



# Baseline Study on Private Security Governance in Nigeria

Private Security  
Governance  
**Observatory**





# Table of Contents

|  |           |
|--|-----------|
| <b>List of Acronyms .....</b>  | <b>5</b>  |
| <b>Acknowledgements .....</b>  | <b>6</b>  |
| <b>Disclaimer.....</b>   | <b>7</b>  |
| <b>About AFRILAW .....</b>   | <b>8</b>  |
| <b>About the Private Security Governance Observatory.....</b>                                      | <b>9</b>  |
| <b>Foreword .....</b>  | <b>10</b> |
| <b>Preface.....</b>  | <b>12</b> |
| <b>Introduction .....</b>  | <b>13</b> |
| <b>Chapter 1: National Context and Key Characteristics of the Private Security Sector.....</b>     | <b>19</b> |
| A. National context: Nigeria security sector   | 19        |
| B. Private security sector development and key characteristics in Nigeria                          | 22        |
| <b>Chapter 2: Legal and Regulatory Framework .....</b>   | <b>31</b> |
| A. Norms and good practices in private security regulation at the international and regional level | 31        |
| B. The legal and regulatory framework of private security companies at the national level          | 33        |
| 1. The regulatory authority and private security governance structure in Nigeria.....              | 34        |
| 2. Granting of operating license .....   | 35        |
| 3. Training of private security companies' employees.....  | 38        |
| 4. Employment and working conditions .....   | 39        |
| 5. Use of force regulation and use of firearms .....   | 41        |
| 6. Prohibited activities and offences .....  | 43        |
| 7. Penalties, enforcement and compliance .....   | 43        |
| 8. Other control, monitoring and administrative measures .....                                     | 44        |
| <b>Chapter 3: Challenges .....</b>   | <b>46</b> |
| 1. Regulatory and legal framework challenges .....   | 47        |
| 2. Conflicts of interest.....  | 51        |
| 3. Registration and licensing.....   | 52        |
| 4. Training and capacity building.....   | 53        |
| 5. Working conditions and welfare.....   | 54        |
| 6. Professional misconduct and malpractice .....   | 56        |

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

|  |           |
|--|-----------|
| 7. Human Rights violations .....   | 59        |
| 8. Use of force, weapons and firearms .....  | 62        |
| 9. Cooperation with the public security forces and other actors .....                    | 63        |
| 10. Private security companies in the extractive sector .....                            | 67        |
| <b>Chapter 4: Recommendations .....</b>  | <b>69</b> |
| <b>Annex 1: Key Informant Interview Guide for NSCDC .....</b>                            | <b>79</b> |
| <b>Annex 2: The Key Informant Interview Guide for The Private Guards Companies .....</b> | <b>83</b> |
| <b>Annex 3: Key Informant Interview Guide for Private Guards Users/Clients .....</b>     | <b>87</b> |
| <b>Annex 4: Key Informant Interview Guide for the Private Guards .....</b>               | <b>90</b> |
| <b>Annex 5: General Questionnaires .....</b>   | <b>93</b> |

# List of Acronyms

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|              |  |
|--------------|--|
| <b>ALSPN</b> | Association of Licensed Security Practitioner of Nigeria             |
| <b>ASIS</b>  | American Society for Industrial Security                             |
| <b>CAC</b>   | Corporate Affairs Commission   |
| <b>CSOs</b>  | Civil Society Organization   |
| <b>CJTF</b>  | Civilian Joint Task Force  |
| <b>DCAF</b>  | Geneva Centre for Security Sector Governance                         |
| <b>ICoCA</b> | International Code of Conducts Association (ICoCA)                   |
| <b>ICoC</b>  | International Code of Conduct for Private Security Service Providers |
| <b>ICDO</b>  | International Civil Defence Organization                             |
| <b>INGO</b>  | International Non-Governmental Organization                          |
| <b>ISWAP</b> | Islamic State in West Africa Province                                |
| <b>PGC</b>   | Private Guard Companies  |
| <b>NGO</b>   | Non-Governmental Organization  |
| <b>NSPA</b>  | National Professional Security Association                           |
| <b>NSCDC</b> | Nigeria Security and Civil Defence Corps                             |
| <b>NISCO</b> | Nigeria Investigation and Security Company                           |
| <b>NHIS</b>  | National Health Insurance Scheme                                     |
| <b>NBS</b>   | National Bureau of Statistics  |
| <b>SSPN</b>  | Society of Security Practitioners of Nigeria                         |
| <b>SSAN</b>  | Security and Safety Association of Nigeria                           |
| <b>UNGPs</b> | UN Guiding Principles on Business and Human Rights                   |
| <b>VPs</b>   | Voluntary Principles on Security and Human Rights                    |

# Acknowledgements

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African Law Foundation (AFRILAW) is very grateful for the generous financial support and partnership of the Geneva Centre for Security Sector Governance (DCAF) in implementing the Baseline Assessment on Private Security Governance in Nigeria Project. The wonderful assistance of Ms. Emmylou Boddi, Project Officer of DCAF during the period of the Baseline Study is highly appreciated.

The partnership and support of Nigeria Security and Civil Defense Corps (NSCDC) is very highly commendable, and we highly appreciate the support and participation of Mrs. Helen Amakiri, the Assistant Commandant General (ACG) and the Head, Private Guard Companies (PGCs) Department of the NSCDC toward making the Baseline study successful.

We appreciate the efforts and contributions of our Consultants, Mr. Raph Mbaegbu and Dr. Pedi Obani. Also, we acknowledge the support and contributions of CLEEN Foundation, New Nigeria Foundation and LITE-Africa and other members of the Africa Private Security Governance Observatory.

Thank you all for your wonderful support and partnership.

Okereke Chinwike ESQ.

Founder & CEO, AFRILAW

May 2019

# Disclaimer

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The good practices and recommendations included in this Study are not prescriptive. It is up to each user to determine, where appropriate, their feasibility, usefulness and suitability depending on the local context in each specific situation on the ground. The Observatory and the authors of this Study disclaim any responsibility for any loss or damage of any kind to anyone who has used this Study or to any third party as a result of using the information in this document.

## About AFRILAW

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African Law Foundation (AFRILAW), founded in 2013, is a non-profit and non-governmental, development law organization with the Corporate Headquarter at Enugu and Advocacy office at Abuja of Nigeria. Our Vision is a just, peaceful, developed and prosperous Africa and a better world for all, and our Mission is to advance the rule of law, human rights and justice for peaceful, inclusive and sustainable growth and development of African society and a better life for all.

Our Strategic Objectives include: advocating for the respect of rule of law, protection of human rights and access to justice for all; advocating for inclusive and sustainable social and economic development and growth; advocating for peace and security and improving accountability and democratic governance; advocating for environmental sustainability and climatic justice; and building partnership and participation for sustainable development. Our Strategies and Methods include: Policy Advocacy and Capacity Building, Legal Aid Services, Campaigns and Awareness-raising, Community Development and Mobilization, Research and Documentation, Consulting and Technical Services, Partnership and Network Building and Coordination.

We partner and work with local and international organizations and institutions such as National Human Rights Commission (NHRC), Nigeria Security and Civil Defence Corps (NSCDC), CLEEN Foundation, National Legal Aid Council of Nigeria (LACON), Nigeria Policing Programme (NPP), Administration of Criminal Justice Monitoring Committee (ACJMC) of the Federal Ministry of Justice, The Geneva Centre for Security Sector Governance (DCAF), International Drug Policy Consortium (IDPC), Open Society Initiative for West Africa (OSIWA)/West Africa Civil Society Institute (WACSI), Coalition for Human Rights in Development, West Africa Drug Policy Network (WADPN), Namati: Innovation for Legal Empowerment USA/Global Legal Empowerment Network, Centre for Water Security and Cooperation (CWSC), OECD Watch Network, World Bank/Global Forum on Law, Justice and Development, Africa Coalition on Corporate Accountability (ACCA), International Code of Conduct Association (ICoCA), BankTrack, International Accountability Project (IAP), Both Ends, International Land Coalition (ILC), TAP Network and International Civil Society Centre (ICSC).

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# About the Private Security Governance Observatory

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The Private Security Governance Observatory (hereafter, the Observatory) is a network of African CSOs that seek to share knowledge and reinforce their organizational capacity to promote good governance of the private sector.

By raising awareness among CSO members, the Observatory aims to foster the exchange of ideas, experiences, information and good practices. Through its online platform, the Observatory provides tailor-made tools to support the role of CSOs in the oversight and accountability of the private security sector.

This Baseline Assessment on Private Security Governance in Nigeria (hereafter, the Study) has been developed in the framework and with the support of the Observatory.

For more information, including on how to become a member of the Observatory, please visit: <http://observatoire-securite-privee.org>.

# Foreword

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The Nigeria Security and Civil Defence Corps (NSCDC) is very pleased to partner and associate with the African Law Foundation (AFRILAW) and Private Security Governance Observatory with kind support from the Geneva Center for Security Sector Governance (DCAF) in conducting this very important Baseline Study on Private Security Governance in Nigeria, which is aimed at assessing the situation of private security governance and operations, identifying areas of challenges and making recommendations for private security service reform and improvement in Nigeria.

Considering the huge security challenges currently facing Nigeria as a country, the Nigeria Security and Civil Defence Corps (NSCDC) is very well positioned and is contributing immensely in providing effective security services and public safety in Nigeria. The Baseline Study on Private Security Governance in Nigeria is very apt and will help us to have better understanding of the private security governance, regulatory and operational challenges and what can be done to improve the situation and harness the potentials of private security services providers in contributing and improving public security and safety in Nigeria.

The NSCDC is aware of most of the challenges facing effective private guard companies operations in Nigeria and the related governance and regulatory challenges, and as the regulatory agency for Private Guards Companies, we have started taking appropriate steps in tackling the challenges by developing the Private Guards Companies Regulations 2018 which was approved by the Honorable Minister of Interior, and improving their training standards and certifications including monitoring and supervision. Moreover, we have noted the challenges identified and the good recommendations proffered in the Baseline Study. We look forward to work together with AFRILAW and its partners and other key stakeholders to promote implementation of the recommendations in the Baseline Study where possible.

I appreciate the dedication, diligence and commitment demonstrated by AFRILAW and its partners in conducting this Baseline Study, and it is my hope that this effort will greatly contribute toward reforming and

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

improving the governance and regulatory frameworks and effective private guards' companies operations in Nigeria.

Muhammadu G. Abdullahi  
Commandant General,  
Nigeria Security and Civil Defence Corps (NSCDC)  
Federal Ministry of Interior,  
Abuja, Nigeria

# Preface

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Nigeria as a country today is confronted with many security challenges which have overstretched the human and material resources of the public security agencies, leading to rampant insecurity in the country and increasing use of private security services by many Nigerians and corporate organizations. The situation has over time led to rapid growth of the private security industry and an increase in the number of private security companies operating in the country. As a result of this growth, the sector is experiencing significant challenges with respect to issues such as governance, regulation, operational standards and professional conduct.

It is in this context that the African Law Foundation (AFRILAW) under the framework and with the support of the Private Security Governance Observatory partnered with Nigeria Security and Civil Defence Corps (NSCDC), the private security regulatory authority in Nigeria, to conduct the 'Baseline Study on Private Security Governance in Nigeria'. The study provides a critical analysis of the industry; identifies existing gaps, challenges and opportunities; and puts forward some recommendations for improving the sector. It is hoped that the information provided and the recommendations made in this baseline study will contribute towards improving private security governance and regulation, as well as operational standards and professional conduct of private security companies in Nigeria.

The Private Security Governance Observatory is a network of African civil society organisations (CSOs) working to promote knowledge sharing; raising awareness among its members; fostering the exchange of ideas, experiences, information and good practices; and reinforcing organizational capacity to promote good governance of the private security sector. This baseline study is a product of that commitment.

Prof. Femi Ajibola  
Chair, Private Security Governance Observatory (Anglophone)  
CEO, New Nigeria Foundation

# Introduction

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Due to the increased security challenges in Nigeria and the overstretched nature of Nigeria's public security agencies, especially the police, many private and public entities, neighbourhoods and communities turn to private security to protect themselves. As crime, violence and insecurity continues to rise in Nigeria, so does the demand for services provided by Private Security Companies (PSCs). The increasing growth of PSCs in Nigeria is an indication of the erosion of internal security and inadequate manpower to confront the situation by public security agents.

Moreover, there is the challenge of inadequate monitoring and supervision of the numerous PSCs by the regulatory authority. Poor standards of operation and professional conduct are prevalent in the industry, where most PSCs suffer from poor and inadequate capacities and professionalism, resulting in many cases in unethical and unprofessional practices, potentially amounting to abuses of human rights. The existence of many unregistered PSCs worsens the security situation of the country, as they have been reported as engaging in illegal behaviour.

In the Niger Delta region, the presence of extractive industries has brought large numbers of PSCs engaged by the extractive industry. Because this industry has very specific needs and often operates in remote areas with little public oversight, cases of human rights violation by PSCs have been reported.

The rapid growth of the private security industry and its challenges, constraints and problems require urgent attention and sustainable solutions to ensure the industry's adequate regulation, governance, standards of operation and professional conduct.

## Objectives of the study

The main goal of the Study is to critically review the existing legal and regulatory frameworks governing private security companies' operations in Nigeria, to assess their standards of operation and challenges, and to issue recommendations for legal and policy reform and improvement. The study is intended to give a picture of the situation before the inception of any future program intervention on private security governance and operations. The baseline study, filling the knowledge gap around the private security sector in Nigeria, can also

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## Baseline Study on the Private Security Governance in Nigeria / 2019

be used for comparison with a follow-up assessment to measure the results and effect of any following interventions.

In this regard, the specific objectives of the study are:

1. To review the legal and regulatory frameworks, governance structures and operational standards of private security companies in Nigeria;
2. To determine the level of compliance with the existing and emerging standards of operation and practices, professional codes of conduct, national regulations and human rights standards, and to identify cases of human rights abuses and violations by private security providers in Nigeria;
3. To identify the existing gaps and areas of challenges to private security governance and operations in Nigeria and make relevant recommendations for reform and improvement;
4. To engage key stakeholders and develop advocacy strategy for effective private security reform in Nigeria.

## Methodology

To achieve the objectives of the baseline study, a mixed methodology involving both qualitative and quantitative data collection was adopted to capture the required information, and two main techniques were employed for data collection.

The study was carried out in two (2) local government areas (LGAs) each in FCT/Abuja (Abuja Municipal and Bwari Area Councils) and Rivers State (Port Harcourt and Obio-Akpor LGAs). The Project areas are selected to represent a State from the Southern region (Rivers State) and Northern region (Abuja/FCT) of the country. Abuja was selected because of the high concentration of private security companies in residential, business and commercial areas. Rivers State, as the centre for the extractive industry of Nigeria, has a large involvement of private security providers with oil and gas companies, joint security services with public security agencies in the Niger Delta region, and large population of rural communities. The study population consists of members of the public who were providers and users of the private security services including the regulatory body of the PSCs-NSCDC.

**Training, pre-test and pilot:** Prior to the commencement of fieldwork, a one-day training session was organized for all enumerators, supervisors, quality control officers and field managers on the assignment.

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

**Quantitative data collection:** The research team adopted Mobile Computer-Assisted Personal Interview (MCAPI) technology and Paper Assisted Personal Interviews (PAPI) for data collection. The MCAPI technology runs on mobile data collection software that enables interviewers to create, conduct and manage android tablet field surveys. The process involved a questionnaire administered through tablets. The program also ensures quota controls and logical checks in advance so that any logical errors in data can be avoided and. The

| States        | LGAs          | Sample Population |
|---------------|---------------|-------------------|
| <b>FCT</b>    | Bwari         | 250               |
|               | AMAC          | 250               |
|               | Sub Total     | 500               |
| <b>Rivers</b> | Port Harcourt | 250               |
|               | Obio-Akpo     | 250               |
|               | Sub Total     | 500               |
|               | Grand Total   | 1,000             |

Mobile Computer-Assisted Personal Interview (MCAPI) technology for data collection can export data to Microsoft Excel and statistical softwares (SPSS, STATA etc.)

**Selection of respondents for the face to face quantitative interviews:** In addition, the study adopted a probability sampling technique for respondent selection and interviews. This methodology gave target respondents equal chance of being selected for the survey.

*Graphic 1: Face to face household quantitative interviews with the public*

**Key Informant Interviews (KIIs):** The purpose of the Key Informant Interviews (KIIs) was to collect information from people who have the required knowledge or insight of the project topic. The KIIs were conducted with private security companies' clients, private security companies' employees, private security companies' management and the Nigeria Security and Civil Defense Corps (NSCDC). The interviews with these key stakeholders were audio recorded and were later transcribed for reporting.

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

*Graphic 2: KIs with stakeholder groups*

| States        | Stakeholder groups | Sample Population |
|---------------|--------------------|-------------------|
| <b>FCT</b>    | PSCs Employees     | 2                 |
|               | PSCs               | 2                 |
|               | NSCDC              | 1                 |
|               | Sub Total          | 5                 |
| <b>Rivers</b> | PSCs Employees     | 2                 |
|               | PSCs               | 2                 |
|               | NSCDC              | 1                 |
|               | Sub Total          | 5                 |
|               | Grand Total        | 10                |

*Graphic 3: Interviews with corporate companies (PSCs' clients);*

*Cluster areas: banks, extractive companies, shopping centres, restaurants, industries and telecommunication companies in each state.*

| States        | LGAs          | Sample Population |
|---------------|---------------|-------------------|
| <b>FCT</b>    | Bwari         | 7                 |
|               | AMAC          | 7                 |
|               | Sub Total     | 14                |
| <b>Rivers</b> | Port Harcourt | 7                 |
|               | Obio-Akpo     | 7                 |
|               | Sub Total     | 14                |
|               | Grand Total   | 28                |

**Quality control measures:** Prior to the commencement of the project, the personnel involved in the data collection process were trained and mock interviews were held for the field officers. After the training exercise, a pilot study was conducted in Abuja to ensure that the questions were appropriate for the survey.

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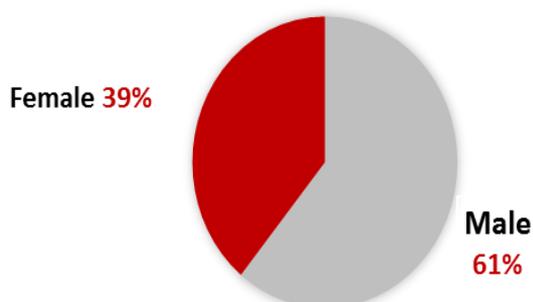
**Baseline Study on the Private Security Governance in Nigeria / 2019**

Data quality measures applied on the quantitative interviews involved random interview monitoring in which supervisors monitored the interviewers to ensure proper administration of the questionnaire from start to finish without the knowledge of the interviewers. This process allowed the supervisors to maintain strict quality control over the data collection process. Also, the supervisors conducted regular call-backs on completed interviews. This was done by randomly selecting 20% of the completed interviews by each interviewer to verify the authenticity of the information and accuracy of data collected from the respondents.

**Data management and quantitative analyses:** After data collection, the data was processed to ensure that all variables met the quality required for analysis in terms of accuracy and reliability. This was ensured by sample checks, manual and physical verification of the entered data and cross verification of outputs. This initial process also helped to ensure that the expected quota by state, gender and other related variables were met.

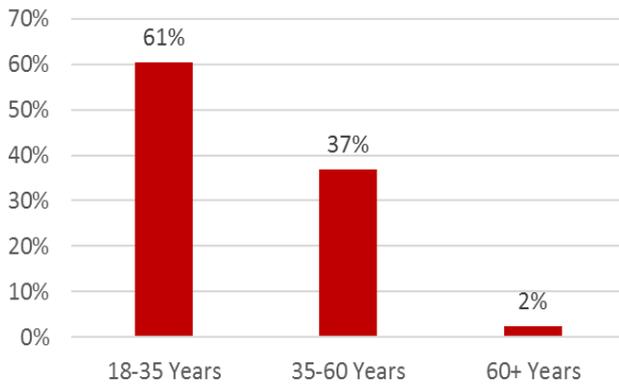
Analysis was done using descriptive statistics, which include the use of frequencies, percentages and means for relevant variables. Tabular and graphical data presentations were employed. Cross analysis and some key and relevant questions were conducted to explore outcomes by gender, state and other relevant variables.

**Desk review:** In addition, secondary data was collected from researched publications, seminar and workshop papers and all other available publications on PSCs in Nigeria and globally. Official and public records from governmental agencies, like the NSCDC and the Nigeria Bureau of Statistics (NBS), were also accessed during the survey.

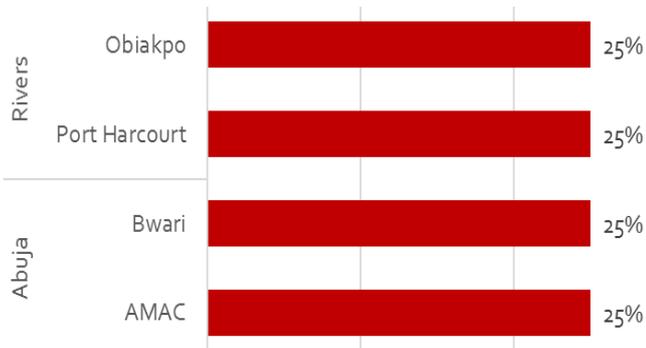


*Graphic 4: Summary of the demographic variables for the Baseline Assessment on Private Security Governance in Nigeria: **Gender***

Baseline Study on the Private Security Governance in Nigeria / 2019



*Graphic 5: Summary of the demographic variables for the Baseline Assessment on Private Security Governance in Nigeria: **Age***



*Graphic 6: Summary of the demographic variables for the Baseline Assessment on Private Security Governance in Nigeria: **Local Government Area (LGA)***

# Chapter 1: National Context and Key Characteristics of the Private Security Sector

## A. National context: Nigeria security sector

Nigeria, known as the 'Giant of Africa', is a key regional player in West Africa. With a population of approximately 197 million, Nigeria accounts for about 47% of West Africa's population. Nigeria is a federation of 36 autonomous states composed of a multi-ethnic and culturally diverse society. With an abundance of resources, it is Africa's biggest oil exporter and has the largest natural gas reserves on the continent. Despite its oil wealth, Nigeria remains highly underdeveloped with about 93.6 million people living in extreme poverty.<sup>1</sup> While Nigeria has made some progress in socio-economic terms in recent years, its human capital development remains weak due to under-investment. The country ranked 152 of 157 countries in the World Bank's 2018 Human Capital Index.<sup>2</sup>

Nigeria faces multiple security challenges that have not only posed great threats to corporate existence of Nigeria as a sovereign state, but that have also undermined the quest for unity in diversity which underscores the rationale for adoption of federalism. Nigeria is ranked the 16th least peaceful country in the world, according to the 2018 edition of Global Peace Index (GPI)<sup>3</sup>.

The various security threats plaguing Nigeria include militancy and Niger Delta crises, banditry, cultism, cattle rustling and kidnapping, piracy, ethnic militia, communal conflicts, terrorism insurgency, and farmers and herdsman crises across Nigeria.<sup>4</sup> Violent attacks by extremist groups, particularly by the Boko Haram insurgency in the north east region of Nigeria, have displaced more than two million people, created a massive humanitarian crisis and prompted the rise of civilian vigilante self-defense groups that pose new policy

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<sup>1</sup> <https://worldpoverty.io/nigeria>

<sup>2</sup> <https://www.worldbank.org/en/country/nigeria/overview>

<sup>3</sup> <https://countryeconomy.com/demography/global-peace-index/nigeria>

<sup>4</sup> *ibid*

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

dilemmas and possible security risks.<sup>5</sup> In the north east region of Nigeria, Boko Haram is responsible for more than 2,800 violent attacks and more than 31,000 reported fatalities since 2014, making it one of the world's deadliest armed groups. In January 2019 alone 73 violent attacks and 406 associated fatalities linked to Boko Haram were reported.

Other groups are also present and active in Nigeria, such as the Islamic State in West Africa Province (ISWAP), a splinter of Boko Haram. From its territorial base on the banks and islands of Lake Chad, this jihadist group is waging a guerrilla war across north-eastern Nigeria and the lake's periphery.<sup>6</sup>

Conflicts and violence in the Niger Delta are one of the prevailing security challenges facing Nigeria as a country. The Niger Delta region of Nigeria comprises the nine states of Abia, Akwa-Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers. About 31 million people live in the region, which is particularly renowned as one of the world's ten most important wetland and coastal marine ecosystems, and is also the location of massive oil deposits, which have been extracted for decades by the government of Nigeria and by Multinational Oil Companies (MNOCs). However, the region has been enmeshed in conflicts for more than four decades – largely because of controversy around oil exploration – including armed attacks, bombing of oil installations and hostage taking of foreign oil workers.

Violent conflicts between nomadic herders from northern Nigeria and sedentary agrarian communities in the central and southern zones have escalated in recent years and are spreading southward, threatening the entire country's security and stability. With an estimated death toll of approximately 2,500 people in 2016, these clashes are becoming as dangerous as the Boko Haram insurgency in the north east<sup>7</sup>. Over the last decade, cattle rustling has grown in scale and organisation in several northern states where large bandit groups operate with mounting audacity. It is estimated that in 2013 more than 64,750 cattle were stolen and at least 2,991 herders killed in states across the north-central zone. Vigilante groups have formed out of communities to combat bandits (variously known as *Yan Banga*, *Yan Sa Kai* and *Kato da Gora*). Nevertheless, these ad hoc security solutions have sometimes been reported to worsen the local insecurity, with the arrest and summary execution of rustlers only triggering retaliatory violence.<sup>8</sup>

Other security challenges in Nigeria include murder, theft, fraud, cyber-crimes, bribery and corruption, money laundering, human trafficking, illicit drug trafficking, arm robbery, assault, rape, manslaughter, bribery and corruption, burglary (including store breaking and house breaking). These criminal activities can be linked to

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<sup>5</sup> <https://www.crisisgroup.org/africa/west-africa/nigeria>

<sup>6</sup> <https://www.crisisgroup.org/africa/west-africa/nigeria/273-facing-challenge-islamic-state-west-africa-province>

<sup>7</sup> <https://www.crisisgroup.org/africa/west-africa/nigeria/252-herders-against-farmers-nigerias-expanding-deadly-conflict>

<sup>8</sup> *ibid*

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

poverty, unemployment, inflation, illiteracy, lack of education and over-population. The Nigeria Crime Statistics reported offences reflected that a total of 134,663 cases were reported in 2017. Offence against property has the highest number of cases reported with 68,579 of such cases reported. Offence against persons recorded 53,641 cases reported while offence against lawful authority recorded the least with 12,443 cases reported. Lagos State has the highest percentage share of total cases reported with 50,975 (37.9%) cases reported. Abia and Delta State followed closely with 12,408 (9.2%) and 7,150 (5.3%) cases reported respectively.<sup>9</sup>

The weakness of the public security system is a major contributory factor to the level of insecurity in Nigeria. The weakness of the Nigerian security system can be attributed to a number of factors, which include inadequate funding of the police and other security agencies, lack of modern equipment both in weaponry and training, inadequate personnel and poor welfare of security personnel. The police-population ratio in Nigeria is 1:450, falling below the standard set by the United Nations.<sup>10</sup> The country is grossly under policed, partly explaining the inability of the Nigerian Police Force to effectively combat criminality in the country.<sup>11</sup>

Nigeria has several security formations (military and paramilitary) that participate in internal security management. To respond to the challenges posed by insecurity in the country, policy makers claimed to have adopted an integrated security approach, leading to the establishment of the Joint Task Force (JTF). The security formations or agencies critical to internal security policy implementation in Nigeria include: the Nigeria Army, Navy, Air force, the Nigerian Police Force, Nigerian Prison Service, Nigerian Immigration Services, Nigerian Security and Civil Defense Corps, Nigerian Custom Service, State Security Services and National Drug Laws Enforcement Agency. However, the strategies adopted to implement the national security policy objectives of Nigeria appear impotent to address the plethora of internal security challenges facing the country.<sup>12</sup>

Another contributory factor to the high level of insecurity in Nigeria is the existence of many porous borders where individual movements are largely untracked. Because of the porous borders there is an unchecked inflow of Small Arms and Light Weapons (SALW) into the country which has aided militancy and criminality in Nigeria.<sup>13</sup> Nigeria accounts for over 70 percent of about 8 million illegal weapons in West Africa. Also, the

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<sup>9</sup> National Bureau of Statistics: Crime Statistics: Reported Offences by Type and State (2017)

<sup>10</sup> <https://www.un.org/africarenewal/magazine/october-2009/security-highest-bidder>

<sup>11</sup> Chris I. Nwagboso, Ph.D Nigeria and the Challenges of Internal Security in the 21st Century, European Journal of Interdisciplinary Studies, May-August 2018, Volume4, Issue 2

<sup>12</sup> ibid

<sup>13</sup> Ibid

porosity of the Nigerian borders has aided the influx of migrants, mainly young men from neighbouring countries such as Republic of Niger, Chad and Republic of Benin, responsible for some of the criminal acts.<sup>14</sup>

Although the government is primarily responsible for guaranteeing the security and safety of the population, the generally ineffective response of state security agencies to security threats has seen the development of other solutions to ensure safety and security: an increased demand for private security services in Nigeria.<sup>15</sup>

## **B. Private security sector development and key characteristics in Nigeria**

### **Growth and size of the sector**

In Nigeria the fast development of the private security sector is due to a fast expansion of the population and the consequent lack of capacity of the state security agencies to manage it. With a total population of about 200 million, the state security agencies have recorded an insignificant increase and low capacity over the years. This gave rise to under-policing, which resulted in the inability of the state security agencies to prevent, detect, investigate and prosecute crime. PSCs consequently came into existence as a direct response to complementing the services of the public security agencies. The problem of obsolete and grossly inadequate equipment of the Nigeria security agencies, which cannot combat the increasing crime rate, has also contributed to the acceptability of PSCs, especially by the private business sector. The increasing growth of PSCs is an indication of erosion of internal security in Nigeria. Another factor is the enormity of the security market available in Nigeria. As insecurity continues to increase for individuals and businesses operating within Nigeria, so does the demand for private security services.

The first private security company providing uniformed private security services in Nigeria was the Nigeria Investigation and Security Company (NISCO), founded in 1965.<sup>16</sup> A steady growth occurred during the 1970s and 1980s, while the expansion of the sector gained renewed force following the inauguration of the Fourth

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<sup>14</sup> *ibid*

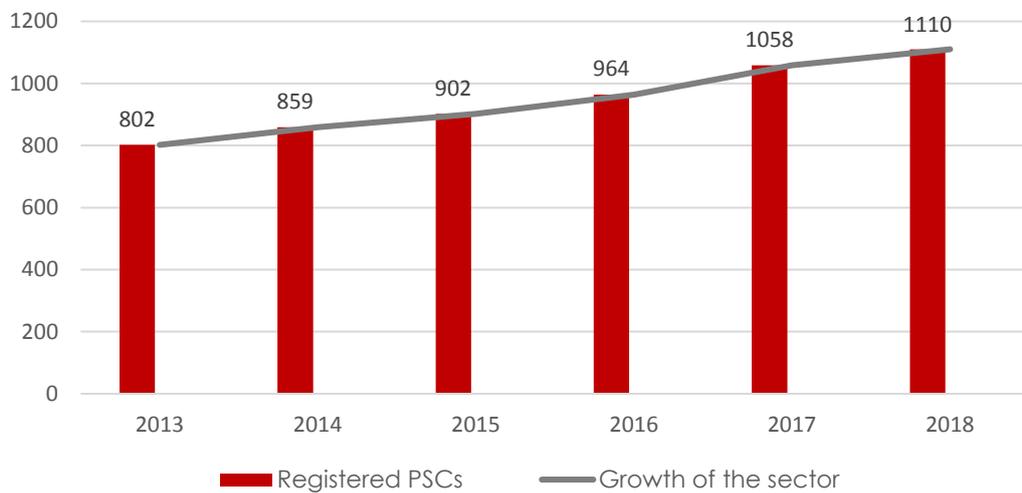
<sup>15</sup> See generally Alan Bryden & Fairlie Chappuis (Eds) (2015). *Learning from West African Experiences in Security Sector Governance*. London: Ubiquity Press. There are also reports of human rights abuses by security forces. See for instance, Samuel Ogundipe, #EndSARS: Nigerians resume campaign to shut down brutal police squad (Premium Times 19 June 2018); Chom Bagu (2014). *Baseline Report: Constructing Coalitions to Reduce Human Rights Abuse by Security Forces in Northern Nigeria*. Washington DC and Brussels: Search for Common Ground.

<sup>16</sup> Rita Abrahamsen & Michael C Williams (2005). *The globalization of private security – Country Report: Nigeria*. Aberystwyth: Department of International Politics at the University of Wales, pp. 5

**Baseline Study on the Private Security Governance in Nigeria / 2019**

Republic in 1999, which brought a new wave of foreign investment and business into the country. A relatively recent and controversial development is the arrival of international security companies, most notably Outsourcing Services Ltd (OSL).<sup>17</sup> OSL started operations in 2002 as part of the South African company Gray Security, which was subsequently bought by Securicor and is now part of the newly-merged global security company Group4Securicor. Other international companies are also increasingly involved in Nigeria, most notably in the fields of risk analysis and consultancy. As insecurity continues to increase, so does the demand for private security services and many transnational companies now employ expatriate risk consultants from companies like Control Risks International and Armor Group, in addition to their own in-house security staff and commercial private security guards.<sup>18</sup>

According to the NSCDC, as of February 2019, there are about 1110 licensed private security companies operating in Nigeria and about 740 unlicensed private security companies under processing. The total number of registered private security companies were about 802 in 2013, 859 in 2014, 902 in 2015, 964 in 2016 and 1,058 in 2017.



*Graphic 7: Number of registered private security companies operating in Nigeria from 2013-2018;*

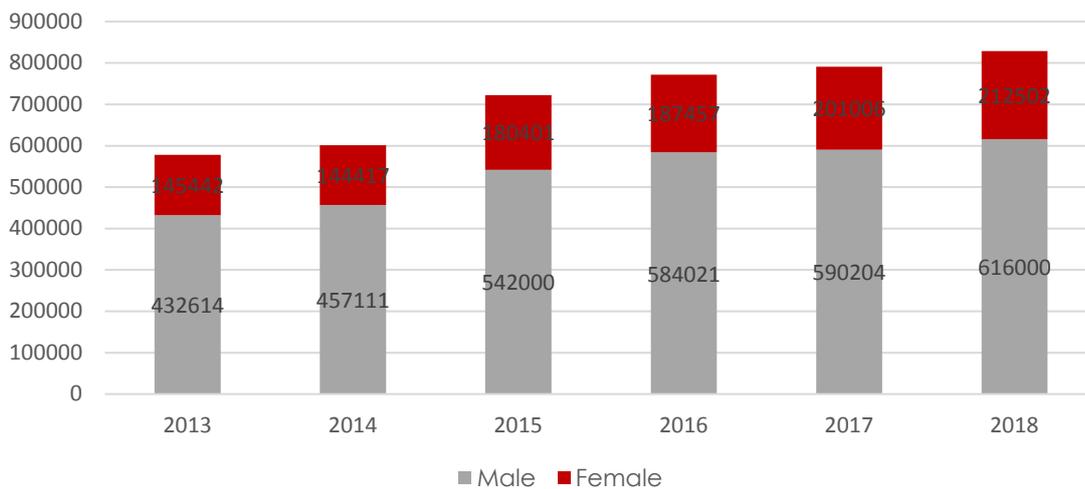
**Source:** National Bureau of Statistics (NBS), Private Security Guards Data (2013-2018)

<sup>17</sup> Ibid

<sup>18</sup> Ibid

Baseline Study on the Private Security Governance in Nigeria / 2019

In personnel terms, as of 2005, the largest companies are Prudential Security, which operates countrywide and employs nearly 9,000 guards, and Halogen Security with approximately 4,000 guards. Other major companies include Bemil Security and Corporate Guards. The major ‘foreign’ PSC, Group4Securicor’s partner Outsourcing Services Ltd. (OSL), also operates nationally and has a total of approximately 3,000 personnel<sup>19</sup>. In 2018 alone, registered private security companies employed as much as 828,505 persons compared to 791,210 employed by 1,058 companies in 2017 and 771,478 employed by 964 companies in 2016.<sup>20</sup> Most of the employees of private security companies are male; in 2018, 74% (616,000) of the employees were male while 26% (212,502) were female.<sup>21</sup>



*Graphic 8: Number of private security company employees in Nigeria from 2013 to 2018;*

**Source:** National Bureau of Statistics (NBS), Private Security Guards Data (2013-2018)

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

## Services

Private security companies in Nigeria primarily engage in supplying guard and patrol services, such as bodyguard, guard dog, parking security and security guard services. Some of these companies engage in supplying advanced special operations services if the client demands it, such as the control of unauthorized activity or entry, traffic regulation, access control, fire and theft prevention and detection. These services are broadly described as the protection of personnel and assets. PSCs services range from logistical support, crisis and risk management to physical protection of people and goods, training of security personnel and even operational combats.<sup>22</sup> According to the Private Guards Companies Regulation, 2018, functions of the PSC in Nigeria include among other things:

- Performing services of watching, guard, patrolling, or carrying of money for providing protection against crime;
- Carrying on the sales and installation of security equipment;
- Providing security consultancy service, corporate security services, industrial and electronic services;
- Performing security services with electronic devices for commercial reasons or otherwise.

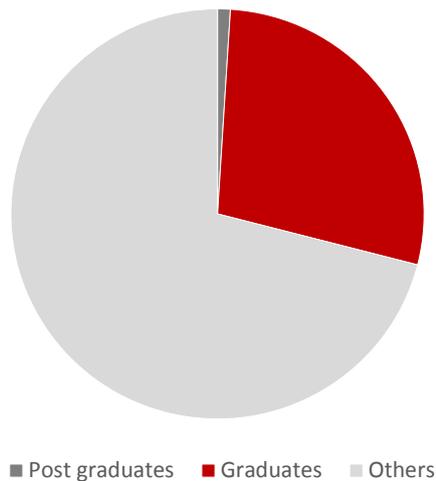
Private security companies have also become an important employer in Nigeria: the industry offers a source of employment for the teeming population of Nigerians with various academic qualifications, including O' levels first school, certificate, graduate degrees and postgraduate degrees. Many also have previous experience in the police or military. The data for 2013 to 2018 from the National Bureau of Statistics on Information on Private Security Guards Industry indicated about 2,004 private security employees have post graduates qualifications with N65, 000 as remuneration, 234,996 are graduates with N55,000 as remuneration and 591,451 others have National Diploma (ND), Senior Secondary Certificate Examination (SSCE) etc. with N25,000 as remuneration.<sup>23</sup>

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<sup>22</sup> John Domingo Inyang and Ubong Evans Abraham, (2014), Private Guard Companies and Crime Control in Awka Igom State, Nigeria, *Scholars Journal of Arts, Humanities and Social Sciences*; 2(5D): 786-795

<sup>23</sup> Private Security Guards data (2013-2018), NBS, Abuja. National Bureau of Statistics (NBS) is the main National Agency responsible for the development and management of official statistics, the authoritative source and custodian of official statistics in Nigeria established under the Statistics Act of 2007. The National Bureau of Statistics (NBS) came into being with the merger of the Federal Office of Statistics (FOS) and the National Data Bank (NDB). NBS coordinates the Statistical Operations of the National Statistical System in the production of Official Statistics in all the Federal Ministries, Departments and Agencies (MDAs), State Statistical Agencies (SSAs) and Local Government Councils (LGCs) in Nigeria.

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

*Graphic 9: Qualification of private security employees in Nigeria in 2018;*

**Source:** National Bureau of Statistics (NBS), *Private Security Guards Data (2013-2018)*

The commercial sector has been noted as the main market for private security companies in Nigeria. Medium and large size businesses are amongst the main clients for private security services, together with international organisations NGOs and embassies. Residential areas, who traditionally use simple night-watchmen or “gate men” services, are a less profitable market for the private security industry. Nowadays, it is a common sight in Nigeria to have private security personnel at the entrance to hotels, petrol stations, hospitals, shopping malls, cinemas, banks, eateries and many other public spaces as this gives an added sense of security to the clients.<sup>24</sup> The most sought-after contracts are with banks and transnational corporations, in particular with extractive companies and the various contractors and service companies associated with the extractive industry. Many extractive companies, embassies and other transnational firms have a triple security structure in place, relying on a combination of public security forces, as well as in-house and private security

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<sup>24</sup>The private guards are often called called “security” or “mai-guard” which is a corrupted version of the Hausa word “maiguardi” meaning the one who guards. Usually the private security personnel are sourced locally, from neighbouring countries in West Africa or through security service providers that may not be registered as private security companies.

companies, thus providing multiple business opportunities for private security services. The extractive industry therefore represents a growing market for private security companies in Nigeria, providing a professional and disciplined private security personnel that usually act as “an extra security force” between the state security forces and the extractive companies.

## Association

Until recently, the private security industry in Nigeria has been experiencing a proliferation of associations, with up to five separate private security associations in existence. The oldest of these is the Nigerian Chapter of the American Society for Industrial Security (ASIS), a global organisation supporting industry standards and focusing in particular on training and education. National associations include the National Professional Security Association (NPSA), the Society of Security Practitioners of Nigeria (SSPN), the Security and Safety Association of Nigeria (SSAN) and the Association of Private Security Practitioners in Nigeria (APSPN) which was founded in April 2004, in direct response to the government’s decision to increase the license fees for private security companies. The three other national associations were all founded in 2002, largely in response to the arrival of the international private security company ‘Gray Security’ in the country. The arrival of an international company in Nigeria in 2002 was presented by many local private security companies as a threat to national security and a contravention of the Private Guards Act, which stipulates that all private security companies must be wholly Nigerian owned. A key aim of the SSPN and SSAN was to oppose and limit the activities of what they perceive as ‘foreign’ firms in Nigeria.<sup>25</sup> Some private security companies operating in Nigeria are member of some international security associations like International Code of Conduct Association (ICoCA).<sup>26</sup> However, the Nigeria Security and Civil Defence Corps (NSCDC) has established the Association of Licensed Security Practitioner of Nigeria (ALPSPN) as a single private security association for the sector in Nigeria<sup>27</sup>. ALPSPN was inaugurated on 4<sup>th</sup> September 2014 as an amalgamation of all licensed private security personnel and companies registered by NSCDC and conducting business in private security services in

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<sup>25</sup>Rita Abrahamsen & Michael C. Williams (2005): *The Globalisation of private security-Country Report: Nigeria*, Aberystwyth: Department of International Politics at the University of Wales.

<sup>26</sup>Nigerian Companies who are members of the ICoCA’s Private Security Industry Pillar are Hudson Pacific Energy Ltd, Libertine Global Solutions Ltd and Prudential Guards Ltd. <https://www.icoca.ch/en/membership>

<sup>27</sup>Association of Licensed Security Practitioner of Nigeria (ALPSPN) was established under the Private Guard Companies Regulations (2018)

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

Nigeria.<sup>28</sup> It was established for the effective oversight and regulation of private security industry and as a common platform for the promotion and protection of the common interests of all licensed private security personnel and companies in Nigeria. Currently, ALPSPN has about over 1,000 members across the nation conducting business in various sectors of the private security industry in Nigeria.

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<sup>28</sup> <http://alpspn.blogspot.com/2016/05/a-brief-history-of-association-of.html> (accessed on May 2019)

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## Other sort of private security

There is another kind of private security arrangement called 'Neighbourhood Watch Associations' or 'Vigilante Groups', which exist in Nigeria and have been created by communities, towns, private individuals and groups across many states in partnership with and supported by States governments. The associations or groups are a means of confronting the current security challenges in many parts of Nigeria, complementing the effort of the police and other official security providing agencies. Vigilante Groups have also been used for the control of crime by groups of businesses or private individuals who come together to share costs and direct services in pursuit of a common goal i.e. protection of corporate organizations and their businesses.<sup>29</sup> In some states, this is exemplified by groups of retail, entertainment or other commercial businesses that form business associations with the aim to develop common security solutions. The private security arrangements seek to assist police and prevent crime by identification and apprehension of offenders. Typically, these kind of private security arrangements are provided to safeguard lives, properties, assets and personalities against various forms of criminalities and violence attacks. These include security against property crime (e.g. theft, vandalism), security against financial crime (e.g. fraud), security against personality and threatening of life (e.g. Assault, threats, kidnapping) and security against fear and surge of violence (e.g. violence conflicts).<sup>30</sup> Most State governments in Nigeria have, through legislative enactments, restructured and created a legal and regulatory framework for Vigilante Groups operations under the supervision of one of the state government Ministries.<sup>31</sup> In this regard, the Vigilante Groups in most states in Nigeria have become a very important part of the state security architecture, using a community policing platform while they work together with the Nigeria Police Force in crime prevention and securing lives and properties in various communities and towns in the state.

Nigeria has also seen the creation of the Civilian Joint Task Force (CJTF), a militia group set up to protect communities from Boko Haram, alongside local hunters and other vigilante groups who are supporting the

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<sup>29</sup>Fasuan E. Olawole, The role of private security arrangements in Nigeria's neighbourhood peacekeeping and community security (2017) 4(1) International Journal of Peace and Conflict Studies 21-27.

<sup>30</sup>*Ibid.*

<sup>31</sup>For instance, in Enugu State of Nigeria, the State Ministry of Human Capital Development regulates, certifies and supervises the operations of Neighbourhood Watch/Vigilante Groups in Enugu State. The search for alternative crime prevention mechanisms led to the re-emergence and gradual takeover of security in most parts of the state by vigilante groups. Although vigilantism has been a longstanding method of crime prevention in many parts of Enugu State, its re-emergence was accompanied by new challenges like the egregious violation of human rights by members of the vigilante groups. The nefarious activities of the vigilante groups prompted Enugu State government to initiate reforms in the operations of community-based security groups. The reforms contained in Enugu State Neighbourhood Association and Watch Groups Law of 2006 requires vigilante groups in Enugu State to register with Enugu State Neighbourhood Association Board. Under the new law, former vigilante groups that met the new conditions for operating security outfits were officially allowed to operate as Neighbourhood Watch Associations. These Neighbourhood Watch Associations are armed and provided with security gadgets and operational vehicles. Their welfare is chartered by members of the communities and towns who they serve through contributory levies.

**Baseline Study on the Private Security Governance in Nigeria / 2019**

Nigeria military forces in the fight against Boko Haram in the North-East region of Nigeria. As the counter insurgency ebbs and post conflict peacebuilding gets under way, the civilian composition of the CJTF raises many questions. From its inception, these units varied in capability, composition, and allegiance. Some were informal, others state-supported, still others semi-independent, and they often lacked accountability.<sup>32</sup>

Although these Vigilante Groups are a relevant phenomenon in the country that also constitutes a growing challenge for the security sector, it is worth mentioning that vigilante groups are not part of the present analysis.

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<sup>32</sup>Jibrin Ibrahim and Saleh Bala (2018). Civilian-Led Governance and Security in Nigeria After Boko Haram: United States Institute of Peace Special Report

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# Chapter 2: Legal and Regulatory Framework

## A. Norms and good practices in private security regulation at the international and regional level

At the international and regional level, there are no specific treaties, standards or norms regulating private security operations. Nevertheless, the general standards relating to the State's responsibility to govern the use of force, safeguard human lives and property, prevent crime, respect, protect and fulfil human rights and control the detention and arrest of people are also relevant for the regulation of the private security sector. Existing international voluntary multi-stakeholder initiatives provide applicable guidelines, principles and good practices on private security services across the globe. Those international initiatives include the Montreux Document on Private Military and Security Companies (Montreux Document), the International Code of Conduct for Private Security Service Providers (ICoC), the Voluntary Principles on Security and Human Rights (VPs), and the UN Guiding Principles on Business and Human Rights (UNGPs).

The Montreux Document was adopted in 2008, and by 2017 it was supported by 54 States and 3 International organizations. It was developed to promote respect for international humanitarian law and human rights when Private Military and Security Companies operate in the context of armed conflict. The existing obligation and good practices can also inform post-conflict situations and other comparable solutions. The Montreux Document is based on existing provisions in international humanitarian law and human rights: this means that any State-whether a party to the Montreux Document or not- is required to implement these provisions.<sup>33</sup>

The International Code of Conduct for Private Security Service Providers (ICoC), based on similar foundations to the Montreux Document and in line with the UN Guiding Principles on Business and Human Rights (UNGPs), is aimed directly at private security companies especially security services delivered in complex environments.<sup>34</sup> The ICoC signatories 'commit to the responsible provision of security services so as to support the rule of law,

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<sup>33</sup> The Role of civil society organization in promoting good governance of the private security sector (Practical Guide), Africa Private Security Governance Observatory and Geneva Centre for Security Sector Governance (DCAF), 2018, pp.22

<sup>34</sup> Op Cit, pp.24

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

respect the human rights of all persons, and protect the interest of their clients'.<sup>35</sup> ICoC is governed by the International Code of Conduct Association (ICoCA), a multi-stakeholder initiative consisting of three pillars representing States, PSCs and CSOs. The aim of ICoCA is to promote, direct and supervise the effective implementation of the International Code of Conduct for Private Security Service Providers through the certification of member private security companies to ICoC standards, reporting systems and monitoring, evaluation of the compliance of member companies with the ICoC, and management of complaints about violation of the ICoC by member companies.

The Voluntary Principles on Security and Human Rights (VPs) was established in 2000 as a multi-stakeholder initiative involving States, companies and CSOs. The VPs were primarily designed to guide extractive companies in maintaining the safety and security of their operations in an operational framework that ensures respect for human rights and fundamental freedoms. More specifically, the VPs guide companies in carrying out a human rights risk assessment as part of their engagement with public and private security providers to ensure that human rights are respected during operations to protect business facilities and premises.<sup>36</sup> The UN Guiding Principles on Business and Human Rights (UNGPs) was adopted in 2011, providing the 'Protect, Respect and Remedy' reference and implementation frameworks for human rights protection, respect and remedy by the States, transnational corporations and other business enterprises, including private security companies<sup>37</sup>.

Unfortunately, Nigeria's government is yet to join or participate in the Montreux Document, the International Code of Conduct for Private Security Service Providers (ICoC) or the Voluntary Principles on Security and Human Rights (VPs) initiatives. Nigeria as a UN member State is also yet to adopt and implement national action plans (NAPs) for the implementation of UN Guiding Principles on Business and Human Rights (UNGPs) in Nigeria.

At regional level, the African Union has developed some level of guidelines and made references relating to the issues of regulation of private security industry that are relevant to Nigeria. In 2016, the African Commission on Human Rights and Peoples' Rights adopted the Principles and Guidelines on Human and People's Rights while Countering Terrorism in Africa. Under Part 8, it provides for private security companies, particularly their

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<sup>35</sup> International Code of Conduct for Private Security Service Providers (ICoC), Preamble, Lit.3.

<sup>36</sup> The Role of civil society organization in promoting good governance of the private security sector (Practical Guide), Africa Private Security Governance Observatory and Geneva Centre for Security Sector Governance (DCAF), 2018, pp.26.

<sup>37</sup> UN Human Rights Council has developed a Draft Convention on Private Military and Security Companies in 2010 and have through Resolution 15/16 established an open-ended intergovernmental working group to examine the possibility of developing an international regulatory framework for the regulation, supervision and oversight of the activities of private military and security companies.

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accountability, with reference to the Montreux Document.<sup>38</sup> The AU Policy Framework on Security Sector Reform 2014, mentioned 'non-state security bodies such as private security companies' as one of the components of the security sector in Africa, and stated that State members should ensure that private security companies 'will conform to relevant international, regional and national frameworks regulating the activities of PSCs.'<sup>39</sup>

## **B. The legal and regulatory framework of private security companies at the national level**

Private security companies' activities began to be regulated in Nigeria in 1986, with the promulgation of Private Guard Companies Decree No. 33 1986, which later became CAP 367 Laws of the Federation of Nigeria (LFN), 1990. The Act made it mandatory that, as from 16 December 1986, no company or organization shall perform private security services unless the organization is duly registered as a limited liability company and thereafter could apply for a grant of license in the Ministry of Interior. Under the Nigeria Security and Civil Defense Corps (Amendment) Act 2007, the Nigeria Security and Civil Defense Corps (NSCDC) became the regulatory authority for the Private Security Companies (PSCs) in Nigeria.<sup>40</sup> The Act of 2007 amended the Nigeria Security and Civil Defence Corps Act, 2003 in order to enhance its capacity to provide protection, crisis resolution and security to public infrastructures in Nigeria. The Private Guard Companies Act provides that no company shall perform the service of watching, guarding, patrolling or carrying of money for the purpose of providing protection against crime unless:

- the organisation is registered as a company under the Companies and Allied Matters Act;
- it has applied for and has been granted a license by the Minister of Internal Affairs, that is the Minister of Interior (Minister), in accordance with the provisions of the Act;
- is wholly owned by Nigerians.<sup>41</sup>

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<sup>38</sup> The Role of civil society organization in promoting good governance of the private security sector (Practical Guide), Africa Private Security Governance Observatory and Geneva Centre for Security Sector Governance (DCAF), 2018, p.31. [http://www.achpr.org/files/special-mechanisms/human-rights-defenders/principles\\_and\\_guidelines\\_on\\_human\\_and\\_peoples\\_rights\\_while\\_countering\\_terrorism\\_in\\_africa.pdf](http://www.achpr.org/files/special-mechanisms/human-rights-defenders/principles_and_guidelines_on_human_and_peoples_rights_while_countering_terrorism_in_africa.pdf)

<sup>39</sup> <http://www.peaceau.org/uploads/au-policy-framework-on-security-sector-reform-ae-ssr.pdf>. Like the AU, the Economic Community of West Africa States (ECOWAS) has also made some references relating to the issues of regulation of private security industry. The ECOWAS Policy Framework for Security Reform and Governance (SSRG) 2016 recognised that 'democratic governance and human security are at the core of the strategy, which aims at making security a regional public good and an essential service for citizens as well as vital component in achieving sustainable development'<sup>39</sup>, and the ECOWAS Conflict Prevention Framework recognized private security companies as an important part of the target group of the security management' component in West Africa.

<sup>40</sup> Nigeria Security and Civil Defense Corps (Amendment) Act 2007

<sup>41</sup> Section 1 (1) of the Private Guard Companies Act 1986

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

The Private Guard Companies Act provides the legal foundations for the operations of private security companies, the governance structures and operational standards in Nigeria.

To initiate a reform in the private security sector in Nigeria, the Minister of Interior approved in 2018 the 'Private Guard Companies Regulations 2018', in relation with the section 35 of the Private Guard Companies Act. The key objective of the Regulation is to provide a legal framework for the effective regulation of private security companies and to create an enabling environment for the companies to cooperate with and assist the NSCDC in securing the societal and economic activities.<sup>42</sup> However, the approved Private Guard Companies Regulation 2018 is yet to be fully operationalized.

## **1. The regulatory authority and private security governance structure in Nigeria**

The Nigeria Security and Civil Defence Corps (Amendment) Act 2007, placed the regulation of private security companies' operations in Nigeria under the Nigeria Security and Civil Defence Corps (NSCDC) administration. The NSCDC then created the Private Guards Companies Department to carry out this mandate, under the headship of the Assistant Commandant General (ACG-PGCs). The Nigeria Security and Civil Defence Corps (NSCDC) is a para-military agency of the Federal Government of Nigeria established in 1967 to provide measures against threat and any form of attack or disaster against the nation and its citizenry. It was then known as Lagos Civil Defence Committee, and it later metamorphosed into the present Nigeria Security and Civil Defence Corps in 1970. In 1984, the NSCDC was transformed into a national security outfit and in 1988, there was a major re-structuring of the NSCDC that led to the establishment of commands throughout the federation, including Abuja, and the addition of special functions by the Federal Government. On 28th June 2003, the Nigeria Security and Civil Defence Corps Act that give statutory backing to the NSCDC was enacted and signed into law.<sup>43</sup> The governing board of the NSCDC is the Civil Defence, Fire, Immigration, and Prisons Services Board (CDFIPB) established under the Customs Immigration and Prisons Services Board Decree No. 14 of July 11, 1986 under the Ministry of Interior. NSCDC is a member of the International Civil Defence Organization (ICDO).<sup>44</sup>

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<sup>42</sup> Article 1, Part 1 of the Private Guard Companies Regulation 2018.

<sup>43</sup> <http://nscdc.gov.ng/history-of-nigeria-security-and-civil-defence-corps>(accessed May 2019)

<sup>44</sup> The International Civil Defence Organisation (ICDO) is an intergovernmental organisation whose objective is to contribute to the development by States of structures for ensuring the protection and assistance of populations, and for safeguarding property and the environment in the face of natural and man-made disasters. These structures, which are generally known as civil protection, civil defence

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

The governance structure of the private security services operations in Nigeria is centralised, the Minister of Interior and the NSCDC play a major role in the provision of oversight and regulation of the sector. The Ministry of Interior has the mandate to foster the maintenance of internal security and citizenship integrity to ensure good governance in Nigeria.<sup>45</sup> To achieve this, the Ministry of Interior offers a diverse range of internal security and ancillary services to both Nigerians and foreigners, including the regulation and oversight of private security companies.

The Nigeria Security and Civil Defence Corps (NSCDC) is mandated under the Act to recommend to the Minister the registration of private security companies; inspect and approve that the premises of private companies, including their training facilities, are up to standard; supervise and monitor the activities of all private security companies and keep a register for that purpose; and seal up any private security company which operates without a valid license.<sup>46</sup>

## 2. Granting of operating license

In Nigeria, no person or company shall perform the services of watching, guarding or carrying of money for the purpose of providing protection against crime, or carry on the sales and installation of security equipment, security consultancy services, corporate security services, industrial and electronic security, or performing such other security functions with electronics devices for whatsoever reason, commercial or otherwise, unless the person or organization concerned applies for and is granted license by the Minister or any other person delegated by the Minister in that regard, to do so.<sup>47</sup>

The Private Guard Companies Regulation 2018 has also provided that any person or corporate entity wishing to employ more than one person for provision of security services as stated in section 1(1) of the Act to engage the services of a licensed private security company by the NSCDC.<sup>48</sup>

The requirements for registration of a private security company in Nigeria include:

- Application for private license addressed to the Commandant General;

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or civil safety, are all concerned with the management of emergency situations. The ICDO federates the national structures established by States for this purpose with the aim of favouring cooperation and mutual solidarity amongst them

<sup>45</sup><https://interior.gov.ng/index.php/the-ministry/articles>

<sup>46</sup> Section 1 (b), (c) and ( d) of the Nigeria Security and Civil Defence Corps (Amendment) Act, 2007.

<sup>47</sup> Article 3 of the Private Security Companies Regulation 2018,

<sup>48</sup> Article 23

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

- Certified True Copy (CTC) of memorandum and Article of association (2 copies);
- Photocopies of certificates of incorporation (2 copies);
- Payment of Five hundred thousand naira (500,000.00) only;
- Tax Clearance Certificate;
- Statement of account;
- Letter from an auditor;
- Proposed training program;
- Proposed salary structure;
- Veterinary certificate (optional);
- Personal History Statement (PHS) forms at one hundred thousand naira (100,000.00) only;
- Credential of directors (2 copies) to be attached with PHS form;
- Letter from bankers;
- Eight (8) passport photographs for each of the Directors;
- Eight (8) full photographs (postcard 5 X 7 inches) of each of the Directors with a white background, with five fingers print and signature signed at the back of the postcard(photograph) in the presence of Nigeria Security and Civil Defence Corps Officers;
- Photocopy of the signature page of the Directors in the International passport or National ID Card or Driver's License and this should be stapled at the back cover of the file jacket;
- PHS form must be adequately filled by the Directors stating Nil or Not Applicable to portions they do not have answers to and no column should be left unfilled;
- Attestation letters from referees for each Directors.
- One uniform sample with photograph of guard in uniform (2 copies).<sup>49</sup>

Also, the Minister may grant a license to a private security company if he is satisfied that the grant of the license is justified having regard to national security and the public interest.<sup>50</sup> An application for a license to operate as a private security company is to be accompanied by a fee to be prescribed by the Minister of Interior

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<sup>49</sup><http://nscdc.gov.ng/pgc>. It is also required that all uniform and accoutrement must not have semblance of any government agency or like any other PMSCs. Payment of application fee is not an authorization to operate. Licenses are required before operations can commence.

<sup>50</sup> Section 2 (3) of the Private Guard Companies Act 1986

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

and a statement that sets out the conditions of service (including salaries) of the employees or prospective employees of the company making the application. A license granted by the Minister under the Act is valid for two years from the date of issue and specifies the number of offices, branches or other places of business which the company is permitted to maintain. Operational licenses must be renewed 3 months before expiration; failure to renew within the specified period makes the operational license stand revoked automatically and such company shall be ceased from operation, and/or the company will be liable to sanction by NSCDC.

Under the Private Security Company Regulations 2018, operational license shall not be renewed without a letter from the Association of Licensed Security Practitioner of Nigeria (ALPSPN) indicating that the private security company and its personnel are members of ALPSPN<sup>51</sup>. Any person who is not a citizen of Nigeria is excluded from the operations of a private security company, whether as directors or operatives<sup>52</sup>. Additionally, the composition of the Board of any prospective private security company in Nigeria must include a retired commissioned security officer<sup>53</sup>.

The Minister shall not grant any license or approval under the provisions of the Act if any director of the private security company or the person applying for approval:

- has been found guilty of a criminal offence under the Penal Code, the Criminal Code, the Firearms Act, the Explosives Act or the Robbery and Firearms (Special Provisions) Act, by a court or tribunal of competent jurisdiction in Nigeria or of an offence of a similar nature elsewhere;
- has been sentenced to any period of imprisonment for an offence involving fraud, theft or a breach of trust, whether in Nigeria or elsewhere;
- has been dismissed, discharged or otherwise removed on disciplinary grounds from the Nigeria Police Force, the Armed Forces of the Federation, the Nigerian Prisons Service, the Special Constabulary, the Fire Services or Customs Preventive Service or any such similar law enforcement agency or service whether in Nigeria or elsewhere;
- is a person in respect of whom the Minister is satisfied that it is contrary to public interest or the interest of national security that he should be a director or be approved for employment under the provisions of this Act;
- is not a citizen of Nigeria.<sup>54</sup>

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<sup>51</sup> Article 27 (2) of the Private Guard Companies Act 1986

<sup>52</sup> Section 1 (1) (c) of the Private Guards Companies Act 1986, Article 25 of the Private Guards Companies Regulation 2018

<sup>53</sup> Article 20

<sup>54</sup> Section 13 (1) of the Private Guard Companies Act 1986

Under the Private Guard Companies Regulation 2018, the operational license of a private security company in Nigeria may be suspended or revoked by the Minister of Interior or the NSCDC, as delegated by the Minister, if the private security company:

- has failed to carry out security operations effectively;
- is involved in any form of illegality;
- has been convicted of any criminal offence;
- has been found to use arms or firearms;
- has been found to use uniforms or accoutrements meant for Government Security Agencies without approval from the licensing authority; or
- has done such other acts which the Minister deems inappropriate in this instance.<sup>55</sup>

The Act further places a duty on the Registrar of the court to notify the NSCDC in case a person approved under the provisions of this Act is convicted of any offence referred to in the Act or are sentenced to a period of imprisonment. In such case, it can require the NSCDC to withdraw the approval granted to the person.<sup>56</sup>

### **3. Training of private security companies' employees**

The Private Guard Companies Regulation 2018, provides that private security company employees must be trained and certified by the NSCDC, or such other institution whose curriculum has been accredited by the NSCDC to provide security training, and no private security employee shall be posted to fieldwork until he or she has first obtained the training and been certified.<sup>57</sup>

Before this regulation was adopted, there were no required standards of training in the sector, and as a result, the quality and extent of the training vary considerably from one private security company to another. While most companies provide some form of training and instruction (some to a very high standard), others place private security employees on duty with little or no knowledge of basic security provision.

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<sup>55</sup> Article 8 of the Private Guards Companies Regulation 2018

<sup>56</sup> Section 13 (2) of the Private Guard Companies Act 1986

<sup>57</sup> Article 11 of the of the Private Guards Companies Regulation 2018

There have been many training consultancy firms and organizations offering different kinds of training to private guards on a commercial basis, but overall both the duration and standard of training is left to the individual company. To ensure a more uniform level of training within the sector, the Nigeria Security and Civil Defence Corps (NSCDC) banned in 2018 private training of private guards in Nigeria and approved the use of the NSCDC training facilities spread across the nation.<sup>58</sup>

## **4. Employment and working conditions**

In addition to issuing an operating license to the private security company, the Minister is also responsible for granting approval of employment of private security personnel by private security companies<sup>59</sup>. The approval also specified the kind of work which the private security personnel is authorised to perform. The Minister may withdraw the granted approval any time he is satisfied that the private security personnel is unsuitable to continue to be so employed.<sup>60</sup> This requirement has changed under the Private Guards Companies Regulation, 2018 whereas the private security companies have been authorised to employ the personnel to perform security services upon receiving their licenses. Under the Regulation 2018, the NSCDC is mandated to maintain a database of all private security employees and capture their biometrics<sup>61</sup>.

The minimum wage for private security employees in Nigeria shall be either sixty percent of the contract sum or the national minimum wage, whichever that is higher, provided that the payment shall be made at the end of every month in which the private security employee worked with the company. The new National Minimum Wage in Nigeria is N30,000, and it is mandatory for all public and private organizations or companies in Nigeria, including private security companies.<sup>62</sup>

Any employer who fails to comply with the provisions of the Act commits an offence and is liable to conviction to:

- pay a fine not exceeding 5% of the offender's monthly wage;
- pay all outstanding arrears of the workers' wages; and

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<sup>58</sup>The Commandant-General of Nigeria Security and Civil Defence Corps announced the ban during a meeting with the Chief Executives of Private Guard Companies held in Abuja in June 2018.

<sup>59</sup> Section 7

<sup>60</sup> Section 9 (3)

<sup>61</sup> Article 13 of Private Guards Companies Regulation, 2018

<sup>62</sup> Section 3 (1) of the National Minimum Wage Act 2019. The National Minimum Wage Act 2019 repealed the National Minimum Wage Act No.6, 1981 as amended, Cap. 61 Laws of the Federation of Nigeria 2004 which placed the national minimum wage at N18,000

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## Baseline Study on the Private Security Governance in Nigeria / 2019

- pay an additional penalty of not less than the prevailing Central Bank of Nigeria lending rate on the wages owed for each month of continuing violation provided that it is not in derogation of the right of the worker to recover wages due to him by any other proceeding in a court of competent jurisdiction.<sup>63</sup>

Private security companies operating in Nigeria are required under the Private Security Companies Regulation 2018 to create an adequate welfare package for its employees, including National Health Insurance Scheme,<sup>64</sup> pension,<sup>65</sup> insurance, annual leave, leave allowances,<sup>65</sup> and any other necessary welfare provision.<sup>66</sup>

The private security companies are also subject to monitoring by other government institutions such as the Ministry of Labour to ensure regulatory compliance with labour standards and laws.<sup>67</sup> Other labour laws and standards largely applicable to the private security companies operating in Nigeria include:

- 1. Prohibition of forced labour.** It is illegal for any employer to force anyone to work. This right is guaranteed under the 1999 constitution,<sup>68</sup> and it is also restated in the Labour Act,<sup>69</sup>
- 2. Employees must have a written contract.** Every employer must give an employee a written contract within 3 months of the commencement of the employment. The contract must have the certain key terms – name of employer/employee, nature of employment, duration, wages etc. It is also important to note that, if there is any change in the terms of the employment, it should be made known in writing to the employee within 1-month notice.<sup>70</sup>
- 3. Salary deductions.** Employers are not allowed to deduct an employee's wages for any reason, unless reasonable deduction for injury or loss caused to the employer by the employee.<sup>71</sup>

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63 Section 9, National Minimum Wage Act 2019

64 The National Health Insurance Scheme (NHIS) is a body corporate established by the Federal Government of Nigeria to improve the health of all Nigerians at an affordable cost through various prepayment systems where participants pay a fixed regular amount. The amount/funds are pooled, allowing the Health Maintenance Organisations (HMOs) to pay for those needing medical attention.

65 Nigeria Pension Reform Act 2014 established the National Pension Commission (PenCom) which regulates and promotes participation in the Contributory Pension Scheme (Scheme) in Nigeria. The Scheme applies to two categories of employees, all employees in the public sector and employees of private organisations in which there are 15 or more employees. Under the Act, both employer and employee are required to make a minimum of 10% and 8% respectively of the employee's monthly emoluments (7.5% of the employee's monthly basic, housing and transport allowances by both parties under the repealed Act).

66 Article 15 (4) of the Private Security Companies Regulation 2018.

67 Other important laws relating to labour and employment in Nigeria which is applicable to private security companies employees include Trade Union (Amendment) Act, Cap. T14, LFN, 2004, Trade Disputes Act, Cap. T8, LFN, 2004, Employee Compensation Act, Cap. W6, LFN, 2004, Pension Reform Act of 2014, Employees Housing Scheme (Special Provisions) Act, Cap E8, LFN 2004, and Local Content Act of 2010

68 Section 34 of the 1999 Constitution of the Federal Republic of Nigeria

69 Section 73 of the Nigeria Labour Act, 1974

70 Section 7 of the Nigeria Labour Act, 1974

71 Section 4 of the Nigeria Labour Act, 1974

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

- 4. Restriction of employees from joining trade unions and other labour associations:** No employment contract can prevent employee from joining trade unions.
- 5. Regulated rest hours, sick leave, and holidays for employees.**<sup>72</sup>
- 6. Maternity and paternity leave.** All female employees are entitled to at least 12 weeks' maternity leave with full pay. Unfortunately, the Nigerian Labour Act does not recognise paternity leave and makes no such provisions.<sup>73</sup>
- 7. Termination of employment.** With respect to the termination of an employment contract, the Nigeria Labour Act provides for minimum notice periods.<sup>74</sup>
- 8. Discrimination protection:** There is no legislation that specifically regulates equal opportunities and prevents discrimination in employment in Nigeria. However, the 1999 Constitution of Nigeria, as amended, contains a general prohibition of discrimination on the grounds of: ethnic group, place of origin, community, sex, religion, political opinion and circumstances of birth.<sup>75</sup>
- 9. Redundancy.** The Nigeria Labour Act defines redundancy as an involuntary and permanent loss of employment caused by excess manpower.<sup>76</sup>

## 5. Use of force regulation and use of firearms

Private security companies in Nigeria are prohibited from using firearms under the Private Guard Companies Act.<sup>77</sup> However, under the new Private Guards Companies Regulation 2018, private security companies are required, where necessary, to request and use the Arms Squad of the NSCDC for their operations. Before this regulation, most leading private security companies, in consideration of the generally high level of violence and insecurity in Nigeria, found it necessary to offer armed protection for certain key contracts, as well as the possibility of armed response in cases of emergency by partnering with the Mobile Police Unit of the Nigeria Police Force. To be allocated Mobile Police, private security companies must apply to the Inspector General of the Police for a specific number of officers, which they can then utilize for guarding at key locations, armed

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<sup>72</sup> Sections 13 -19 of the Nigeria Labour Act, 1974

<sup>73</sup> Section 54-58 of the Nigeria Labour Act, 1974

<sup>74</sup> Section 11 of the Nigeria Labour Act, 1974

<sup>75</sup> Section 42 of the 1999 Constitution

<sup>76</sup> Section 20 of the Nigeria Labour Act

<sup>77</sup>Section 17 of the Private Guards Companies Act, 1986

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

response, CIT, escort services, etc. Mobile Police officers are equipped with fully automatic weapons, usually AK-47s or FNs.

Private security companies mostly collaborate with the Nigeria Police and other law enforcement agencies: it is common to find law enforcement agents permanently seconded to work with private security companies to safeguard high profile individuals, organisations and critical infrastructure, especially in the extractive industry, hospitality and financial sector. They regard the secondment of Mobile Police officers as a necessary, but expensive arrangement. The reliance on Mobile Police officers for armed private security services raises several operational and ethical challenges.

As mentioned above, the Mobile Police has often been accused of using undue force, and whilst in the employ of private security companies, the exact division of authority between private security company employees and the police is difficult to establish. Although many private security companies commend the Mobile Police officers for their professionalism, this is a source of tension and concern, and the ability of private security companies to manage Mobile Police officers depends to a large extent on informal arrangements and their capacity to develop well-integrated procedures, joint training, and close operational coordination with the Mobile Police officers.<sup>78</sup> Moreover, privatisation of public policing organisations is more extensive in the extractive industry than in any other part of Nigerian society and economy. Virtually all levels of public force, including the military, have been integrated into the day-to-day security arrangements of the extractive industry to a degree where it is often difficult to determine where public policing ends, and private security begins.

The most obvious example of this privatisation of public policing involves the Supernumerary or 'Spy' police - officers recruited and trained by the Nigerian Police Force at the request of the extractive companies and deployed as an unarmed security force (used primarily for manned guarding) under the direct pay and control of the companies. The numbers are extensive: Shell alone has 1,200 Spy police at its operations, including an intelligence unit, while ExxonMobil deploys between 700-1,000 and ChevronTexaco approximately 250.<sup>79</sup> As the security situation in the Niger Delta has worsened over the past decades, the companies have also integrated armed components of the public police directly into their operations. Unlike the Spy police, the oil companies do not have direct control over these police forces. While operational authority is in the hands of a senior company security official and police officers are instructed to comply with the oil company's 'guidelines

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<sup>78</sup> Rita Abrahamsem & Michael C. Williams (2005), *The Globalisation of Private Security* (Country Report: Nigeria), p. 11.

<sup>79</sup> Ibid.

for the use of force' or 'code of conduct', the Police have their own commanders and supervisors and receive their orders within this line of command.<sup>80</sup>

## **6. Prohibited activities and offences**

Generally, the Private Guard Companies Act criminalises contraventions of its provisions and prescribes offences which, however, have been revised under the Private Guard Companies Regulation 2018 in line with the current economic realities to improve deterrence and/or retributive effect.<sup>81</sup>

In addition to provisions of the Act, the Private Guards Companies Regulation 2018 prohibits some activities by private security companies or their employees in Nigeria such as:

- Companies or its employees engaging, acting or performing the duties of the Military, Police or Para-Military service,
- Guard or group of guards forming or joining any union,
- Guard being tortured by the company or engaging in any form of torture or any other inhuman treatment of any citizen during the cause of performing their duties, and the guard is expected to report any act of torture or inhuman treatment meted to them by the company,
- Companies engaging or allowing guards to engage in or benefit from sexual exploitation or any other gender-based violence including prostitution and rape,
- Companies using slavery, forced or compulsory labour for guards' duties or being complicit in any other entity's use of such labour,
- Companies employing a person who is below eighteen years of age.<sup>82</sup>

## **7. Penalties, enforcement and compliance**

In consideration of the offences and the penalties provided under the Act, the NSCDC through the Private Guard Companies Regulation 2018 provides sanctions to ensure adequate and appropriate enforcement and compliance with its regulations by the private security companies operating in Nigeria.<sup>83</sup>

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<sup>80</sup> Ibid.

<sup>81</sup> Sections 20-30 of the Private Guards Companies Act 1986.

<sup>82</sup> Article 22 of the Private Guards Companies Regulation 2018

<sup>83</sup> Article 21 (1)

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

Furthermore, a person, guard or company who contravenes the Regulation of which there is no administrative sanction shall be liable for a fine of N500,000.00 in the case of a company while or N100,000.00 in the case of a person or guard.

Under the Act, the following people can be liable for misconduct of a company:

- every director, manager, secretary or other similar officer of the company
- partner or officer of the firm concerned in the management of the affairs of the association
- or person purporting to act in any such capacity as aforesaid.<sup>84</sup>

Moreover, any private security company or its employees who commit any offense relating to firearms shall be punished as prescribed under the Firearms Act.<sup>85</sup>

## **8. Other control, monitoring and administrative measures**

The NSCDC requires all private security company operating in Nigeria to have a registered address, and the company is expected to notify NSCDC of any change in its registered address or any additional office other than the registered office or branch office at the time of a new incorporation or subsequently after incorporation.<sup>86</sup> Private security companies are mandated to notify NSCDC of a change in its registered address or any additional office other than the registered office or branch office at the time of new incorporation or subsequently after incorporation upon payment of relevant fees within 14 days of filing the change of registered address or additional office with the Corporate Affairs Commission (CAC).<sup>87</sup> Private security companies are also required to make payments for operating a branch office or relocating an office from one address to another. The office of private security companies operating in Nigeria are also required to have an office with adequate facilities including toilet, communication room and reception, and no company shall squat with any other office or use the client's office as its own, and use one room as an office; and every company must procure operational vehicles for effective monitoring of its operatives in the field, and if licensed the company must have at least one vehicle for each of its state of operation. Also, every company in operation is expected to equip their offices and operatives with functional communication gadgets.

Furthermore, under the Act, the Minister of Interior through the NSCDC is also responsible for approving the uniforms to be worn by the employees. However, the Minister shall not approve any material, uniform or

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<sup>84</sup> Section 33 of the Private Guards Companies Act 1986.

<sup>85</sup> Section 32 (2) of the Private Guard Companies Act 1986

<sup>86</sup> Section 5

<sup>87</sup> Article 10 (2) and (3) Private Guard Companies Regulation 2018

**Baseline Study on the Private Security Governance in Nigeria / 2019**

accoutrement similar to the equipment used by any military, police or para-military service. Also, a private security employee who is posted for a duty is expected to be properly dressed in all the accessories for which the employer company is known for and no client shall compel a private guard company to put on a uniform other than that approved by the licensing authority.<sup>88</sup>

To ensure effective monitoring of private security company activities in Nigeria, the private security companies are required to submit a monthly report of their activities to the nearest offices of the NSCDC and to the national headquarters. Also, any company who wishes to go out of business for a period is officially required to notify the NSCDC and such period should not exceed 5 years. In an event of failure to comply with this requirement the operational license of the company will stand automatically revoked<sup>89</sup>.

All private security companies are also required to submit to NSCDC on yearly basis the address of each officer or other place of business in which it carries on its business during the immediate preceding renewal year and to submit on yearly basis the name and address of each employee of the company immediate preceding calendar year.

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<sup>88</sup> Article 12

<sup>89</sup> Article 19 of the Private Guards Companies Regulation 2018.

## Chapter 3: Challenges

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There are myriad of challenges linked to the private security industry in Nigeria. While some have already been identified in the literature, this research and the analysis of in-depth interviews with the different actors involved enabled the identification and detailing of those main challenges.

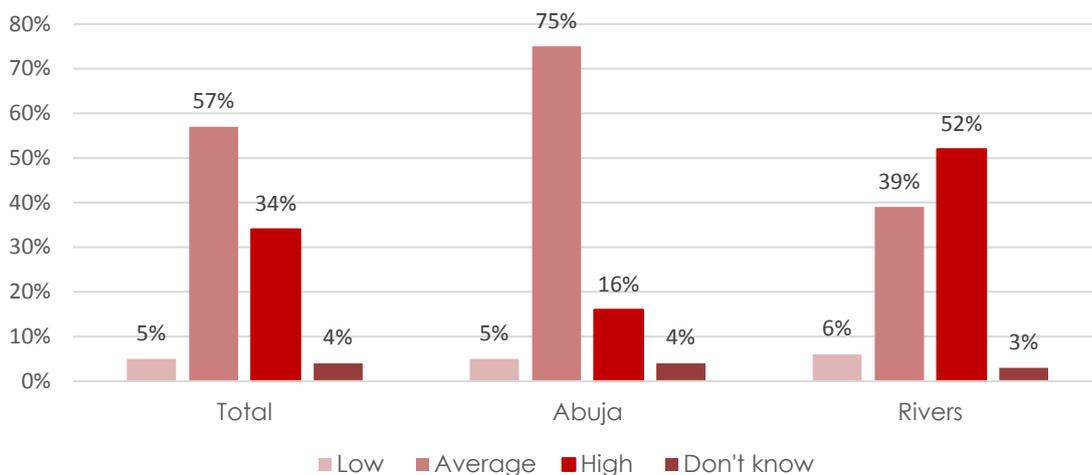
The key informants were asked: What are some of the common challenges related to private security operations? The responses, as shown in the graphic below, showed a variety of answers: In consideration of these answers as well as the data analysed, the following main challenges were identified:

1. Regulatory and legal framework challenges
2. Conflicts of interest
3. Registration and licensing
4. Training and capacity building
5. Working conditions and welfare
6. Professional misconducts and malpractice
7. Human rights violations
8. Use of force, weapons and firearms
9. Cooperation with public security forces and other actors
10. Private security companies in the extractive sector

## 1. Regulatory and legal framework challenges

The PSCs are booming in Nigeria. The differences between Abuja and Rivers states relate to their respective socio-economic and political contexts; there are more reports of crime and civil unrest linked to politics or the extractive sector in Rivers than are recorded in Abuja. A significant challenge, as had already been identified by Berg and Howell (2017), is the regulation itself of private security companies.<sup>90</sup> In the study, inadequate regulation was identified by about 25% of the respondents as one of the key challenges experienced by private security companies operating in Nigeria.

The research carried out in the framework of this baseline study confirmed a significant level of demand for private security services both in Rivers and Abuja; most interviewees felt that the demand for PSC services was either high or average.

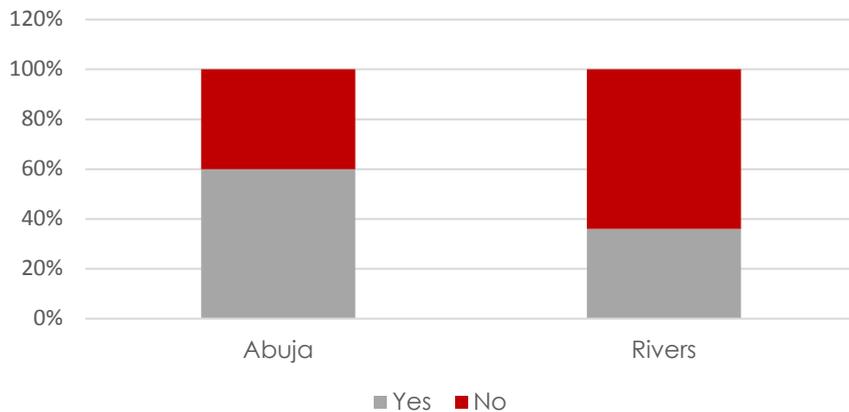


*Graphic 10: Level of demand for private security services*

In addition, most of the respondents were unaware of any laws, regulations, codes of conduct or professional standards regulating private security companies and their operations, as well as the role of the NSCDC as the regulator of private security companies in Nigeria.

<sup>90</sup>Julie Berg & Simon Howell (2017). *The private security complex and its regulation in Africa: Select examples from the continent*. *International Journal of Comparative and Applied Criminal Justice* <http://dx.doi.org/10.1080/01924036.2017.1364280>; R. Abrahamsen, & M. Williams (2009). *Security beyond the state: Global security assemblages in international politics*. *International Political Sociology* 3(1), 1–17.

## Baseline Study on the Private Security Governance in Nigeria / 2019



*Graphic 11: Public awareness of the role of the NSCDC as the regulator of private security companies*

The Nigerian legal and regulatory framework related to the private security industry remains weak and outdated. The main legal text, the Private Guard Companies Act of 1986, does not take into consideration the rapid growth of the sector: it doesn't address the new needs of private security companies, nor does it consider the latest emerging security threats facing the country. Many of the individual challenges listed in this chapter are directly linked to the insufficiencies of the regulatory framework, or its insufficient implementation.

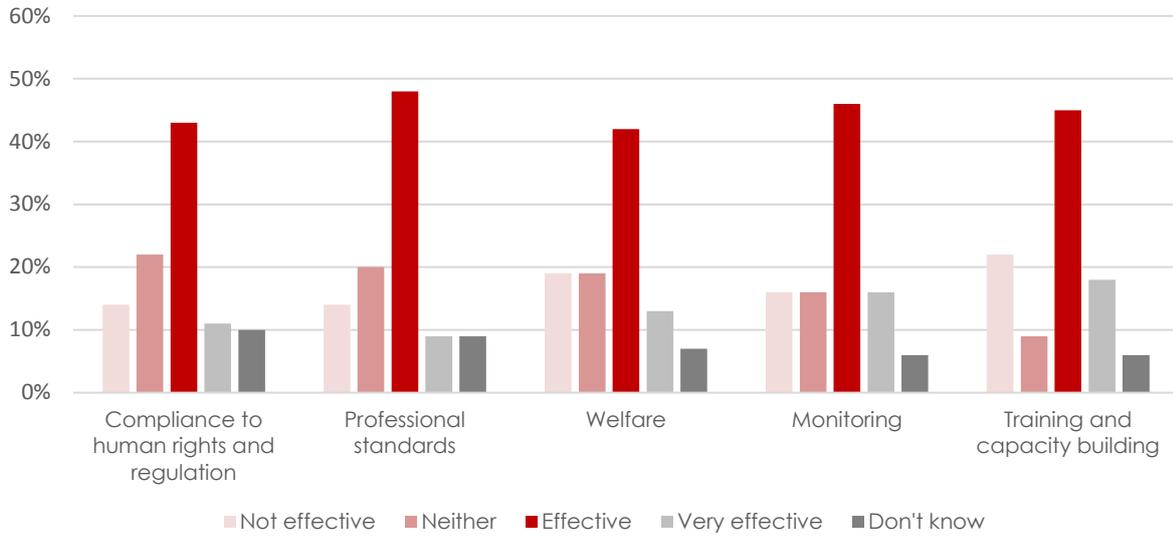
Since the Nigeria Private Guards Companies Act 1986 has been found to be inadequate, outdated and ineffective even by NSCDC,<sup>91</sup> the Private Guards Regulation developed by the NSCDC and subsequently approved by the Minister of Interior in 2018 is also yet to be fully implemented by the NSCDC.

Furthermore, most of the respondents also indicated that they considered the NSCDC as an effective mechanism for the regulation of the operation of PSC.

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<sup>91</sup> Oluwakemi Omotoso and Adeyinka A. Aderinto (2016), Challenges of Providing Security in Lagos State: The Case of Corporate Private Security Organizations, African Journal of Criminology and Justice Studies (AJCJS), Vol.9, Issue 1 observed that contrary to the claims in some quarters, there are few clear and definite standards in the industry. That NSCDC has failed to set standards concerning the quality of personnel, guards' remuneration and welfare offerings and this has affected the quality of services in the sector.

Baseline Study on the Private Security Governance in Nigeria / 2019



Graphic 12: Effectiveness of the NSCDC in regulating the private security companies

Monitoring is a key aspect in ensuring respect of the legal dispositions. The NSCDC has decentralised the monitoring process through the creation of eight (8) zonal commands across the country for ease of administration and operations. The zonal commands serve as the zonal administrative and operational offices of the NSCDC and are run by zonal commanders and other NSCDC personnel. The 36 States of the Federation including the Federal Capital Territory (Abuja) are grouped under the 8 zonal commands. There are also desk officers in the 774 Local Government Areas of Nigeria.

A major challenge for NSCDCs’ effective regulation of private security companies is insufficient funding: they are unable to sufficiently monitor the operations or private security companies across the country. In the words of a key informant from the NSCDC: *“Everything boils down to money. We need funds because there are so many things to do such as training and retraining of the private guard certification. We need to strengthen the performances of the companies; all these need funding and technical partners.”*

The existing Act also needs to be updated to reflect the modern context of private security operations in Nigeria. A key informant from the NSCDC highlighted some progress in this regard: *“Actually, we just rolled out the Private Guard Regulations 2018.<sup>92</sup> The original act (Private Guards Companies Act) was formulated in 1986 and has grown weak overtime and it has many lacunas. So, we have put up a regulation that has been gazetted and that*

<sup>92</sup> Not yet publicly available: the 2018 Regulation has been signed by the Federal government and not yet been implemented. The signed copy is still internal NS. CDC document and yet to be disseminated to the stakeholders and the public.

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

*makes it a legal document. It is actually not out but it was gazetted not to stamp out the regulation but just to aid and boost the power of the PGC Act.”*

The results of the key informant interviews indicate that the working relationship between the private sector and the NSCDC is rather cordial and there are on-going collaborations involving the private security association and the NSCDCs in processes aimed at reforming the industry for effective security service delivery. One of the NSCDC staff also highlighted the key role that civil society can potentially play in the security sector: *“They (the civil society) have a very big role to play; they can be the watchdog on our (the regulator) behalf. They can give us intelligence report and they can help us in capacity development activities and programmes. They can also help us by partnering with us. So, they are very necessary and useful to us.”*

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The key **regulatory and legal framework challenges** therefore identified include:

- The existence of a weak, outdated and defective Private Guards Companies Act 1986 as a regulatory framework for private security companies’ operations in Nigeria.
- Insufficient funding of the NSCDC by the federal government, which profoundly affected the level of performance of NSCDC as private security companies’ regulators in Nigeria.
- Inadequate and ineffective mechanism for regulating, supervising and monitoring PSCs operations across the country by the NSCDC.
- Low level of adequate capacity and technical skills in effectively regulating, supervising and monitoring the private security companies’ operations by NSCDC in Nigeria.
- Low level of engagement of other security sector stakeholders, including participation of CSOs, INGOs, international development partners and donors in improving private security governance in Nigeria.

## 2. Conflicts of interest

The private security industry in Nigeria is suffering from the same challenge as the wider security sector: discussion and decision-making on security constitutes a reserved domain that is jealously guarded by a narrow political and security elite.<sup>93</sup>

State security agencies (such as the NSCDC) doubling up as regulators for private security services might also be subject to bias.<sup>94</sup> In addition, ownership of or involvement in the operation of private security companies by State officials create strong conflict of interest and might lead to cases of corruption, enabling, for example, facilitated licensing processes or less strict monitoring.

Additionally, it was reported that an unhealthy rivalry exists between indigenous private security companies and foreign private security companies operating in Nigeria: foreign companies, often large firms with consolidated organisation, are perceived as a threat to the growth of the indigenous security industry.<sup>95</sup>

The main challenges facing **private security companies in relation to conflict of interest** include:

- Involvement of political elites and state officials in the ownership and management of the private security companies in Nigeria which can lead to abuse of regulatory processes and corruption tendencies.
- Usage of an existing national security organization as the regulatory body for private security companies' operations creates additional burden, which affects their performance and effective service delivery.
- Non-existence of an independent national regulatory agency for private security companies' operations in Nigeria.
- Existence of unhealthy rivalry between indigenous private security companies and foreign private security companies operating in Nigeria, which is adversely affecting growth and development of the private security sector.

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<sup>93</sup>Allen Bryden (Ed.) (2016). *The Privatisation of Security in Africa: Challenges and Lessons from Cote d'Ivoire, Mali and Senegal*, p.1.

<sup>94</sup>Kasali, Monsuru Adegboyega, *Analyzing the evolution of private security guards and their limitations to security management in Nigeria*. *African Journal of Criminology and Justice Studies*, 5(1&2), pp. 32-48.

<sup>95</sup>*Ibid*

### 3. Registration and licensing

Even though the law requires every private security provider to be registered and licensed to be able to operate, it was identified that this requirement is often, in practice, not met. There are several challenges around the registration and licensing process.

The high cost of registration was identified as a big challenge: private security companies in Nigeria are required to have a minimum capital base of ₦10,000,000.00 (ten million Naira) to be able to apply for registration. As small PSCs might not be able to assemble such capital, this clause is one of the reasons why a lot of PSCs operate without registration.<sup>96</sup> As noted by one key informant: *"The cost implication as to issue certificate for you to really render this service is too high. So, they (the NSCDC) should look into it"*.

At the same time, the proliferation of unregistered PSCs is making it difficult for the NSCDC to effectively regulate the operations of PSCs in Nigeria. The incursion of unregistered and unqualified PSCs or individuals offering services as private security personnel, into the private security industry in Nigeria has become a major challenge. Avoiding any burden related to registration, licensing and monitoring, these illegal security providers endanger the reputation and professionalism of the industry and create unfair competition to registered PSCs, as they can offer services at lower prices.

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In this regard, the main **registration and licensing related challenges** affecting private security companies' operations in Nigeria are:

- High registration costs for private security companies in Nigeria, causing many private security companies to operate without registration and operational license.
- High proliferation of unregistered private security companies resulting in poor standards, unprofessional conduct, human rights abuses and difficulties in effective supervision and monitoring of PSCs by NSCDC.
- Illegal and unregistered private security companies creating unfair and disadvantaged competition to registered PSCs resulting in the loss of business opportunities by the registered PSCs.

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<sup>96</sup>Kasali, Monsuru Adegboyega, *Analyzing the evolution of private security guards and their limitations to security management in Nigeria. African Journal of Criminology and Justice Studies*, 5(1&2), pp. 32-48.

## 4. Training and capacity building

The lack of adequate training of private security personnel has been identified as a global challenge within the private security industry – both with registered and unregistered PSCs. It was reported that most PSCs recruit personnel with very little or no training at all, and no additional training is provided by the company. Many of the private guards undergo only physical fitness as training, while other capital aspects are neglected: PSC personnel rarely have adequate training in topics such as human rights, intelligence collection and analysis, crowd control, riot control, data mining and automated data analysis in crime mitigation, etc.<sup>97</sup>

Most of the PSCs are not properly trained to handle high level security threats and situations such as terrorism, armed banditry, armed robbery, kidnapping and assassinations. This represents a major impediment to their ability to perform their due role in combating crime and ensuring security in Nigeria<sup>98</sup>. Many PSCs are neglecting both basic training and professional development training for their personnel, focusing mostly on profit maximisation. As a result, many PSCs lack the competence to carry out their activities efficiently.<sup>99</sup>

In this view, the main training and capacity building challenges confronting private security companies in Nigeria include:

- Poor and inadequate training of private security personnel and the private security companies operating in Nigeria.
- Non-standardisation of private security personnel training by NSCDC because, until recently, private security companies could submit their Training Syllabus for NSCDC approval and trained their private security employees according to their own curriculum.
- Lack of a regular professional development programme for private security personnel and private security companies operating in Nigeria.
- Poor and inadequate manpower for effective training and capacity development of private security personnel and private security companies operating in Nigeria.
- Inadequate capacities and training to handle high level security threats and situations such as terrorism, armed banditry, armed robbery, kidnapping and assassinations which have become major security challenges in Nigeria.

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<sup>97</sup> *Ibid.*

<sup>98</sup> Muiyiwa Afolabi (2016), Private Security Outfits and Internal Security in Nigeria: An X-Ray of Kings Guards Nigeria Limited, Abuja, [www.researchgate.net/publication/314273708](http://www.researchgate.net/publication/314273708).

<sup>99</sup> *Ibid.*

## 5. Working conditions and welfare

It was reported that the private security sector generally offers very poor working conditions to its personnel: the salaries are low, with unfavourable welfare conditions, long working hours and little professional development possible.<sup>100</sup> It was also reported that most unregistered PSCs remunerate their personnel according to the value of each individual contract, meaning that personnel with the same position and with the same experience and training may earn different wages, depending only on where the company deploys them.<sup>101</sup> Key informant interviews also revealed that some private security personnel are owed salaries for as long as 5 or 6 months, and then get sacked by their employers. This occurs despite the existing legislative provisions and regulatory oversight of the NSCDC.

The unfavourable welfare scheme means most PSC personnel have no pension schemes, no health insurance in case of injury, nor life assurance in case of death. It was also observed that holidays are not always respected by most private security companies, PSC personnel, or that the required uniforms and equipment would not be provided by the employer. The poor working conditions result in personnel in the private security sector having low job satisfaction, directly leading to low performance and lack of commitment to the job. For those reasons, the turnover rate is very high in the sector. In some cases, this lack of job satisfaction also leads to a lack of loyalty and unethical behaviour of the personnel. The combination between poor training and poor working conditions encourages PSC personnel to commit offences, from plain unethical behaviour such as absenteeism, unpunctuality or insubordination to actual offences such as theft or association with criminal activities.

The public opinion also was reflected negatively on private security: the sector and its employees seem to be treated with little or no respect. Most members of the public feel private security personnel are dropouts and the services they perform are inferior to that of the public police. The poor public perception of the private security personnel also constitutes a big problem in the industry.<sup>102</sup> A key informant from NSCDC stated that: *“Most of their (private security personnel) challenges have been addressed by the regulation. So, what we are now working on is the issue of private security employee’s welfare. We created a complaint unit in the NSCDC where private security employees can send complaints. And we try as much as possible to ensure that their entitlements are paid. A common issue we deal with is clients disengaging without payment. We write to the private security companies’ clients and tell them the implication of what they are doing; that when they don’t pay the PGCs, the PSCs*

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<sup>100</sup>Ibid. See also Oluwakemi Omotoso and Adeyinka A. Aderinto (2016). *Challenges of providing security in Lagos State: The case of corporate private security organizations*. *African Journal of Criminology and Justice Studies*, 9(1)1-18.

<sup>101</sup>Kasali, Monsuru Adegboyega, *Analysing the evolution of private security guards and their limitations to security management in Nigeria*. *African Journal of Criminology and Justice Studies*, 5(1&2), p.44.

<sup>102</sup> Ibid.

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

*in turn will not be able to pay their employees. And that can pose security threats to the nation.”* Also, a key informant from a private security company, however, blamed the poor welfare conditions partly on non-payment by their clients and the general economic downturn in the country. Regarding non-payment by the clients, the personnel are likely to remain nonetheless if they can receive tips from other sources. Explaining this, a key informant from a private security company remarked that: *“The private security personnel might leave when they are not well paid. The bits also contribute; if I post a private security personnel to central bank to work, the guard will not leave that place even if I am paying him or her 10 thousand naira because they are given tips most times.”*

Again, regarding the impact of the economic downturn on welfare issues, one of the private security companies confirmed that: *“We used to pay PENCOM (pensions administrators) for them (private security personnel). And we also pay for National Health Insurance (NHIS). But because of the economic situation of the country, we have stopped that. Imagine paying a guard 15 thousand Naira and you then deduct a thousand Naira for PENCOM, what would the person have left to take home?”*

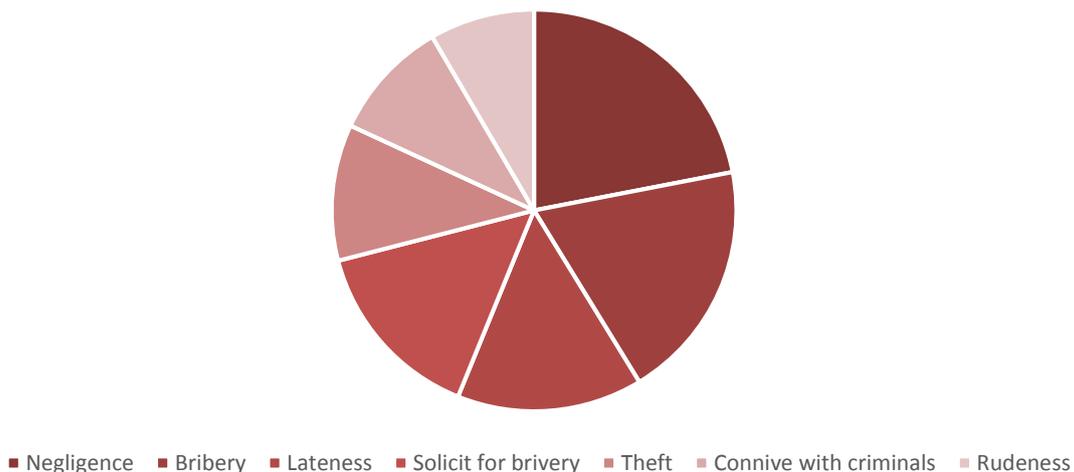
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In this regard, the main **working conditions and welfare challenges** facing the private security companies in Nigeria include:

- General lack of job satisfaction and commitment among most private security employees, resulting in high turnover in the private security industry in Nigeria.
- Poor attitude and unethical behaviour by most private security employees.
- Prevalent poor working environment, low salaries and allowances and non-availability of welfare support schemes for most private security company employees in Nigeria.
- Poor and negative public perception and lack of proper recognition of private security services as a reputable and profitable profession in Nigeria.

## 6. Professional misconduct and malpractice

The most common misconduct and malpractice reported against private security company employees include negligence (34%), bribery (30%), lateness (23%), soliciting bribery (23%), theft (17%), connivance with criminals (15%) and rudeness/insolence (13%).



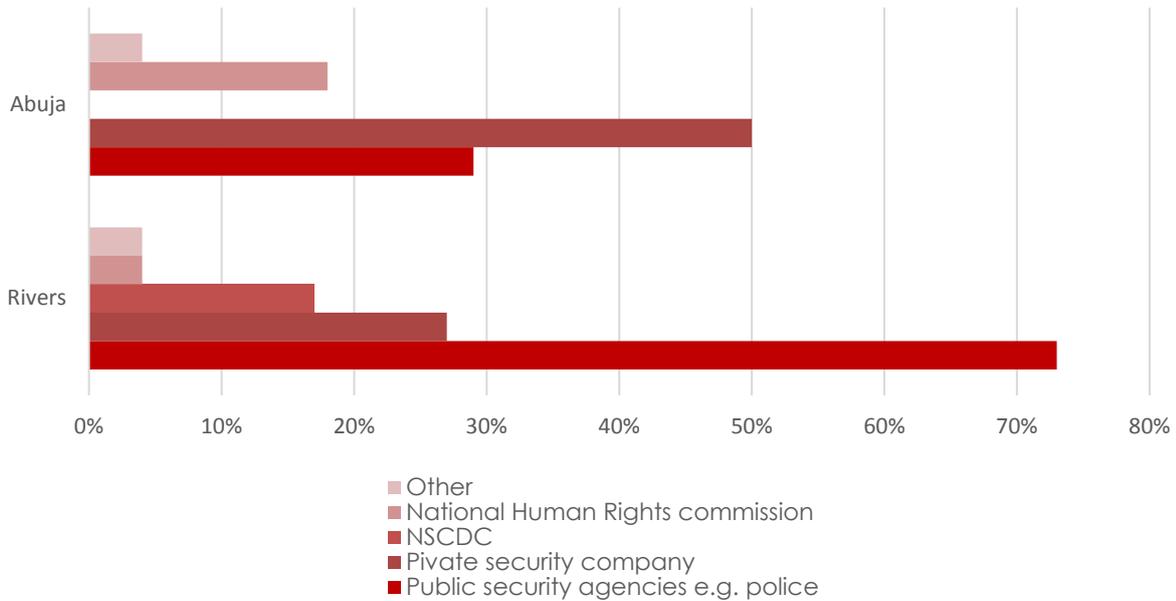
*Graphic 13: Common malpractice and misconduct by private security personnel*

According to the respondents, the most common professional misconduct among the PSC employees in Nigeria is negligence followed by bribery. Other common misconduct mentioned by key informants who employed the services of private security companies include failure to work according to the client's instructions and sleeping and drinking while on duty. Moreover, because of poor training, poor remuneration and poor or, in most cases, absence of welfare schemes, resulting in lack of job interest, job satisfaction and ultimately lack of job commitment, the private security employees are prone to committing offences. These offences include lateness, absenteeism and insubordination. The consequences of these offences range from losing some pay, suspension, re-training to dismissal, depending on the gravity of the offence and how often the offences are committed.<sup>103</sup> When asked about formal complaints or action for remedy against private security personnel for malpractice and misconduct, 22% of the respondents were aware of reports for misconduct by PSCs or its personnel.

<sup>103</sup> Oluwakemi Omotoso and Adeyinka A. Aderinto (2016), Challenges of Providing Security in Lagos State: The Case of Corporate Private Security Organizations, African Journal of Criminology and Justice Studies (AJCJS), Vol.9, Issue 1, p.8.

**Baseline Study on the Private Security Governance in Nigeria / 2019**

Most of the respondents who reported cases of malpractice and misconduct resorted to public security agencies such as the Police, while others resorted to the NSCDC and only a few to the National Human Rights Commission. Private security companies also received 32% of the complaints of the respondents.



*Graphic 14: Places where the public report cases of misconduct and malpractice against private security personnel*

In view of the above, the main private security companies’ **professional misconduct and malpractice challenges** in Nigeria include:

- Prevailing and high rate of misconduct and malpractice among many private security personnel in Nigeria such as negligence on duty, soliciting and obtaining bribe, lateness and absent to duty, theft, conniving with criminals and insolent behaviour.
- Existence of a high number of unregistered private security companies which cannot be regulated, supervised and monitored by the NSCDC.
- Non-availability of a standard Professional Code of Conduct and Ethics framework for private security companies and their employees in Nigeria in line with best global practices.

**Baseline Study on the Private Security Governance in Nigeria / 2019**

- Non-availability of a complaint's mechanism for victims of professional misconduct and malpractice by the private security companies and their employees to seek redress in Nigeria.
- Poor and inadequate professional code of conduct and ethics compliance and enforcement mechanism for private security companies and their employees in Nigeria.
- Poor and inadequate accountability mechanism for breaches of professional code of conduct and ethics by private security companies and their employees in Nigeria.

## 7. Human Rights violations

Human rights violations cut across all spheres of man's existence, and the Nigerian security services have been accused of being one of the greatest violators of said rights in Nigeria.<sup>104</sup> More so, there are some cases of human rights violations, especially by many existing unregistered private security companies, in the areas of excess use of force, overzealousness, brutality, torture, degrading and inhuman treatment, sexual and gender-based violence, exploitation of employee and abuse of labour/workers' rights. The reliance on Mobile Police for armed private security services raises a number of operational and ethical challenges. The Mobile Police has often been accused of using undue force, and whilst in the employ of PSCs the exact division of authority between private security personnel and the police is difficult to establish.<sup>105</sup>

In the study, with 47% score, low human rights compliance was identified by the respondents as one of the key challenges confronting PSC operations in Nigeria. From the responses, it implies that low human rights compliance is the second most common challenge confronting PSC operations in Nigeria after poor welfare and working conditions (59%).

Numerous cases of human rights violations and abuses were identified in the study by many PSCs and their employees, including the Mobile Police, and this situation has warranted the NSCDC to provide for pecuniary sanctions against them in this regard. In addition, there are prevalent cases of human rights abuse and violation by the numerous illegal and unregistered private security companies, constituting a menace to the private security industry in Nigeria. NSCDC faces a huge challenge of effectively monitoring, investigating and sanctioning them.

The Private Guards Regulation 2018 prohibited some human rights violation and abuses by private security companies and their employees such as<sup>106</sup>:

- Engaging in any form of torture or any other inhuman treatment;
- Engaging or allowing to be engaged or benefit from sexual exploitation or any other gender-based violence including prostitution and rape;
- Using or being complicit in any slavery, forced or compulsory labour; and

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<sup>104</sup> The various human rights that the law seeks to protect under section 33 to 46 of the Nigeria Constitution 1999 (as amended) include Right to life, Right to dignity of human person, Right to personal liberty, Right to fair hearing, Right to private and family life, Right to freedom of thought, Conscience and Religion, Right to freedom of expression and press, Right to peaceful assembly and association, Right to freedom of movement, Right to freedom from discrimination, Right to Acquire and own immovable property anywhere in region, Right to compensation (compulsory acquisition of property), Restriction on and derogation from fundamental right and Special Jurisdiction of High Court and Legal aid provision.

<sup>105</sup> Rita Abrahamsen and Michael C. Williams (2005). The Globalisation of Private Security: Country Report: Nigeria p.11.

<sup>106</sup> Article 21

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

- Employing any person less than 18 years of age.

Furthermore, when asked about formal complaints or action for remedy against private security personnel for human rights violations, 22% of the respondents were aware of reports for abuses by PSCs or its personnel.

As in professional misconduct and malpractice, most of the respondents who reported cases of human rights violations resorted to public security agencies such as the Police, while others resorted to the NSCDC and only a few to the National Human Rights Commission. Private companies also received 32% of the complaints of the respondents (see above).

As stated in the study, the NSCDC can apply pecuniary sanctions against private security companies and their employees engaged in misconduct and human rights violations: *"We give them sanctions by way of paying fines. For example, when there is a reported case of sexual harassment involving a guard of any PGC (private guard company), the MD pays 250 thousand naira. If the PGC engages the services of a person below 18 years old, he pays 200 thousand naira. A company whose office has been sealed shall pay the sum of 100 thousand naira. A guard or company director involved in any form of sexual exploitation or gender-based violence, torturing or other form of inhuman treatment of person or guard shall be liable to a fine of 100 thousand naira in the case of a guard or 200 thousand naira in the case of a company director. So, these are some of the fines we give them."*

From the indication above, and according to the Private Guards Companies Regulations 2018, the NSCDC has provided some 'Administrative Sanctions' as a way of providing an accountability mechanism for disciplining the PSCs and their employees for the various human rights violations and abuses.<sup>107</sup> Nevertheless, these sanctions seem very inadequate. Also, remediation mechanism for victims of human rights violations and abuses was provided for seeking redress and remediation for the harm suffered. These sanctions are yet to be applied in most cases to determine their level of deterrence and adequacy of the sanctions toward reducing various cases of human rights violations and abuses being perpetrated by the PSCs and their employees.

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In the light of the above, the various **human rights challenges** confronting private security companies in Nigeria include:

- The inability of the NSCDC to end the proliferation and operations of many illegal and unregistered private security companies, resulting in many cases of human rights violation by illegal and unregistered private security companies.

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<sup>107</sup> Article 22 of the Private Guards Companies Regulations 2018

**Baseline Study on the Private Security Governance in Nigeria / 2019**

- Low level of public awareness and stakeholders' sensitization on private security and human rights issues in Nigeria.
- Low capacity in human rights protection and enforcement by NSCDC and other key private security stakeholders in Nigeria.
- Poor and inadequate human rights monitoring, documentation and reporting mechanism by NSCDC and other key private security stakeholders.
- Non-availability of remediation mechanism by NSCDC for victims of human rights violations and abuses by the PSCs and their employees to seek redress for the harm suffered.
- Poor and inadequate accountability mechanism by NSCDC for human rights violation and abuses by private security companies and their employees in Nigeria.

## 8. Use of force, weapons and firearms

Due to the nature of private security mandates and the new security challenges in Nigeria, particularly new terrorist threats, private security personnel have been exposed to the risk of violent attacks and had to face attacks carried out with sophisticated weapons. Private security personnel, not allowed to carry weapons and having received insufficient training, are not able to respond adequately to such danger. These situations result in a threat to the safety and security of people as well as to the private security personnel itself. These circumstances also sparked questions about whether the private security industry should be enabled to carry firearms, and under what conditions.<sup>108</sup> Moreover, some security sector stakeholders are strongly opposed to any legislative change to permit the private security companies to carry arms in Nigeria.<sup>109</sup>

Although the Private Guards Companies Act prohibits private security personnel from carrying firearms, the study showed that 26% of the respondents were aware of private security personnel who carried arms; these are likely to be licensed guns that are often used by the public for hunting or security purposes rather than the prohibited categories of firearms. The kinds of private security arrangements that are permitted by some state laws in Nigeria to carry arms are the 'Neighbourhood Watch Association' or 'Vigilante Groups' including the Civilian Joint Task Force (CJTF).<sup>110</sup> This situation has raised the question of why this kind of private security arrangement will be permitted to carry arms in Nigeria and the PSCs and their employees are not allowed to do so.

In this regard, the major challenges faced by the Private Security Companies as it relates to not being permitted by law to carry arms include:

- Limiting the performance and ability of the PSCs and their employees in effectively combating and preventing crime, protecting lives and properties and ensuring security in Nigeria.
- Exposing the PSCs and their employees to danger and risk of violent attacks considering the rising rate of violent crimes in Nigeria.
- Inadequate equipment and lack of sophisticated security gadgets are undermining the ability of most PSCs to combat crimes and ensure security.

<sup>108</sup> See for instance, Afolabi Muyiwa Bamidele, Olurunke O. Akinbolade&Adi I. Nuhu (2016). *Private security outfits and internal security in Nigeria: An x-ray of Kings Guards Nigeria Limited, Abuja. Kuwait Chapter of Arabian Journal of Business and Management Review*, 6(2), 13-31.

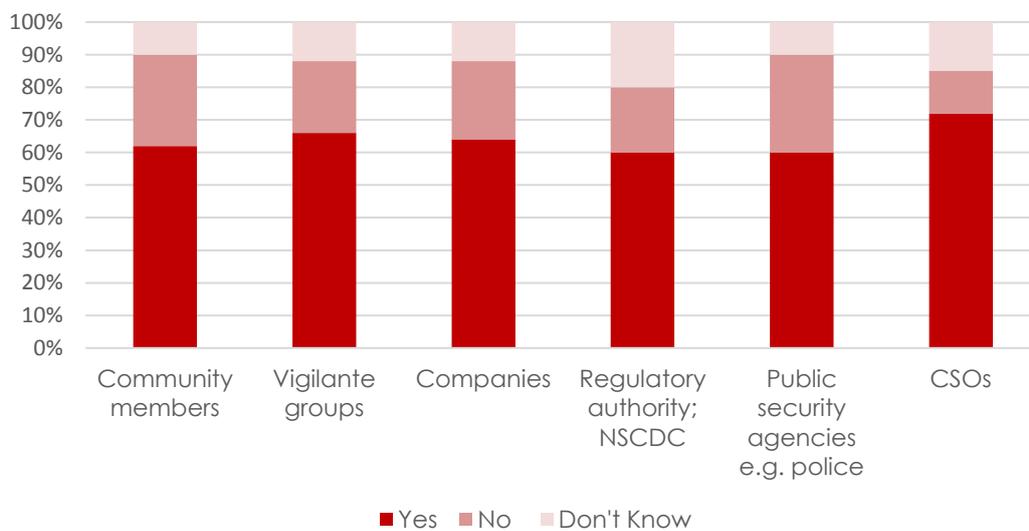
<sup>109</sup> ibid

<sup>110</sup> For instance, Enugu State Neighbourhood Association and Watch Group Law, 2016 regulates their establishment and operations in Enugu State.

## 9. Cooperation with the public security forces and other actors

There is lack of a practical public-private security sector cooperation arrangement in Nigeria. Also, there is generally lack of public trust in the public security forces occasioned by incessant cases of brutality, coercive use of force and human rights violations. However, there is no existing regulatory framework for cooperation and collaboration between the PSCs and the public security forces or any other security sector actors in Nigeria. The Private Guards Companies Regulations 2018 made provision that PSCs can seek the support and assistance of the NSCDC Arms Squad when they need arms in their operations.<sup>111</sup>

From the respondents in the study, there is, to some extent, awareness of existing collaboration between private security companies and civil society organisations and NGOs, public security agencies such as the Police, NSCDC and other regulatory agencies, companies and private organisations, neighbourhood watch, vigilante groups and youths, and communities.



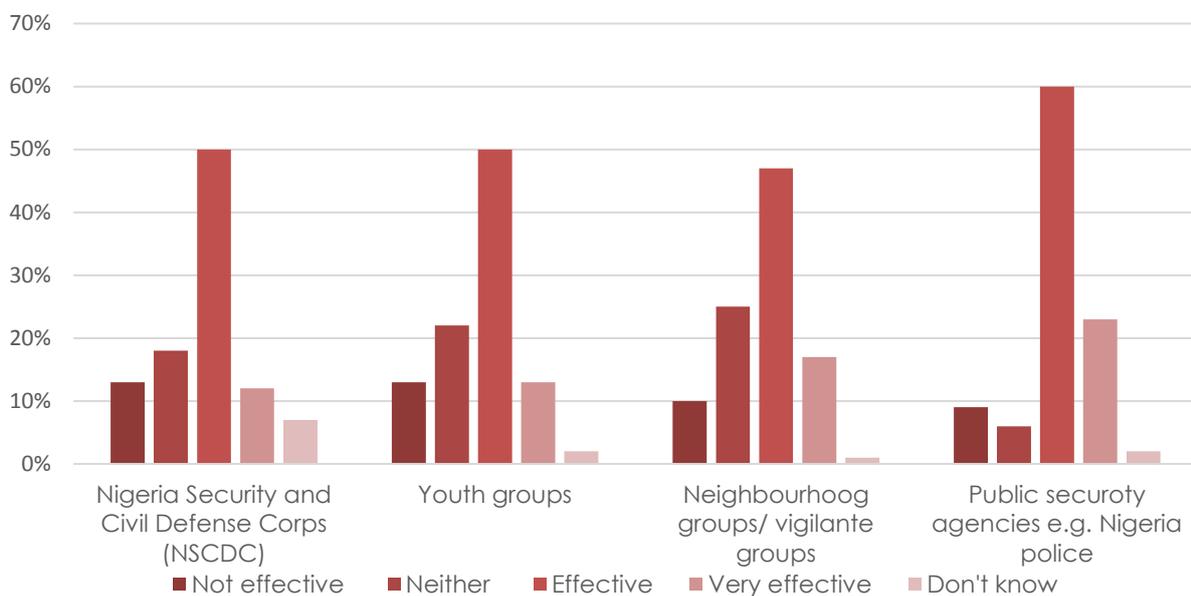
*Graphic 15: Level of collaboration between private security personnel and various actors*

<sup>111</sup> Article 16 of the Guards Companies Regulations 2018

**A. Cooperation between private security companies and the public security forces**

Private security companies sometimes hire the services of public security agencies, such as the NSCDC or the Nigeria Police, who are ordinarily licensed to carry firearms to complement their operations. This kind of cooperation also exists between the PSCs and many public security forces, especially the Mobile Police, in providing security services for some key companies and organizations such as banks, extractive companies, government ministries, departments and agencies. Some areas of consideration for strengthening co-operation include intelligence sharing, collaboration for public security, training and capacity building, effective monitoring of PSCs and public orientation.

The study recorded that a good relationship exists between private security personnel, on the one hand, and various groups such as the Police, neighbourhood watch groups and vigilante, youth groups and the NSCDC, on the other hand.



*Graphic 16: Relationship between private security personnel and various actors in the society*

Key informants narrated personal experiences of successful collaborations between private security personnel and the public security agencies on various security operations, including surveillance and investigation. According to one of the key informants, “the guards working for [him] worked with some police to apprehend

some hoodlums within this environment, by calling the police because they have their numbers and have some civil defence hotline.” This implies that one of the PSCs’ methods of cooperating and collaborating with the public security forces in combating crime and ensuring security is through communication by calling the phone numbers of the public security forces when they need them.

### **B. Cooperation with Civil Society/NGOs and community members**

Most PSCs hardly cooperate and collaborate with civil societies/NGOs and communities where they operate in Nigeria. As business entities, PSCs primarily focus on providing security services to individuals or companies who can hire or engage them. However, in terms of community relations, the survey results suggest that private security companies rarely consult with the local community on security issues and impacts within their locality. For instance, only 10% of respondents in Abuja and 20% in Rivers State reported that their community had been consulted by any private security company on security issues and impacts related to the community within the past two years preceding the survey, while 59% in Abuja and 68% in Rivers responded in the negative. Moreover, most communities are greatly involved and participate in the other kind of private security arrangement called ‘Neighbourhood Watch Associations’ or ‘Vigilante Groups’ including the Civilian Joint Task Force (CJTF), which operate in most states in the southern and northern regions of Nigeria. Also, cooperation and collaboration toward improving security sector reform in Nigeria between public security forces and civil society/NGOs, including INGOs, international development partners and donors is growing and is increasingly effective.<sup>112</sup> This kind of cooperation and collaboration is imperative in improving private security performance in Nigeria.

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The main challenges confronting the PSCs in ensuring **effective cooperation and collaboration with the private security forces and other actors** include:

- Non-existence of any framework to guide PSCs cooperation and collaboration with public security forces or any other security sector actors including the civil societies and NGOs and the INGOs, international development partners and donors in Nigeria.
  - Poor level of cooperation and collaboration between PSCs and civil societies and NGOs including the INGOs, international development partners and donors which is negatively impacting the effective development of private security services in Nigeria.
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**Baseline Study on the Private Security Governance in Nigeria / 2019**

- Poor level of community and civil society consultation and engagement by the PSCs on security issues and in carrying out their operations in Nigeria.
- Considering the prevailing poverty and rising rate of violent crimes, the provision of private security services is limited to individuals and organisations that can afford it in Nigeria and not to the public.

## 10. Private security companies in the extractive sector

There are important security challenges in the extractive sector in Nigeria. The conflicts are numerous and complex, involving multiple political and economic agendas. Extractive companies are in the centre of these conflicts, which are caused by environmental damage and social dislocation from oil production in the region, leading to protest and discontentment among oil producing communities.

Most extractive companies operating in the extractive sector in Nigeria have been accused of complicity in human rights abuses, corruption, environmental pollution and degradation. The activities and practices of extractive companies sometimes brings about inter-communal conflicts, such as payment of land rent, compensation or other company benefits. In recent years, the dynamics of the conflicts have been intensified by the emergence of militant groups in the region who destroy oil pipelines and other oil infrastructures, engage in kidnapping and hostage taking, including illegal oil bunkering, which has become a huge enterprise by the militants, and international criminal networks.

In this regard, the extractive sector has relied largely on public security forces, especially the Nigeria Police Force, Army, Navy and the NSCDC for the protection of oil operations. Most public security forces engaged by the extractive companies and operating in the extractive sector in Nigeria have been accused of excessive use of force and various human rights violations and abuses. Moreover, there has been increasing use of PSCs to supplement the public security forces by the oil companies operating in the extractive sector in Nigeria. Many oil companies utilise a combination of the Supernumerary or 'Spy' police and PSCs for guarding.<sup>113</sup> For example, the most extensive PSC involvement in the Nigeria's extractive sector is the Outsourcing Services Ltd (OSL)'s contract with Chevron Nigeria Ltd in 2002. While the initial contract was for guarding activities, OSL now plays a central role in providing marine security for Chevron Nigeria Ltd. The OSL operations are integrated with a small number of Spy police, as well as with Mobile Police and Government security forces. OSL's involvement in maritime security provides an interesting illustration of the merger of public and private security forces in the protection of extractive industries in Nigeria.<sup>114</sup>

It is paramount to note that the extension of the role of private security in the extractive sector of Nigeria, parallel to the privatisation of public security forces, presents a series of challenges, while at the same time offering the possibility for a more professional security structure. Notably, the close cooperation with public security forces in the extractive sector creates some risk for the PSCs becoming involved in the complex political struggles of the Niger Delta and subjected to similar pressures and criticisms as the oil companies.

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<sup>113</sup> Rita Abrahamsem & Michael C. Williams (2005), *The Globalization of Private Security* (Country Report: Nigeria), p.14.

<sup>114</sup> *ibid*

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

Even more strikingly, the integration of the public security forces into the private security structures of PSCs make them prey to the potential charge of directly supporting the activities of the public security forces.<sup>115</sup>

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The main challenges confronting **private security companies operating in extractive sector** in Nigeria include:

- Inadequate knowledge and limited professional capacity for most PSCs to operate in the extractive sector in Nigeria, considering the numerous conflicts and complex nature of the sector.
- High level of risks and possibility of violent attacks by the various militants and criminal networks on PSCs providing private security services in the extractive sector in Nigeria, considering that PSCs are prohibited to use arms.
- Increasing use of PSCs to supplement the public security forces by the companies operating in the extractive sector in Nigeria is highly exposing them to the complex local struggles for access to resources and accusations of being complicit in the use of force and human rights violations and abuses by the public security forces rather than simply protecting the assets of extractive companies.

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<sup>115</sup> ibid

## Chapter 4: Recommendations

As the final step of interviews, the respondents were asked what recommendations they would suggest responding to the challenges identified and discussed. The most common recommendations provided by the respondents addressed the following:

- Improve private security personnel's training and capacity building;
- Improve human rights knowledge and compliance by PSCs and their personnel;
- Improve working conditions and welfare for PSC's personnel;
- Improve the operational equipment of PSCs;
- Ensure that NSCDC has enough and adequate human and financial resources necessary for fulfilling their licencing, monitoring and oversight mandate over the PSCs and their operations;
- Undertake legal and regulatory reforms to ensure the PSC laws are taking into consideration the latest needs and context.

Following in depth analysis of the existing literature, the regulatory framework and the identified challenges, the main conclusions and recommendations of this baseline study are as follows:

1. Reforming private security companies regulatory and legal framework;
2. Improving the training standards and professional development for PSCs personnel;
3. Strengthening NSCDC for effective performance and service delivery;
4. Promoting professional code of conduct, ethics and human rights standards for the PSCs;
5. Improving working conditions and respect for labour laws;
6. Recognizing the PSCs and improving the position of PSCs in Nigeria's security architecture;
7. Improving cooperation and synergies between NSCDC, PSCs and other government law enforcement agencies;
8. Improving cooperation and collaboration between the PSCs and civil society/NGOs and communities

## **1. Reforming the private security companies regulatory and legal framework**

Considering the increasing rate of violent crime in Nigeria today and the challenge of effectively combating them with public security forces, it has become very pertinent for the federal government to restructure, reposition and improve private security governance and support the PSCs in the major roles they play in combating crimes and ensuring security in Nigeria.

An effective national legal and regulatory framework, considering the national context, is a prerequisite for good private security governance and for ensuring responsible private security service delivery. This study showed that the current legal framework entails many gaps and there is urgent need to review and harmonise all legal and regulatory frameworks governing the private security industry in Nigeria. This revision must be in line with international best practices, standards and norms on private security governance and service delivery.

The legal obligations, standards, principles and good practices contained in the Montreux Document, the International Code of Conduct for Private Security Service Providers (ICoC), the Voluntary Principles on Security and Human Rights and other relevant international and regional instruments such as the UN Guiding Principles on Business and Human Rights provide for international references to support effective private security regulation. These instruments underline ways in which Nigeria can ensure that the private security industry is covered by an adequate legal framework that is responsive to change, that improves governance, accountability and oversight, that promotes responsible private security services, international humanitarian law and human rights-sensitive practices and that limits the potential for abuses linked to their activities.

The Private Guard Companies Act 1986 (amended) is weak, inadequate, outdated and out of touch with the rapid development of private security sector in Nigeria, and the Act should be repealed and be replaced with a new and modern national legal and regulatory law. More so, the federal government through the Ministry of Interior should ensure an effective operationalisation and implementation of the Private Guard Companies Regulation 2018, which in some extent filled some lacuna created by the ineffectiveness of the Act.

There is urgent need for a holistic, governance-driven approach that addresses the roles and responsibilities of the government, parliament, regulators, civil society and the industry itself would offer the right framework to enable the private security industry to operate in a transparent and accountable manner. Hand in hand with a good governance approach is the need to apply a human security lens, considering the interest of all individuals and communities and not just those that are the beneficiaries of private security services.

## **2. Improving the training standards and professional development of the PSC personnel**

A key weakness of the private security industry in Nigeria is the gamut of poorly trained private security personnel. In this regard, there is a need to develop and adopt unified training and professional development standards for the private security personnel and to improve the quality of the industry's performance, professionalism and compliance with human rights, codes of conduct and ethics toward the growth and development of the sector.

The NSCDC should develop requirements for standard training as well as periodic compulsory refresher courses and a continuing professional education and training programme for all the private security companies and their employees in Nigeria. A standard training and professional development guide including professional trainers needs to be developed and enforced by NSCDC. These standards should take into account international standards and good practices.

### **3. Strengthening NSCDC for effective performance and service delivery**

There is urgent need for adequate governance mechanisms for improving the key functions and services of the NSCDC, especially in registration and granting of operating license and supervision and monitoring of the PSCs and their operations in Nigeria. The NSCDC should develop an effective and modern registration, licensing and monitoring system for PSCs and their personnel. The skills and capacity of the NSCDC on effective and modern registration, licensing and monitoring system should be enhanced in line with best global practices. An effective registration, licensing and monitoring system is highly required in Nigeria in order to checkmate and control the menace of unregistered private security companies, and unprofessional practices and poor standards of operations by private security companies and their employees operating in Nigeria.

The Government of Nigeria should ensure adequate funding and equipment to the NSCDC to improve their regulatory functions and monitoring and oversight of private security companies and their operations in Nigeria. There is need to enhance the technical skills and capacity of NSCDC in line with international best practices and standards and modern systems of private security regulation, monitoring and supervision.

There is a need for civil society organizations including INGOs, international development partners and donors to support and partner with the NSCDC for improving effective supervision and monitoring of PSCs and their personnel's activities and their level of compliance with the operational standards and regulations in Nigeria.

Also, there is a need for an increased budgetary allocation to NSCDC in the areas of capacity building and training of members of the Private Guards Companies (PGCs) Department. The Private Guards Companies (PGCs) department of the NSCDC should be well equipped to enhance their ability for effective performance and service delivery.

Considering the large population of Nigeria, and the large number of private security personnel and private security companies operating in Nigeria, the NSCDC needs to recruit and deploy more personnel in order to reach sufficient manpower necessary for effective regulation and monitoring of private security services and private security company operations in Nigeria.

#### **4. Promoting professional codes of conduct, ethics and human rights standards for PSCs**

To improve cooperation and synergies between NSCDC, PSCs and other Government law enforcement agencies, it is necessary that those engaged in the private security industry adopt a code of ethics and standards and ensure its conscientious observance as a binding condition to be practiced or employed in the industry in Nigeria. Therefore, NSCDC in partnership with key private security stakeholders should develop and adopt a code of conduct and ethics to guide the private security service delivery and private company operations in Nigeria in line with international principles, standards, codes of conduct and ethics as provided under the Montreux Document, the International Code of Conduct for Private Security Service Providers (ICoC), the Voluntary Principles on Security and Human Rights including the UN Guiding Principles on Business and Human Rights, and including effective mechanisms for their enforcement and compliance.

The NSCDC should also develop and adopt a strategy plan for promotion, protection, monitoring and documentation of human rights violations related to private security industry in Nigeria including women and child rights and integrating a gender responsive approach to private security services. For instance, a national sensitisation and awareness-raising campaign on the professional code of conduct, ethics and human rights standards for PSCs is imperative toward improving effective private security governance, accountability and responsible private security services in Nigeria.

Importantly, the NSCDC should develop an effective and adequate accountability and enforcement mechanism to ensure total compliance to its rules and regulations including the code of conduct, ethics and human rights standards by the PSCs and their employees. Also, an international standard remediation mechanism needs to be established and institutionalised by the NSCDC to ensure that victims of any violation or abuse with regards to the code of conduct, ethics and human rights standards can seek and obtain redress for any harm they suffered.

The Government of Nigeria is highly encouraged to join and sign on to the Montreux Document, the International Code of Conduct for Private Security Service Providers (ICoC) and the Voluntary Principles on Security and Human Rights. They should engage in peer to peer learning and benefit from the initiatives' mandate to support Nigeria in their further development of national legislation and regulation. As non-binding 'soft law' initiatives, they do not create any new political commitments for Nigeria. Moreover, Nigerian private security companies are highly encouraged to join the International Code of Conduct Association (ICoCA), as it will greatly enable them to get certification and enhance their standards of operations and responsible private security delivery.

Also, as a matter of urgency, the Government of Nigeria should adopt the draft National Action Plan on Business and Human Rights with inclusion of private security governance issues and ensure its effective implementation in Nigeria.

## 5. Improving working conditions and respect for labour laws

The NSCDC should develop a minimum standard or a guideline on private security personnel employment, working conditions and welfare for the private security companies operating in Nigeria in order to enhance the performance of the industry and also ensure the commitment and job satisfaction of the PSC employees. The guideline should include strategies to ensure compliance by the private security companies and their effective enforcement by NSCDC.

The Private Guard Companies Regulation 2018 made provisions on private security companies' employees and it must to be fully enforced and its compliance monitored by the NSCDC. There should be absolute respect and compliance with the relevant employment and labour rights of all the PSC employees as provided under the Nigerian labour laws, standards and regulations.

## **6. Recognizing the PSCs and improving the position of PSCs in Nigeria's security architecture**

It is an obvious fact that private security companies and their employees have not occupied the position that they should and have not been given proper significance in the Nigerian security architecture. While some services offered by these outfits are being utilised, there are many vital services that could be provided by them that are being ignored.

There should be better support, cooperation and recognition of private security companies and their employees by the Government of Nigeria and security sector stakeholders including the public. The private security services should be standardised and professionalised.

The name 'Private Guards' should be changed to 'Private Security Officers' and 'Private Guard Companies' to 'Private Security Companies'. The general public should not be degrading and downgrading the profession of the private guards in Nigeria but should instead accord them proper respect and recognition in regard to their important jobs in improving public safety and crime prevention in the country. This will help to bolster the confidence and job satisfaction of private security personnel and enhance the performance of private security company operations in Nigeria.

## **7. Improving cooperation and synergies between PSCs and other government law enforcement agencies**

There is a need to improve the synergy and working relationship between other government security agencies and NSCDC on one hand and between other government security agencies and private security companies on the other hand. Cooperation between the private and public security sector in Nigeria is very poor and needs to be improved immediately. However, when they work together, the results are mutually beneficial, and both sides are able to achieve the shared goal of ensuring security more efficiently. In this regard, there is the need to develop and adopt a practical public-private security sector cooperation arrangement and an acceptable working framework to guide their cooperation in Nigeria.

Some areas of consideration for strengthening cooperation include intelligence sharing, collaboration for public security, training and capacity building, effective monitoring of private security companies and public orientation. In this regard, it is imperative for the federal government and the NSCDC to develop a framework or mechanism for effective regulation and supervision of PSC cooperation and collaboration with government law enforcement agencies.

## **8. Improving cooperation and corroboration between PSCs and civil society/NGOs and communities**

As noted in the United Nations Guidelines for the Prevention of Crime,<sup>116</sup> while states play a primary role, public safety and crime prevention are not the sole responsibility of government or public law enforcement agencies. Indeed, individuals, communities, non-governmental organizations, civil society and the private sector all play a role in enhancing security and community safety.

Moreover, civil society organizations, including NGOs, INGOs, international development partners and donors can play a very important role in promoting public education and awareness-raising, legal and policy reform advocacy, capacity development, oversight and accountability of the private security industry. The NSCDC should improve its level of cooperation and collaboration with civil society organizations in ensuring effective private security governance and promoting effective regulation, supervision and monitoring of private security company operations in Nigeria.

There are some existing international and local civil society organizations such as Geneva Centre for Security Sector Governance (DCAF), International Code of Conduct Association (ICOCA), Private Security Governance Observatory, African Law Foundation (AFRILAW), LITE-Africa, New Nigeria Foundation and COMPPART Foundation and others working on private security governance and responsible private security services with excellent working experience and technical ability to give great support to NSCDC and the PSCs operating in Nigeria.

There is a need for a regular national multi-stakeholder forum or platform for reflections on regulatory and operational challenges, review of performances, exchange of ideas, identification of opportunities for growth and articulation of solutions necessary to improve private security governance and services in Nigeria.

NSCDC should create a framework to improve and ensure effective community consultation and engagement by the PSCs in their private security operations. Community support and participation is very paramount in improving and ensuring an effective private security services in Nigeria.

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<sup>116</sup> [https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf)

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# Annex 1: Key Informant Interview Guide for NSCDC

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*This is a general order of points to be covered during the session. Additional questions should be asked / themes developed as the discussion proceeds.*

*Notes in italics are for the moderator and should not be read out as questions.*

## **Introduction**

*Welcome the interviewee to the session.*

- *Introduce self and observers (if any).*
- *Explain the purpose of the session and inform the interviewee that it should last about 45 minutes.*
- *Assure the interviewee that the session is confidential / 'off the record'. The analysis will be non-attributable.*
- *Inform the interviewee of the value of an audio record and seek their permission to use a tape recorder. Reassure them about the confidentiality / security of the recording. (If the interviewee objects to the recording conduct the interview without)*
- *Explain there are no right or wrong answers and their honest opinions are valued.*
- *Ask the interviewee to briefly introduce themselves stating their name and position held in society.*

## **QUESTIONS**

### **PRIVATE GUARDS COMPANIES GOVERNANCE AND OPERATIONS IN NIGERIA**

1. As a Regulator, what are the key challenges NSCDC is facing in effectively regulating the operations of Private Guards Companies in Nigeria? (Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism).
  2. What kind of changes or reform can you suggest or recommend that can be made to improve the work of NSCDC in regulating the Private Guards Companies operations in Nigeria (Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism)?
  3. What is the profile and geographical distribution of Private Guards Companies operating in Nigeria? (Probe for number of registered companies/firms, number of staffs, level of operation i.e. local, regional or international).
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**Baseline Study on the Private Security Governance in Nigeria / 2019**

4. What are the sectors/areas of operations and engagement of Private Guards Companies in Nigeria (Probe in the areas of Extractive industries, Banking Sector, Manufacturing/Production Industries, Houses/Private Homes, Corporate Offices, Shopping Malls/Business Outlets, Public/Government Offices and Schools/Educational Institutions).
5. Who are the major clients of Private Guards Companies in Nigeria, and what kind of services do Private Guards Companies render/provide to such clients? (Probe for level of demand and capacity for service provision and find out if NSCDC keep record of this).
6. Is there existing Private Guards Companies association (s) in Nigeria, if any, how many and what is the level of relationship and engagement between NSCDC and the Private Guards Companies association(s).
7. In your view, what is the level of relationship and cooperation between NSCDC and Private Guards Companies, and NSCDC and other Public Security Agencies? How do this impact Private Guards Companies regulation and operations in Nigeria. Are there challenges and benefits of such collaboration? (Kindly elaborate).
8. In your opinion, does the civil society have any role in promoting good governance in the private security sector in Nigeria, if yes, what kind of roles do you suggest or recommend? (Probe based on the response provided).

**LEGAL AND REGULATORY FRAMEWORK OF PRIVATE GUARDS COMPANIES IN NIGERIA**

9. As a Regulator, apart from Private Guards Companies Act, what other Laws, Regulations, Standards and Policies regulate Private Guards Companies operations in Nigeria?
10. How effective is the implementation of these identified Laws, Regulations and Policies together with the Private Guards Companies Act, and how adequate are they?
11. What are the key challenges in implementing the Private Guards Companies Act and other related Laws, Regulations, Standards and Policies?
12. Do you think there is need to review and amend the Private Guards Companies Act and other related Laws, Regulations, Standards and Policies, if yes and what kind of changes or reform you suggest or recommend being made. (Probe specific suggestion or recommendations for each identified Laws, Regulations, Standards and Policies).
13. What is the level of awareness, observance and compliance with the Private Guards Companies Act and other related Laws, Regulations, Standards and Policies by Private Guards Companies?
14. Does NSCDC have any specific Regulation, Standard of Operations and Code of Conducts for Private Guards Companies operations in the areas of:
  - i. Training and Capacity Building
  - ii. Human rights compliance
  - iii. Use of firearms and other weapons

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

- iv. Surveillance/Investigation/Intelligence Gathering
- v. Arrest and Detention
- vi. Security Cooperation and Engagement
- vii. Employment and labour standards
- viii. Use of Equipment/Technology/Innovation

**GAPS AND CHALLENGES IN PRIVATE GUARDS COMPANIES GOVERNANCE AND OPERATIONS IN NIGERIA:**

15. What are the common problems and challenges affecting Private Guards Companies services and operations in Nigeria, and what are NSCDC doing to address these problems and challenges? (Probe to get specific issues and recommendations).
16. In your opinion, what is the level of awareness and compliance with human rights and professional standards by Private Guards Companies operating in Nigeria? (Probe to assess the level of training experience)
17. In your view, what are some of the challenges facing Private Guards Companies operating in extractive industry and conflict prone areas like North-East and Niger Delta regions of Nigeria? How has this impacted on the industry?
18. What are the cases of malpractices, breach of code of conducts and human rights violations you have recorded against the Private Guards Companies operating in Nigeria?
19. In your opinion, what are the common malpractices, misconduct and human rights abuses related and identified with Private Guards Companies operations particularly in the Extractive industries, Banking Sector, Manufacturing/Production Industries, Houses/Private Homes, Corporate Offices, Shopping Malls/Business Outlets, Public/Government Offices and Schools/Educational Institutions (Probe for information in each specific sector/area).
20. What are the disciplinary measures, sanctions and enforcement mechanism created by NSCDC in addressing issues of malpractices, misconducts and human rights violations by Private Guards Companies operating in Nigeria?
21. What are the Monitoring, Reporting and Complaint Mechanisms established by NSCDC to monitor, document and redress cases of malpractices, misconducts or human rights violation by the Private Guards and Private Guards Company in Nigeria?
22. Does NSCDC have a record of licensed Private Guards Companies operating in Nigeria? (Probe to get a specific number and estimation)
23. Does Private Guards Companies respect employees' obligations relating to staff welfare, wages and pensions among others? (Elaborate).
24. What is the common labour related disputes and challenges in the Private Guards Companies operations in Nigeria? What has been the NSCDCs' response to the above situation? (Probe further).

**Baseline Study on the Private Security Governance in Nigeria / 2019**

25. In your view, what is the level of engagement and cooperation between Private Guards Companies and informal security structures existing in Nigeria? How do this impact Private Guards Companies regulation and operations in Nigeria? (Probe for vigilante groups, ethnic militias, Civilian-GTF, neighbourhood watch groups).
26. In your understanding, how and what is the level of capacity and professionalism of Private Guards Companies in coping with the emerging security situation in Nigeria? (Probe for terrorism threats, kidnapping, armed robbery, banditry/cultism, prevailing communal/ethno-religious conflicts and general crimes).
27. What is your perception of Private Guards Companies operations in Nigeria in terms of Trust (levels), Competence, Efficiency and Corruption?

***(Before closing) Thank you for your time, is there anything you would like to add to the discussion?***

**Closure**

*Thank the interviewee again and explain again that their responses will be used to make assessments of how the private security companies operate and what might usefully be done differently to improve it.*

*Explain how they can have access to the final report of the project if they would like to.*

*Provide a contact number to call with any further questions.*

# Annex 2: The Key Informant Interview

## Guide for The Private Guards Companies

*This is a general order of points to be covered during the session. Additional questions should be asked / themes developed as the discussion proceeds.*

*Notes in italics are for the moderator and should not be read out as questions.*

### **Introduction**

*Welcome the interviewee to the session.*

- *Introduce self and observers (if any).*
- *Explain the purpose of the session and inform the interviewee that it should last about 45 minutes.*
- *Assure the interviewee that the session is confidential / 'off the record'. The analysis will be non-attributable.*
- *Inform the interviewee of the value of an audio record and seek their permission to use a tape recorder. Reassure them about the confidentiality / security of the recording. (If the interviewee objects to the recording conduct the interview without)*
- *Explain there are no right or wrong answers and their honest opinions are valued.*
- *Ask the interviewee to briefly introduce themselves stating their name and position held in society.*

### **QUESTIONS**

#### **PART 1-PRIVATE GUARDS COMPANIES GOVERNANCE AND REGULATION IN NIGERIA**

1. As a Private Guards Company, what is your view about the Private Guards Companies Act and other related Regulations and Policies governing Private Guards Companies operations in Nigeria?
2. How effective is the Private Guards Companies Act and other related Regulations and Policies in Nigeria in the areas of improving Private Guards Companies operations in Nigeria?
3. What in your view are the key challenges facing effective regulation and operations of Private Guards Companies in Nigeria? *(Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism).*
4. What kind of changes or reform can you suggest or recommend that can be made to improve Private Guards Companies regulation and operations in Nigeria *(Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism)?*

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

5. In your view, what is the level of relationship and cooperation between NSCDC and Private Guards Companies operating in Nigeria? How does this impact your work? Are there challenges and what need to be done to improve the situation? *(Kindly elaborate and probe to get specific recommendations).*
6. What is the level of engagement and cooperation between your Private Guards Company and Public Security Agencies? How does this impact your work? Are there challenges and benefits of such cooperation? *(Kindly elaborate).*
7. In your view, how effective is the NSCDC in regulating the operations of Private Guards Companies in terms of oversight, monitoring, discipline, standards of operation and code of conduct?
8. In your opinion, does the civil society have any role in promoting good governance in the private security sector in Nigeria, if yes, what kind of roles do you suggest or recommend? *(Probe based on the response provided).*

**PART 2-PRIVATE GUARDS COMPANIES OPERATIONS IN NIGERIA**

9. As a Private Guard Company, what is your level of observance and compliance *with* Private Guards Companies Act and other related Regulations, Standards and Policies?
10. What is the profile and geographical distribution of your Private Guards Company operations in Nigeria? *(Probe for name of company/firm, number of staff, number of locations i.e. States and Cities).*
11. In what sectors/areas does your Private Guards Company provide security services? *(Probe in the sectors/areas of Extractive industries, Banking Sector, Manufacturing/Production Industries, Shopping Malls/Business Outlets, Public/Government Offices and Schools/Educational Institutions).*
12. Is your Private Guards Company in member of any Private Guards Companies Association (s) in Nigeria, if yes, what is the name of the association (s)? *(Probe to find out any other existing association).*
13. What kind of services does your Private Guards Company provide?
14. How long and how often does your company provide professional training and capacity building to the Private Guards?
15. Does your Private Guards Company permit your Private Guards to use fire arms doing field operations?
16. What are the staff welfare packages of your Company in terms of wages and allowances? *(Probe to find out the amount and regularity of payment).*
17. What are the challenges your Private Guards Company is having in terms of providing staff welfare, wages and pensions among others?
18. What are the common labour related disputes/challenges associated with Private Guards Companies operations in Nigeria? What is the NSCDCs' response to the situation? *(Probe further).*

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

19. What do think can be done to improve the welfare and job satisfaction of Private Guards in Nigeria?  
*(Probe to get specific recommendations).*
20. Does your Private Guard Company any existing have Standards and Code of Conducts for the Private Guards in the following areas?
  - i. Training and Capacity Building
  - ii. Human rights compliance
  - iii. Use of firearms and other weapons
  - iv. Surveillance/Investigation/Intelligence Gathering
  - v. Arrest and Detention
  - vi. Security Cooperation and Engagement
  - vii. Employment and labour standards
  - viii. Use of Equipment/Technology/Innovation
21. Are these Standards and Code of Conducts used by your Private Guards Company approved by NSCDC, and how effective are they in improving service provision and field operations?
22. How often does your Private Guard Company engage the support and services of the Public Security Officers, and what is kind of support and cooperation do they provide to your Private Guard Company operations, and are there challenges and what can be done to improve the situation?
23. What is the level of engagement and cooperation between your Private Guards Company and informal security structures existing in Nigeria? How does this impact your work as a Private Guards Company, and are there challenges and what can be done to improve the situation? *(Probe for vigilante groups, ethnic militias, Civilian-GTF, neighbourhood watch groups).*
24. What is the level of relationship and cooperation between your Private Guards Company and Civil Society and community members? How does this impact your work as a Private Guards Company, and are there challenges and what can be done to improve the situation?

**GAPS AND CHALLENGES IN PRIVATE GUARDS COMPANIES GOVERNANCE AND OPERATIONS IN NIGERIA:**

25. In your view, what are the common problem and challenges affecting your operations and performance as a Private Guards Company in Nigeria, and what are the solutions you will proffer to address these problems and challenges? *(Probe to get specific suggestions/recommendations).*
  26. Is your Private Guards Company providing services in the extractive industry or any conflict prone areas like North-East and Niger Delta regions of Nigeria, if yes, what are your experiences and the challenges your are encountering as a Private Guards Company? How has this affect your company operations in this areas/sector, and what can be done to improve the situation?
  27. In your opinion, what is the level of awareness and compliance with human rights and professional standards by Private Guards Companies operating in Nigeria? *(Probe to elaborate).*
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**Baseline Study on the Private Security Governance in Nigeria / 2019**

28. In your view, what are most common malpractices, misconducts and human rights issues involving Private Guards and Private Guards Companies operating in Nigeria?
29. Have your Private Guards Company recorded any case (s) of malpractices, misconducts or human rights abuse by the Private Guards employed by your company, and if yes, what are the cases? *(Probe to get the nature of the cases).*
30. Are there any existing Monitoring, Reporting and Complaint Mechanism established by your Private Guards Company to monitor, handle and address cases of malpractices, misconducts or human rights abuses by Private Guards employed by your company?
31. What kind of disciplinary actions or sanctions do your Private Guards Company takes against any Private Guards involved in any case of malpractices, misconducts or human rights violation?
32. Have your Company ever reported any case (s) of Private Guards malpractices, misconducts or human rights violation to the NSCDC or any other Government Authority?
33. What are the hazards and risk suffered by Private Guards and Private Guards Companies, and how can they be mitigated? *(Probe to get the nature of the cases).*
34. In your view, what is the level of capacity and professionalism of Private Guards in coping with the emerging security situation in Nigeria? *(Probe for terrorism threats, kidnapping, armed robbery, banditry/cultism, prevailing communal/ethno-religious conflicts and general crimes).*
35. In your view, what are the challenges the Private Guards Companies are having in terms of Trust (levels), Competence, Efficiency and Corruption?
- 36.

***(Before closing) Thank you for your time, is there anything you would like to add to the discussion?***

**Closure**

*Thank the interviewee again and explain again that their responses will be used to make assessments of how the private security companies operate and what might usefully done differently to improve it.*

*Explain how they can have access to the final report of the project if they would like to.*

*Provide a contact number to call with any further questions.*

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# Annex 3: Key Informant Interview Guide for Private Guards Users/Clients

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*This is a general order of points to be covered during the session. Additional questions should be asked / themes developed as the discussion proceeds.*

*Notes in italics are for the moderator and should not be read out as questions.*

## **Introduction**

*Welcome the interviewee to the session.*

- *Introduce self and observers (if any).*
- *Explain the purpose of the session and inform the interviewee that it should last about 45 minutes.*
- *Assure the interviewee that the session is confidential / 'off the record'. The analysis will be non-attributable.*
- *Inform the interviewee of the value of an audio record and seek their permission to use a tape recorder. Reassure them about the confidentiality / security of the recording. (If the interviewee objects to the recording conduct the interview without)*
- *Explain there are no right or wrong answers and their honest opinions are valued.*
- *Ask the interviewee to briefly introduce themselves stating their name and position held in society.*

## **QUESTIONS**

### **PRIVATE GUARDS COMPANIES GOVERNANCE AND OPERATIONS IN NIGERIA**

1. As a Private Guards User/Client, what in your view are the key challenges facing effective regulation of Private Guards Companies in Nigeria? *(Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism).*
  2. What kind of changes or reform can you suggest or recommend that can be made to improve Private Guards Companies regulation and operations in Nigeria *(Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism)?*
  3. What is the profile and geographical distribution of Private Guards Companies engaged by your Company/Organization? *(Probe for name of company/firm, number of staff, number of locations i.e. States and Cities).*
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**Baseline Study on the Private Security Governance in Nigeria / 2019**

4. What are the sectors/areas of operation of your Company/Organization? *(Probe in the sectors/areas of Extractive industries, Banking Sector, Manufacturing/Production Industries, Shopping Malls/Business Outlets, Public/Government Offices and Schools/Educational Institutions).*
5. *What kinds of services do the Private Guards Companies provide to your company/organization?*
6. In your opinion, how satisfactory is the services provided by Private Guards Companies to your company/organization? *(Kindly elaborate).*
7. In your view, what is the level of relationship and cooperation between NSCDC and Private Guards Companies, and NSCDC and other Public Security Agencies? How do this impact Private Guards Companies regulation and operations in Nigeria. Are there challenges and benefits of such collaboration? *(Kindly elaborate).*

**LEGAL AND REGULATORY FRAMEWORK OF PRIVATE GUARDS COMPANIES IN NIGERIA**

8. *What is company/organization level of awareness, observance and compliance with Private Guards Companies Act and other related Regulations, Standards and Policies for Private Guards Companies operations in Nigeria?*
9. In your opinion, how effective is the implementation of the Private Guards Companies Act by the NSCDC and Private Guards Companies?
10. In your view, what are the key challenges facing Private Guards Companies governance and operations in Nigeria?
11. Do you think there is the need to review the legal and regulatory framework of Private Guards Companies governance and operations in Nigeria including Private Guards Companies Act, if yes and what kind of changes or reform you suggest or recommend being made *(Probe specific suggestion or recommendations).*
12. In your view, what is the standards and level of compliance with Private Guards Companies engaged by your company/organization in the areas of:
  - ix. Capacity/Professionalism
  - x. Human Rights Observance
  - xi. Crime Prevention/Detention
  - xii. Surveillance/Investigation/Intelligence Gathering
  - xiii. Labour/Staff Welfare
  - xiv. Use of Equipment/Technology/Innovation
13. In your view, how effective is the NSCDC regulating the operations of Private Guards Companies in terms of oversight, monitoring, discipline, standards of operation and code of conduct?

**GAPS AND CHALLENGES IN PRIVATE GUARDS COMPANIES GOVERNANCE AND OPERATIONS IN NIGERIA:**

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**Baseline Study on the Private Security Governance in Nigeria / 2019**

14. In your opinion, what are some of the challenges facing Private Guards Companies and Government Security Forces operating in extractive industry and conflict prone areas like North-East and Niger Delta regions of Nigeria? How has this impacted on the industry?
15. In your view, what are the solutions to address the problems and challenges identified with Private Guards Companies regulation and operations in Nigeria? *(Probe to get specific suggestions/recommendations).*
16. In your opinion, what is the level of awareness of human rights in the Private Guards Companies operations in Nigeria? *(Probe to assess the level of training experience)*
17. What are common malpractices or human rights issues you have recorded with the Private Guards Companies engaged by your company/organization.
18. Have you reported any case of malpractices, breach of contracts or human rights violation to the NSCDC in against any Private Guards Companies, if yes, what is the case, if not why not?.
19. What kind of disciplinary or remedial measures have NSCDC taken to address the cases of malpractices, breach of contracts or human rights violation reported against Private Guards Companies?
20. In your view, do Private Guards Companies respect employees' obligations relating to staff welfare, wages and pensions among others? *(Elaborate).*
21. In your view, what is the level of business relationship and engagement between Private Guards users/clients and Private Guards Companies operating in Nigeria?
22. Does your company/organization engage also the services of Public Security Forces together with Private Guards Companies, and if yes why and how do they cooperate?
23. How do you see the level of relationship and cooperation between Private Guards Companies and Public Security Forces in providing security and preventing crimes in Nigeria?
24. In your view, what is the level of capacity and professionalism of Private Guards Companies in coping with the emerging security situation in Nigeria? *(Probe for terrorism threats, kidnapping, armed robbery, banditry/cultism, prevailing communal/ethno-religious conflicts and general crimes).*
25. What is your perception of Private Guards Companies operations in Nigeria in terms of Trust (levels), Competence, Efficiency, and Corruption?

***(Before closing) Thank you for your time, is there anything you would like to add to the discussion?***

**Closure**

*Thank the interviewee again and explain again that their responses will be used to make assessments of how the private security companies operate and what might usefully done differently to improve it.*

*Explain how they can have access to the final report of the project if they would like to.*

*Provide a contact number to call with any further questions.*

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## Annex 4: Key Informant Interview Guide for the Private Guards

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*This is a general order of points to be covered during the session. Additional questions should be asked / themes developed as the discussion proceeds.*

*Notes in italics are for the moderator and should not be read out as questions.*

### **Introduction**

*Welcome the interviewee to the session.*

- *Introduce self and observers (if any).*
- *Explain the purpose of the session and inform the interviewee that it should last about 45 minutes.*
- *Assure the interviewee that the session is confidential / 'off the record'. The analysis will be non-attributable.*
- *Inform the interviewee of the value of an audio record and seek their permission to use a tape recorder. Reassure them about the confidentiality / security of the recording. (If the interviewee objects to the recording conduct the interview without)*
- *Explain there are no right or wrong answers and their honest opinions are valued.*
- *Ask the interviewee to briefly introduce themselves stating their name and position held in society.*

### **QUESTIONS**

#### **PART 1-PRIVATE GUARDS COMPANIES GOVERNANCE AND REGULATION IN NIGERIA**

26. As a Private Guards, what in your view are the key challenges facing effective regulation of Private Guards Companies operations in Nigeria? *(Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism).*
  27. What kind of changes or reform can you suggest or recommend that can be made to improve Private Guards Companies regulation and operations in Nigeria *(Probe in the areas of funding, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies code of conducts, professionalism)?*
  28. In your view, what is the level of relationship and cooperation between NSCDC and the Private Guards Company you work with? How does this impact your work as a Private Guard and your Company? Are there challenges and benefits of such collaboration? *(Kindly elaborate).*
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**Baseline Study on the Private Security Governance in Nigeria / 2019**

29. *As a Private Guard, what is your level of awareness, observance and compliance with Private Guards Companies Act and other related Regulations, Standards and Policies for Private Guards Companies operations in Nigeria?*
30. In your view, how effective is the NSCDC in regulating the operations of Private Guards Companies in terms of oversight, monitoring, discipline, standards of operation and code of conduct?

**PART 2-PRIVATE GUARDS COMPANIES OPERATIONS IN NIGERIA**

31. What is the profile and geographical distribution of Private Guards Companies you work with? *(Probe for name of company/firm, number of staff, number of locations i.e. States and Cities).*
32. In what sectors/areas does your Private Guards Company provide security services? *(Probe in the sectors/areas of Extractive industries, Banking Sector, Manufacturing/Production Industries, Shopping Malls/Business Outlets, Public/Government Offices and Schools/Educational Institutions).*
33. *What kinds of services do you provide as a Private Guards?*
34. What is your highest level of education before employment as a Private Guard?
35. How long and how often do you receive professional training and capacity building from NSCDC and Private Guards Company? *(Probe to find out what each one does).*
36. Have you ever used fire arms doing your job or during field operations?
37. What are your remuneration, benefits, and allowances as a Private Guard? *(Probe to find out the amount and regularity of payment).*
38. Are you satisfied with the level of job you do as a Private Guard?
39. Have you ever work with the Public Security Officers, and what is your experience and level of cooperation between you and the officers?
40. Do you receive professional training and capacity building from the NSCDC and your Private Guards Company, if yes, when and how often?
41. Does your Private Guard Company has any Standards and Code of Conducts for its Private Guards, if yes, can you list any of them you know or use?

**GAPS AND CHALLENGES IN PRIVATE GUARDS COMPANIES GOVERNANCE AND OPERATIONS IN NIGERIA:**

42. In your view, what are the key challenges facing Private Guards Companies governance and operations in Nigeria?
  43. What are the solutions you will proffer to address the challenges facing Private Guards Companies governance and operations in Nigeria *(Probe to get specific suggestions/recommendations).*
  44. In your view, what are the challenges affecting your work and performance as a Private Guards in Nigeria?
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**Baseline Study on the Private Security Governance in Nigeria / 2019**

45. What are the solutions you will proffer to address the challenges facing your work and performance as a Private Guards in Nigeria? (*Probe to get specific suggestions/recommendations*).
46. Do you or have you worked in extractive industry or conflict prone areas like North-East and Niger Delta regions of Nigeria, if yes, what are your experiences and some of the challenges you encountered as a Private Guards? How has this affected you and your work performance?
47. In your opinion, what is the level of awareness and compliance with human rights and professional standards by Private Guards? (*Probe to elaborate*)
48. What are common malpractices, breach of code of conducts, and human rights issues you observed involving Private Guards and Private Guards Companies in Nigeria?
49. Have you or your Private Guards Company been involved with any form of malpractices, breach of code of conducts or human rights abuse?
50. Are there any Monitoring, Reporting and Complaint Mechanism established by your Private Guards Company to monitor, handle and address cases of malpractices, breach of code of conducts or human rights abuses by the Private Guards?
51. What kind of disciplinary actions or sanctions do your Private Guards Company takes in case of malpractices, breach of contracts or human rights violation by a Private Guards?
52. Does your company/organization engage also the services of Public Security Forces together with Private Guards Companies, and if yes why and how do they cooperate?
53. How do you see the level of relationship and cooperation between Private Guards Companies and Public Security Forces in providing security and preventing crimes in Nigeria?
54. In your view, what is the level of capacity and professionalism of Private Guards in coping with the emerging security situation in Nigeria? (*Probe for terrorism threats, kidnapping, armed robbery, banditry/cultism, prevailing communal/ethno-religious conflicts and general crimes*).
55. What is your perception of Private Guards Companies operations in Nigeria in terms of Trust (levels), Competence, Efficiency, and Corruption?

***(Before closing) Thank you for your time, is there anything you would like to add to the discussion?***

**Closure**

*Thank the interviewee again and explain again that their responses will be used to make assessments of how the private security companies operate and what might usefully be done differently to improve it.*

*Explain how they can have access to the final report of the project if they would like to.*

*Provide a contact number to call with any further questions.*

## Annex 5: General Questionnaires

### DEMOGRAPHIC INFORMATION

| D1. Respondent Age    |   | D5. Current Employment Status   |    |
|-----------------------|---|---|----|
| 18-25 Years           | 1 | Not working, or unpaid worker   | 1  |
| 26-35 Years           | 2 | Self-employed/freelance worker (non-agric sector)   | 2  |
| 36-45 Years           | 3 | Self-employed/freelance worker (agric sector)   | 3  |
| 46-55 Years           | 4 | Wage or salary (non-agric sector)   | 4  |
| 56+                   | 5 | Wage or salary (agric sector)   | 5  |
| D2. Respondent Gender |   | Business owner with employees   | 6  |
| Male                  | 1 | Student (enrolled in full-time educational programme)   | 7  |
| Female                | 2 |   |    |
| D3. Location          |   | D4. Highest level of education completed?   |    |
| Abuja                 | 1 | No formal schooling   | 1  |
| Port Harcourt         | 2 | Informal schooling only (including Koranic schooling)   | 2  |
|                       |   | Some primary schooling  | 3  |
|                       |   | Primary school completed certificate  | 4  |
|                       |   | Intermediate school or Some secondary school / high school  | 5  |
|                       |   | Secondary school / high school completed  | 6  |
|                       |   | Post-secondary qualifications, other than university e.g. a diploma or degree from a polytechnic or college | 7  |
|                       |   | Some university   | 8  |
|                       |   | University completed  | 9  |
|                       |   | Post-graduate   | 10 |
|                       |   | Don't know/Refused  | 11 |

### Section I: Private Guards Operations and Challenges

| Q.1 Do you know the roles of Private Guards? |     |   |
|--|-----|---|
|  | Yes | 1 |
|  | No  | 2 |

| Q.2 How often do you and your community interact with the Private Guards in this area? |                |   |
|--|----------------|---|
|  | Very Regularly | 1 |
|  | Regularly      | 2 |

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|  |            |   |
|--|------------|---|
|  | Rarely     | 3 |
|  | Never      | 4 |
|  | Don't know | 5 |

|   |                                 |   |
|---|---------------------------------|---|
| Q.3 Have you ever employed or engage or observe the services of a Private Guard from any Private Guards Company |                                 |   |
|   | Yes. <b>If yes go to next Q</b> | 1 |
|   | No                              | 2 |

|  |                          |   |
|--|--------------------------|---|
| Q.4 At which place/venue did you employ or engage or observe the services of a Private Guard |                          |   |
|  | Home                     | 1 |
|  | Office/Business premises | 2 |
|  | Events/ceremony          | 3 |

|   |                |           |         |               |                      |            |
|---|----------------|-----------|---------|---------------|----------------------|------------|
| Q.5 In your view, what is the public perception of Private Guards services in Nigeria in terms of |                |           |         |               |                      |            |
|   | Very Effective | Effective | Neither | Not Effective | Not at all effective | Don't Know |
| Trust   | 5              | 4         | 3       | 2             | 1                    | 9          |
| Competence  | 5              | 4         | 3       | 2             | 1                    | 9          |
| Efficiency  | 5              | 4         | 3       | 2             | 1                    | 9          |
| Corruption  | 5              | 4         | 3       | 2             | 1                    | 9          |
| Services  | 5              | 4         | 3       | 2             | 1                    | 9          |

|  |            |   |
|--|------------|---|
| Q.6 What are common malpractices, misconducts or human rights abuses by Private Guards you have experienced or witnessed in your area? |            |   |
|  |            | 1 |
|  |            | 2 |
|  |            | 3 |
|  |            | 4 |
|  | Don't know | 5 |

|   |  |  |
|---|--|--|
| Q.7 Have you or anyone you know seek redress or reported any case (s) of malpractices, misconducts and human rights |  |  |
|---|--|--|

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|  |                                 |   |
|--|---------------------------------|---|
| violation against any Private Guards in your area? |                                 |   |
|  | Yes. <b>If yes go to next Q</b> | 1 |
|  | No                              | 2 |

|  |                                     |   |
|--|-------------------------------------|---|
| Q.8 Where did you seek redress or report case (s) of malpractices, misconducts and human rights violation against any Private Guards in your area? |                                     |   |
|  | NSCDC                               | 1 |
|  | Public Security Agencies eg. Police | 2 |
|  | Private Guards Company              | 3 |
|  | National Human Rights Commission    | 4 |
|  | Any other place                     | 5 |

|  |     |   |
|--|-----|---|
| Q.9 Has any of the companies, businesses or organizations engaging the services of Private Guards in the past 3 years consulted with your community on security issues related to the community? |     |   |
|  | Yes | 1 |
|  | No  | 2 |

|   |  |   |
|---|--|---|
| Q.10 In your understanding, how are Private Guards in Nigeria coping with the emerging security situation in Nigeria? |  |   |
|   | Emerging terrorism threats                         | 1 |
|   | Kidnapping and armed robbery                       | 2 |
|   | <i>Banditry/cultism/hooliganism</i>                | 3 |
|   | <i>Communal/ethno-religious conflicts/violence</i> | 4 |
|   | <i>Other General Crimes (Stealing, fraud, etc)</i> | 5 |
|   | Don't know   | 6 |

|  |         |   |
|--|---------|---|
| Q.11 In your opinion, what is the level of demand for Private Guards services in this state? |         |   |
|  | High    | 1 |
|  | Average | 2 |
|  | Low     | 3 |

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|  |            |   |
|--|------------|---|
|  | Don't know | 4 |
|--|------------|---|

Q.12 In your view, to what extent has the Private Guards in **this state** assisted in ensuring public safety and security of lives and property?

|  |                   |   |
|--|-------------------|---|
|  | To a large extent | 1 |
|  | To some extent    | 2 |
|  | Neither           | 3 |
|  | Don't know        | 4 |

Q.13 How effective is the relationship between Private Guards and the following groups?

|   | Very Effective | Effective | Neither | Not Effective | Not at all effective | Don't Know |
|---|----------------|-----------|---------|---------------|----------------------|------------|
| Public Security Agencies e.g. Nigeria Police & Army | 5              | 4         | 3       | 2             | 1                    | 9          |
| Vigilante groups                                    | 5              | 4         | 3       | 2             | 1                    | 9          |
| Neighbourhood groups                                | 5              | 4         | 3       | 2             | 1                    | 9          |
| Youth groups  | 5              | 4         | 3       | 2             | 1                    | 9          |
| Nigeria Security and Civil Defense Corps (NSCDC)    | 5              | 4         | 3       | 2             | 1                    | 9          |

Q.14 Has any Private Guards company in the past 2 years consulted with your community on security issues and impact related to the community?

|  |                                 |   |
|--|---------------------------------|---|
|  | Yes. <b>If yes go to next Q</b> | 1 |
|  | No                              | 2 |

Q.15 If yes, what is the name of the company?

|  |
|--|
|  |
|--|

Q.16 In your opinion, what is the level of demand for Private Guards services in this state?

|  |            |   |
|--|------------|---|
|  | High       | 1 |
|  | Average    | 2 |
|  | Low        | 3 |
|  | Don't know | 4 |

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Q.17 What are some of the common challenges experienced by Private Guards and Private Guards Companies?

**Multiple response allowed**

|  |   |   |
|--|---|---|
|  | Inadequate training   | 1 |
|  | Poor welfare and working conditions                             | 2 |
|  | Low human rights compliance                                     | 3 |
|  | Lack of compliance to employment and labour laws                | 4 |
|  | Inadequate regulation and monitoring by government agency/NSCDC | 5 |
|  | Other   | 6 |

**Section II : Private Guards Governance and Regulations**

Q.18 Are you aware of the Nigeria Security and Civil Defense Corps (NSCDC as the Regulator of Private Guards Companies operations in Nigeria?

|  |     |   |
|--|-----|---|
|  | Yes | 1 |
|  | No  | 2 |

Q.19 Are you aware of any Law, Regulation, Code of Conduct or Professional Standards regulating Private Guards Companies operations in Nigeria?

|  |                            |   |
|--|----------------------------|---|
|  | Yes. <b>If yes go to Q</b> | 1 |
|  | No                         | 2 |

Q.20 In your opinion, how adequate is the existing any Law, Regulation, Code of Conduct or Professional Standards in effectively regulating Private Guards Companies operations in Nigeria?

|  |                    |   |
|--|--------------------|---|
|  | Very Adequate      | 1 |
|  | Adequate           | 2 |
|  | Neither            | 3 |
|  | Not Adequate       | 4 |
|  | No at all Adequate | 5 |
|  | Don't Know         | 9 |

Q. 21 In your opinion, how effective is the NSCDC in regulating the operations of Private Guards Companies in the following

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| areas?                              |                |           |         |               |                      |            |
|-------------------------------------|----------------|-----------|---------|---------------|----------------------|------------|
| Oversight/ Monitoring               | Very Effective | Effective | Neither | Not Effective | Not at all effective | Don't Know |
| Training/Capacity building          | 5              | 4         | 3       | 2             | 1                    | 9          |
| Discipline                          | 5              | 4         | 3       | 2             | 1                    | 9          |
| Labour/Welfare                      | 5              | 4         | 3       | 2             | 1                    | 9          |
| Professional Conducts and Standards | 5              | 4         | 3       | 2             | 1                    | 9          |
| Human Rights/Regulations compliance | 5              | 4         | 3       | 2             | 1                    | 9          |

| Q.22 Does your company/organization or community/area or street has a private security structure in place? |                                      |   |
|--|--------------------------------------|---|
|  | Yes <b>If yes continue to next Q</b> | 1 |
|  | No                                   | 2 |

| Q.23 Does the Private Guards carry arms? |            |   |
|--|------------|---|
|  | <b>Yes</b> | 1 |
|  | No         | 2 |

| Q.24 In your opinion, what is the level of awareness and compliance with human rights and professional standards by Private Guards Companies operating in Nigeria? |           |   |
|--|-----------|---|
|  | Very High | 1 |
|  | High      | 2 |
|  | Neither   | 3 |
|  | Low       | 4 |
|  | Very Low  | 5 |

| Q.25 Are you aware of any government law, regulations or standards on Private Guards Companies operations in Nigeria? |     |   |
|---|-----|---|
|   | Yes | 1 |
|   | No  | 2 |

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| Q.26 In your view, is there collaboration between the Private Guards Companies and; |   |     |    |
|---|---|-----|----|
|   |   | Yes | No |
|   | Civil Society Organizations/NGOs                  | 1   | 2  |
|   | Public Security agencies eg                       | 1   | 2  |
|   | NSCDC/ Regulatory Authority                       | 1   | 2  |
|   | Companies/organizations                           | 1   | 2  |
|   | Neighborhood watch/Vigilante Groups/Youths Groups | 1   | 2  |
|   | Community members                                 | 1   | 2  |

| Q.28 In your opinion, what can be done to better address the challenges experienced by Private Guards and Private Guards Companies operations in Nigeria? <i>Multiple response allowed</i> |                                       |    |
|--|---------------------------------------|----|
|  | More Personnel Deployment             | 1  |
|  | Personnel Training/ capacity building | 2  |
|  | Human rights compliance               | 3  |
|  | Equipment (vehicles, motorcycles)     | 4  |
|  | Safety and working conditions         | 5  |
|  | Staff Welfare                         | 6  |
|  | Adequate Monitoring/Oversight         | 7  |
|  | Professional Conducts/Standards       | 8  |
|  | Legal and Regulatory review/reform    | 9  |
|  | Resources/Funding                     | 10 |
|  | Others (Pls Specify)                  | 11 |
| .27 Do you think Private Guards Companies respect their obligations relating to staff welfare, wages and pensions among others?  |                                       |    |
|  | Yes                                   | 1  |
|  | No                                    | 2  |
|  | Don't know                            | 3  |

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Q.29 What kind of changes or reform can you suggest or recommend that can be made to improve Private Guards Companies regulation and operations in Nigeria (*Probe in the areas of funding, training, capacity, oversights, monitoring, personnel, infrastructures, PSC Act/Regulation, Private Guards Companies, professional standards, etc*)?

*(Open ended response)*



## **Baseline Study on Private Security Governance in Nigeria**

This Study provides an in-depth analysis of the private security industry in Nigeria and an improved understanding of its challenges. It identifies the gaps and challenges to the implementation of the regulatory framework and analyse wider existing challenges and opportunities in the Nigerian private security industry.

It identifies opportunities for all relevant stakeholders to work together to develop an improved oversight and accountability of the sector and offers recommendations towards better governance and regulation of the private security industry.

**Private Security  
Governance  
Observatory**

