

# Innovations

## Gender Inequality in the Nigeria Police Force

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**Abstract:** The Nigeria Police Force (NPF) is saddled with responsibilities which include but not limited to the protection of lives and properties. However, a lot of factors inhibit the performances of the NPF in the discharge of their duties. Among these factors is gender inequality, popularly called gender discrimination or gender imbalance. Such discriminations obviously noticeable in the areas of appointments, postings and promotion adversely affects the performances of the NPF. Aside from exploring factors responsible for gender inequality in NPF, this paper delved into the obligations of states to ensure that inequality is discouraged. Doctrinal method is adopted in this study and relevant laws, case laws, journal articles, and online materials were analysed to highlight gender inequality issues. The study finds that gender inequality in NPF puts women police officers at a disadvantaged position against male officers. It was observed that gender inequality dampens the morale of female officers and adversely affects their performances. This paper recommends that indulging in practices and policies that enhance gender equality and non-discrimination is one of the things needed to improve police performances in Nigeria.

**Key words:** Women empowerment, discrimination, Policing, Law enforcement, Regulation, Human Rights.

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### 1 Introduction

It was primarily the quest to protect lives and properties that led to the creation of the Nigeria Police Force (NPF) in 1861, Bakare (2021). All over the world, policing responsibilities are arduous, numerous, tasking and demanding. Police duties range from protection of lives and properties, prevention and detection of crimes to the

investigation and prosecution of crimes (Police Act and Regulation (PAR), 2020). Unfortunately, equality before the law and non-discrimination which are parts of human rights are grossly abused by the NPF. Human rights violations like discrimination and gender inequality have become the order of the day. It is so glaring that many human rights organisations, legal practitioners and concerned citizens have at one point or the other criticized the actions of the NPF on gender discrimination (Ezeilo, 2011, pp 177-178). Yet, there has always been little or no improvement in the area of gender discrimination.

The inequality on the ground of sex and other human rights violations appear to be the bane of policing in Nigeria. Successive police leadership have always paid deaf ears to the cries of the female officers despite the fact that NPF has had many lawyers<sup>1</sup> as Inspector General of Police (IGP). To make matter worse, the constitutional provisions on gender equality and human rights of citizens in appointment, recruitment, promotions and posting of its female officers are not always adhered to. The provisions of international legal instruments like the Convention on the Elimination of forms of Discrimination Against Women (CEDAW) have never been resorted to in deciding the affairs of female officers. More worrisome is the fact that Nigeria has adopted, ratified and domesticated several laws on human rights-gender equality inclusive. All the anomalies exhibited by the successive leadership teams in appointments, recruitments, promotions and postings with respect to female officers go a long way in showing the level of “understanding and appreciation of human rights-gender equality” by the NPF as the reverse is the case because in practice human rights violation is monumental in Nigeria (Ezeilo, 2011).

This paper examines the legal provisions stipulating gender equality and non-discrimination both in national laws and international laws to which Nigeria has assumed obligations, and the extent these have been applied in the administration of the Nigeria police Force.

## **2 Legal Framework for Policing and Non-Discrimination in Nigeria**

Legal framework for policing in Nigeria consist of the laws which form the basic foundations upon which policing responsibilities are carried out in Nigeria. These are the norms, rules, and the guiding principles that rational thinking police officers must comply with. Legal framework in this regard act as a compass or the parameter with which the conduct of police officers are measured. The idea is to avoid excesses (Brute forces, Inhuman and degrading treatment and abuse of human rights) and to ensure that when such excesses occur, the laws are also resorted to, to remedy the excesses. Legal framework for policing and nondiscrimination in Nigeria include but not limited to the Constitution of Federal Republics of Nigeria (CFRN) 1999 (as

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<sup>1</sup> IGP Tafa Balogun Rtd, IGP Sunday Ehindero Rtd, Igp Mike Okiro Rtd, IGP Solomon Arase Rtd were all lawyers.

amended in 2011) which created the NPF, (CFRN, S. 214(1)), the Police Act and Regulation (PAR, 2020), as amended, United Nations Charter, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979.

**2.1 Constitution of Federal Republics of Nigeria (CFRN) 1999 (as amended in 2011)**Discrimination in any manner is prohibited by some provisions of the CFRN, (as amended). For instance, sections 42 provide that:

1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion, or political opinion, shall not by reason only that he is such a person.

a) Be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religion or political opinions are not made subject.

Unarguably, the constitution of Nigeria is the highest law of the land and its primary objective is to have a united Nigeria based on the principles of freedom, equality, and justice. This is clear from its Preamble which provides that:

“We the people of Federal Republic of Nigeria: Having firmly and solemnly resolve, to live in unity and harmony as one indivisible and indissoluble sovereign nation under God, dedicated to the promotion of Inter-African Solidarity, world peace, international co-operation and understanding. And to provide for a constitution for the purpose of promoting the good government and for the purpose of consolidating the entity of our people. Do hereby make enact and give ourselves the following constitution.

On Supremacy of the constitution, it provides in section 1(3): “This constitution is supreme and its provisions shall have binding force on the authorities and persons throughout the Federal Republic of Nigeria’ and “If any other law is inconsistent with the provisions of this constitution, this constitution shall prevail, and that other law shall, to the extent of the inconsistency, be void.

From the foregoing, the constitution is supreme, thus any law that is inconsistent with the provisions of the constitution is to the extent of its inconsistency void. Therefore, the NPF being a creation of the Constitution, by virtue of section 214, must conform to the provisions of the constitution in its operations. The constitution provides that:

There shall be a police force for Nigeria which, shall be known as the Nigeria Police Force and subject to the provisions of this section no other police shall be established for the Federation or any part thereof (CFRN, sections 214-216). The supremacy of the constitution extends even to treaties as held by the Supreme Court

of Nigeria (SCN) in the celebrated case of *Sani Abacha and Ors v. Chief Gani Fawehinmi*.

## 2.2. The Police Act and Regulation (PAR) 2020

The PAR is a statute enacted by the National Assembly of the Federal Republic of Nigeria

(NASS) to regulate the art of policing in Nigeria. The PAR provides the legal framework for

the operations of members of the NPF to ensure cooperation and partnership between the NPF and Nigerians while performing their duties which includes maintaining peace, combating crime, protecting liberties, life and properties and related matters. The PAR, 2020 is a serious improvement on the previous Police Acts. It covers issues such as community policing, appointment of special constables, recording of statements of suspects in the presence of a legal practitioner of his or her choice. However, the most striking aspect of this Act is the encouragement given to subordinate officers to disobey unlawful orders from their superiors of (PAR 2020, Section 137 (1)(a)(b)). These innovations are in tandem with the requirements of human rights in 21st century policing. This is because police officers in the 21st century are expected to fight crimes, protect lives and properties professionally and uphold the fundamental principles of human rights in all their operations. In the past, there were reported cases of human right abuses carried out by junior police officers on the instructions of their superior officers. This is because the NPF is regimented which implies that officers are expected to take instructions from their superiors and carry out any instruction emanating from their superior or supervising officer. However, with the Police Act 2020, this is now limited to only lawful instructions. Therefore officers now have discretion to disobey any instruction that is unlawful or violates human rights of others.

Notwithstanding the foregoing, the PAR, 2020 is totally silent on the specific duties to be performed by the women police officers. It is also silent on the issue of marital requirement of a woman and mode of dressing. The repealed PAR discriminates between male and female officers to the extent that before a woman police officer shall marry she must have served for two years or more and must write a letter to the Commissioner of Police (CP) of wherever she is serving at the time of the marriage proposal introducing her would-be husband to enable the NPF investigate the proposed husband to ascertain his character and means of livelihood among other things (PAR, 2020, section 124). On the contrary, there is no similar provision for their male counterpart to introduce their would-be wife for investigation to ascertain her character and means of livelihood before they can marry. In *Women Empowerment and Legal Aid v Attorney General of the Federation* the Federal High Court per Ada J (as he then was) while considering the provisions of section 124 of the previous PAR held that: "The most fundamental issued here is with regard to

women police officers because of their gender as women and this is very much unconstitutional'.

Another discriminatory provision under the repealed PAR is the provision (section 127) that an unmarried police woman who becomes pregnant shall be discharged from the force and shall not be re-enlisted except with the approval of the IGP. This is a clear infringement on the sexual rights of female police officers as pregnancy is a probable consequence of their sexual rights. It is also a clear case of gender discrimination because unmarried male officers are not under any form of restriction from impregnating any woman. The PAR 2020 is clearly silent on these issues but is still observed in practice and not many women have the financial capacity to challenge them legally in court.

### **2.3 The United Nations Charter**

The UN was formed in 1945 to prevent future world wars. It is the pre-eminent international organization in the world, made up of almost all the countries in the world. The UN charter is the foundational treaty. The UN charter is a legal framework on equality and non-discrimination (McKean, 1983, p.59) under International law with particular reference to human rights. It codifies the principles of international relations, from sovereign equality of states to the prohibition of the use of force in international relations (UN document. A/c 3/S.R 100, p.7). The UN became an International Protector of the rights of individuals after the Second World War. The UN had been founded principally to combat discrimination in the world.

### **2.4 The African Charters on human and People's Rights, 1981 (ACIIPR)**

The ACHPR is foremost regional legal instrument on human rights in the African continent. It was adopted at the Eighteenth Assembly of Heads of State and Governments of the Organisation of African Unity (OAU) now African Union (AU) held in Nairobi, Kenya in June, 1981 (Gittlerman, 1982). It emphasizes equality and non-discrimination with particular reference to non-discrimination on ethnicity, colour, sex, language, religion, political or any other opinion of national and social origin, fortune, birth or any status (ACIIPR, art 2). It emphasizes equality before the law and equal protection of the law (ACIIPR, art 3).

### **2.5 Protocol to the African Charter on Human and Peoples' right on the rights of Women in Africa, 2003**

This is also called the Maputo Protocol. It is a supplementary protocol that complements the provisions of the African Charter on Human and Peoples' right. It promotes the rights of women and gender equality in Africa. This protocol was adopted by the conference of Heads of State and Government in Maputo-Mozambique on 11 July 2000 but came into force on 25 November 2005. It elaborates

the need for gender equality and defined discrimination against women as: “any distinction, exclusion or restriction or any differential treatment based on sex and whose objectives or effect compromise or destroy the recognition, enjoyment or the exercise by women, regardless of their marital status, of human rights and fundamental freedoms in all spheres of life” (Maputo Protocol, art 1.f).

This protocol has some similarities with ACHPR and CEDAW. However, it is more elaborate and contains some features different from CEDAW like prohibition of all manner of violence against women. It enjoins all state parties to take steps that will ensure that discrimination in any form against women is eliminated. It encourages woman participation in all spheres of life on equal basis with men.

## **2.6 African Charter on the Rights and Welfare of the Child, 1990**

This is a regional charter on Human rights for African region, adopted in 1990. It came into force in 1999 almost ten years after its adoption. It contains mainly the rights of children but in its preamble it reinforces the right to freedom from discrimination and gender equality. It provides in art 3 that: “Everyone is entitled to all the rights and freedoms recognized and guaranteed therein; without distinction of any kind including on the basis of sex or other status”.

The charter also condemns and prohibits child marriage. This charter in general is relevant to this discourse to the extent in which it prohibits discrimination on the basis of sex-gender inequality.

## **2.7 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979.**

This is a vital legal instrument on women’s right to freedom from all manner of discrimination. It was adopted by the United Nations General Assembly (UNGA) by resolution 34/180 on 18 December, 1979 but entered into force in 1981. The main aim of CEDAW as stipulated in its Preamble is to protect women and promote equality of rights of men and women with a view to eradicating all manner of discrimination against women which violates the principles of equality of rights and respect for human dignity. Nigeria ratified CEDAW but most of the rights contained therein are grossly violated by the Nigerian government both at local, state and federal levels despite the obligations on Nigerian government to ensure strict compliance with the provisions of CEDAW. Quite unfortunately, Nigeria usually ratify and has domesticated a lot of International legal instruments especially on human rights but ratification does not mean implementation as practical experience has shown that human rights are grossly violated in Nigeria (Ehinder, 1998, Ehiemua, 2014, Scent & ors, 2020)

## **2.8 Optional Protocol to the CEDAW (OP\_CEDAW)**

This is a legal framework on non-discrimination and gender equality. As the name implies, it is optional and that implies that there is no duty or obligation on State parties to the CEDAW on adopting and ratifying the optional protocol. The protocol establishes inquiry, complaint and communication mechanism which allows either individuals or groups of individuals to make and submit complaints to the committee. However, it must be with the consent of the parties or individual or group of individuals that such complaint is made.

Just like the purpose for enforcement of CEDAW, the optional protocol ensures that tribunals and other public institutions established ensures effective protection of women against all forms of discrimination by persons organisations or enterprises.

The Optional Protocol to the CEDAW is an international treaty that establishes complaint and inquiry mechanisms for CEDAW. It was adopted by the General Assembly of the UN on 6 October 1999. By ratifying the Protocol, a state automatically recognises the competence of the CEDAW. This protocol is a solid reinforcement to the provisions of CEDAW. It is a channel through which complaints by individuals or group of individuals or group whose right have been violated made. However, all available local remedies must have been exhausted before complaint is brought through this procedure. In addition to its prohibition of gender discrimination which is not limited to gender inequality, it provides the mechanism for individual complaints and means through which such complaints can be accepted.

## **2.9 Solemn Declaration on Gender Equality in Africa, 2004**

This legal framework concentrated more on the issue of HIV and AIDS. However, it places emphasis on gender equality and prevention of discrimination against women. It was adopted by the Heads of State and Government of member states of the AU at the third ordinary session of its meeting in Addis Ababa, Ethiopia, from 6-8 July, 2004. This Solemn Declaration has helped to strengthen gender equality and provide support, encouragement and empowerment to women in Africa. In an effort to achieve gender equality and non-discrimination on the basis of sex the Solemn Declaration on gender equality in Africa is sub divided into 6 areas of action, namely:

- i. Governance
- ii. Peace and security
- iii. Human rights
- iv. Health
- v. Education
- vi. Economic empowerment

State Parties are enjoined to ensure full compliance by formulating policies and or strengthening existing legislations that are gender friendly in this regard. It ensures the elimination of gender based violence.

### **3 Gender Inequality**

Gender inequality arises from discrimination on the basis of gender. Inequality means discrimination while equality means treating everyone without discrimination. Simply put, gender inequality is the feeling of superiority by one sex over the other. This is usually carried out by the males claiming superiority over the females. The feeling of this inequality leads to discrimination in appointments into offices, postings and transfers. Gender inequality is a social, cultural and political belief which leads to unequal treatment of a particular sex especially the female folk (Scent &ors, 2020).

Equality and non-discrimination are positive and negative statements of the same principle (Bayefsky, 1990). Gender inequality has generated public discourse in recent time and the main thing is now the elimination of obstacles to equality of male and female persons. There are known facts of some woman officers that were eligible to be appointed as IGP but were denied on the basis of Gender(Scent &ors, 2020, p5).

#### **3.1 Some Causes of Gender Inequality**

Gender inequality is a consequence of several factors, some of which included:

- (i) **Fear of domination:** This appears to be the major reason why discrimination in terms of gender abounds. Males are afraid that abiding by the hallowed principle of non-discrimination may lead to a situation where women will take over the leadership policing in Nigeria. As a result of this fear, priority is given to men whether qualified or not. This fear of domination has ensured that great, well trained and well educated women like Farida Waziri, Ivy Okonkwo and lately Peace AbdallahIbekwe did not go beyond the rank of Deputy Inspectors General of Police (DIG) in NPF. In fact, the monster of gender inequality is responsible for the non-appointment of a woman as the Inspector General of Police (IGP) since the NPF started till date.
- (ii) **Unjustifiable belief in the strength of men:** It is usually believed that men are stronger than women. However, instances abound where womendistinguished themselves more outstandingly than men in male dominated areas like musketry, shooting range, arrest of criminals(Scent &ors, 2020).Infact, some hardened criminals have been trickily arrested by women without a gun shoot.
- (iii) **Provision of the Police Act:** The Police Acts and Regulation, Reg. 121, provide that women officers shall perform duties pertaining to women and children. This on its own is a serious discrimination if followed strictly. The implication



is that every police woman shall work under the Juvenile and Women Section which handles cases involving women and children. Of course, this will amount to serious man power wastage if allowed. Though it is not so in practice' as women police officers perform all the duties which their male counterpart perform. The previous police Acts contained grievous gender discrimination on women officers. However, the Police Act 2020 seems to be silent on women police generally rather than addressing the issues.

- (iv) **Recruitment Process:** This is another major reason behind the growth and sustainability of the monster called gender inequality in NPF. At the point of entry, certification and qualification requirement for both male and female are the same. However, duties assigned to men after training are superior to those assigned to women despite the fact that they all passed through the same rigorous training process. Gender discrimination during recruitment process is so bad that it is usually done in the ratio of 10 to 2 or 3 in favour of men. For instance, if 10 men are recruited only two or at most three women are recruited.
- (v) **Cultural Practices:** In some places the training of males is considered more important than training females. In fact, some families do not believe that a woman should be properly educated.
- (vi) **Unequal access to education:** Access to education is unevenly distributed in some places, while the males have more access to education the females have little or no access and this contributes immensely to gender inequality. See Ehindero, 1998, Ehiemua, 2014 and Scent & ors, 2020.

### **3.2 States Obligations to Protect Citizens Against Gender Inequality.**

State obligation under international human rights is acts or course of action which states are morally and legally bound to perform. These are duties which are incumbent upon states to observe. As a matter of fact, States are under obligation to ensure that gender equality thrives over gender inequality as inequality is evil and discriminatory in nature. States are duty bound to ensure that gender inequality/discrimination is eradicated or at least reduced to the barest minimum since in reality inequality cannot totally be ruled out in any human affair.

Under international human rights law, States have the obligations to respect, protect, fulfill, and ensure that rights to equality before the law is protected. States are encouraged constitutional provisions that prohibit discrimination in any form.

States are to adopt legislative measures that give fundamental effects to gender equality and eradicate discriminatory tendencies. States should also ensure that conditions are put in place to ensure that infringements on rights are redressed forthwith. However, the extent to which Nigerian Government has applied the principle of equality before the law is a topic for further discussion which is outside

the scope of this work. The truth remains that Nigeria has 1 local and international laws on human rights which successive governments have refused to implement.

#### **4 Gender Inequality and Employment in NPF.**

The NPF is an internal security organisation created by the Constitution of the Federal Republic of Nigerian (CFRN, S.214). It is the principal law enforcement agency in Nigeria. The modern NPF was founded in 1930. Its jurisdiction is the entire country but from time to time the NPF do perform some international duties, like UN peace keeping missions. The duties of the NPF include:

- (i) Prevention and detection of crime
- (ii) Apprehension of offenders,
- (iii) Protection of life and property
- (iv) Due enforcement of laws and regulations with which they are directly charged and
- (v) Performance of such military duties outside Nigeria as may be required of them by law or under the authority of the police act or any other act (Police Act, 1990, s.4).

Generally speaking, these duties contained in the old police act are synonymous with duties of the police under the new Police Act (PAR, 2020, Pt 11). However, the 2020 Police Act contains more duties for the NPF (PAR, 2020, section 4). The new law is also more human rights friendly and enjoined the members of NPF to prevent and detect crimes, protect the rights and freedom of every person in Nigeria as provided in the CFRN, the African Charter on Human and Peoples Right and any other law (PAR, 2020, S.4(a)). The new police Act also empowers the NPF to enforce certain constitutional provisions like promoting and protecting of the fundamental rights of persons in police custody as guaranteed by the CFRN, 1999 as amended.

The NPF has onerous responsibilities which are carried out by police men and women recruited or appointed into NPF. However, gender discrimination/inequality is widely spread and therefore noticeable in terms of promotion in NPF. Police women are grossly under promoted in the NPF due to discrimination. Otherwise how else can one explain the fact that since the inception of the NPF no woman has been found worthy to become the IGP (Scent & ors, 2020). That is the height of gender inequality and pure discrimination on the basis of sex.

##### **4.1 Gender Inequality in Posting**

Due to the fact that the NPF is dominated by male officers, the female officers find it difficult, if not impossible, to be posted to some juicy areas. Few decades ago, it is difficult for instance to get a woman posted as a commissioner of police in charge of a state police command. However, it appears that the recent appointment of Dr. Solomon Arase as the Chairman of the police service commission (POLSCOM) in

Nigeria brought hope for the female police officers especially female commissioners of police and female Assistant Inspectors General of police. In that regard, the POLSCOM in Nigeria recently approved a policy guideline on deployment of AIGs, CPs and tactical commanders and gender sensitivity in such postings. The commission on its recent policy<sup>2</sup> on Imperativeness of Gender-Sensitivity in the Deployment of AIGs and CPs noted the continued practice of *lopsided deployments of only male officers to zones and commands with no fair consideration and representation of female police officers who are qualified for such positions.*

Expectedly, the POLSCOM observed that:

“this will in no time portray the NPF as an organization that is anti-women empowerment and averse to women inclusivity in government”

The POLSCOM therefore considered and approved that:

“at least three state commands out of the thirty seven commands must have female police officers as their cops and that out of the seventeen zonal headquarters at least one must have a female AIG to head the zone (Ani, 2023).

This is a step in the right direction, though the number allotted to the female is insignificant when compared with that of males but there is hope that with time, there shall be increase in the quota for female officers. At least, Dr. Arase has taken the bull by the horn. He is indeed a trail blazer as this is the first time that a document policy guideline on gender sensitivity is made for the NPF. No matter how laudable this policy may be, the fact remains that the NPF is male dominated and gender insensitive otherwise how can one explain the fact that no woman has ever been allowed to become the IGP ever been allowed to become the IGP ever since the NPF began?

Again, the NPF management team (NPFMT) which is made up of the IGP and about 8 DIG and one AIG force secretary who also doubles as the secretary of the NPFMT as presently composed has *no female officer as a member.* As at 30<sup>th</sup> June, 2023 no female police officer is in charge of a state command out of the 36 states and the Federal Capital Territory-Abuja. No female police officer has ever been in charge of the Police Mobile Force (PMF). To mention but a few posting women officers to certain strategic positions like the males should be done at least to encourage female officers in a male dominated police force.

Notwithstanding the foregoing, some women officers like Ivy Okoronkwo, Peace AbdallahIbekwe, Ngozi Vivian Onadeko and Janet Agbede<sup>3</sup>, have proved that women officers are very capable, able and willing to perform when entrusted with certain positions of authority in NPF.

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<sup>2</sup> The policy guideline was approved by polsom at its 21<sup>st</sup> plenary meeting held at its corporate Headquarters in Jabi, Abuja on Thursday, June 15<sup>th</sup>, 2023.

<sup>3</sup> Okoronko Ivy was the First female Police Commissioner of Ekiti State, Peace AbdallahIbekwe is the first female commissioner Ebonyi State, Ngozi Vivian Onadeko is the First Female Commissioner of Police in Oyo State and Janet Agbede was the 1<sup>st</sup> female commissioner of police in Abia State.

Gender inequality in NPF despite the constitutional prohibition of such practice has undermined the performances of the members of NPF. Rather than posting capable women to certain places, some less competent men are posted instead of women on the basis of discrimination which leads to exhibition of gross incompetence.

The reason for this inequality is because initially women were looked down on as being unfit to perform police duties due to the rigorous nature of the job. However, with the increase in the number of women involvement in criminal activities, it has become very fundamental not just to recruit women but to increase the number of women to a reasonable extent that can contend with female criminals (Ehiemua, 2014).

CEDAW is proposed to tackle all forms of discrimination against women in any part of the globe by identifying specifically, areas of discrimination leading to gender inequality against women. Under the CEDAW Preamble, discrimination against women is seen as: the term discrimination against women shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

CEDAW has vital provisions and equal protection of women from discrimination and discriminatory tendencies of men. Article 2 provides that ;“State Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and to this end, undertake:

- (a) To embody the principle of equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligations;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organisation, or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination, against women.

Article 2 encourages gender equality and reaffirms the duty of national governments such as Nigeria to ensure the enactment of legislations that encourages gender equality and repeal provisions that encourage gender discrimination.

Another very important provision of CEDAW is article 11(1) which provides that: States parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;(CEDAW, art 11(2))
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- (c) The right to free choice of profession and employment, the right to promotion; job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of to function of reproduction.

In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work States Parties shall take appropriate measures:

- (a) To prohibit, subject to the imposition of sanctions, dismissal on grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances.
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

In order to ensure compliance with the provisions of this law (CEDAW), States Parties are enjoined to enact legislation or rather strengthen existing legislation that promotes nondiscrimination, and gender equality to ensure that women are encouraged rather than discouraged to take up appointments in areas largely dominated by men.

The intention of the drafters of CEDAW is to provide a level playing field between men and women in all areas — political, social, cultural, employment and so forth to ensure that discrimination in any form especially gender inequality is wiped off or at least reduced to the barest minimum. It affirms both the reproductive rights of women, right on equal basis with men to change or retain or acquire new nationality, (CEDAW, Art. 9(I)) and right to marry on basis of equality (CEDAW, Art. 16).

## **5 Findings, Recommendations and Conclusion.**

### **5.1 Findings**

The work found that incidences of gender inequality and discrimination against women abound in the NPF, specifically, it was discovered that:

1. Based on section 124 of the Police Act and Regulations, female police officers intending to get married must submit the name and particulars of their intending spouse in writing to the Commissioner of Police for investigation and approval before they can get married. However, the provision does not apply to men as they are free to marry anybody they like.
2. Similarly, by the provision of section 127 of the Police Act and Regulations if an unmarried female police officer gets pregnant, she shall be dismissed while their unmarried male counterpart are not restricted from impregnating any woman at any time.
3. The Police Act and Regulations originally restricted the duties of female police officers to women and children matters.
4. Men are given preferential treatment in appointment, posting and promotion.
5. Women police officers are hardly allowed to be part of the Police Management Team and no female police officer has ever been IGP.

### **5.2 Recommendations.**

From the findings, the following recommendations will help to bring gender equality in The NPF.

1. The NPF police force should introduce more practices and policies that enhance gender equality and non-discrimination to improve the performance of female police officers.
2. All provisions in the Police Act and Regulations that promotes gender bias against women should be deleted.

3. 40% of membership of the police management team should be reserved for women police officers.
4. Qualified and competent women police officers should be considered for the position of IGP.
5. The leadership of the NPF should respect all domestic and international legal instruments that protect the right of police women against gender inequality.
6. Nigeria should take step to ensure compliance with International treaties, conventions and laws that support gender equality especially the laws they are party to.

### 5.3 Conclusion

The NPF is one of the largest security agencies in Nigeria and has been male dominated since it was established. Although, the NPF employs women, the employment ratio between men and women is in the ratio of 10:2 in favour of men. Also, women are hardly given certain roles and posting as there seems to be a stereotype that suggest that men are stronger and better fit for certain roles. This is not always the case as women have been known to distinguish themselves in roles traditional dominated by men. The NPF today encourages gender inequality against women. This clear from the fact that, since the NPF was established **no woman has been given the opportunity to hold the position of IGP**. More worrisome is the fact the NPF management as presently constituted deliberately excludes women. The PAR also has provisions that restrict the social life of women unnecessarily without putting the same burden on their male counterparts.

The NPF is the first internal security organization in Nigeria, other internal security organisations like the Nigeria Custom Services (NCS), Nigeria Immigration Services, the Nigeria Correctional Service (NCS) and even the Economic and Financial crimes Commission (EFCC) were part of the NPF. However, these agencies appear to promote gender equality more than the NPF. For instance, Mrs. Farida Waziri was once the Chairperson of EFCC and she performed creditably well. Mrs. Rose Chinyere Uzoma was the Comptroller General of the Nigeria Immigration Services from 2010-2013. Earlier on from 2000-2004, Lady U.C. Nwizu served as the Comptroller General of Immigration in Nigeria.

Finally, the NPF does not demonstrate a willingness to be guided by international and domestic legal instruments that promotes gender equality by its actions. It is expected that the NPF being a creation of the law shall make respect for the rule of rule its cardinal operational policy.

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