

Evaluating Anti-Graft Agencies Governance Practices in Nigeria

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Abstract

The Nigerian state has witnessed exponential increase in corruption and various anti-graft agencies have been established by government to curb this malaise which has branded the Nigerian state and its citizens all over the world as corrupt. The agencies have over the years been criticized as not being effective and a militia of government in power in the way they prosecute anti-corruption wars. The study evaluated the anti-graft agencies and their governance practices, their effectiveness in addressing the cankerworm in the country by employing the purposive sampling technique where 400 copies of questionnaires were distributed to professional accountants, bankers, journalist and lawyers. The data collected were analyzed using both descriptive and inferential statistics. The study revealed inadequate capacity of the workforce, non-commitment to integrity, ethical values and the rule of law, lack of openness, lack of transparency and accountability. The study recommends amendment of the extant laws establishing the anti-graft agencies for operational efficiency in prosecution, responsiveness to the constitution and adequate and targeted training for officials.

Keywords: anti-graft agencies, government, corruption, EFCC

1. Introduction

1.1 Background of the Problem

The Nigerian state has witnessed exponential increase in corruption right from the Second Republic as that was the excuse given by the military to overthrow the Second Republic Government. However, the military administration did not eliminate the cancer of corruption rather the administration inflamed it. The country's image internationally since then has been on a downward spiral lane where Transparency International in 2018 ranked Nigeria as 148th most corrupt country in their Corruption Perception Index (CPI). This perception has a negative effect on Nigerians travelling abroad as well as cost of doing business internationally. The consequence of corruption in the society is the erosion of scarce resources earmarked for infrastructural development as the funds are siphoned to private pockets. Efficiency is traded for waste and ethnicity, excellence for mediocrity, hard work for lousiness. As a result, in spite of the enormous human and natural resources, the country is still grouped under the poorest countries of the world.

As governance is about the process of making and implementing decisions, governance practices are the panacea for politico-economic growth of a nation. The presence of efficient and effective management of resources thus enhances development. Good governance is not all about making 'correct' decisions, but about the best possible process for making those decisions in a transparent manner devoid of personal interest.

1.2 Statement of the Problem

As corruption is the use of official authority in taking decisions that are for private gains devoid of transparency, successive governments in Nigeria in order to curb corruption and enshrine good decision-making processes and good governance, established various anti-graft agencies to curb the menace which has become a cancer in the fibre of the Nigerian nation. As good governance and operational practice should among others be participatory, effective and efficient in service delivery, equitable, inclusive, responsive, transparent and following the rule of law, this paper is to evaluate the anti-graft agencies operational effectiveness and their governance practices in prisms of good governance and comparison with other international anti-graft agencies.

1.2.1 Objective of the Study

The objective of the paper is to appraise the operational effectiveness of the anti-graft agencies in the prisms of good governance and operational practices mechanism of participatory, effective and efficient service delivery, equitable and inclusive, responsive, transparent and following the rule of law. Also ascertain whether board size composition, operational reporting channel, prerequisite qualification for the leadership, inter-agency collaboration and operations methodology influences its efficiency in service delivery and decision making processes in comparison with other international anti-graft agencies.

1.3 Literature Review

1.3.1 Economic and Financial Crime Commission

The Economic and Financial Crime Commission was established under the Economic and Financial Crime Commission (Establishment) Act 2002. The Commission's responsibilities include the investigation, coordination and enforcement of all financial crimes including advance fee fraud, money laundering, contract scam etc and the adoption of measures to identify, trace, freeze, confiscate or seize proceeds derived from terrorists activities, economic and financial crimes related offences or the properties the value of which corresponds to such proceeds. The Act stipulates the Chairman who is the Chief Executive and Accounting Officer to be either a serving or retired member of any government security or law enforcement agency and 20 other members drawn from various security agencies.

1.3.2 Corrupt Practices and Other Related Offences Act (2004)

The Independent Corrupt Practices Commission (ICPC) was established through the Corrupt Practices and Other Related Offences Act (2004). The Commission is established to prohibit and prescribe punishment for corrupt practices and other related offences and is saddled with the responsibility to investigate and prosecute offences which are listed in the Act. The Board composition consist of the Chairman who would have held or is qualified to hold office as a judge of a superior court of record in Nigeria and twelve (12) other members. The Act empowers the Commission to receive and investigate complaint and prosecute offenders. Also the Act empowers the Commission to in addition educate the public on and against bribery, corruption and related offences; and enlist and foster public support in combating corruption.

1.3.3 The Code of Conduct Bureau

The Code of Conduct Bureau and its twin sister, the Code of Conduct Tribunal was set up under the Code of Conduct Bureau and Tribunal Act, Cap 56, LFN 1990. The Board was set up against the backdrop of large-scale fraud and corruption which has become prevalent in the public service with an inimical effect on economic and social development of the country. The Commission has as its mandate to establish and maintain a high standard of public morality in the conduct of government businesses and to ensure that the actions and behaviour of public officers conform to the highest standards of public morality and accountability. The Commission's Vision is honesty, transparency and accountability.

1.3.4 Nigerian Financial Intelligence Unit (NFIU)

The Nigerian Financial Intelligence Unit is the Nigerian arm of the global financial intelligence Units (FIUs) recently created out from the EFCC. It has as its vision statement to be amongst the leading financial intelligence organisations in the world with a mission to safeguarding the Nigerian financial system and contributing to the global fight against money laundering, terrorism financing and related crimes through the provision of credible financial intelligence. The core mandate of NFIU is to serve as the national center for the receipt and analysis of suspicious transactions and other information relevant to money laundering, associated predicate offences and terrorist financing and for the dissemination of the results of the analysis to law enforcement and anti-corruption agencies.

1.3.5 The Federal Bureau of Investigation (FBI)

The Agency is one of the investigative agencies in the United States. It reports to the Department of Justice and operate independently from the Presidency. The Agency is headed by a Director who is a legal practitioner appointed by the President and confirmed by the US Senate from outside the service. The Agency's Mission Statement as its culture is the; rigorous obedience to the constitution of the United States, respect for the dignity of those it protects, compassion, fairness, uncompromising personal integrity and institutional integrity, accountability by accepting responsibility for the actions or decisions of its employees and leadership both personal and professional. The culture statement thus captures the governance framework upon which the agency operates. It has as its motto: Fidelity, Bravery and Integrity. To achieve its vision and mission, the agency's area of

investigation includes; terrorism, counter intelligence, cyber-crime, public corruption, civil rights, organized crimes, white-collar crimes, violent crimes and weapons of mass destruction (WMD). To accomplish the mission of integrity, fidelity and bravery, the agency renders Criminal Justice Information Service (CJIS), Critical Incident Response Group (CIRG), Laboratory Service, Training academy, operational technology and information management. The agency maintains a robust uniform crime reporting program (UCR) with primary objective of generating reliable information for use in law enforcement administration, operation and management. This program facilitates retrieval of information on crime in the US for law enforcement executives, students of criminal justice, researchers, members of the media and the public at large. This facility enhances quality of crime data collected by law enforcement thus improves inter-agency synergy, data sharing and co-operation.

1.3.6 Serious Fraud Office (SFO)

Due to considerable public dissatisfaction with the UK system for investigating and prosecuting serious or complex fraud, the Serious Fraud Office (SFO) was established in 1988 following the Roskill Report (Fraud Trials Committee) recommendation. The office as part of UK criminal justice system is a specialist prosecuting authority tackling the top level of serious or complex fraud, bribery and corruption cases in the UK. It undertakes large economic crime cases by investigating any suspected offence which appears to her on reasonable grounds to involve serious or complex fraud. Also investigates criminals for the financial benefits they may have made from their crimes. They assist overseas jurisdiction with their investigations into serious and complex fraud, bribery and corruption cases as additions to investigating and prosecuting offences of corporate failure to prevent the facilitation of overseas tax evasion. Unlike other agencies, the agency both investigate and prosecute its cases because of the complexity of the cases assigned to it. The agency is headed by a Director who is responsible for overall responsibility for the SFO's strategic direction, case decisions and organisational management. While the Chief Operating Officer is responsible for the day to day running of the business and deputies for the Private Office & Governance, the General Counsel, Chief Operating Office and International Liaison and Investigations Adviser's role is to provide quality assurance, day to day running of the business, oversight advice and quality control on the agency's case development and trial preparation. The three non-executive directors in the board contribute to the agency's strategic development and providing constructive challenges. The Agency reports to the Attorney General's office and work in collaboration with other UK law enforcement agencies like the National Crime Agency's Economic command, international corruption unit and bribery and corruption intelligence unit. Also the City of London Police, the UK Police forces and regional organised crime units, the HM Revenue and Customs and the Financial Conduct Authority. Over 80% of staff members are specialist caseworkers and where the director believes there are reasonable grounds to suspect complex or serious fraud, bribery or corruption, she opens an investigation which is taken on by a multidisciplinary case team. If sufficient evidence of criminal behaviour is uncovered during the investigation and a prosecution is found to be in the public interest, charges are brought. This methodology has greatly enhanced the efficiency and effectiveness of the agency's cases prosecutions.

1.3.7 Governance Practice and Graft

Governance is the medium of administering a people for the overall good of the society. There are various means of governance in both the public and private sectors. Governance ranges from dictatorial autocratic to participatory governance. Governance can be adjudged good or bad governance. Accountability is the bedrock of good governance and in the public sector, government agencies' officials have an obligation to report, explain and be answerable for the consequences of decisions they make on behalf of the citizenry. Good governance therefore should exhibit openness, participatory, effective and efficient, equitable and inclusive, responsive, transparent and compliance to the rule of law.

Board effectiveness and efficiency has also been attributed to board composition and quality of board members. Studies have attributed the effectiveness of a group decision making process decreases as the size of the group get larger. They opined the optimum size for a decision-making group to be seven people and that for each person added above this, the group decision making effectiveness is reduced by 10% (Blenko, Mankins & Rogers, 2010). However, Margolis (2011) posit that other studies revealed the most effective number in the board to be five but noted that the most effective of the group decision making is between five and eight, (Margolis, 2011).

The public sector plays a major role in society as public sector expenditure forms a significant part of a nation's Gross Domestic Product (GDP). This is so because public sector entities are major employers of labour and, its operations significantly influences socio-economic growth and development. To promote a robust governance structure, the International Public Sector Governance Framework was developed jointly by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the International Federation of Accountants (IFAC).

1.3.7.1 Aim of the International Public Sector Governance Framework

The aim of the framework was to promote the development of robust governance by establishing a benchmark for good governance in the public sector thus encouraging better service delivery and improved accountability. The framework is anchored on six key principles of good governance of ensuring agencies act in the public interest at all times. These include; Strong commitment to integrity, ethical values and the rule of law, openness and comprehensive stakeholder engagement, defining outcomes in terms of sustainable economic, social and environmental benefits, determining the interventions necessary to optimise the achievement of intended outcomes, developing the capacity of the agencies which include the capability of its leadership and the individuals within it through training, managing risks and performance through robust internal control and strong public financial management and implementing good practices in transparency and reporting to deliver effective accountability.

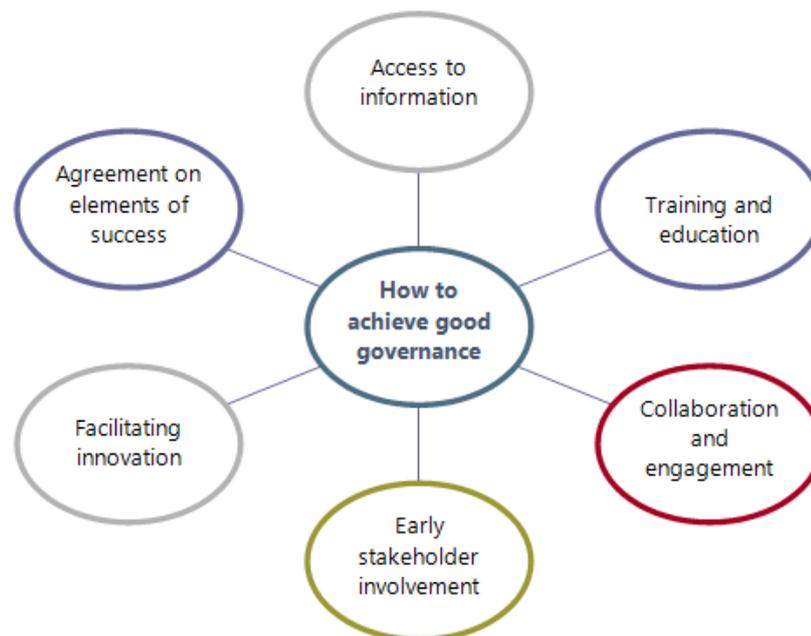


Figure 1. Roadmap to Good Governance

Demonstrating integrity involves the leadership promoting a culture of acting in the public interest at all times by taking the lead in establishing and living up to specific values for the agencies and their staff. These values include objectivity, selflessness and honesty. They reflect the public expectations about the conduct and behaviour of agencies and people who manage public services and spend public funds. Similarly, strong commitment to ethical values involves embedding ethical values and standards throughout the agencies and ensuring the values form the basis for all its policies, procedures and actions as well as the personal behaviour of the agencies managements and staff. This is through the establishment of code of conduct policy for management and staff and ensuring that steps are taken to avoid or deal with any conflict of interest whether real or perceived. Also, the framework requires anti-graft agencies as public sector entities and its staff to demonstrate a strong commitment to the rule of law as well as compliance with all relevant laws. This is important as fair legal process, rooted on an impartial as well as an independent judicial system assist in building societies where individuals and organisations feel safe. This informed the crafting of the United States FBI Mission statement.

1.3.7.2 Corruption in Nigeria

Corruption has grown in leaps and bounds since the Ibrahim Badamosi Babagida's era as military President of Nigeria when the expression, "settlement" was coined as a synonym for corrupt practices by the general public. The country's image since then has been on a downward spiral lane. In their ranking in 2018, Transparency International Nigeria ranked Nigeria as 148th most corrupt country in the Corruption Perception Index (CPI).

Various scholars have defined corruption in different ways with overlapping emphasis ranging from unethical behaviour to political misconduct, bribe-taking and sale of government assets for personal gain (Shleifer & Vishny, 1993, Svensson, 2005). World Bank and Transparency International (TI) defined corruption as “the misuse of public office for private gain. Thus it is the misapplication of entrusted power for personal gain by dishonest official either appointed or elected official, (The World Bank, 1997). In their contribution, Banerjee, Hanna and Mullainathan (2011) define corruption as “an incident where a bureaucrat (or an elected official) breaks a rule for private gain”. Tanzi (1998) opined that it may not be easy to define corruption but is “generally not difficult to recognize corruption when observed”. According to Ewa, Kechi, Adu and Agida,(2017), the misuse of entrusted authority comes in form of bribery, misappropriation, misapplication of entrusted funds and property of the organisation or the public for personal use and suppressing the rule of law for selfish reasons. Ewa et al (2017) posited that corruption is the “abuse of public power for pecuniary gain or for the benefit of a group to which an individual owes allegiance”. While premeditating factors rooted in a country’s peculiar social and cultural history, political and economic development, bureaucratic traditions and policies enhances corruption, it flourishes when institutions are either weak or non-existent and economic policies distort the marketplace (World Bank, 1997b). Klitgaard (1996) developed a model which explained that the extent of corruption is determined by the amount of monopolistic and discretionary powers (ability to take responsibility solely without external check) that officials exercises without recourse to accountability.

$$C (\text{Corruption}) = M (\text{Monopoly power}) + D(\text{Discretion}) - A(\text{Accountability})$$

In explaining the model, he stated that monopolistic and discretionary powers are prevalent where administrative roles and regulations are poorly defined. That is, poorly defined ethical standards, weak administrative and financial systems and ineffective watchdog agencies.

1.4 Research Hypothesis

H₀: There is no significant relationship between anti-graft agencies prosecution efficiencies/ obedience to the rule of law and their administrative/professional etiquette and good governance practices

2. Methodology

This study adopted both exploratory and survey design to collect the data on the study’s variables, analysis and testing.

The functional relationship between the variables of this study is expressed thus:

$$\begin{aligned} \text{SUMEFFIC} &= f(\text{SUMGGP}, \text{SUMAPE}) \\ \text{SUMEFFIC} &= \alpha_0 + \alpha_1\text{SUMGGP} + \alpha_2\text{SUMAPE} + e_t \end{aligned}$$

Where;

SUMEFFIC = Efficiency on prosecution and Obedience to the rule of law

SUMGGP = Good Governance Practices

SUMAPE = Admin/Professional etiquette

β_0 = Constant

α_1 - α_2 = Coefficient of the variables

μ_t = Stochastic error term

2.1 Characteristics of Participants

A combination of inductive and survey research paradigm was employed in this research. The questionnaire used in this study consisted of two sections. The first section collected demographic data. The second section contained twelve (12) semantic differential belief statements culled from good governance framework variables. Two performance indices were measured by these belief statements – (1) obedience to the rule of law, (2) efficiency in prosecution and decision usefulness. The statements were structured as bipolar adjectival statements which were separated by five – point likert scales aimed at ensuring that respondents would choose a number from the scale which identified their level of agreement with one or the other of the statements. The population of the study comprised professional accountants, bankers, journalists and lawyers in Cross River State, Akwa Ibom State, Edo State, Bayelsa State, Delta State and Rivers State representing the South-South geopolitical region of Nigeria.

2.2 Sample Procedure/Sampling Size

The purposive sampling technique was employed in the study as 400 copies of questionnaires were distributed to 100 professional accountants, 100 bankers, 100 journalist and 100 lawyers. The belief statements (variables) were individually evaluated in other of significance to ascertain the anti-graft agencies governance practices and their success rate in curbing corruption in Nigeria. The data collected were analyzed using both descriptive and inferential statistics. Four hundred questionnaires were administered to the respondents in the study. Three hundred and fifty questionnaires were returned completed constituting 88% (eighty per cent) success rate. This return rate of 80% is considered adequate following the assertion by Moser and Kalton (1971) that the result of a survey could be considered as biased and of little value if the return rate was lower than 30 – 40%. Here the return rate of 80% is far in excess of 40%.

3. Results

3.1 Data Analysis

3.1.1 Demographics of Respondents

The survey document was sent to 400 subjects containing 10 belief statements from each of four groups- accountants, bankers, lawyers and journalists. Response rates from these groups are as shown below.

Table 1. Demographics of Respondents

Subject Group	No of Survey Sent	Responses Received		Percentage of Group Responses	
Accountant	100	95	95%	27%	
Bankers	100	85	85%	24%	
Lawyers	100	90	90%	26%	
Journalists	100	80	80%	23%	
Total	400	350	88%	100%	

Source: Analysis of Survey Data (2018)

The result in Table 1 indicates an overall response rate of 88%. This rate is considered a creditable result for this type of data collection method. The target audience for the research are accountants, bankers, lawyers and journalists. The choice is anchored on their perceived knowledge of anti-graft agencies and their governance practices and so any response from these groups of respondents should add credibility to the investigation.

Table 2. Responses of the Respondents on the Belief Statements:

S/N	Statements	SA	A	U	D	SD
Good Governance Practices						
1	The agencies are not responsive to the yearnings of the public in the discharge of their responsibilities	165(47%)	115(33%)	51(15%)	19(5%)	
2	The agencies activities are open to the public and interact with the public often			91(26%)	159(45%)	100(28%)
3	The agencies carry out their assignment not in a transparent manner	155(44%)	157(45%)	26(7%)	12(3%)	
4	The agencies do not treat every suspect equally no matter your political affiliation and status(ie equitable and inclusive)	116(33%)	180(51%)	31(9%)	23(7%)	
5	The agencies line of reporting do not influence their decision making			111(32%)	190(54%)	49(14%)
Administrative/Professional Etiquette						
6	The agencies staff are not well trained and they are effective and efficient in the discharge of their duty	127(36%)	89(25%)	74(21%)	54(15%)	6(2%)
7	The laws setting up the agencies are not standard and operatives are not fully aware of the laws	102(29%)	107(30%)	79(22%)	62(18%)	
8	The composition of the agency boards is not moderate	115(33%)	75(21%)	76(22%)	62(18%)	22(6%)
9	No knowledge of good governance criteria	102(29%)	81(23%)	110(31%)	57(16%)	
Prosecution Efficiency/Obedience to the rule of law						
10	The agencies performances in obedience to the rule of law is not outstanding	100(28%)	155(44%)	76(22%)	19(5%)	

11	The agencies management is loyal to the Constitution than the President				283(80%)	67(19%)
12	The agencies performance creditably is questionable by the public	112(32%)	105(30%)	87(25%)	46(13%)	

Source: Analysis of Survey Date (2018)

Table 3. Least Square Regression Result on Efficiency in Prosecution and the Rule of Law of Anti-Graft Agencies in Nigeria (Regression Constant and Coefficients)

Variable	Unstandardized Coefficients		Standardized Coefficient Beta	T	P
	B	Std Error			
Constant	2.472	0.400		6.187	0.000
SUMAPE	-.147	0.037	-.347	-.345	0.000
SUMGGP	.551	0.048	1.006	11.408	0.000

*Significant at .05 level p<.05

Dependent variable: SUMEFFIC

Predictors: SUMAPE, SUMGGP

Source: Field survey (2018)

Table 4. Least Square Regression Result Model Summary of Efficiency in Prosecution and the Rule of Law of Anti-Graft Agencies in Nigeria

R	R-Square	Adjusted Square	R	Std Error of Estimate	R-Square	F Change	Durbin-Watson
.710	.504	.501		1.27625	.504	176.269	.102
Source of Variation	Sum of Squares	Df	Mean Square	F	P		
Regression	574.220	2	287.110	176.629	0.000		
Residual	565.198	347	.1.629				
Total	1139.417	349					

*Significant at .05 level p<.05

Dependent variable: SUMEFFIC

Predictors: SUMAPE, SUMGGP

Source: Field survey (2018)

Table 5. Inter Correlation among the Variables

Variables	SUMEFFIC	SUMAPE	SUMGGP	P
SUMEFFIC	1.000	0.564	0.694	0.000
SUMAPE	0.564	1.000	0.903	0.000
SUMGGP	0.694	0.903	1.000	0.000

*Significant at .05 level p<.05

Dependent variable: SUMEFFIC

Predictors: SUMAPE, SUMGGP

Source: Field survey (2018)

3.1.2 Test of Hypotheses

H₀: There is no significant relationship between anti-graft agencies prosecution efficiencies/ obedience to the rule of law and their administrative/professional etiquette and good governance practices.

H₁: There is a significant relationship between anti-graft agencies prosecution efficiencies/ obedience to the rule of law and their administrative/professional etiquette and good governance practices.

Administrative/professional etiquette and good governance practices have positive and significant relationship with the Agencies efficiency in prosecution and obedience to the rule of law with the Agencies efficiency in prosecution and obedience to the rule of law. The t-statistics shows significant relationship between the variables.

In Table 5, the correlation coefficient(R) of 0.710 (71 per cent) indicates a strong relationship between the Agencies efficiency in prosecution and obedience to the rule of law and the independent proxies of administrative/professional etiquette and good governance practices. The coefficient of determination (R^2) of 0.504 (50.4 per cent) indicates that only 50.4 per cent of total variation in the Agencies efficiency in prosecution and obedience to the rule of law is jointly accounted for by administrative/professional etiquette and good governance practices while the remaining 49.6 per cent of the variation in efficiency in prosecution and obedience to the rule of law is caused by extraneous factors not captured in the model. However the F value of 176.269 ($p=000$) is significant at less than 5 per cent. This thus signifies the model as fitting the population well and can be used for interpretation about not just the population but also for policy formulation. Therefore based on this result, the null hypothesis that there is no significant relationship between anti-graft agencies prosecution efficiencies/obedience to the rule of law and good governance practices is rejected as the agencies prosecutorial efficiencies and adherence to the rule of law is greatly influenced by good governance practices as well as administrative/professional etiquette. The Durbin-Watson (DW) for the model of .102 which is below 2 reveals that there is a significant threat of independent error for the equation as there is positive autocorrelation.

4. Findings and Discussions

The survey on the notion that the agencies are not responsive to the yearnings of the public in the discharge of their responsibilities revealed 280 (80 per cent) respondents are of the view that the graft agencies are not responsive to the public yearnings. This is in agreement with (Adedokun, 2018; Yakubu, 2018). On the notion that the agencies are interactive with the public, majority of the respondents 259 (74 per cent) either strongly disagreed or merely disagreed that the agencies are interactive with the public. However, 91 (26 per cent) of the respondents were undecided on the notion. They believe the agencies are not telling the people the correct situation of things and they are not communicating to the general public as it is in developed countries. This none communication with the public reinforced the notion that the agencies are not transparent in their responsibilities as 312 (89 per cent) of the respondents either merely or strongly agreed that the agencies do not carry out their assignment in a transparent manner. This is in agreement with the position of Justice Gabriel Kolawole, (Madukwe, 2018; Nnochiri, 2018_A; Adedokun, 2018). This is reaffirmed as 296 (84 per cent) of the respondents are of the opinion that the agencies do not treat suspects equally but influenced by political affiliation. This is in agreement with Fabiyi and Akinkuotu (2018) who cited Mr Kola Ologbodiyan as saying it is a grave concern that while corruption and corrupt persons abound in party in power (The APC) and walking freely, the EFCC prefers to chase after innocent members of the opposition party. Writing on Kemi Adeosun and the opportunity lost, Adedokun (2018) lamented that the message that anti-graft agencies pass across to Nigerians is that they only serve the interest of the government in power and not that of the people and a partisanship that ignores the log in the eye of a family member but identifies the speck in the neighbour's eye as the policy is not only faulty but whimsical and selective. This is in contrast to other intelligence agencies in Israel, America or Europe.

On the perception that the agencies line of reporting do not influence their decision making processes, 239 (68 per cent) of the respondents are of the view that the agencies line of reporting to the presidency greatly influences their decision making processes while 111 (32 per cent) were undecided. This is in agreement with (Adedokun, 2018; Olatunji, 2018_B; Akinkuotu & Olugbemi, 2018). This is contrary to the United States of America (US) where the FBI was investigating President Trump through an independent special prosecutor without interference. The overbearing control of anti-graft agencies by government especially the executive arm is considered a corruption impediment to their effectiveness, (Okeshola, 2012)

On the level of training, while 216 (61 per cent) of the respondents believe the staff of the agencies are not well trained to effectively and efficiently discharge their responsibilities, 74 (21 per cent) respondents were unable to comment on the relevance and adequacy of training given to the agency staff. This is in agreement with Nnochiri (2018_B) citing a prosecution team lawyer in a case between Mr Ibrahim Tumsah and the Nigerian government stating the government was withdrawing the case against Tumsah for re-filing after "proper and thorough investigation" is conducted in the case. Also Olatunji (2018_A) citing Justice Olatokunbo Majekodunmi stated that the EFCC failed woefully by relying on third party evidence that lacks in merit when they should have known better.

Similarly, while 209 (59 per cent) of the respondents are of the view that the laws of the agencies are not standard and the operatives are not fully aware of the laws, 79 (22 per cent) of the respondents are undecided. Adeleye Bamidele cited by Jibueze (2018_B) stated that Nigeria lacks strong institutions and there is absence of the rule of law in Nigeria

On the question of the composition of the agencies board sizes not being moderate and thus affecting its performance, while 190 (54 per cent) of the respondents are of the view that the composition of the agencies boards is not moderate, 76 (22 per cent) are undecided. But 62 (18 per cent) of the respondents are of the view that the agencies board composition and sizes are moderate for effective service delivery. However, while some studies have shown that optimum and effective size for a decision-making group to be seven people and for each person added above this, the group decision making effectiveness is reduced by 10% (Blenko, Mankins & Rogers, 2010), others found that the most effective number as five but noted that the most effective of the group decision making is between five and eight, (Margolis & Sheila, 2011).

While the survey revealed 110 (31 per cent) respondents being undecided as to agencies officials lack of knowledge of good governance awareness, 183 (52 per cent) respondents belief officials have no knowledge of good governance awareness thus affecting their mode of operations. Therefore while 255 (72 per cent) respondents surveyed belief the agencies do not operate in obedience to the rule of law, only 19 (5 per cent) think the agencies are in obedience to the rule of law in the discharge of their responsibilities. This is in agreement with Unachukwu (2018) citing Chief Emeka Obegolu who in a lecture organised by the NBA Eket branch said the rule of law was a hall-mark of democracy and that there is a connection between democracy and good governance. This is in line with the works of Ojiakor, Anisiuba and Nnam (2017) and Adegbe and Fakile (2012) that revealed poor governance, favouritism, tribalism, poor remuneration, ineffective and wrong judgements as factors mitigating the performance of the agencies. Commenting on anti-corruption fight and the rule of law, Olaniyan (2018) stated that part of the problem of fighting corruption is the authority's disdain for the rule of law as illustrated by the tendency to pick and choose which court orders it complies with and opined that real progress is yet to be made with respect to the prosecution of cases of grand corruption as high ranking corrupt officials rarely end up in jail. Thus the assertion as to whether the management of the agencies are loyal to the constitution as against the President, 67 (19%) of the respondents strongly disagreed that the agencies loyalty is to the Constitution as against the Presidency while 283 (80 per cent) similarly disagreed to the notion of loyalty to the Constitution. This is in agreement to Adedokun (2018) who opined that the average public officer in Nigeria does not understand that they owe their allegiance to the cause of the country because politics has become a major source of survival in Nigeria and so they defer to their appointer because of the power to hire and fire by the chief executive. This is in agreement with (Olaniyan, 2018; Unachukwu, 2018; Jibueze, 2018_B)

On the effectiveness and credibility of the agencies performances, while the survey revealed 217 (61 per cent) respondents believing the agencies have not performed to internationally acceptable standard, only 46 (13 per cent) respondent believed otherwise. This is in agreement with the judgement delivered in a case 'EFCC versus Prof. Olusola Oyewole' where the presiding judge declared that all the evidences presented by the prosecution had been manifestly discredited through cross-examination such that the court could not rely on them and thus declared that EFCC failed woefully in establishing a prima facie case against the accused persons. Also in agreement with the report presented by the Corruption Cases Trial Monitoring Committee (COTRIMO) which stated that offenders were charged to court before proper investigations of charges were done. The report stated that prosecuting agencies lacked adequate personnel, duplicate charges and multiplication of cases and while some prosecutors lacked the requisite experience to prosecute corruption cases, there is lack of commitment and collusion between defence counsel and some prosecutors to pervert justice by either stalling trial or by achieving pre-determined results, (Jibueze, 2018_A). This study is in line with the studies of (Amaefule & Umeaka, 2013; Ojiakor, Anisiuba & Nnam, 2017 and Dania, 2017) that posited that the activities of the anti-graft agencies are not effective in curbing corruption and financial crimes in Nigeria as cases are lost due to lack of painstaking investigation, lack of adequate and requisite trained personnel and lack of strategic preparations.

4.1 Conclusion/Recommendations

The study revealed among others the lack of capacity, inefficiency and ineffectiveness in the Agencies in the discharge of their responsibilities as well as unresponsiveness of the Agencies to the general public. Also lack of transparency in their mode of operations and outright disobedience to the rule of law as well as unequal treatment of accused citizenry. The study further revealed that the agencies boards' compositions affect their level of efficiency and effectiveness.

The study thus recommend as follows:

- i. The review of the extant laws establishing the agencies to make them independent from the executive arm of government.
- ii. Improve funding, training and retraining of field staff to enhance investigative skills and prosecution efficiency.

- iii. The leadership of the agencies should be reserved for only seasoned professionals in the field of forensic accounting and legal practice.
- iv. The technical staff in the agencies should be drawn from among professional accountants, forensic accountants, legal experts, computer specialists and policemen trained in forensic examination.

References

- Adedokun, N. (2018, July 12). Kemi Adeosun and the opportunity lost. *The Punch*, p. 20.
- Adegbe, F. F., & Fakile, A. S. (2012). Economic and financial crime in Nigeria, Forensic accounting as Antidote. *British Journal of Arts & Social Sciences*, 6(1).
- Akinkuotu, E., & Olugbemi, A. (2018, August 1). EFCC loses ₦15billion case against ex-Sokoto gov, Bafarawa. *Punch Newspaper*, p. 12.
- Amaefule, L. I., & Umeaka, E. C. (2016). Combating economic and financial crimes by the Anti-graft Agencies in Nigeria: Implications on the Nation's economic growth and development. *International Journal of Innovative Development & Policy Studies*, 4(2), 8-33.
- Banerjee, A.; Hanna, R., & Mullainathan, S. (2011). *Corruption*. <https://doi.org/10.3386/w17968>
- Blenko, M. W., Mankins, M. C., & Rogers, P. (2010). *Steps to breakthrough performance in your organization*. Bain and Company, 2009, HBR. Retrieved from hbr.org/2010/01/stat-watch/ar/1
- CCB. (1990). *The Code of Conduct Bureau and Tribunal Act*.
- Constitution of the Federal Republic of Nigeria, 1999 (Amended).
- Dania, O. (2017). *Why EFCC lose good corruption cases – Alabi*.
- EFCC. (2002). Economic and Financial Crimes Commission Act.
- Ewa, U. E., Kechi, K., Adu, V. A., & Agida, J. I. (2017). Evaluating institutional agencies in curbing corruption in Nigeria. *International Journal of Management*, 5(12), 1-11.
- Fabiyi, O., & Akinkuotu, E. (2018, August 1). EFCC detains Ekweremadu over 22 properties. *The Punch Newspaper*, p. 11.
- FBI. (1908). *Federal Bureau of Investigation*. Retrieved from <https://www.fbi.gov> on 29/8/19
- ICPC. (2004). *Independent Corrupt Practices Commission Act, 2004*.
- Jibueze, J. (2018a, June, 5). The anti-corruption cases Trial Monitoring Committee (COTRIMO) has submitted a preliminary report on causes of delay in the prosecution of corruption cases to the National Judicial Council (NJC). *The Nation*, p. 22-23.
- Jibueze, J. (2018b, June, 5). No rule of law without strong institutions. *The Nation*, p. 27.
- Klitgaard, R. (1996). "Bolivia: Healing Sick Institutions in La Paz," in *Governance and the Economy in Africa: Tools for Analysis and Reform of Corruption*, Edited by Patrick Meagher. College Park, MD: *Centre for Institutional Reform and Informal Sector*.
- Madukwe, B. (2018). Judge withdraws from Dasuki's trial, say EFCC frustrating case, *Vanguard News*, March 16, p. 4.
- Margolis, S. (2011). *What is the Optimal Group Size for Decision Making?* Retrieved from www.shielamargolis.com/2011/01/24
- Moser, C. A., & Kalton, G. (1971). *Survey methods in social investigation*. UK; Heineman Educational.
- NFIU. (2019). Nigerian Financial Intelligence Unit Act.
- Nnochiri, I. (2018a). Delay in looters' trial: Committee indicts anti-graft agencies, courts, prisons. *Vanguard News*, May, 21, p. 9.
- Nnochiri, I. (2018b). FG drops charge against civil servant docked over 86 exotic cars, houses. *Vanguard News*, April, 18, p. 9.
- Ojiakor, I. P., Anisiuba, C. A., & Nnam, I. J. (2017). Appraisal of the activities of anti-graft agencies towards curbing corruption and financial crimes in Nigeria. *Journal of Advanced Management and Social Sciences*, 4(3), 196-216.
- Okeshola, F. B. (2012). Corruption as impediment to implementation of anti-money laundering standards in

- Nigeria. *American International Journal of Contemporary Research*, 2(7).
- Olaniyan, K. (2018). Buhari's anti-corruption fight and the rule of law. *The Punch*, July, 12, p. 40.
- Olatunji, D. (2018a). Fraud: Court strikes out EFCC suit against FUNAAB ex-VC, Ogunlewe. *Vanguard News*, May, 18, p.11.
- Olatunji, D. (2018b). Saraki VS IGP: Kwara judiciary steps in, wants suspects returned to Ilorin. *Vanguard News*, May, 18, p.11.
- SFO (1983). *Serious Fraud Office*. Retrieved from <https://www.sfo.gov.uk/publications/corporate-information/sfo-historical-background-power>
- Shleifer, A., & Vishny, R. W. (1993). Corruption. *Quarterly Journal of Economics*, 108(3), 599-617. <https://doi.org/10.2307/2118402>
- Svensson, J. (2005). Eight questions about corruption. *Journal of Economic Perspectives*, 19, 19-42. <https://doi.org/10.1257/089533005774357860>
- Tanzi, V., (1998). Corruption around the World: Causes, Consequences, Scope, and Cures. *IMF Staff Papers*, 45(4). <https://doi.org/10.2307/3867585>
- Unachukwu, J. A. (2018). Democracy can't thrive without rule of law, *The Nation*, June, 5, p. 23.
- World Bank. (1997). Helping Countries Combat Corruption: The Role of the World Bank. *Poverty Reduction and Economic Management Network*. Washington, D.C.: World Bank.
- World Bank. (1997b). *World Development Report*, Washington, D.C..
- Yakubu, D. (2018). Falana, Nwagwu fault Buhari's anti-corruption crusade. *Vanguard News*, May, 18, p3.

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