

## **An Investigation on the Application of Criminal Justice Procedure and its Impact on Crime Factors in Akwa Ibom State, Nigeria**

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### **Abstract**

*The study was designed to investigate inherent problems associated with the application of criminal justice in Akwa Ibom State of Nigeria. Structural-functionalist theory was adopted as the theoretical guide. A sample size of 400 respondents was selected and adopted through application of Yard's formula. Questionnaire was the principal instrument of data collection while the formulated hypotheses were tested with Chi-square and Phi coefficient statistical tools. The result of the test of hypotheses indicated that there is a relationship between length of time spent by suspects in jail awaiting trial and the judicial procedure adopted by the state judiciary. Based on research findings the study suggested that an institutional approach be applied in the dispensation of criminal justice so that suspects could get speedy and fair hearing and that confidence in the judiciary would be rekindled.*

**Keywords:** Criminal Justice Procedure, Crime Factors, Akwa Ibom State, Nigeria

### **Introduction**

The catalytic role of the judiciary in dispensation of justice for the peaceful co-existence of all people in Nigeria is not in doubt. The growing interest in judicial procedure, the emergence of advocacy NGOs in recent times and the recognition of speedy dispensation of justice as a central force for fundamental freedom have questioned the sustenance of delayed adjudication; holding charges, unlawful detention and jungle justice. It is the pervasiveness of the above scenario that propelled an investigation into the application of criminal justice procedure in Nigeria with Akwa Ibom State as a case study. However, among several factors assumed to be responsible for increase in criminality in our society, the problem of delayed adjudication, that is delay of suspect for many years without trials and the manner of dispensation of justice in Akwa Ibom State stands out prominently as a major factor worthy of investigation.

### **The Problem**

There is a lack of empirical study on the causal relationship between awaiting trial persons and the criminal justice processing in Akwa Ibom State. The complex social environment of southern Nigeria with the Niger Delta issue together with lack of social infrastructure, phenomenal increase in the rate of unemployed persons, emergence of ethnic militias and communal crisis have continued to stiffen and exacerbate the frequency of antisocial activities in the region of which Akwa Ibom State is a part.

Observable evidence shows that other than crimes against individuals, corporate crime is fast becoming a global phenomenon and its consequences are devastating. Consumers are defrauded. The environment (soil, air and water) is often compromised. Personal safety is placed at risk by lobbyists who buy influence but do not have the interest of the greater majority at heart.

Corporate crime has recently jolted the corporate world, workers' rights are often violated by threats of firing and other reprisals made to those who dare to exercise their lawful right to collective bargaining and unions.

Through collective bargaining, unions protect the rights of workers by giving them fair representation in the work place. On the contrary, some union leaders have been charged for their involvement in crime activities (racketeering, fraud and tax evasion, embezzlement and extortion). Union or not, corporate crime exists on both ends of the continuum, where the workers continue to be victimized and their rights violated (Polinsky, 1980:125).

Again, another major type of crime in the modern world is terrorism. The tragic events of 9/11 (the bombing of pentagon and world trade centre in the USA on September 11, 2001) and the terrorists that brought on those acts of destruction have changed the lives of Americans in particular and the entire world in general. There is also drug crime and consequent war on it. The war on drugs deals with addressing the violation of drug laws. Tremendous resources have been devoted and spent on these social problems locally and internationally. In Southern Nigeria, the incident of kidnapping and armed robbery by the Niger Delta militants is still fresh in peoples' memories. In the northern part of Nigeria, the recent Boko Haram upsurge is a major cause of concern for the Federal Government and people of Nigeria.

Response to crime is most often through individuals, families, neighbourhood associations, business, industry, agriculture, educational institutions, the news media, or any other private service to the public. It involves crime prevention as well as participation in the criminal justice process once a crime has been committed. Private crime prevention is more than providing private' security or burglar alarms or participating in neighbourhood watch. It also includes a commitment to stop criminal behaviour by not engaging in it or condoning it when it is committed by others. Citizens take part directly in the criminal justice process by reporting crime to the police, by being a reliable participant (for example, a witness) in a criminal proceeding and by accepting the disposition of the system as just or reasonable. As voters and taxpayers, citizens also participate in criminal justice through the policymaking process that affects how the criminal justice process operates, the resources available to it, and its goals and objectives. At every stage of the process from the original formulation of objectives to the decision about where to locate jails and prisons to the reintegration of inmates into society, the private sector has a role to play. Without such involvement, the criminal justice process cannot serve the citizens it is intended to protect. Many of the services needed to prevent crime and make neighbourhoods safe are supplied by non-criminal justice agencies, including agencies with primary concern for public health, education, welfare, public works, and housing. Individual citizens as well as public and private sector organizations have joined with criminal justice agencies to prevent crime and make neighbourhoods safe (Attenborough, 2006:95).

Offenders are apprehended, tried, and punished by means of a loose confederation of agencies at all levels of government. It will be recalled that Nigerian system of justices is an offshoot of English common law that has evolved into a complex series of procedures and decisions. Founded on the concept that crimes against an individual are crimes against the State, our justice system prosecutes individuals as though they victimized all of society. However, crime victims are involved throughout the process and many justice agencies have programmes which focus on helping victims. Criminal cases are often handled differently in different jurisdictions, but court decisions based on the due process guarantees the Nigerian constitution and require that specific steps be taken in the administration of criminal justice in order to protect individuals from undue intervention from the state. The description of the criminal and juvenile justice systems that follows portrays the most common sequence of events such as response to serious criminal behaviour.

Dambazau (1999:87) on the one hand had indicated that criminal justice could be seen either as a legal process which involves the procedure of processing the person accused of committing crime from arrest to the final disposal of the case or as an academic field which provides a thorough understanding of the criminal justice system in relation to the society. But since the interest of this study is on social justice, it behooves that criminal justice system could be assessed in the strict socio-legal sense of the words. On the other hand, Hamilton (1923:129) had observed that criminal justice system could be the machinery through which the criminal or someone suspected to have committed a crime, is processed and subsequently disposed. The criminal justice system is responsible for the regulation and control of criminal behaviour. It is also an instrument of practical purposes, accountable for the efficient and effective reduction of crime largely through the mechanisms of deterrence, incapacitation and rehabilitation, Again, criminal justice system is an instrument of justice where criminals are held accountable for their crimes and their constitutional rights simultaneously protected.

It must be stated however, that in Nigeria, not all crimes or offenders are processed through the criminal justice system. This was what prompted Dambazau to assert that for the purpose of better understanding of the workings of criminal justice system in Nigeria, one must first appreciate the working relationships of agencies involved in the running of the system; the use, functions and decision-making process of the police; the structure of the courts system and how judges reach decisions and the intricacies of penal institutions. He further stated that criminal justice agencies in Nigeria are the main actors in the fight against crime, namely: the police are responsible for detecting crime and apprehending suspects who violate the criminal law; the courts try cases and decide guilt or innocence, and sentence those who are convicted or those who plead guilty, and the prisons carry out the sentence of the court with the aim of rehabilitating criminals (Dambazau, 1999:90).

Empirical evidence from diverse experiences in our society shows that the emergence of innumerable antisocial activities have contributed in shaping the mechanisms of law enforcement agents with a view to keeping the society free from the stranglehold of malefactors. This situation has resulted in the arrest and prosecution of suspects. The period during which suspects are detained in the police custody for many years without trial and the manner of dispensation of justice has attracted a lot of comments from Social Science scholars, Human Right Activists, Jurists, and Law Enforcement Agents. This is consequent upon the frequency of exposure of these suspects to health hazards and the extent to which their fundamental human rights are denied.

Thus, this study intends to find out what factors have contributed to the long delay in prosecution of cases of suspects arrested by the police. Why are some harmful cases not reported to the appropriate quarters? What factors exacerbate and sustain criminal activities in the region? In order to proffer answers to these questions, this study has therefore undertaken an investigation of factors contributing to bottleneck in the application of criminal justice procedure in Akwa Ibom State, Nigeria.

### ***Criminal Justice Procedures***

In Akwa Ibom and other states in Nigeria, after an arrest, law enforcement agencies present information about the case and about the accused to the prosecutor, who will decide if formal charges will be filed with the court? If no charges are filed, the accused must be released. The prosecutor can also drop charges after making efforts to prosecute. A suspect charged with a crime must be taken before a Judge or Magistrate without unnecessary delay. At the initial appearance, the Judge or Magistrate informs the accused of the charges and decides whether there is probable cause to detain the accused person. If the offense is not very serious, the determination of guilt and assessment of a penalty may also occur at this stage (Garoupa & Klerman, 2002:45).

Often, the defense counsel is also assigned at the initial appearance. All suspects prosecuted for serious crimes have a right to be represented by an attorney. If the court determines the suspect is indigent and cannot afford such representation, the court will assign counsel at the public's expense. A pretrial-release decision may be made at the initial appearance, but may occur at other hearings or may be changed at another time during the process. Pretrial release and bail were traditionally intended to ensure appearance at trial. However, many jurisdictions permit pretrial detention of defendants accused of serious offenses and deemed to be dangerous to prevent them from committing crimes prior to trial. The court often- bases its pretrial decision on information about the defendant's characteristics such as drug use, as well as residence, employment, and family ties. The court may decide to release the accused on his/her own recognizance or into the custody of a third party after the posting of a financial bond or on the promise of satisfying certain conditions such as taking periodic drug tests to ensure drug abstinence. In many jurisdictions, the initial appearance may be followed by a preliminary hearing. The main function of this hearing is to discover if there is probable cause to believe that the accused committed a known crime within the jurisdiction of the court. If the judge does not find probable cause, the case is dismissed; however, if the Judge or Magistrate finds probable cause for such a belief, or the accused waives his or her right to a preliminary hearing, the case may be bound over to a grand jury.

A grand Jury hears evidence against the accused presented by the prosecutor and decides if there is sufficient evidence to cause the accused to be brought to trial, If the grand jury finds sufficient evidence, it submits to the court an indictment, a written statement of the essential facts of the offense charged against the accused, Where the grand jury system is used, the grand jury may also investigate criminal activity generally and issue indictments called grand jury originals that initiate criminal cases. These investigations and indictments are often used in drug and conspiracy cases that involve complex organizations.

After such an indictment, law enforcement tries to apprehend and arrest the suspects named in the indictment, Misdemeanor cases and some felony cases proceed by the issuance of information, a format written accusation submitted to the court by a prosecutor. In some jurisdictions, indictments may be required in felony cases. However, the accused may choose to waive a grand jury indictment and, instead, accept service of information for the crime. In some jurisdictions, defendants, often those without prior criminal records may be eligible for diversion from prosecution subject to the completion of specific conditions such as drug treatment. Successful completion of the conditions may result in the dropping of charges or the expunging of the criminal record where the defendant is required to plead guilty prior to the diversion.

Once an indictment or information has been filed with the trial court, the accused is scheduled for arraignment. At the arraignment, the accused is informed of the charges, advised of the rights of criminal defendants, and asked to enter a plea to the charges. Sometimes, a plea of guilty is the result of negotiations between the prosecutor and the defendant. If the accused pleads guilty or pleads 'nolo contendere' (accepts penalty without admitting guilt), the judge may accept or reject the plea. If the plea is accepted, no trial is held and the offender is sentenced at this proceeding or at a later date. The plea may be rejected and proceed to trial if, for example, the judge believes that the accused may have been coerced. If the accused pleads guilty or not guilty by reason of insanity, a date is set for the trial. A person accused of a serious crime is guaranteed a trial by a jury. However, the accused may ask for a bench trial where the judge, rather than a jury, serves as the finder of fact. In both instances the prosecution and defense present evidence by questioning witnesses while the judge decides on issues of law. The trial results in acquittal or conviction on the original charges or on lesser included offenses.

After the trial, a defendant may request appellate review of the conviction or sentence, In some cases, appeals of convictions are a matter of right; all States with the death penalty provide for automatic appeal of cases involving a death sentence, Appeals may be subject to the discretion of the appellate court and may be granted only on acceptance of a defendant's petition for a 'writ of certiorari'. Prisoners may also appeal their sentences through civil rights petitions and 'writs of habeas corpus' where they claim unlawful detention, After a conviction, sentence is imposed, In most cases the judge decides on the sentence, but in some jurisdictions the sentence is decided by the jury, particularly for capital offenses, In arriving at an appropriate sentence, a sentencing hearing may be held at which evidence of aggravating or mitigating circumstances is considered. In assessing the circumstances surrounding a convicted person's criminal behavior, courts often rely on persistent investigations by probation agencies or other designated authorities. Courts may also consider victim impact statements.

According to Dworkin, (2005:15), the sentencing choices that may be available to judges and juries include one or more of the following:

- The death penalty;
- Incarceration - To commit an offender found guilty to a prison, jail, or other confinement facility;
- Probation - allowing the convicted person to remain at liberty but subject to certain conditions and restrictions such as drug testing or drug treatment;
- Fines - primarily applied as penalties in minor offenses, and
- Restitution - this is a process in judicial procedure that requires the offender to pay compensation to the victim.

In some jurisdictions, offenders may be sentenced to alternatives to incarceration that are considered more severe than straight probation, but less severe than a prison term. Examples of such sanctions include boot camps, intense supervision often with drug cases.

### ***Theoretical Consideration***

The study adopted Structural Functionalist Theory to explain criminal justice application in Akwa Ibom State. The theory has attributed problems of awaiting trials; delay in application of criminal justice procedure to lack of system units to keep pace with value expectation of the society (Timasheff, 1957:34). Structural-functionalism is a 19<sup>th</sup> century Sociological Thought where the dominant idea and explanation of social reality was to present a systematic analysis of the cause and effect relationships of social phenomena. The advocates of this theory include: Auguste Comte (1798-1857), Herbert Spencer (1820-1093), developed by Emile Durkheim (1858-1917) and refined by Talcott Parsons (1902-1979). The theory holds the belief that society is a social system that is made up of different parts, which are interdependent and interrelated.

These different parts of society such as the family, school, church, government and economy perform various functions towards the maintenance, stability and survival of the social system. Comparatively, it assesses the society in terms of biological system that as the organism grows so does the society. Being a system of interrelated and interconnected parts, the social system strives always to be in a state of equilibrium. In order to achieve this balance, a change in one part of the system normally tends to provoke changes in every other parts of the system. It sees the society as an organized stable "and well- integrated system held together by value consensus (shared values and norms).

Functionalists believe that a certain degree of order and stability are essential for society to survive. These are derived from commonly shared values. Value consensus thus provides the basis for social order, stability, social unity and social solidarity since individuals tend to identify with those who share the same value with themselves.

### ***Relevance of the Theory to the Study***

The theory that appealed most to this work and also offered explicit explanation to the study was the Structural Functionalist theory because when the basic tenets of the theory are considered, it is clear that it has provided adequate theoretical guidance to the study. Accordingly, the theory has emphasized that the society is a system made up of interdependent and interrelated parts which together form a whole and that the sub-system works together harmoniously for social existence of the entire system which eventually enables the needs of the system to be met in order to prevent the system from dying. Here, the subsystems are the Police, the Courts and the Prisons who must work cooperatively to keep the criminal justice system functioning at the optimum level in order to keep the society rid of criminals or reduce the rate to minimal level. There is a greater necessity for each sub-system to play its role effectively so that an acceptable degree of order and stability that are essential for society to survive could be established. There must value consensus amongst the system units. Value consensus in turn becomes a veritable tool in the quest for social order, stability, social unity and social solidarity.

Indeed, where the system unit could not perform its role effectively, it results in social disequilibrium. This unstable system within the context of criminal justice system could be seen in awaiting trial and denied justice, prison congestion as well as eroded public confidence in the agencies of criminal justice. Therefore, the failure of the prisons, the court and the police to perform their functions creditably.

### ***Methodology***

The investigation was conducted through the use of survey method of social research. The population of the study constituted of indigenes, residents as well as judicial officers of the study area. However, membership of the population was not limited by any social or demographic variable such as sex and age or status. Purposive random sampling method was adopted and applied in the process of selection of the respondents. The method was appropriate because it helped researchers to pick people and organizations that were knowledgeable in judicial matters. A sample size of 400 respondents with 55% male and 45% female were selected and adopted through application of Yaro Yames' formula which is a statistical procedure for the determination of sample size that is representative of the population. The population projection of 2006 in Akwa Ibom State was adopted. The age range of respondents selected for the study was between 21 and 46 and above.

Structural Functionalist Theory and Functionalism from Mertonian Perspective were discussed. However, Structural-Functionalist theory provided the theoretical anchorage for the study and it was adopted as the theoretical guide. There were two sections in the questionnaire, namely: Section A contained items of respondents' socio-demographic data while statements in section B which were generated through Likert scale type of questionnaire was structured to collect qualitative data necessary for ascertaining the causal relationship amongst the research variables. Data collected from the field were presented with the use of percentages, while the formulated hypotheses were analyzed and tested using Chi-square and Phi coefficient statistical tools.

- For tables in Section A on Data Analysis and Section B on Test of Hypotheses, see appendix.

### ***Test of Hypotheses***

The Hypotheses formulated for the study were tested using Chi-square and Phi coefficient statistical tools.

#### **Hypothesis One**

**H<sub>1</sub>:** There is a relationship between the judicial procedure adopted by the state judiciary and the time spent by suspect awaiting trial.

**H<sub>0</sub>:** There is no relationship between the judicial procedure adopted by the state judiciary and the time spent by suspects awaiting trial.

### General Decision Rule

The decision rule for statistical significance states that whenever the calculated Chi-square is greater than or equal to the table value, that the alternate hypothesis (H<sub>1</sub>) should be accepted, while the null hypothesis should be rejected. On the other hand, whenever the Table Value is greater than or equal to the calculated value, the null hypothesis should be accepted, while the alternate hypothesis should be rejected.

### Decision

From the statistical calculation, it is obvious that the calculated Chi-square is greater than the Table value ( $X^2_{cal.} = 15.2 \geq X^2_{tab.} = 7.82$ ), it is concluded that alternate hypothesis (H<sub>1</sub>) should be accepted while the null hypothesis (H<sub>0</sub>) should be rejected. Therefore, the test of hypothesis is significant, but in order to determine if there is a relationship between the judicial procedure adopted by the state judiciary and the time spent by suspect awaiting trial, Phi coefficient statistical tool has to be applied. The formula and the result are as stated hereunder:

$$\text{Phi -Coefficient } (\phi) = \frac{\sqrt{15.2}}{400}$$

$$\sqrt{0.038} = 0.19$$

From the result, it could be seen that there is a weak relationship between the judicial procedure adopted by the state judiciary and time spent by suspects awaiting trial. This finding is in line with what other researchers had found out. Agbakoba & Obeagu (2002) had noted that the holding Charge Issue remains a feature of Nigerian Criminal Legal System. Uwais (2004) also stated that the practice of Awaiting Trial and Holding Charges is often associated with the Police and incorporated into the Criminal Justice System as if it was part and parcel of the mainstream and general framework of the Criminal Justice Procedure.

### Hypothesis Two

H<sub>1</sub>: Sex of a suspect influences the judiciary procedure adopted in the application of criminal justice.

H<sub>0</sub>: Sex of a suspect does not influence the judiciary procedure adopted in the application of criminal justice.

### Decision

Since the calculated Chi-square is less than the Table value ( $X^2_{cal.} = 15.2 \geq X^2_{tab.} = 7.82$ ), it follows that the Research hypothesis (H<sub>1</sub>) which stated that Sex of a suspect influences the judiciary procedure adopted in the application of criminal justice was rejected, while the Null hypothesis (H<sub>0</sub>) was accepted. It is therefore, concluded that even though there are speculations that one sex mostly female receive favourable treatment anywhere, the test of hypothesis in this case has proven that there is an equality before the law that whatever sex one possesses that the law treats both men and women equally without prejudice and discrimination.

Irrespective of the fact that law commands that defaulters of the law should suffer from the teeth of the criminal justice system (Iwarimie-jaja, 1995:57). However, the Nigerian Constitution is specific on subject of equality. Accordingly, Section 34(1) of the 1999 Constitution holds that every individual is entitled to respect for the dignity of his person and accordingly; no person shall be subject to torture or to inhuman or degrading treatment; no person shall be held in slavery or servitude; no person shall be required to perform forced or compulsory labour. Similarly, Rule 7 (a) of the provision applicable to arrest and detention enjoins State parties to ensure that all persons under any form of detention or imprisonment are treated in a humane manner and with respect for the inherent dignity of the human person.

### Hypothesis Three

H<sub>1</sub>: There is a relationship between the process of dispensation of justice and factor of crime in the state.

H<sub>0</sub>: There is no relationship between the process of dispensation of justice and factor of crime in the state.

### Decision

From the tested hypothesis three, it is obvious that the calculated Chi-square is greater than the Table value ( $X^2_{cal.} = 9.5 \geq X^2_{tab.} = 7.82$ ), which is an indication that the Alternate Hypothesis (H<sub>1</sub>) should be accepted, while the Null Hypothesis (H<sub>0</sub>) should be rejected. Consequent upon this result, the Alternate hypothesis was accepted, meaning that the test of the hypothesis is significant.

But to determine if there is a relationship between the judicial processes adopted in the dispensation of justice and factor of crime in Akwa Ibom State, there was the need to turn to Phi-coefficient statistical tool.

$$\begin{aligned}\text{Phi -Coefficient } (\phi) &= \frac{\sqrt{x^2}}{N} = \frac{\sqrt{9.5}}{400} \\ &= \sqrt{0.024} = 0.15\end{aligned}$$

The above result shows that there is a relationship between the judicial processes adopted in the dispensation of justice and factor of crime in the State. However, the strength of such relationship is moderately weak.

### ***Discussion of Findings***

Findings from an investigation on the application of Criminal Justice Procedure and Crime factors in Akwa Ibom State, Nigeria revealed that many respondents have less information and are quite unaware of what constitutes criminal justice procedure. This lack of knowledge is responsible for most people's inability to seek justice or redress in the law court whenever they are confronted with problems that demand legal solutions. There was a consensus among most respondents that there are more armed robbery activities in Akwa Ibom State particularly in Uyo, the state capital than what is experienced in some other local government areas of the State. This situation could be attributed to the fact that Uyo is a state capital. The new status of the state capital is inseparable from inherent social problems associated with new status. The problems include congestion due to influx of people from the rural areas; health hazard, shortages of amenities, unemployment and others.

Furthermore, it was found that more males recorded for crimes such as sexual assault, robbery, theft, than their female counterpart. This assertion was supported by crime records kept in police custody. Also, judicial procedure is often affected by delays usually observed in the process of dispensation of justice. This is because suspects awaiting trial often spend more than six months in police or prison custody. This practice is unconstitutional as noted by Ayorinde (1985) that the Nigerian Constitution or any other existing law in Nigeria does not provide for Holding Charges, while Uwais (2004) declared that the practice is Unconstitutional in view of the disadvantages associated with it. In line, with the above position is the comments made by the respondents that delay in hearing of cases and dispensation of justice is caused by; frequent adjournment, holding charges, cost of hiring a legal representative, slow process of filing cases by Investigating Police Officer and frequent changing of Judge who are responsible for the court cases. These situations have constituted problems in the application of criminal justice procedure and the factors of crime in Akwa Ibom State.

It was also found that the denial of bail by Judges and failure to uphold section (35) (4) of the 1999 Constitution of Nigeria which indicates that any suspect arrested or detained in accordance with subsection 1 (c) of section 35 shall be brought before a court of law with a reasonable time of one day where a competent Court exists within 40km radius of the place of arrest and in other circumstance, two days is a problem facing the dispensation of justice in the area of study. This finding corroborates that of Tabiu (1998) who in his study is of the opinion that the alternative to arraignment in a Court of competent jurisdiction is to grant bail, but it seems more likely that neither the option of arraignment nor granting of bail is always open to suspects held under the Holding Charge situation. Since most suspects are kept in custody for a long time while awaiting trial, there are many negative outcomes associated with the practice such as ill-health of the suspects and prevalence of Jungle Justice in Akwa Ibom State as a result of lack of confidence in the security agents and the judiciary as well as cumbersome process of criminal justice application in the state. Most Respondents also commented on the judicial processes adopted in Akwa Ibom State relating to the cultural practices of the people of the state. To this end, majority of the respondents believe a functional law should take its root from the cultural practice of the people. Hence, the judicial procedure in Akwa Ibom State has to do with the way of life of the people. Therefore, programme of activities must be designed where the Traditional Rulers, NGOs and National Judiciary Commission will be involved in order to restore the confidence of the people. On the whole, most of the respondents commended the activities of the police, the court and the prisons in dispensing justice and curbing crimes in Akwa Ibom State.

### ***Conclusion***

The investigation carried out on the application of Criminal Justice Procedure and Crime factors in Akwa Ibom State brought to limelight major notable events and situations that are inherent in the Nigerian criminal justice procedure such as Holding charges/ awaiting trials, activities of defense counsel, the courts, the police and the prisons as well as ignorance of the public on proper approach to criminal cases in court whenever the need arose.

The issues discussed and conclusion drawn have bothered on the perceptions of the judicial system and also exposes use of the discrimination in dispensation of justice; factors that propel and maintain criminal activities despite the enactment of criminal laws and the relationship between the judicial procedures of the state judiciary and time spent by suspects awaiting trial. This investigation has assisted in explaining that there are lots of urgent measures that must be taken in order to make the current reforms in Akwa Ibom State judiciary relevant and meaningful. Based on findings of the study, it is believed that an institutional approach must be applied in the judicial process in the dispensation of criminal justice so that suspects could get speedy and fair hearing in every criminal proceeding in Akwa Ibom State in particular and Nigeria in general.

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**Section A: Data Presentation and Analysis****Table 1.1: Coding of Variables**

| Response option | Positive | Negative |
|-----------------|----------|----------|
| SA              | 4        | 1        |
| A               | 2        | 3        |
| D               | 3        | 2        |
| SD              | 1        | 4        |

Where:

SA= Strongly agree; A = Agree; D = Disagree;

SD= Strongly disagree.

As depicted in Table 1.1, items in the four point Likert scale with positive response were ranked 4, 3, 2, 1; with 4 standing for Strongly Agree (SA), 3 for agree and so on. Items that shows dislike were ranked from 1 to 4; with 4 standing for Strongly Disagree (SD), 3 for disagree (D) others follows the same sequence. Elicited data via the questionnaire were analyzed using Phi coefficient statistical tool.

The presentation and analysis of data is the concern of this section. Data is presented using percentage / frequency method. Also, hypotheses of the study are tested using the Chi-square and the Phi coefficient statistical tools.

**Table 1.2: Distribution of Respondents by Sex (%)**

| Sex          | Frequency  | Percentage (%) |
|--------------|------------|----------------|
| Male         | 220        | 55             |
| Female       | 180        | 45             |
| <b>Total</b> | <b>400</b> | <b>100</b>     |

**Source:** Fieldwork 2011

Table 1.2 shows that male respondents were more than their female counterpart due to the fact that male respondents were accessible and willing to complete the questionnaires than female respondents.

**Table 1.3: Distribution of Respondents by Age (%)**

| Age Bracket  | Frequency  | Percentage (%) |
|--------------|------------|----------------|
| 21-25        | 25         | 6              |
| 26-30        | 50         | 12             |
| 31-35        | 70         | 18             |
| 36-40        | 140        | 35             |
| 41-45        | 73         | 18             |
| 46 and above | 42         | 11             |
| <b>Total</b> | <b>400</b> | <b>100</b>     |

**Source:** Fieldwork 2011

Table 1.3 shows that the age bracket containing respondents who were between 36 years of age and 40 years was the dominant one in the study. The reason for this was because people within this age group are active and vulnerable to committing crimes and were also available for sampling.

**Table 1.4: Distribution of Respondents by Marital Status (%)**

| Marital Status | Frequency  | Percentage (%) |
|----------------|------------|----------------|
| Single         | 152        | 38             |
| Married        | 180        | 45             |
| Widowed        | 52         | 13             |
| Others         | 16         | 4              |
| <b>Total</b>   | <b>400</b> | <b>100</b>     |

**Source:** Fieldwork 2011

In table 1.4, married people formed the majority of the respondents sampled in the study because they were regarded more responsible, mature and knowledgeable to provide adequate information on the topic of investigation.

**Table 1.5: Distribution of Respondents by Educational Attainment**

| Educational Level | Frequency  | Percentage |
|-------------------|------------|------------|
| None              | 70         | 18         |
| Primary           | 93         | 23         |
| Secondary         | 110        | 27         |
| Tertiary          | 127        | 32         |
| <b>Total</b>      | <b>400</b> | <b>100</b> |

Source: Fieldwork 2011

In table 1.5, respondents with tertiary educational qualification were more than any other categories of respondents' samples. This was because the topic of investigation is a technical one that involves more learned members of the society such as the legal practitioners, the prisons services and others in order to realize its objectives.

**Section B: Test of Hypotheses**

**Table 2.1: Test of Hypothesis One**

| Sex          | Responses  |           |           |           | Total      |
|--------------|------------|-----------|-----------|-----------|------------|
|              | SA         | A         | D         | SD        |            |
| Male         | 92 (81)    | 58(51)    | 32(45)    | 38(43)    | 220        |
| Female       | 56 (67)    | 34(41)    | 50(37)    | 40(35)    | 180        |
| <b>Total</b> | <b>148</b> | <b>92</b> | <b>82</b> | <b>78</b> | <b>400</b> |

From statement 6 in section B of the questionnaire

| FO           | FE | FG-FE              | (FO - FE) <sup>2</sup> | $\frac{(FO - FE)^2}{FE}$ |
|--------------|----|--------------------|------------------------|--------------------------|
| 92           | 81 | 11                 | 121                    | 1.5                      |
| 58           | 51 | 7                  | 49                     | 1                        |
| 32           | 45 | -13                | 169                    | 3.8                      |
| 38           | 43 | -5                 | 25                     | 0.6                      |
| 56           | 67 | -11                | 121                    | 1.8                      |
| 34           | 41 | -7                 | 49                     | 1.2                      |
| 50           | 37 | 13                 | 169                    | 4.6                      |
| 40           | 35 | 5                  | 25                     | 0.7                      |
| <b>Total</b> |    | $\sum X^2_{cal} =$ |                        | <b>15.2</b>              |

**Table Value**

$$= \frac{(NC - 1) (NR - 1)}{(4 - 1) (2 - 1)}$$

$$3(1) = 3 @ D/F = 0.05$$

$X^2_{tab} = 7.82$

$X^2$  is significant.

**Table 2.2: Test of Hypothesis Two**

| Sex          | Responses |            |           |            | Total      |
|--------------|-----------|------------|-----------|------------|------------|
|              | SA        | A          | D         | SD         |            |
| Male         | 58(54)    | 75(78)     | 35(32)    | 52(56)     | 220        |
| Female       | 40(44)    | 67(64)     | 23(26)    | 50(46)     | 180        |
| <b>Total</b> | <b>98</b> | <b>142</b> | <b>58</b> | <b>102</b> | <b>400</b> |

From statement 6 in section B of the questionnaire

| FO           | FE | FO-FE | (FO - FE) <sup>2</sup> | $\frac{(FO - FE)^2}{FE}$ |
|--------------|----|-------|------------------------|--------------------------|
| 58           | 54 | 4     | 16                     | .3                       |
| 75           | 78 | -3    | 9                      | .12                      |
| 35           | 32 | 3     | 9                      | .28                      |
| 52           | 56 | -4    | 16                     | .29                      |
| 40           | 44 | -4    | 16                     | .36                      |
| 67           | 64 | 3     | 9                      | .14                      |
| 23           | 26 | -3    | 9                      | .35                      |
| 50           | 46 | 4     | 16                     | .35                      |
| <b>Total</b> |    |       | $\sum X^2_{cal} =$     | <b>15.2</b>              |

**Table Value**

$$= \frac{(NC - 1)(NR - 1)}{(4 - 1)(2 - 1)}$$

$$3(1) = 3 @ D/F = 0.05$$

$$X^2_{tab} = \underline{7.82}$$

X<sup>2</sup> is not significant.

**Table 2.3: Test of Hypothesis Three**

| Crime Factors Related to: | Responses |            |           |           | Total      |
|---------------------------|-----------|------------|-----------|-----------|------------|
|                           | SA        | A          | D         | SD        |            |
| Poverty and unemployment  | 30(37)    | 48(55)     | 51(40)    | 42(39)    | 171        |
|                           | 56(49)    | 80(73)     | 43(54)    | 50(53)    | 229        |
| <b>Total</b>              | <b>86</b> | <b>128</b> | <b>94</b> | <b>92</b> | <b>400</b> |

From statement 5 and 7 in section B of the questionnaire

| FO           | FE | FO-FE | (FO - FE) <sup>2</sup> | $\frac{(FO - FE)^2}{FE}$ |
|--------------|----|-------|------------------------|--------------------------|
| 30           | 37 | -7    | 49                     | 1.3                      |
| 48           | 55 | 7     | 49                     | 0.9                      |
| 51           | 40 | 11    | 121                    | 3                        |
| 42           | 39 | 3     | 9                      | 0.23                     |
| 56           | 49 | 7     | 49                     | 1                        |
| 80           | 73 | 7     | 49                     | 0.7                      |
| 43           | 54 | -11   | 121                    | 2.2                      |
| 50           | 53 | -3    | 9                      | 0.17                     |
| <b>Total</b> |    |       | $\sum X^2_{cal} =$     | <b>9.5</b>               |

**Table Value**

$$= \frac{(NC - 1)(NR - 1)}{(4 - 1)(2 - 1)}$$

$$3(1) = 3 @ D/F = 0.05$$

$$X^2_{tab} = \underline{7.82}$$

X<sup>2</sup> is significant.