23	64	200	5.282 ^a	3	0.152
2	Female	15	9	3	19	46			
Total		62	75	26	83	246			

Table 4: Pearson analysis of Efficiency of Law Enforcement Agency in effecting arrest by gender of road user

The order of efficiency in arrest to the male respondents is Nigeria Police followed by Road Traffic Officers and Federal Road Safety Corps while Police followed by FRSC is the opinion of Female respondents. Since the level of significance is greater than 0.05 it

means that there is significant relationship in what both Male and Female respondents are saying, put in other ways, there is no significant difference between the population.

Category of road user		Efficiency of Law Enforcement Agency in effecting arrest				Total	Pearson Chi-Square		
		Federal Road Safety Corps	Road Traffic Officers (VIO)	State Traffic Management Agency	Nigeria Police		Value	Df	Asymptotic Significance (2-sided)
1	Driver	51	65	23	64	203	3.218 ^a	3	.359
2	Passenger	11	10	3	19	43			
Total	62	62	75	26	83	246			

Table 5: Pearson analysis of Efficiency of Law Enforcement Agency in effecting arrest by category of road user

The drivers opined that after the Nigeria Police, the Road Traffic Officers comes next in terms of effectiveness of arrest while the passengers said the order of effectiveness is Police followed by FRSC and VIO respectively. Since the level of significance is

greater than 0.05 it means that there is significant relationship in what both Driver and Passenger respondents are saying, put in other ways, there is no significant difference between the population.

Gender		What you hate most during arrest			Total	Pearson Chi-Square		
		Delay	Fines	Vehicle Impoundment		Value	df	Asymptotic Significance (2-sided)
1	Male	70	32	98	200	7.999 ^a	2	0.018
2	Female	24	10	12	46			
Total		94	42	110	246			

Table 6: Pearson analysis of what road users hate most when arrested by gender of road users

The Male respondents hate the vehicle impoundments most while the Female respondents hate Delay more. Since the level of significance is less than 0.05 it means that there is no significant

relationship in what both Male and Female respondents are saying, put in other ways, there is a significant difference between the population.

Category of vehicle driven		What you hate most during arrest			Total	Pearson Chi-Square		
		Delay	Fines	Vehicle Impoundment		Value	Df	Asymptotic Significance (2-sided)
1	Driver	66	34	103	203	19.366 ^a	2	0.000
2	Passenger	28	8	7	43			
Total		94	42	110	246			

Table 7: Pearson analysis of what road users hate most when arrested by category of vehicle driven

The Drivers sees vehicle impoundment as the worst punishment while Passengers sees delay as the worst punishment. Since the level of significance is less than 0.05 it means that there is no

significant relationship in what both Male and Female respondents are saying, put in other ways, there is a significant difference between the population.

Factors responsible for Arrest		Law Enforcement Agency				Total	Pearson Chi-Square		
		Nigeria Police	Road Traffic Officers (VIO)	State Traffic Management Agency	Federal Road Safety Corps		Value	df	Asymptotic Significance (2-sided)
1	Use of Fire Arms and other forceful means	57	38	3	11	109	202.790 ^a	12	.000
2	Deployment of Technology	0	21	0	5	26			
3	Innovative Patrol Procedure	0	3	1	27	31			
4	Trained Manpower	3	0	2	21	26			
5	Factors extraneous to service	2	13	20	19	54			
Total		62	75	26	83	246			

Table 8: Ho1- No significance difference in effective use of factors enabling apprehension of traffic offenders by the Law enforcement Agencies

The level of significance of this analysis is less than 0.05 hence there is a significant difference in the responses given by the respondents with respect to effect of various enforcement strategies by Law Enforcement Agencies. Specifically, the use of fire arms is seen as the critical success factor for Nigeria Police in effecting arrest of traffic violators. It is surprising that only 2 respondents accepted that extraneous factors like bribery help Nigeria Police in effecting arrest possibly because what is given to the Police is not much compared to other agencies or because

the respondents has taken it for granted that the Police must be bribed.

However, the most motorists comply with arrest by both State Traffic agencies and the Federal Road Safety Corps for the fear of many extraneous factors that may come to play when eventually arrested. It is noteworthy that the Federal Road Safety Corps is also noted for high manpower training and use of innovative patrol procedures in effecting arrest of traffic offenders.

What you hate most during arrest		Law Enforcement Agency				Total	Pearson Chi-Square		
		Nigeria Police	Road Traffic Officers (VIO)	State Traffic Management Agency	Federal Road Safety Corps		Value	df	Asymptotic Significance (2-sided)
Hatemost	Delay	41	7	4	42	94	82.044 ^a	6	.000
	Fines	3	29	0	10	42			
	Vehicle Impoundment	18	39	22	31	110			
Total		62	75	26	83	246			

Table 9: Ho 2-No significant difference in what the road users hate most when arrested by the Law enforcement agencies

The level of significance of this analysis is less than 0.05 hence there is a significant difference in the responses given by the respondents with respect to what they hate most when arrested by Law Enforcement Agencies. Specifically, respondents hate delay by the Police much as they hate impoundment and fines by Road Traffic Officers. Surprisingly, the fines from the Federal Road

Safety and State Traffic Management Agencies are not seen as punitive enough. This is surprising since experience has always show transporters complaining of heavy fines by State Traffic Management Agencies. The low punitive value of the fines by State Traffic Management Agencies may therefore be attributed to their not often presence on the road.

Discussion

The rising cases of road traffic crashes and its attendant human and material losses are well known. One important instrument for preventing the occurrence of traffic crashes is the enforcement of traffic laws. Several Traffic Management Agencies have been established under the law at federal, state and even local government levels to detect, apprehend, prosecute, adjudicate and penalize road traffic offenders in the country. since the incidence of road traffic crash and its consequent road crashes is yet to abate, one the wonder if the traffic law enforcement Agencies are doing their duties as expected, what factors contribute to the success and failure of each and every Agency and how can strategies for traffic enforcement be improved upon.

Above analysis have shown that the possession of Fire Arms have been a critical factor in effecting arrest of traffic offenders by the Police. This was attested to across gender and road user categories. Other agencies that have devise other means of effecting arrest such as road blocks, staying at traffic lights and near armed military checkpoints respectively. While the combination of enlightenment and enforcement is useful in road safety management, above findings tow the line of Zeal (1994) and Batter (2014) which argue that ability to create deterrent threat can alter drivers behavior and is best in apprehending traffic offenders. After apprehension and penalization, the driver shall be more disposed to hearing the message contained in road safety enlightenment. By implication, most of the road safety enlightenment before penalization does little to modify the intention of a drivers ability to commit traffic crime.

Table 5 noted that the use of Fire Arms and other forceful means as developed by the Police and Road Traffic officers are critical

factors for effecting apprehension while FRSC specializes in quality training of personnel and innovative patrol strategies. Despite the wide outcry of extortion in the Police only 2 respondents see this as extraneous to service rules. In fact the State Traffic Management Agencies were more indicted for such unethical practices. It is therefore opined that road users are rarely affected by monies collected by the Police on the highways. The opinion of these respondents is significant different from each other at 0.05% hence the assertion might not be reliable in all circumstances.

It is however suppressing that the Road traffic officers have been found to be more efficient in effecting arrest of traffic offenders. The Road Traffic Officers are not armed hence effect most of their arrest within the town and at junctions, traffic lights, in heavy traffics and road bumps. At these places, vehicles are constrained to reduce their speed while the road traffic officers overwhelm the driver with their numerical strength on the road.

The Police and Federal Road Safety Corps are more involved in highway arrest but the Police are effective with it since they are armed but the Federal Road Safety Corps are unarmed hence leverage on the presence of Armed men around to arrest reprobate traffic offenders. This sometimes leads to incidences of knocking down the men of FRSC. There is no significant difference in the opinion of respondents on this issue hence it is a general perception of the respondents.

Both the FRSC and Police utilize vehicle delays as part of their strategy to modify driver's behavior, while the Road Traffic officers utilize a combination of both fine imposition and vehicle impoundment. It is curious to note that respondents did not complain much about the fines being imposed by State Traffic Management Agencies and FRSC respectively. It is

therefore opined that while State Traffic management agencies have limited presence on the road, the fine of FRSC is not punitive enough. This opinion can also not be relied upon since there is wide variation in the opinion of respondents. While drivers are affected by vehicle impoundment the passengers are more affected by vehicle delays. In general, what the male respondents hate most after arrest is vehicle impoundment while the female respondents hate delay more. It therefore appears that most of the passengers that hate delay are female respondents while the respondents that hate vehicle impoundments are male.

Conclusion

There are four prominent traffic law enforcement Agencies in Nigeria and their

success rate in effecting apprehension of traffic offenders not only differ but reflect the powers and mandate of such Agency in criminal justice system. This study has elucidated the perception of road users with the respect to the use of powers and strategies of these Agencies in ensuring safety on the road by apprehending road traffic violators. The possession of Arms and other forceful strategies have been a critical factor in apprehension of traffic offenders. The act of enforcement is thought to precede Enlightenment of road users in order to ensure behavioral changes in their Agency and collaboration is needed for effectiveness of some Agencies. There is also need for the penalty imposed by Agencies like FRSC to be reviewed upward to make it deterrent.

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Questionnaire

1. Gender: Male-----Female-----
2. What category of road user are you: Driver-----Passenger-----

3. Pick the most effective agency while arresting traffic offender
 - a. Federal Road Safety Corps
 - b. Road Traffic Officers (VIO)
 - c. State Traffic Management Agency
 - d. Nigeria Police
4. What factor is mostly responsible for the successful arrest of traffic offender by the agency
 - a. Use of fire arms
 - b. Deployment of technology
 - c. Innovative patrol procedure
 - d. Other motivation strenuous to service
5. What do you hate most after the arrest
 - a. Delay
 - b. Fines
 - c. Vehicle impoundment