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PROBLEMS OF THE ADMINISTRATION OF CRIMINAL JUSTICE IN NIGERIA: LESSONS FOR THE THIRD REPUBLIC

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ABSTRACT

The administration of criminal justice all over the world is infested with problems. The problems are undoubtedly more in number and seriousness in a Third World country such as ours, Nigeria. This paper identifies and ¹ explains in some details only some of the more serious of the problems in Nigeria. It does so within the context of the five major stages involved in the administration of criminal justice which includes: charges and pleas; bail and remand; trial and legal representation; judgment and sentencing; as well as appeals.

The paper then concludes by offering some useful solutions to each of the problems identified and explained in the paper, calling upon the Third Nigerian Republic to implement those recommendations for a better administration of justice in the country.

INTRODUCTION

The administration of criminal justice all over the world is infested with problems. The problems are undoubtedly more in number and seriousness in a Third World country such as ours, Nigeria. The aim of this paper, therefore, is to identify and explain some of the more serious of the problems. It is also the aim of the paper to recommend some solutions to some of the problems

with the hope that our Third Republic leaders would implement those recommendations for a better administration of justice in this country. But before we move on to address the two aims of the paper; it is important we explain what we mean by administration of criminal justice.

In the context of this paper, administration of criminal justice refers to the way and manner criminal cases are charged before courts and tried and disposed off by the courts. This procedure is specified in a document known as the *Criminal Procedures Codes*. This document addresses stages through which a criminal case is expected to pass through to ensure a fair disposition of the case. It also specifies the manner of the process to ensure a fair treatment of the accused person throughout the process. The major stages involved in the administration of criminal justice include: charges and pleas; bail and remand; trial and legal representation judgment and sentencing; and appeals.

It is also within the context of each of these stages that this paper hopes to identify and explain some major problems of the administration of criminal justice in Nigeria as well as offer useful solutions to the problems for the Third Republic leaders.

CHARGES AND PLEAS

The administration of criminal justice begins with the reading of charge(s) against the accused person. He is then required to plea either guilty or not guilty to the charge(s). A charge therefore is a criminal accusation, while a plea is an answer to the criminal accusation(s) (Curson, 1979: 51 & 255). When the accused person pleads guilty to any charge he can there and then be convicted and sentenced, a process known as a "summary trial" (NNCPC, 1963: 156 & 157). The object of a summary trial is to allow, without the necessity of calling evidence, the conviction of a person accused of a minor offence punishable with terms of imprisonment not exceeding three months or a fine of N-100.00 or, in the case of a magistrate grade III, N40.00. But if the accused person pleads not guilty of the offence(s) charged against him, a trial should be carried out in full. In the interim, however, a process known as "plea-bargaining" may also be taking place. It is an out-of-court process whereby the defendant or his lawyer bargains with the prosecution for the defendant to plead guilty at the court so as to avoid a prolonged trial in exchange for lesser charges and/or a reduction in the severity of the impending sentence (Curzon, 1979: 255).

The major problems at this stage of the administration of criminal justice in Nigeria are those of false charges and forced-out guilty pleas. Article 9 of the Universal Declaration of Human Rights states that: "No one shall be subjected to arbitrary arrest, detention or exile". This means that a person can be arrested and detained only if a *prima facie* case can be made against him. Similarly, he can be punished by detention in a prison or even by exile only if he has been found guilty of, or willingly and genuinely pleaded guilty to an offence which he actually committed and for which he has been charged. This human right provision is partially endorsed by the *Nigerian Constitution*. Section 33(1a) for example, states that:

Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save ... in execution of the sentence or order of a court in respect of a criminal offence of which he has been found guilty....

But, as we have already noted above, many defendants who come before our courts in Nigeria appear on false charges to which they are eventually forced to plead guilty of. This argument is informed by the fact that many of them usually plead not guilty at the very beginning of the trial, which they change to guilty pleas later in the judicial process. For example, in recent studies carried out in Taraba, Adamawa, Kano and Plateau states, it has been found that although almost all defendants plead not guilty on the first day they appear before the court and charged, a significant number of them plead guilty eventually (Sa'ad, 1984, 1988: 140 & 1991). Most of them plead guilty eventually not because they actually committed the offences they are accused of, but mainly because of the too much suffering they experience in prison remand and in the hands of the police investigators. The studies have established further that most defendants plead not guilty at first because the statements which the prosecutions use against most of them are neither contrived or forced out of the defendants.

BAIL AND REMAND

After charges and pleas of not guilty, the next crucial issue in the administration of criminal justice is the grant or refusal of bail to the accused person. Bail refers to the release of a person under arrest or in custody awaiting trial. It also refers to the release of a convicted person to keep an employment to maintain a family and/or raise money for his defence (the *Nigerian Constitution*, 1979: s. 33 sub s. 6b). Of course, it is also in line with the notion of presumption of innocence, which demands that the defendant's constitutional right as a free citizen should not be tampered with unless he has been proven guilty of an offence (the *Nigerian Constitution*, 1979: s. 33 sub ss. 5 & 6).

Remand, on the other hand, means committing an accused person under a prison or police custody pending his trial by a competent court. In Nigeria, an accused person who is not qualified for bail is from time to time remanded in custody for a maximum period of 15 days (the *Nigerian Constitution*, 1979: ss. 129(2) & 255). And if he is not tried within a period of two months, the Nigerian Constitution mandates that he "be released either unconditionally or upon such conditions as are reasonably necessary to ensure that he appears for trial at a latter date." (the *Nigerian Constitution*, 1979: s. 32 sub s. 4a). One may, from the reading of sections 340(1) of the NNCP, 1963, conveniently classify offences as "bailable" and "non-bailable". A bailable offence is one punishable with imprisonment for a term not exceeding three years (with or without a fine) or with a fine only.

The right to be released on bail pending trial is implied by subsections 5 & 6(b) of section 33 of the *Nigerian Constitution*, which state respectively

that: "Every person who is charged with a criminal offence shall be presumed innocent until he is proved guilty", and that "he shall be entitled to be given adequate **time** ... for the preparation of his defence". Certainly, if one were to be presumed innocent until proven otherwise as provided by section 33(5) one should be released on bail rather than put on remand in a prison, which is a punishment in itself. Similarly, for someone to effectively utilise the adequate time he should be given for his defence, he needs to be released on bail. Bail, therefore, is important in that it is one of the ways to ensure that accused persons' rights to personal liberty and to fair hearing are not unnecessarily denied. Clearly, therefore, our laws have made several provisions to ensure that suspects are as much as possible released on bail. Unfortunately, however, unnecessary denials of bail to accused persons remains a major problem under this stage of the administration of criminal justice in Nigeria. A majority of defendants, who are predominantly poor, that daily pass through our courts, especially the lower courts, are denied bails unnecessarily. A number of legal scholars have already identified this problem (Adeyemi, 1977: 147, 148, 152 & 229). And more recent studies in this area bear them out (Sa'ad, 1984: 16-18: 133-138; 1991, and NIALSL, 1990.) These studies have revealed that a majority of defendants are denied bail simply on the grounds of lack of money. While some do not secure bail because they do not have the money to deposit in lieu of bond, others do not because they cannot present sureties with good financial standing. Consequently, they are kept in prison custody for long periods of time awaiting trial. In the process, they suffer the pains and restraints that even a "proper prisoner" are not subjected to.

TRIAL AND LEGAL REPRESENTATION

At the trial stage, the criminal justice process in Nigeria is based on the adversarial principles; the notion that truth can only be established through probing questions, accusations, motions and counter-motions between the contending parties. This principle is derived from the British history of trial by combat whereby cases were settled through the direct physical charges and fights between the defendants and his complainant. It was presumed that the innocent would win irrespective of his inferior physique or strength in relation to his opponent.

With the so-called "humanisation" and "formalisation" of criminal justice, this process has been reduced to a verbal level (a technical verbal adversary), whereby now the victim or complainant is always represented by the state which, since its emergence, has claimed to itself the responsibilities of making "peace" between, and "redressing" injustice for its citizen. It is also realised that there is a need for the equality of the adversaries, and that the state is no equal of a lay citizen in the court. Ideally, therefore, the defendant is seen to also need representation by somebody equally competent to the State Attorney who can energetically defend the accused's rights, and question the state to prove its case beyond reasonable doubt with reliable and locally admissible evidence in an open court. This ideal is incorporated into

the *Nigerian Constitution* (1979: s. 33 ss. 3 & 6c). A defendant denied the right to legal representation can appeal to the High Court for redress (the *Nigerian Constitution*, 1979: s. 42 ss. 1)

Adversary system may be better than an inquisitorial one in ensuring a fair trial of the accused. The adversary system-must, however, have to contend with the problem of delays in trial and the necessity of legal representations. Delays in trial and virtual absence of legal representation for most accused persons have been very much the feature of the administration of criminal justice in Nigeria. Regarding delays in trial, one judge, as far back as 1969, has observed that "one of the striking events" of their visits (i.e, the judge's and his entourage's) to a number of prisons in Lagos, "has been the unreasonably large number of accused persons, men and women, young and old, who were then in prison custody awaiting trial, in some cases, for as long as two years" (Elias, 1972: vii at the preface). Regrettably, after about nearly a dozen years since this observation was made, it appears that things have not changed for good. Just a few years ago, the Lagos State Chief Judge, Justice Candido Johnson, was said to have "stumbled on some startling revelations" when he visited prison in his jurisdiction. Among these were 18 women suspected of drug trafficking, awaiting trial for 18-24 months, and a murder case held up by a Chief Magistrate for over nine years (*West Africa*, 14-20 November, 1988: 2134). It needs not be over-emphasised that a situation such as this constitutes a huge stain on the record of human rights in Nigeria. It is an outright contravention of subsection 4(a) of section 33 of our fundamental rights in the *Nigerian Constitution* which provides that if a:

person who is arrested or detained ... not tried within a period of 2 months from the date of his arrest or detention in the case of a person who is entitled to bail, ... he shall be released either unconditionally or upon such conditions as are reasonably necessary to ensure that he appears for trial at a later date.

It also tantamounts to a presumption of the guilt of the defendant rather than his innocence, and punishing him even before he is tried, convicted and sentenced.

As we have already noted above, legal representation in the court is also a fundamental right entrenched in our *Constitution* (s. 33 subsection 5a). Given the so-called adversary and complicated, or even alien, nature of our criminal justice, one certainly requires expert advice, i.e. a legal counsel. Unfortunately, however, only a few wealthy individuals enjoy these rights. A majority of litigants that daily appear before the courts in the country cannot afford to hire legal counsel. A person needs only to spend a single day in any of the lower courts in Nigeria to appreciate the lack of legal representation for defendants with poor socio-economic background. Consequently, the trial processes in these courts can only be said to be inquisitorial rather than accusatorial as A.A. Adeyemi would want us to believe. One would have thought the poverty would not be a barrier to legal representation in Nigeria given the fundamental rights in the *Constitution* (1979) for, "every person who

is charged with criminal offence... be given adequate ... facilities for the preparation of his defence" (s. 33 sub s. 6b). This provision has, by implication, entitled all poor litigants to a legal aid. Unfortunately, our laws limit this right to only those accused of capital offences (NNCPC, 1963: s. 226 sub s. 1).

JUDGEMENT AND SENTENCING

Judgment and sentencing are virtually the last stages of the criminal justice administration. Judgment is a "formal decision made and pronounced by a court of law or other tribunal" (Curzon, 1979: 182). On the basis of the evidence gathered and heard in favour or against the defendant, a judge may pronounce the defendants as discharged without acquittal, or discharged and acquitted, or convicted. Three major procedures are required in a judgment.

First, the judgment must specify the offence and the section of the penal code or other law on which a judge's pronouncement, either in favour or against the defendant, is made (NNCPC, 1963 s. 269 ss. 2 & 3).

Secondly, the judgement must contain the points for determination, the decisions thereon, and the reasons for the determination (NNCPC, 1963: s.269ss. 1).

Thirdly, the substance of the judgement which must be written down and pronounced in an open court must be explained in the language understood by the accused person (NNCPC, 1963: s. 269 ss. 1).

If a judgement is that of conviction, the judge proceeds to sentence the accused person to some kind of punishment. Sentencing, therefore, is a process of imposing some kind of punishment or penalty "... on a person found guilty by the court" (Curson, 1979: 308). The sentence that a judge may impose on a person found guilty may be custodial (i.e. prison) or non- custodial (e.g. fine) sentence, or a combination of any of the sentences which are authorised by the law (NNCPC, 1963: s. 21). The kinds of custodial and non-custodial sentences to which convicted persons are liable are specified under section 68 of the Penal Code, 1959. They include death, imprisonment, forfeiture of property, detention in a reformatory, probation order, fine, flogging, and "haddi" lashing to be applied on Muslims convicted of offences of drinking of intoxicants, adultery, defamation and injurious falsehood.

A major problem at this stage of the administration of criminal justice in Nigeria is the passing of harsh and unreasonable sentences on accused persons. To be sure, a person should be liable to some form of treatment or punishment if he has been found guilty of an offence. However, to pass upon such a person a harsh and unreasonable sentence is to abuse his human right. Article 5 of the Universal Declarations appears to state so when it says that "No one shall be subjected to torture or cruel, inhuman or degrading treatment". A sentence passed by a court is a form of punishment, and to pass one which outweighs a person's offence is, to say the least, cruel and inhuman.

Perhaps section 33(8) of the Fundamental Rights in the *Nigerian Constitution* is also meant to curtail the passing of harsh and unreasonable sentences on offenders. It states that "... no penalty shall be imposed for any criminal offence heavier than the penalty in force at the time the offence was committed". But it appears clearly in certain studies that a sentence passed by

a court could still be harsh and unreasonable even if it was not heavier than the penalty in force at the time of the offence (see e.g. Sa'ad, 1984: 21-23; 1988: 146-53, and 1991: 54-60, 76-80). This seems to happen because most magistrate courts simply apply the penal code to the letter without considering the circumstances surrounding both the offence and the offender. Thus, although most of the prisoners interviewed in one study were "first timers", and irrespective of the wide discretion as to the severity of sentences for most offences which the penal code leaves to the courts, they did generally receive almost the maximum sentences prescribed by the sections of the penal code under which they were variously convicted (Sa'ad, 1988: 149).

CRIMINAL APPEALS

Although passing a judgement and sentencing are the last stages in the administration of criminal justice, a retrial might become necessary through an appeal. A person sentenced to imprisonment has, depending on the nature of his offence and his character, the right of release on bail pending the result of his appeals (NNCPC, 1963: s. 283 ss. 1-5).

Appeal is a means provided for litigants who may be dissatisfied with the decision of the lower court on their cases to seek redress from the higher court. This avenue is in itself a human right provision guarantee[^] by article 8 of the UN Declaration;

Everyone has the right to an effective remedy by the competent national tribunal for acts violating the fundamental rights granted him by the constitution or by law.

This human -right provision is endorsed by the *Nigerian Constitution* in section 42. Subsection(1) states that:.

Any person who alleges that any of the provisions of this chapter (i.e. the chapter on fundamental rights) has been, is being or likely to be contravened in any state in relation to him may apply to a High Court in that state for redress.

In fact, this section, in its subsection 4b, further enjoins the National Assembly to make provisions for the rendering of financial assistance to any indigent citizen whose fundamental right is infringed to enable him. to engage the services of a legal practitioner to prosecute his claim.

Contrary to the legal, human and constitutional rights provisions above, most aggrieved persons in Nigeria, particularly the defendants, are denied appeals either by outright refusal or by creating difficult condition for them to be able to file any appeal. Several studies in this country have shown that most convicted prisoners are not satisfied with their convictions and/or the sentences they received, but only a few of them are able to file any appeal.

Three reasons appeared to be responsible for this, viz.

- (1) some do not have the money,
- (2) some are unable to contact relatives who can help them with money for appeal, and;
- (3) some, quite rightly, do not believe appeals can yield any positive result because they have seen many who appealed but never heard anything about their appeals throughout their stay in prison (see, e.g. Sa'ad, 1984: 24; 1988: 153-54; 1991: 60, SU-82, and; NIALSL, '1990).

CONCLUSION AND RECOMMENDATION

It is clear in this paper that each stage of the criminal justice administration is infested with fundamental problems. These problems include:

1. false charges and forced-out guilty pleas;
2. unnecessary denials of bail;
3. delays in trial and virtual absence of legal representation;
4. passing of harsh and unreasonable sentences; and
5. virtual absence of criminal appeals by defendants.

In the foregoing paragraphs we shall summarise the reasons for each of these problems and recommend some solutions.

In relation to the first problem above, it is clearly pointed out in this paper that most people that come before law courts in Nigeria come on false charges to which they are eventually forced to plead guilty by the circumstances surrounding their detention and police interrogation. At least, three major solutions suggest themselves here for the country's Third Republic leaders, especially legislators. First, there should be law-abiding judges and magistrates to investigate into the manner the police obtain the statement on which an accused person is charged before the court. Secondly, and in order to enhance the first solution, it should be made a law that questioning be tape-recorded and be made in the presence of a state counsel assigned to the case. Thirdly, the prosecution of all criminal cases in all courts should be taken over from the police by legal practitioners.

As regards the second problem, it is demonstrated in this paper that a substantial majority of defendants in this country do not secure bail due mainly to their material poverty or that of their sureties, which is unnecessary. At least, two solutions suggest themselves here. First, the Third Republic leaders should take steps to ensure that release on self-recongnizance is made use of more often than anything else, provided the accused person has a fixed address, he is not a "habitual criminal" and the offence charged against him is not the "absolutely non-bailable" type. Secondly, they should also take steps to ensure that courts do not reject a person as a surety simply on the ground of low income.

Regarding the third set of problems, it has been discussed in this paper that these problems have been very much the feature of the administration of

criminal justice in Nigeria. Various reasons have been attributed to delay in trial by several scholars. These include police inefficiency in gathering evidence against the accused, absence of stenographers, inefficiency of judges/magistrates themselves, frequent adjournments prompted by inexperienced lawyers, case overload, adversary system, etc. We strongly suggest here that the Third Republic government should employ expert hands to investigate into these problems more closely and exhaustively with the view of finding permanent solutions to them.

Meanwhile, however,, two solutions suggest themselves in this paper. The Third Republic should:

first, ensure that the court complies strictly to the constitutional provisions that enjoin the release of suspects which it cannot deal with within two and three months-for those-on remand and on bail respectively; and

secondly, ensure that accused persons who are discharged, or even convicted, after exceeding these constitutional limits, are duly compensated. As for the virtual absence of legal representatives for defendants, lack of money has been the major reason. It is therefore, strongly suggested here that the Third Republic should see to it that legal aid is extended to all defendants who cannot afford a lawyer, irrespective of their offences. It may be argued at this juncture that there are not enough state counsels to make this possible. One way to ease up this problem is for the government to make use of private practitioners. Another one, is for the government to create conducive atmosphere for voluntary organisations to run "paralegal services" , particularly in the rural areas.

Regarding the fourth problem relating to criminal justice administration identified in this paper, we have noted that courts make use of imprisonment and fines over and above other alternative sentences, and they are severe in the use of the two forms of sentences. This, we argued, is due to the "off-the-cuff manner sentences are passed without, due consideration oi some mitigating circumstances, such as periods spent—on remand (in cases of prison sentences) and the financial status of the convicted persons (in cases, of fines). Three recommendations are apparent here. The Third Republic leaders should:

- (1) ensure that a law is promulgated binding the judges/magistrates not just to seek for information against the accused person, but also to ask for information in favour of the accused such as the time he spent in remand awaiting trial, his financial status, his contribution to the development of the society, etc.
- (2) ensure that courts make less use of imprisonment and fines, and more use of compensation and other more valuable forms of settlement or punishment; and
- (3) take steps to ensure that the services of social welfare and/or probation officers are fully employed in the courts so as to facilitate the realisation of the two preceding solutions.

As regards the fifth problem (virtual absence of criminal appeals) identified in this paper, lack of money, loss of contact with relative, and apathy due to delays in sending appeal cases to the appellate courts appear to be the reasons. As for lack of money, it is strongly suggested here that the Third Republic should make criminal appeals free of charge for those who cannot afford the cost. As for loss of contact with relatives, the Third Republic should see to it that convicted individuals are released on bail pending appeal as provided by the country's law. As for apathy due to delays, the Third Republic should take steps to ensure that trial courts do expedite the process of sending appeal cases to appellate courts.

To conclude, finally, it appears overall that the problems of the administration of criminal justice discussed in this paper are compounded by poverty. It has been discussed, for example, that most defendants in Nigeria cannot secure bail mainly because of lack of money and/or sureties with good financial standing. As a result they eventually plead guilty to end their suffering in remand. Similarly, most defendants are not represented in courts by lawyers because of lack of money. Studies have also shown that certain defendants receive sentences of imprisonment with option of fine, but cannot take the fine option for want of money. Yet again, many convicts, even though dissatisfied with the judgement and sentences passed on them, could not appeal because of financial problems, among other reasons. It is clear, therefore, that the government of the Third Republic has to take positive steps about eradicating poverty and inequality in wealth in the country. These are systemic problems, created by the type of socio-economic order which Nigeria operates; the capitalist, or the so-called "mixed economy". Capitalist societies have been found to be economically exploitative of the majority of its people, as well as incapable of both enforcing equal rights and dispensing justice for⁴ them (Marx, 1968; 320; 1976:178, 280, 712 & 730; NDC/CSE, 1979; Sa'ad, 1988: 226-246 & 1989). As a long term solution, therefore, a reappraisal has to be done about capitalism in Nigeria.

NOTES

¹See, for example, *Criminal Procedure Code* (N.N. Laws 1963, Cap. 30). henceforth referred to as NNCPC, 1963.

²The opposite of this principle is the inquisitorial principle "under which the judge searches for facts, listens to witnesses, examines documents and orders that evidence be taken, after which he makes further investigations if he considers them necessary." (Curzon, 1979: 172).

³To be able to hand down a fair sentence, a judge should take into consideration complex issues both in mitigation and aggravation, such as previous convictions, the feeling of remorse and other evidence as to the character of the accused person before passing his sentence (Elias 1972; Thomas, 1979; Cross, 1981; and Ashworth 1983). This requires time. Unfortunately, however, no rules are laid down requiring the judge in Nigeria to adjourn in order to determine the appropriate sentence or measure for the convicted. Also there is no rule as regards what issues the sentencing judge should consider in mitigation or aggravation. It is not surprising, therefore, that magistrates and judges, as rightly noted by Fadipe (1972;41), do hand down their sentences in an "off-the-cuff" manner, which may be responsible for the passing of harsh and unreasonable sentences on accused persons.

REFERENCES

Adeyemi, A.A. (ed) (1977): *Nigerian Criminal Process*, Lagos, University of Lagos Press.

Adeyemi, O.A. (1972). "A Day in the Criminal Court", in T.O. Elias (ed) (1972): *77ie Nigerian Magistrates and the Offender*, Lagos, University of Lagos Press.

Ashworth, A (1983): *Sentencing and Penal Policy*, London, Wendenfeld and Nicolson.

Cross, R. (1981): *Hie English Sentencing System*, 3rd edition.

' Curson, L.B. (1979): *A Dictionary of Law*, London, Macdonald & Evans.

Elias, L.O. (1972) "Sentencing Processes, Practices and Attitude as seen l»y a Magistrate and Customary Court Judge", in T.O. Elias (ed) (1972): *77te Nigerian Magistrates and the Offender*, Lagos, University of Lagos Press.

(1968): "Critique of the Bother Programme", in K. Marx and F. Engles: *Selected Works in One Volume*, Lawrence and Wishart.

----- (1976): *Capital*, Vol. 1. (Penguin)

National Deviancy Conference (NDC)/Conference of Socialist Economists (CSE) (1979): *Capitalism and the Rule of Law*, London, Hutchinson,

Nigerian Institute of Advanced Legal Studies, Lagos (1990): "The Courts", unpublished Research Report presented at the National Conference on Human Rights and the Administration of Criminal Justice, Nicon-Huga Hilton, Abuja, 17-18 September, 1990.

Probation Act (1957) Probation Law (1959)

Sa'ad A.M. (1984): "Justice in Borno State, Nigeria: An Analysis of the Prisoners' Experiences of the Criminal Process", an unpublished M.Phil, dissertation, Cambridge University. England.

----- (1991): "The Courts and Protection of Human Rights in Nigeria", and unpublished Research Report submitted to the Social Science Council of Nigeria, Ibadan, 30 August, 1991.

Die Constitution of the Federal Republic of Nigeria (as Amended, 1979) Ttie Criminal Procedure Code, N.N. Laws 1963, cap. 30. The Penal Code, N.N. Laws, No. 18 of 1959.

Thomas, D. (1979): *Principles of Sentencing*, Cambridge, Cambridge Institute of Criminology.

West Africa, 14-20 November, 1988.

Williams, J.E. Hall (1982): *Criminology and Criminal Justice*, London, Butterworths.