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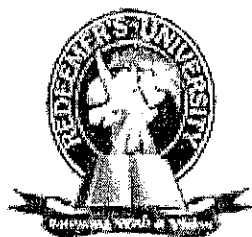
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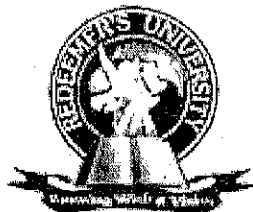
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Combating the menace of armed robbery in Nigeria: Legal and Criminological perspectives

Akingbehin Emmanuel Olugbenga*

Abstract

The scourge of armed robbery has attained an alarming and perturbing dimension globally. The level of insecurity of lives and property is soaring by the day and the progression in the success rate of the perpetration of the heinous crime is another cause of discomfiture to the citizenry. A devastating effect of the persistent wave of armed robbery in Nigeria is that Nigerians now live under a horrible climate of fear. The reports and comments on the atrocious activities of armed robbers on daily basis have inundated the Nigerian people. Armed robbers maim, rape and kill in the process of robbery. With the attainment of greater sophistication and quest for bountiful loots, the robbers have recently concentrated on commercial banks, killing police guards with impunity. The gargantuan spate of the menace of this dastardly offence that has placed the citizenry under siege, has therefore provoked the intellectual mind of the writer in writing on this topic. It is therefore the aim of this paper to appraise the menace of armed robbery in Nigeria from the legal and criminological perspectives with a view of proffering recipe for combating the scourge. The paper is divided into five parts. Part one contains introductory section whilst the clarification of terms and the discourse on the typology of armed robbery constitute the thrust of part two. Part three delves on the patterns, trends and distribution of the offence in Nigeria, using Lagos State as a case study whilst the writer analyses the aetiology of armed robbery in part four. The paper concludes in part five and suggestions and recommendations are proffered.

"The upsurge in armed robbery and violent crimes in recent times, combined with the daring manner in which such crimes are

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committed, has left the government with no choice but to declare war on those who commit these crimes.”(Babangida, 1987).

1. Introduction

The declaration of war by a military leader above, must have been a reflection of the despondency that enveloped the citizenry till date, as a result of the scourge of armed robbery. The reports and comments on the atrocious activities of robbers on daily basis have inundated the Nigerian people. The robbers maim, rape and kill in the process of armed robbery.¹ Schools, churches, convents, hospitals, homes of judges, priests, pregnant women and children are not spared from attacks. The armed robbers usually operate as a syndicate and at times, they attack long distance passenger buses, robbing the passengers, many of whom are traders, on business trips.²

With the attainment of greater sophistication and quests for bountiful loots, the robbers have recently concentrated on commercial banks, killing the police guards with impunity.³ Sometimes, robbers operate in police or army uniforms and at times, while in such uniforms, they set up phoney checkpoints on the highways, where motorists and passengers, who are now made vulnerable, are stopped and attacked.

A lot of factors have militated against stemming the tide of the menace of armed robbery in Nigeria. These factors include ineffective and inadequate policing,⁴ restriction in the possession of firearm,⁵ availability of market for stolen goods,⁶ and ineffective trial procedure *inter alia*.⁷

¹ M. Affe, “Robbers Attack Calabar Christmas Village, Rob Kiss Daniel.” *The Punch*, 27th February, 2017.

² C. Okeoma, “Police Arrest Leader of Imo Bank Robbery at Father’s Funeral.” *The Punch* 17th April, 2017.

³ E. Obe, “Robbers Raid Five Banks, kill ASP in Benin.” *The Punch*, Tuesday January 25, 2007.

⁴ E. O. Akingbehin, “Capitalization of Offences in Nigeria: An Appraisal of the International Law Restrictions,” *NnamdiAzikiwe Journal of International Law and Jurisprudence*, 2017, Vol. 8 (2). P. 80.

⁵ R. O. Adinkrah, “Arresting Armed Robbery with Arms: The Case for freer Access to Gun in Nigeria,” *The Nigerian Law Journal*, (1986) Vol. 13 No 1. P. 69.

⁶ L. Olurode, *The Story of Anini*. Kristal Publications Limited. P. 6.

⁷ T. O. Ilegbune, *Nigerian Law and Criminology of Robbery*, Malthouse Press Limited, Lagos. P. 2.

In a rapidly developing country like Nigeria, which is a cauldron of so many ethnic communities, economic, social and political organizations and traditional methods of control have all broken down primarily because of western education and the ushering in of alien culture.⁸ This is akin to the socio-cultural theory of anomie in the Durkheimian sense. This breakdown means that the social relationships are no longer effective in regulating behaviours. Consequently, it becomes the primary duty of a modern police force with the support of the social system to prevent, detect and prosecute crimes in the society.⁹ Regrettably, for various reasons, ranging from human and material logistics, to allegations of connivance with criminals, the Nigerian Police is wholly unequal to the task. Hence, the inability of the police to detect armed robbery or any serious crime in Nigeria is no longer in doubt. The armed robbers have such temerity, these days to act the way they do because they have an unchallenged monopoly of sophisticated ammunitions with which they commit bizarre and sadistic acts in the commission of robbery.

It is the aim of this paper, therefore, to appraise the menace of armed robbery offence in Nigeria from the legal and criminological perspectives with a view to proffering recipe for combating the scourge. The paper is divided into five parts. Part one contains this introductory segment whilst the clarification of terms and the discourse on the typology of robbery constitute the thrust of the second part. Part three delves on the pattern, trend and distribution of the offence in Nigeria, using Lagos State as a case study whilst the writer analyses the aetiology of armed robbery in part four. The paper concludes in part five where suggestions and recommendations are proffered.

2. Clarification of terms, statutory and legal framework

A. Conceptual Clarification

The word "rob" came in via French from Latin word "deraubare" which means cloth robbery, as the main target of robbers in ancient times was often the victim's clothes. Robbery has also been defined as the act of robbing and the word 'rob' has been defined as "taking property, money or other valuables from a person illegally with

⁸ This is the constant theme of most Contemporary African Novelists and Poets as exemplified in Chinua Achebe's work. See C. Achebe, *Things Fall Apart*, (London, Heinemann, 1958).

⁹ T. N. Tamuno, *The Police in Modern Nigeria*. (1970). P. 190. See also Section 4 of the Police Act, Cap C.19 Law of Federation of Nigeria, 2004.

force or threat of force.”¹⁰ Robbery has also been described as a felonious taking of money, personal property or any other article of value in the possession of another, from his person or immediate presence, and against his will, accompanied by means of force or fear.¹¹ Most jurisdictions today, have divided robbery, for purposes of punishment, into simple robbery and aggravated robbery. Armed robbery is an example of the latter.¹²

Armed robbery has therefore been defined as an aggravated form of robbery in which the defendant is armed with a dangerous weapon, though it is not necessary to prove that he used the weapon to effectuate the robbery. It is therefore, the taking of property from a person or in the presence of another by use of force or threat of use of force while armed with dangerous weapon.¹³

B. Typology of Robbery

Robbery is a specie of violent offences. It is also a personal offence as well as property offence.¹⁴ It is a violent offence because it is committed with the employment of aggressive force. It is also personal because the use of actual violence is directed to any person while it is a property offence in the sense that the use of violence can also be directed to property. It must be noted that the item stolen in the robbery exercise must be a property that is capable of being stolen.

Robbery is committed when a person steals anything and at, or immediately before or immediately after the time of the stealing, he uses or threatens to use actual violence to any person or property, in order to obtain or retain the thing stolen, or to prevent or overcome resistance in its being stolen or retained. Under the Nigerian Criminal Code,¹⁵ robbery consists of stealing, accompanied by the use of threat or actual violence to any person or property.

¹⁰ *The New Webster's Dictionary of the English Language* (2000) International (ed.) Lexicon International Publishers' Guild Group, New York. P. 1052.

¹¹ H. C. Black, *Black's Law Dictionary*, 9th ed. (St. Paul Minn, West Publishing Co. 2009) P. 1329.

¹² See *People v. Redding*, 123 Cal. App. 2d. 826.

¹³ H. C. Black, Op cit (note 12 above).

¹⁴ T. Reid, *Crime and Criminology*, 9th ed. (McGraw-Hill Companies Inc. 2000) P. 192. Also in *Atkin v. D.P.P* [1989] CLRP. 58, violent offences were held to include but not limited to murder, manslaughter, robbery and rape.

¹⁵ Section 401 of the Criminal Code Ibid.

Robbery can be distinguished from burglary or house breaking in the sense that the *mens rea* of burglary¹⁶ is broader than that of robbery. The requisite intent in burglary is an intent to commit a felony whereas in robbery, the intent is specifically to steal. As regards the *actus reus*, inasmuch as the actual violence in robbery is either directed to a person or his property, in burglary, actual violence is only directed to the property in form of breaking and entry.

Robbery can also be distinguished from malicious damage¹⁷ because, apart from the actual violence being directed to a person's property which is applicable in the two cases, robbery can arise where the actual violence is directed to a person. Also, the *mens rea* requirement of intent to steal is not applicable to malicious damage. Hence, inasmuch as house breaking, burglary, and malicious damage are property offences, and violent, robbery is a violent personal as well as a property offence.

Both kidnapping and armed robbery are kindred offences and they share common features. The two offences are personal as well as violent offences. They are also both property offences because the perpetrators dispossess the victim and/or his/her relations of their properties which include money (ransom). The two offences require the use of ammunition or dangerous weapon, coupled with the threat of or infliction of actual violence on the victim. A major difference between the two is that, in armed robbery, the dispossession is immediate and usually contemporaneous with the use of lethal weapon either to kill or instil fear in the mind of the victim, whereas, in kidnapping, the victim is held hostage while ransom is demanded and paid.¹⁸ Ransoms are usually paid by third parties in kidnapping cases, whilst in armed robbery the victim is usually the object of dispossession. Another salient difference is that, while in armed robbery, the use of violence and the lethal weapon can be immediately before or after or during the stealing, in kidnapping cases, the use of violence or threat thereof can continue during the pendency of the hostage, until release or death.¹⁹

Stealing is the fraudulent taking or conversion of any animate or inanimate thing capable of being stolen which is movable and

¹⁶ Section 411 of the Criminal Code Ibid.

¹⁷ Section 451 of the Criminal Code Ibid.

¹⁸ E. O.Akingbehin, "Capitalization of Kidnapping Offence in Lagos State," *The Punch*, Thursday, 2nd February, 2017. P. 36.

¹⁹ Ibid. (note 19 above)

which is the property of another person.²⁰ Thus, the moment the act of stealing is accompanied by violence, the offence becomes robbery. The distinctive element between the offences of robbery and stealing is the absence of violence in the latter. Thus, in *R. v Bekum*,²¹ A and his companions deposited valuable property in B's house and went out to buy some meat. They were attacked and killed on the way to B who intended to and did in fact steal the property by conversion. It was held that it was not robbery having failed the contemporaneity test. However, in the case of *Njuguna v. Republic*,²² the accused, having burgled a house and stolen therefrom, was discovered without a chase at a distance of about five Hundred yards away, where he then resisted the complainant (the owner of the property) with violence. It was held that the element of using violence immediately after the act was lacking and that the offence was not robbery but burglary and theft. It is submitted that Njuguna's case can be distinguished from Bekum's case because in the latter case, actual violence was offered to the victim by the accused person immediately before the stealing by conversion whilst in Njuguna's case, there was a lapse of an appreciable time between the act of stealing and the time that actual violence was offered to resist the complainant. There was also an appreciable distance between the spot of the theft and the spot of apprehension.

Under the Penal Code, robbery offence consists of either theft or extortion.²³ Theft becomes robbery if, in order to commit the theft or in committing the theft or in carrying out the property obtained by the theft, the offender, for that end, violently causes or attempts to cause to any person, death or hurt or wrongful restraint or fear of instant death or of hurt or of instant wrongful restraint.

The Penal Code indicates that if robbery is committed by more than four persons, the offence becomes brigandage. Thus, in *Kereku v. Tiv N.A.*,²⁴ a crowd of 144 men and women came to a market with sticks, destroyed and seized the complainant's property. It was held that there was no evidence of brigandage or robbery, but a mere mischief.

Under the English Law, section 8 of the Theft Act provides that a person is guilty of robbery, if he steals and immediately before or at

²⁰ Section 383 of the Criminal Code. Ibid.

²¹ [1941] 7 WACA 45.

²² [1965] EA 583, Penal Code, Cap 89, Laws of Federation of Nigeria 1990.

²³ Section 296 (1) Penal Code, Cap 89, Laws of Federation of Nigeria 1990.

²⁴ [1965] 2 ALL NLR 2.

the time of doing so, and in order to do so, he uses force on any person or puts or seeks to put any person in fear of being then and there subjected to force. The provision makes the offence punishable with life imprisonment.

3. Pattern, trend and distribution of armed robbery offence in Nigeria: Lagos State in Perspective

Pattern has been defined as a regular arrangement of lines or shapes, especially a design in which the same shape is repeated at regular intervals over a surface.²⁵ Pattern of robbery is therefore, the regularity of the occurrence or incidence of the offence. The study of pattern of an offence arises in geographical or spatial identification of crimes.²⁶ Trend, has been defined as a tendency, general direction or a dominant movement revealed by a statistical process.²⁷ Hence, for the purpose of this work, trend of armed robbery is the statistical analysis of the occurrence of the offence over time.

Distribution, on the other hand, has been defined as the action of spreading abroad or dispensing to or over every part of a space or area. Hence, distribution of armed robbery offence is the spreading out of same over a particular area. Distribution may be geographical, i.e from place to place, temporal, i.e as to time and season or demographic, i.e as to what class and age of the population are involved and associated with the commission of the offence. A research into pattern, trend and distribution of armed robbery offence will enable the researcher to collate data to identify the population groups that are usually associated with the crime under consideration.²⁸

Armed robbery is considerably assuming new dimension while the incidence of deaths resulting from robbers' attack soar by the day. The indication is that the trend may continue soaring if not adequately and promptly addressed. The most effective way of addressing the problem is the study of criminal statistics and the adoption of crime prevention techniques based on conclusion drawn from their interpretation. In Nigeria, reliance is solely placed on police and prison records on crime, which contains only the bare figures on crime and is completely devoid of analysis and

²⁵ Collins Advanced Dictionary, (Harper Collins Publishers, 2009). P. 1144.

²⁶ A. A. Adeyemi, "Police and Criminal Justice Administration in Nigeria." *Current Themes in the Nigerian Law*, published by the Faculty of Law, University of Lagos. P. 121.

²⁷ Op cit (note 11 above)

²⁸ Ibid, (note 27 above).

interpretation of same. This segment of the paper, shall therefore, address the pattern, trend and distribution of armed robbery offence through the data generated by the researcher from the condemned prisoners at the Kirikiri Maximum Prison, Apapa, Lagos.

The table below constitute the findings made by the researcher at the Kirikiri Maximum Prison on the 8th and 9th May, 2018. The researcher administered questionnaires on the condemned armed robbery convicts who are awaiting execution. The Questionnaires were segmented into 3 parts covering the Respondents' socio-economic and demographic characteristics, circumstances of crime commission and parental background.

Table 1: Armed Robbery Convicts on Death Row

Table 1.1

Sex

Male – 39 = 90.70%

Female – 4 = 9.30%

Table 1.2

Age

20 – 25 = 18 – 14.86%

26 – 30 = 12 – 27.91%

31 – 35 = 08 – 18.60%

36 – 40 = 04 – 9.30%

41 – 45 = 01 – 2.33%

Table 1.3

Marital Status

Married – 20 = 46.51%

Single – 13 = 30.23%

Divorced/Separated – 10 = 23.26%

Table 1.4

Academic Qualification

Primary – 16 = 37.21%

Secondary – 25 = 58.14%

Post-Secondary – 2 = 4.65%

Table 1.5

Trial Period

Below 1 year – 0 = 0 %
20.93%

1 – 2 years – 14 = 32.56%
Island – 10 = 23.26%

Table 1.6

Place of Commission

Surulere & Apapa – 09 =

Ikoyi, Lekki & Victoria

Above 2 years – 29 = 67.44%
12 = 27.91%

Ebute Metta & Isale Eko –

Ajegunle – 08 = 18.60%

Mushin, Oshodi, Agege &

Others – 04 = 9.30%

Table 1.7

Place of Residence

Surulere & Apapa – 06 = 13.95%

Ikoyi, Lekki & Victoria Island – 02 = 4.65%

Ebute Metta & Isale Eko – 10 = 23.26%

Mushin, Oshodi, Agege & Ajegunle – 20 = 46.51%

Others – 05 = 11.53%

Table 1.8

Post Conviction Period
Arrest

Below one year – 2 = 4.65%

Between 1 and 3 years – 12 = 27.91%
30.23%

Above 3 year – 29 = 67.44%

Table 1.9

Employment Record Before

Employed – 2 = 4.65%

Underemployed – 13 =

Unemployed – 28 = 65.12%

Table 1.10

Death Resulting from Armed Robbery

Yes – 28 = 65.12%
81.40%

No – 15 = 34.88%

Table 1.11

Entry into Armed Robbery

Through friends – 35 =

Relations – 02 = 4.65%

Others – 06 = 13.95%

Table 1.12

Type of Armed Robbery Committed
Operation

Table 1.13

Weapon used During

Highway – 08 = 18.60%

Gun – 36 = 83.72%

Bank – 12 = 27.91%

Others – 07 = 16.28%

Others – 23 = 53.49%

Table 1.14

Parents' Marital Status

Married/Together – 13 = 30.23%

Divorced/Separated – 20 = 46.51%

Either Parent is Dead – 5 = 11.63%

Both Parent are Dead – 5 = 11.63%

Table 1.15

Father's Economic Condition (Income):

Unemployed – 5 = 11.63%

Below N20,000.00 per month – 15 = 34.88%

Between N20,000.00& N30,000.00 per month – 10 = 23.26%

Above N30,000.00 – Nil = 0%

Income Unknown – 8 = 18.60%

Father is Dead – 5 = 11.63%

Table 1.16

Father's family size ;No. of Wives

| | | |
|-----|---|--------|
| NIL | 5 | 11.63% |
|-----|---|--------|

| | | |
|-----|----|--------|
| One | 13 | 30.23% |
|-----|----|--------|

| | | |
|-----|----|--------|
| Two | 16 | 37.21% |
|-----|----|--------|

| | | |
|---------|----|--------|
| Above 2 | 10 | 23.26% |
|---------|----|--------|

Table 1.17

Father's family size; No. of Children

| | | |
|---------------|----|--------|
| Below 4 | 3 | 6.98% |
| Between 4 & 6 | 7 | 16.28% |
| Between 6 & 8 | 15 | 34.88% |
| Above 8 | 18 | 41.86% |

From the above tables and data the following deductions can be made.

- i. That the total number of the armed robbery convicts on the death row as at the dates of the questionnaire was 43.
- ii. That out of the 43, only four were females i.e 9.30% see Table 1.1
- iii. That the age bracket of the convicts is between 20 and 45 years.
- iv. That 20 of the convicts were married before the commission of the offence whilst 13 were singles and 10 were either divorced, separated or widowed.
- v. That while 25 of the convicts had post primary school qualifications, 6 had only primary school qualifications and only 2 had post secondary school qualifications.
- vi. We also discovered that whilst none of the respondents' trial took less than one year, 14 had their trials, concluded within 2 years and 29 of them had their trials spanning over 2 years i.e 67.44% see table 1.7 *infra*.
- vii. The employment record of the respondents indicate that while 28 were unemployed at the time of the crime commission, 13 were underemployed and only 2 were employed.
- viii. On the domicile of the Respondents, while 20 stated that they resided in Ajegunle, Mushin, Agege and Oshodi areas prior to the crime commission, 5 of the respondents said they lived at other areas like Ikorodu, Abule Egba, Badagry, Ikotunetc and six (6) resided at Surulere and Apapa. Also ten respondents stated that they resided in Ebute metta and Isale Eko whilst 2 indicated that they resided at Victoria Island, Lekki and Ikoyi.

- ix. On the place of the commission of the offence, 10 respondents claimed that they committed the offence in Ikoyi, Lekki and Victoria Island, 12 admitted committing the offence in Ebutemetta and IsaleEko whilst 11 alleged that they committed the offence at Surulere and Apapa. Also eight of them claimed that they committed the offence in Mushin, Oshodi Agege and Ajegunle whilst the remaining four committed it in other places.
- x. The table also revealed the types of armed robbery committed by the respondents. While 12 of the convicts (i.e 27.91%) claimed to have committed bank robberies, 8 (i.e 18.60%) alleged commission of High way robberies and 23(53.49%) claimed to have committed sundry armed robberies like traffic robbery, personal, or armed robbery arising from burglary.
- xi. The table also disclosed that there was heavy reliance on the use of gun in the commission of armed robbery. While 36 (83.72%) of the population admitted the use of gun, only 7 (16.28%) claimed to have used other deadly weapons other than guns in their operations.
- xii. We also discovered that 28 of the respondents (65.12%) killed their victims during the armed robbery operations whilst 15 (34.88%) said that their operations did not result in the death of their victims.
- xiii. On the death row syndrome, 29 of the respondents stated that they have been on the death row for over 3 years, whilst 12 of them have spent 1-3 years and only 2 spent below one year.
- xiv. The table also disclosed that 35 of the Respondents (81.40%) came into contact with armed robbery through friends, 2 came into it through relations and 6 of them stated that they came into it through other influences like personal decision arising from frustration and temptation.
- xv. Tables 1.14 to 1.17 are on parental background of the Respondents.
 - a. Table 1.14 revealed that 20 of the respondents (46.51%) alleged that their parents are either divorced or separated, (Broken Home) whilst 13 admitted that their parents are together. We

observed that both parents of 5 respondents are dead whilst either of the parents of 5 of them is also dead.

b Table 1.15 relate to the economic background of the respondents' fathers. We realized that 15 of the respondents' fathers (34.88%) earn below N20,000 per month at the time of the crime commission and that none earned above N30,000.00 even as eight of the respondents did not know the earning capacities of their fathers. We observed that whilst some of the parents are dead, others are unemployed.

c Table 1.16 relates to marital status of the Respondents' parents and we are able to see that 16 of the Respondents (37.21%) alleged that their fathers married two wives each whilst 10 of them stated that their fathers married more than 2 wives each.

d Table 1.17 is concerned with the number of children of the Respondents' fathers. It is observed that 18 of the 43 parents (41.86%) had above 8 children whilst 15 parents had between 6 and 8 children and only 3 of the parents had below 4 children.

4. Aetiology Of Armed Robbery

Aetiology simply connotes the study of the theories/factors of crime causation. This paper seeks to explore the causative factors of armed robbery offence from the perspectives of socio-economic and socio psychological factors.

4.1 Socio-economic factors: We shall dwell mainly on the following sub factors (i) Economic theory (ii) Ecological theory and (iii) Sub-cultural theory of Anomie.

4.1.1 Economic Theory: This theory purports to explain the criminal behaviour in terms of economic differences including unemployment and the central concern here is: To what extent can armed robbery be induced by economic conditions? Parmalee and Mays advanced the view that poverty, bad housing and lack of necessary social and physical amenities conduce to embittered, hostile and criminal majority.²⁹ Bonger, similarly posited that the part played by economic condition in

²⁹ J. B. Mays, *Criminal and the Social Structure*, (Liverpool, University of Liverpool Press, 1954) P. 192.

criminality is substantial and attributed fault mainly to the pressures and abuse of the capitalist systems.³⁰

Aristotle, a Greek philosopher, who was one of the earliest pioneers of criminology, also posited that there were crimes of which the motive is want.³¹ Hence, in relation to armed robbery in Nigeria, there is no doubt that economic conditions have greatly propelled the rise in the incidence of the malaise. Robbery and armed robbery are both violent and no doubt, property offences. There must be intent to steal and that pre-supposes material or economic gain.

Nigeria is a capitalistic oriented nation and the conflict between the material forces of production and the distribution pattern had actually resulted in the malignancy of a capitalistic industrial order.³² Olurode also posited that armed robbers are largely confined to the bottom of our social structure, uneducated, ill-housed and underemployed.³³ Hence, the rise in the surge of armed robbery in Nigeria can be greatly attributed to poverty and economic inequality. It was observed from the findings on the research conducted by the writer in Table 1.9 *infra*, that 28 out of the condemned armed robbers (65.12%) are unemployed while 13 (30.28%) are underemployed. Also from Table 1.15 *infra*, 15 respondents (34.88%) claimed that their parents earn less than N20,000 monthly whilst 5 alleged that their parents are unemployed. These revelations are clear attestations of poverty induced armed robbery.

4.1.2 Ecological Theory:-This theory purports to look at the nexus between the incidence of armed robbery and the environment. Ecology has been defined as the study of peoples, institutions and environment.³⁴ One of the earliest American sociological approaches to the study of crime causation was that which originated from Chicago in the 1930s, principally associated with names

³⁰ W. Bongor, *Criminality and Economic Conditions*. (Indiana University Press, 1965), p. 102.

³¹ H. Mannheim. *Comparative Criminology II*. (Boston: Miffin H, 1965). P. 61.

³² Karl Marx, *Critique of Political Economy*, English Translation, (International Library, New York, 1859) PP.11 – 13.

³³ L. Olurode, "Armed Robberies and the Political Economy of Nigeria: The Lagos State Experience." Being a research report submitted to the Central Research Committee, University of Lagos in May, 1988. P. 189.

³⁴ J. E. Hall Williams, *Criminology and Criminal Justice*. (Butterworths, 1991) P. 207.

like Chifford Shaw and Henry Mckay.³⁵ According to the ecological theorists, criminals abound in a particular location, not because they are intrinsically meant to be criminals but because the environment is pre-determined to breed criminals. Their thesis is that armed robbers are predominantly domiciled in a particular milieu. In the Nigerian context, especially in Lagos, however, there is no doubt that greater number of armed robbers inhabit areas like Mushin, Oshodi, and Ajegunle, more than Ikoyi and Victoria Island. Hence, if a law abiding youth is raised in that neighbourhood, he is more likely going to take to armed robbery than a youth raised in Ikoyi or Victoria Island. The contention is that even when the robbers are relocated and law abiding citizens are put there, the population of armed robbers will remain constant despite the physical relocation.

It is observed from the findings in Table 1.6 and 1.7 *infra*, that there is a distinction between the place of commission of armed robbery and the place of residence of armed robbers. However, for the purpose of ecological studies, it is the place of residence that is relevant. Table 1.7 *infra*, indicates that 20 of the condemned armed robbers (46.61%) reside in Mushin, Oshodi, Agege and Ajegunle of Lagos State. This finding confirms the theory that the area of abode can determine the extent of criminality.

Under the same table, it is observed that armed robbers who resided in Ikoyi, Lekki and Victoria Island are only 2. This is clearly because the areas are sparsely populated and also populated by the affluents. It is also observed that the rate of armed robbery committed in Ikoyi, Lekki, Victoria Island and Isale Eko surpassed the rate in other places. This high rate can also be influenced by the economic status of the occupants of those locations.

4.1.3 Anomie_; This socio-cultural theory is concerned with how the organization of the society can drive people towards breaking its rules, which can eventually lead to social dislocation and failure of the state to fulfil its obligations to the civil society, thereby leading to normlessness. According to Durkheim,³⁶ a French

³⁵ Shaw & Mckay, *Juvenile Delinquency and Urban Area*, (University of Chicago Press, 1942) P. 82.

³⁶ E. Durkheim, *Rules of Sociological Methods*, (New York Free Press, 1964). P. 71.

sociologist, "Anomie" is a situation that arises when societal regulation breaks down and the controlling influence of the society on individual propensities is no longer effective, such that an individual is left to his own device.³⁷

Merton also posited that deregulation results when the institutional means set out for the fulfilment of the cultural goals or aspirations could not meet.³⁸ He suggested five possible ways of reactions to the dislocation, but the one that is directly relevant to the aetiology of armed robbery is "innovation". Innovation is a situation where a person accepts the goal set by the society but rejects the means of attaining the goal, thereby substituting same with his own illegitimate means. It is observed that a lot of people take to armed robbery today because they want to ride expensive cars and own state of the art buildings and to display wealth, though with meagre resources. However, inasmuch as the goals are glamorous and lofty, it is difficult to attain the goals, due to perceived long process, which is enduring and unrealistic. Hence, a resort to armed robbery, which is perceived to bring fortune faster. In Table 1.3 *infra*, 2 of the convicts are university graduates but they took to armed robbery because they were too much in a hurry to make fortune. Also, in Table 1.9 *infra*, 2 of the condemned robbers were employed before the offence commission but decided to take the faster lane to their goals. Armed robbery, therefore, graduated into an organized, syndicated and highly lucrative enterprise, as one or two successful operations can transmute the robbers into the *nouveau riche* class.

4.2 Socio-Psychological Factors: The sub themes to be considered here include family factors and cultural transmission theories.

4.2.1 Family Factors: There is no doubt that robbery results largely from series of family factors and these include the family size and broken home *inter alia*.

4.2.1.1 Family Size: Where the size of the family is too large and the head of the family is a low-income earner, there will not be any ability to fend for the children.³⁹ Consequently, the children take to the streets

³⁷ Ibid, (note 37 above).

³⁸ R. K. Merton, *Social Theory and Social Structure*, (New York Free Press, 1968). P. 62.

³⁹ W. H. Jeynes, "The Effect of Several of the Most Common Family Structures on the Academic Achievement of Eight Graders", *Marriage and Family Review*, Vol. 30 P. 69.

and start mingling with street urchins and dangerous gangs. These deviants may in turn introduce the innocent kids to violent crimes including armed robbery. It suffices to state that armed robbery can also be induced by the African extended family's social expectations and commitments.⁴⁰

From the findings in the research conducted by the writer in Table 1.17 *infra*, it is observed that 18 (14.86%) of the condemned armed robbers came from large families where the parents have more than eight children. Also on Table 1.16 *infra*, it is also observed that 16 of the respondents (37.21%) alleged that their fathers have more than two wives each. It is the contention of this writer that too many children and multiple wives coupled with low income will definitely lead to the inability of the father to take proper care of the family, thereby pre-disposing the children to criminality. Also, on Table 1.3 *infra*, 20 of the respondents (46.51%) are married which shows element of family commitment, necessitating the urge to get money at all cost to fend for the family.

4.2.1.2 Broken Home: This can arise from divorce or death of a spouse and it can also be either structural or constructive. The effect is that the two parents are either not together or not effectively together. Broken homes increase the chances of a child becoming a delinquent because such child becomes socially deprived, unloving, erratic and inconsistent.⁴¹ Hence, a delinquent child can subsequently graduate into armed robber.

From the findings in Table 1.14 *infra*, 20 (46.51%) of the respondents alleged that their parents are either separated or divorced while 5 of them alleged death of either spouse and 5 alleged death of both parents. This study clearly attests to the effect of broken home on a child's criminality. Broken home also leads to parental deprivation. This can result from parental neglect and lack of care and direction for the children. The effect of a child's neglect on the pattern of his behaviour as he grows has been linked to parental deprivation.⁴² There are certain trainings that a father gives

⁴⁰ S. Folarin, "I Became a Robber to Secure my Siblings' Future". *The Punch* 6th February, 2017.

⁴¹ D. J. West & D. P. Farrington, *The Delinquent Way of Life*, (London: Heinemann, 1977), P. 44.

⁴² K. B. Rodgers & H. A. Rose, "Risk and Resiliency Factors among Adolescents Who Experience Marital Transitions", *Journal of Marriages and Families*, November, 2002 Vol. 64, No 4.P. 61.

to a child, just as the mother too, imparts certain knowledge in the upbringing of a child. We can see on Table 1.14 *infra* that 5 of the respondents have lost both parent whilst 5 had lost either parent.

4.2.2 Cultural Transmission Theories: The effect of cultural transmission of norms is also great on armed robbery. Proponents of these theories agree that a crime like armed robbery is a learned behaviour and not inherited. It is also conceded that people become criminals due to excess of contacts with criminal patterns.⁴³ This is called the theory of "Differential Association". Hence, before a person can take to robbery, issues like the frequency of contact, priority of contact, duration of contact and the intensity of contact with criminal peers will come to play.

Tarde's theory on cultural transmission of crime is based on "imitation", which is the process of acquiring criminal behaviour through the belief that all the important acts of social life are carried out under the domination of examples.⁴⁴ According to him, the majority of robbers began as children who have been abandoned, and he said that the true seminary of crime could be found in the public square of each town. Tarde also saw armed robbers and other violent offenders as professional criminals who have gone through the period of apprenticeship, just like doctors or lawyers, and claimed that accident of birth placed them in an atmosphere of crime.

It is observed in Table 1.11 *infra*, that 35 of the respondents (81.40%) alleged that they came into armed robbery through their association with friends. Also, it is revealed from the findings in table 1.16 and 1.17 *infra*, that a lot of children from large families whose parents earn low income may take to the streets to fend for themselves. They will mix up with street urchins who will impart deviant orientation to them as a result of differential association and imitation. Armed robbery can also arise from membership of dangerous classes. This theory was propounded by Henry Mayhew and he posited that crime resulted because children were born into families where anti social attitudes and life styles already existed.⁴⁵

⁴³ E. H. Sutherland and D. R. Cressey, *Principles of Criminology* 6th Ed. (Philadelphia Lippincott., 1974) P. 112.

⁴⁴ G. Tarde, *Penal Philosophy in the Heritage of Modern Criminology*. Sawyer F. Sylvester jr. (ed). (1972) P. 90.

⁴⁵ H. Mayhew, *London Labour and London Poor*, (London: Griffin, Bohn, 1861). P. 69.

Such children would grow to be effectively unsocialised, unable to conform with habits and become street urchins, otherwise called dangerous classes. This group, he said, include the adolescent recapitulators, addiction supporting predators and vocational criminals, and they are said to specialize in armed robbery, car theft, smuggling and sexual offences. The impact of cultural conflict on the incidence of robbery is also highly pronounced. Sellin's contention is that conflict of norms exists when more or less divergent rules of conduct govern the specific life situation in which a person may find himself.⁴⁶ A specie of culture conflict is reflected in the cultural growth process which is attributable to civilization.⁴⁷ Criminality can arise from conflict of conduct norms or cultural transmission.

Cultural growth process leads to criminality as a result of inevitable changes, resultant of the real or imaginary process of civilization and social change within the system. Culture conflict can result into a crime like armed robbery. Thus, a child's parent, on the one hand offers him values and aspirations of their own culture, and on the other hand, the child is exposed at school and on the street, to rather different values of the host society. This can be seen in the impact of the mass media where horror films are shown and the foreign magazines, newspapers and radio bulletins which have all brought western cultures, and the youths have accepted them without any discrimination between the good and the bad aspects.

Today, armed robbery is classified as a normal characteristic of modernization and industrialization. It is argued that, as a society jettisons its rural character and assumes urban dimensions, it picks up some patterns of social behaviours including armed robbery which are non-existent in the traditional society. There is therefore, no gainsaying the fact that modernization and industrialization indeed bear corruptive influence on traditional behaviours and values. However, one wonders why armed robbery is not as much a social problem in the highly industrialized countries like Europe and America.⁴⁸ It is submitted that this is the essence of the Durkheimian anomie theory.

⁴⁶ T. Sellin, *Culture Conflict and Crime*, (New York, Social Science Research Council, 1938) P. 21.

⁴⁷ O. Soyombo, "Civilization: A Catalyst for Criminality" *The Guardian* Newspaper, October 13th, 1987. P. 8.

⁴⁸ T. O. Ilegbune, Op cit (note 7 above).

5. Conclusion and Recommendations

This paper has endeavoured to analyze extensively the menace that pervades our society through the incidence of armed robbery. The writer has also appraised the pattern, trend and distribution of the offence, especially in Lagos State. Various aetiological theories relating to the likely causes of armed robbery were also discussed in the paper. Consequently, inasmuch as we can safely conclude that there is no society without crime, it is contended that the incidence of armed robbery can be drastically reduced.

Sequel to the foregoing, the following suggestions and recommendations are hereby proffered towards curtailing the incidence of armed robbery in Nigeria:

1 The Government should endeavour to plug the holes created by the identified causes of armed robbery. Governmental efforts should be directed towards granting access to education to the citizens, coupled with the other socio-economic redress intervention like creation of job for the teeming unemployed youths. Unemployment, more than any other bane, no doubt, leads to criminality. This is justified by the aphorism that an idle hand is the devil's workshop. Unemployment breeds indiscipline, poverty, misery, insecurity and *a fortiori*, armed robbery. In Table 1.9 *infra*, 28 out of the 43 convicts were unemployed before the commission of the offence. It is also noted in table 1.4 *infra* that only two of the respondents (4.65%) have access to post secondary education. It is against this backdrop that Adeyemi has contended that an unemployed youth will prefer to commit armed robbery and live with a remote possibility of apprehension and execution to being law abiding and face imminent death resulting from starvation.⁴⁹

2] Flowing from the economic factors of crime causation, excessive concentration of wealth in the hands of few rich is not desirable as it breeds anomie. There should also be a change from the culture of wealth worship that is embraced in Nigeria. Nigerian society today, is plagued by a culture whereby people worship and adore wealth regardless of how it was acquired. Honours, decorations and positions, which elude some of our upright and patriotic citizens, are accorded the rich for the reason of their wealth alone. Hence, inasmuch as the need to get rich quickly and join the coveted club of "worshipped citizens" has become an inducing factor in armed robbery, there is need for national campaign geared

⁴⁹ A. A. Adeyemi, "The Nature and Pattern of Crime in Nigeria: Planning and Policy Implications for Crime Prevention and Law Enforcement," *Justice* (1991) Vol 2. No. 4.P. 101.

towards de-emphasizing the role of wealth and re-ordering our sense of values. This will greatly reduce the incidence of many youths resorting to "innovation" with a view of attaining their goals through illegitimate means like armed robbery, kidnapping and cyber crimes.

3] There should be prompt confirmation of death sentences by respective state Governors in respect of armed robbery convicts who have exhausted their appellate rights. It is a common trend these days that Governors no longer sign death warrants of convicts. Insofar as Nigeria still remains a retentionist country, there should not be any delay in making the convicts pay the supreme sacrifice. Delay in executing convicts can increase the rate of armed robbery because convicts may benefit from jail breaks. Delay in execution can also destroy the impact, which the punishment is meant to have on the public. The public should be able to associate the punishment with the crime. Aside from that, the death row syndrome has also been argued to constitute a violation of the convict's right to freedom from torture, inhuman or degrading treatment.⁵⁰ From Table 1.8 *infra*, 29 of the respondents have been on the death row for over 3 years. This figure represents 67.44% of the total respondents.

4] It is also suggested that there should be a reduced reliance on cash transactions. Nigeria should de-emphasize the use of cash as much as possible. In advanced countries like the United States of America and Britain, where less emphasis is placed on cash transactions, armed robbery is becoming less rewarding. Nigeria should embrace the idea of controlling their financial transactions through electronic purses.⁵¹ Electronic payment facilities that are in use now include credit cards and cash cards like the Automated Cash Transfer (A.T.M). It is however conceded that this trend is gradually gaining ground in Nigeria today. It is expected that this will reduce the incidence of armed robbery drastically in no distant future.

5] The Nigeria police should be empowered and motivated. That Nigeria is under-policed is no longer in doubt. Hence there is

⁵⁰ E. O. Akingbehin, "Death Row Phenomenon, A Violation of a Condemned Prisoner's Right to Freedom from Torture, Inhuman or Degrading Treatment in Africa?" *International Journal of Legal Studies and Research*. The West Bengal National University of Juridical Sciences, India, March, 2017, Vol. 6 No 1, P. 7.

⁵¹ J. Iboma, "Controlling Your Financial Expenditure through Electronic Purses." *The Punch Newspaper* 11th April, 2007, P. 4.

an urgent need for mass recruitment of police personnel to meet up or get close to the United Nation's Standard which is one policeman to 240 people.⁵² Also, in addition to raising the entry qualification of the police, there is need for qualitative and modern training of the police personnel. As we witness technological advancement, we also witness emergent highly skilled armed robbers who can only be matched by well trained and well equipped police force. There are new inventions in the art of armed robbery and it is becoming difficult these days for our police to beat armed robbers' antics. Robbers now use dynamite and other explosives to blow up the strongly fortified iron entrance doors to the banks and even the vaults. It is high time the Nigerian Government acquired sophisticated weapons for the police such that would be adequate enough to combat the modern day armed robbers.

As regards the need for motivation, inasmuch as every job has its hazards, it is contended that the police has greater hazard that should attract the best package in the land. However, the Nigeria police is being paid peanuts as salaries, and, as such, the morale of an average policeman is at its lowest ebb. This, no doubt, propels some of them to connive with armed robbers, lease their weapons to armed robbers for financial consideration or even shield armed robbers from apprehension.⁵³ Hence, it is suggested that the remuneration, welfare package and condition of service of the police personnel should be further appreciably improved.

6] Government should take immediate steps in amending our armed robbery legislations, especially in the southern states of the country, to the extent that there would be lesser punishments for the perpetrators of armed robberies which do not result in the death of the victims. This is the position under the Penal Code. It is common logic that armed robbers kill as a protection against detection, even when the victims do not resist their overtures. From Table 1.10 *infra*, 28 out of the 43 armed robbery convicts (65.12%) stated that death resulted from their operations.

Sequel to the foregoing, it is recommended that it is only if the above suggested steps are taken by the Government and the citizens

⁵² The United Nations standard is one policeman to 240 people whilst Nigeria still operates on one policeman to 900 people. See T. O. Ilegbune. *Op cit* (note 7 above).

⁵³ See The Punch Editorial of Wednesday, 8th August, 2007 on Lagos Initiative on Security. Also, see The Punch Newspaper of Wednesday, the 26th October, 2011, P.8, where the Lagos State Government donated Armoured Personnel Carriers and other crime fighting equipment to the Nigeria Police Force in Lagos.

that the menace of armed robbery that is presently plaguing our country can be effectively combated.