Judicial Officers Gen of Forensic Psychology and the Perceived Actual Administration of Justice in Kaduna-Nigeria.

¹David Markus Shekwolo PhD, ²Jerry James Doka & ³Adejoh Victor Attah.

¹Department of Psychology, Nigerian Defence Academy, Kaduna ²Department of Psychology, Nasarawa State University, Keffi. ³Synagos Nigeria, Central Business District, FCT Abuja.

Abstract

This study investigated judicial officers' knowledge of forensic psychology and the perceived actual administration of justice in Nigeria. The design of this study was survey design drawing 49 participants 42 were Judicial Officers, particularly lawyers and 7 from magistrate court in Kaduna using convenient sampling technique. Two standardized instruments were used in collecting data. Two hypotheses were postulated and tested with Independent Sample-t-test and Pearson Product Moment Correlation. Hypothesis one revealed that (M= 39.24; SD= 2.824) and older layers (M= 37.90; SD= 3.401) on impact of Forensic Psychological Knowledge Administration of Justice. In addition, the result revealed a statistically significant t(47)=1.503, P > 0.05 difference between younger and older layers on impact of Forensic Psychological Knowledge Administration of Justice. In other words, the hypothesis was confirmed. Hypothesis two revealed r (47) = 0.51, P<0.05). This result hereby confirms the hypothesis that there is a relationship between judicial officers' knowledge of forensic psychology and the perceived actual administration of justice in Nigeria. We concluded and recommended that the field of psychology is gradually becoming known in the area of criminal justice administration as such, psychologists should speak louder than their voices through their works by diversifying their interest and researches to the field of criminal Justice system in Nigeria.

Key Words: Judicial Officers, Gen, Forensic Psychology, Perceived Actual and Administration of Justice.

Date of Submission: 03-01-2022

Date of Acceptance: 14-01-2022

I. INTRODUCTION

Psychologists especially in the western society of Europe and America are among the key decision makers that determines court sentences and acquittal. Unlike in Nigeria, they have many psychologists that work with the legal system. It is not much a news that the legal system as well as it framework hardly recognize the need and usefulness of Psychological knowledge and professionals within the justice system as such there are little or no room in the justice system for a psychologists to take an internship programme not to talk of working as a major decision maker in issues of justice dispensation. Administration of justice, with particular reference to the criminal law, is a compendious term that stands for all the complexes of activity that operate to bring the substantive law of crime to bear, or to keep it from coming to bear, on persons who are suspected of having committed crimes. It refers to the rules of law that govern the detection, investigation, apprehension, interviewing and trial of persons suspected of crime and those persons whose responsibility it is to work within these rules. The administration of justice is not confined to the courts; it encompasses officers of the law and others whose duties are necessary to ensure that the courts function effectively. The concern of the administration of justice is the fair, just and impartial upholding of rights, and punishment of wrongs, according to the rule of law."www.duhaime.org

The relationship between psychologist and judicial officers has improved positively since the publication of the first volume of a book that advocates the application of psychology in legal practice by the famous German Psychologist Hugo Munsterberg "On the Witness Box" in 1908 (Nweze, 2010). Psychologist and judicial officers' daily routings are centered on interactions with human behaviour. Law according to Sternlight (2010), have been recognized to be people's profession, advocating almost always on every aspect of our daily lives. A lawyer for example spends most of his time interacting with people and their behaviors. People here include client, judges, witness, or colleagues. Judges too like the lawyers have lawyers, litigants, witnesses, juries and the whole system to face. Apart from their daily interaction with people, judicial officers

spend time as well interacting with human behaviours, they engage in client interview, examination and cross examination of a litigants and witnesses, counseling, given legal advice, negotiations, fact finding and research. The judges in addition to the above responsibilities have tons of evidence from litigants and witnesses to sieve from in other to reach a fair and just judgment.

Legal practitioners as ministers in the temple of justice can determine the truth and nothing but the truth only when they possess wide, good knowledge and understanding of how people think, and make decisions. They are expected to also have good people skills especially about why they do what they do, how they form attitude and what direct their behaviors generally (Zoysa & Shackel, 2011). Human behavior is central to every aspect of law whether criminal or civil law. Most law students commonly graduate from law school understanding little if anything about perception, memory, cognitions as it relates to general human behaviors. "While good lawyers ultimately pick up some of this information through experience, there is no reason to leave new lawyers to flounder based on a lack of understanding of these psychological principles". It is important to note that, just like the experienced lawyers, new lawyers to can benefits immensely from researches and findings of psychology in law and legal practice as well as general human behaviors (Robbennolt, 2008).

Also support Edwin assertion as cited in Robbenolt, (2008), that legal practice is far more people oriented than just legality of law education and procedure. Furthermore, the result support Justice Stephen Breyer as cited by Foxhall, (2000), who spoke in APA and ABA joint conference that science of Psychology has become part of the legal system, he advocated for the bar, the bench to work together to find out it legitimate role to the legal system. Breyers further asserts that both Psychology and Law should set up structures to help Judges make better decision. To further buttress on the relationship Psychology Knowledge has on Justice Administration as shown by this result, Judge Rya of the Federal Judicial Centre in Washington DC as cited in Foxhall, (2000), sees the need for Psychologist to "teach attorneys what they have to offer". Attorneys, she said, will then teach the judges by putting evidence before them. Also, Judge Sheila Murphy advised that inclusion of Psychologist from the onset of a case will help revotionalize the justice system. She concluded by saying "a judge and attorneys need to be educated by Psychologists in areas where they were never thought at all, such as psychological disorders, addiction etc". (Foxhall, 2000).

Ronnenolt, (2008), who believes that most senior lawyers or experienced lawyers as tagged in the work, learns more of psychological knowledge from "cases, finding of psychology in law and legal practices as well as general human behavior through personal study". This greatly spotlighted the needs for a more close familiarity with psychological related literatures by the Judicial Officers and much emphasis on the inclusion of Psychology curriculum in raising future lawyers. This research findings assumes that while some believe knowledge of human Psychology determine Effective Justice Administration, others don't but rather sees effective justice to stern from their personal ability to either convince or confuse a judge to accept their outline of argument.

Gold, (1988) asserts that psychology is an instrument lawyers used to manipulate justice. One plausible explanation to this relationship may be due to increase awareness about psychology to the judicial officers by media and experience from developed countries on how Psychologists are aiding judicial officers and justice system achieve effective justice. Another explanation can be the availability of psychological knowledge in the media and increase in researches in the area of forensic psychology and legal psychology which can be found in the internet. Also the frantic effort of Nigerian Psychological Association in educating not just the judicial officers but the general public on the role psychology plays in nation development can also not be overlooked, this they do through the annual conferences organized and other awareness programmes. However, the finding is of great importance because it has increased our awareness that psychologist to intensify in research that addresses the bottle necks in our justice system. Another significant point of this finding is the need for increase participation of psychologist in real legal issues, such as experts witnessing, consultative services or Amicus Curiae to the court and law chambers.

Statement of the Problem

Despite the wide spread of ignorance about psychology by judicial officers in Nigeria, psychologist have done little if anything at all especially in the areas of research into the justice system. They are less vocal in that field compared to other fields of psychology. Most psychologists have shrink to their cocoons when it comes to research and interest in legal studies. This can be accounted for the ignorance among judicial officers and the general public about psychology and it relevance to justice administration. It is not enough for one to answer the name psychologist. Beyond that a psychologist must be able to promote the development of the field with contributions through research and promoting such research findings to the point of recognition and application in the area concern.

Many judicial officers in Nigeria cannot confidently say exactly what and how psychology can contribute to the legal system on one hand and what they stand to benefit from the knowledge of psychology on the other hand. This has been corroborated through empirically research by Ojiji and Aleadu (1995). The research was meant to find out "the perception and knowledge of Psychology as possible partners in the study and control of human behaviors". The aim of this research according to Nweze (2010) was to find out from the lawyers whether psychology has relevance to their legal profession and if possible specific areas of relevance. Result from the above research reveals that, the lawyers interviewed during the research had little knowledge about the relevance of psychology to their profession. Psychologists have equally contributed their quota in Nigerian growth and development. In the area of mental health, psychologists have developed psychological instruments that measures certain aspect of human behavior ranging from personality, depression, anxiety etc. most of these tests are currently used in the clinical setting and organizations. Others have been able to domesticate foreign test to suit local use.

In the area of manpower development, psychologists within it 50years of existence in Nigeria has produced much workforce with much knowledge of human behavior. Great psychologists within the country are using the knowledge of to contribute to the progress of their organizations. Many of these workforces are found within the military, Para-military, Hospitals, Correctional settings and Rehabilitation homes. Bulk of Nigerian Psychologists is within the four walls of the higher institutions lecturing, replicating their wealth of knowledge and experience to the young and upcoming psychologists. One of the major factors that results in low level of co-existence between psychology and law in Nigeria can be attributed to the apparent communication gap that has been created between lawyers, judges and psychologists. The psychologists have not really done much to showcase what they capable of doing and how they can contribute to the legal system. This has contributed to the prevailing ignorance among many judicial officers about what psychology is and what psychologist is capable of contributing to the enhancement of judicial process and the system as a whole (Nweze, 2010).

Objectives of the Study

The study is aimed at looking at the following objectives

- i. To determine the difference in length of stay between Junior and Senior lawyers on the impact of Forensic Psychological Knowledge Administration of Justice.
- ii. To examine the significant relationship between Judicial Officers Knowledge of Forensic Psychology and Perceive Effective Justice Administration.

II. METHODS

Design

The design of this study was survey design, which seeks to identify the relationship between variables, p. This is considered appropriate for this study as the variables involved in the study were not manipulated but considered retrospectively in the way they occurred.

Participants

Forty nine (49) Judicial Officers particularly lawyers that have been called to bar and currently practicing and Magistrates of Magistrate courts within Kaduna State of Nigeria Metropolis were employed as participants in this study comprising of 42 Lawyers and 7 Magistrates. The age range of the participants falls between 21 to 70 years of age. Stratified sampling was used to sample those that took part in the research.

Instruments

The instruments used in this research were structured questionnaire consisting of three sections, A, B and C. **Section A: Demographic Information:** This section was design to collect demographic information from respondent. It has four items which includes Sex, Year called to Bar, Age and whether the respondent is a Lawyer or a Magistrate. **Section B: Knowledge of Psychology For Judicial Officers:** it consists of 16 items measuring Knowledge of Psychology among Judicial Officers. The items were adopted from previous test measuring Knowledge of Psychology and Misconceptions on Psychology as found in studies and published articles such as Rosenthal, Soper, Rachal, McKnight, and Price, (2004). The Profession of Psychology Scale, Furman, Callahan, and Rawles, (2003), Adult Knowledge of General Psychology Questionnaires, Taylor and Kowalsky, (2004). Knowledge of Psychology Test, and also a test published in the works of Reiko, (2008), Public Knowledge of Psychology Questionnaire. The above studies were examined and their instruments were compared and adapted to come up with the instrument used in this study titled Knowledge of Psychology Test for Judicial Officers (KOFP-JO). Three (3) marks is awarded to the correct answer which can be either "Yes or No". The wrong answer is awarded 1 while I don't know is awarded 2. The total number of answered items for a participant was recorded, respondents possible scores ranges between 16 as the least and 48 as the highest. The higher the scores obtained by participant, means a higher level of knowledge in Psychology.

The reliability of the Knowledge of Psychology Questionnaire was established using Kuder-Richardson formula 20 (KR 20). Result from the analysis indicated that the instrument has a high internal consistency of 0.736 (Reiko, 2008),

Section C: Effective Justice Administration Questionnaire (EJAQ): it consists of 13 items that assesses Effective Justice Administration as perceived by Judicial Officers. These items were adapted from the British Crime Survey Questionnaire (British Crime Survey, 2008). Respondent were asked to rate their level of confidence in the effectiveness of the Justice System (the Police, Court and Correctional Service). From this questionnaire, elements that forms the definition of Effective Justice includes; how prompt it takes to administer Justice, fairness in sentences, how commensurable sentences are to the crime committed, whether sentences really rehabilitate or deter potential offenders, conviction of the innocents, handling of evidence, manipulation of Justice among other elements. Each item is scored on a four point Likert Scale, ranging from 4 Very effective or Very confident, 3 Fairly effective or Fairly confident, 2 Not effective or Not confident, and 1 Not effective or confident at all. The reliability strength of the instrument has an internal consistency of 0.83 using KR-20 (Reiko, 2008), while the validity of both sections of the instrument was ensured through the help of my supervisor and experts within the Department of Psychology, Nigerian Defence Academy using both face and content validity measures.

Procedure

Participants of this research were selected using convenient sampling technique. The researcher employed the help of three research assistants, who were practicing lawyers; they were instructed on the purpose of the research, the participants and the ethical standards that govern the research process. The researchers visited Magistrate courts and Law Chambers in other to have audience with both sets of participants. After seeking audience and informed consent, only participants that consents were administered the research questionnaire. Participants were asked to tick on column that corresponded with their choice answers as indicated in the instruction found on the questionnaire.

Statistics

Descriptive statistics of simple percentage was used to analyze participants' demographic data which includes gender, Age and years of practice. Pearson Product Moment Correlation was used to analyze the second hypotheses while Independent t-test was used to analyze first hypothesis all at 0.05 level of significant using Statistical Package for Social Sciences (SPSS).

Ethical Considerations

The research is deemed to have no known risk to participants' physical, psychological or professional wellbeing. The probability of discomfort or magnitude of harm anticipated in this research is zero (0). Participants were assured that participation in this research was voluntary and data will be handled with confidentiality.

VARIABLES	FREQUENCY	PERCENT %	
Gender			
Male	30	61.2	
Female	19	38.8	
TOTAL	49	100	
Year Called to Bar			
1-6	24	57.1	
7above	18	42.9	
TOTAL	42	100	
Position			
Lawyers	42	85.7	
Magistrate	7	14.3	
TOTAL	49	100	

III.	RESULTS
Table 1: Summary of den	nographic Data of the Participants

Table 1 shows the summary of frequency and percentage of participants' based on Gender, Years called to Bar and Position whether Lawyer or magistrate. 49 participants were used in this study comprising of

lawyers and Magistrates. Out of the 49 participants of this research, 30 were male representing 61.2 % while 19 equivalent to 38.8% are female. To distinguish between senior and junior lawyers, Year called to Bar was collected at an interval level and later categorized into a nominal scale of Senior and Junior lawyers this also help to determine their years of experience. The result shows that 24 of the respondents representing 57.1% has between 1-6 years of experience and are also referred to as Junior Lawyers, while 18 lawyers representing 42.9 have above six years of experience are regarded as senior lawyers. Position here is used to describe whether the respondent is either a lawyer or magistrate. The table shows that majority of the respondent were lawyers having 42, represent 85 % of the total participants while just 7 magistrates representing 14.3% returned back their filled questionnaires. The general overview of the participants of this research shows that, the participants comprises of both lawyers and magistrates. Majority of the respondents were lawyers, as well having more of junior lawyers with between one to six years of experience also with more of male than females.

Hypothesis One states that there will be significant difference in perception between Junior and Senior lawyers on the impact of Forensic Psychological Knowledge Administration of Justice.

Variables		Ν	Μ	SD	Df	t-test	Sig.
	1-6 Years	29	39.24	2.824			
					47	1.503	0.140
	7-30 Years	20	37.9	3.401			

Table 2: Summary Table of the difference in perception between Junior and Senior lawyers on the impact of Forensic Psychological Knowledge Administration of Justice.

Table 2 shows the difference in the mean scores between Junior and Senior lawyers where junior layers (M= 39.24; SD= 2.824) and senior layers (M= 37.90; SD= 3.401) on impact of Forensic Psychological Knowledge Administration of Justice. In addition, the result revealed a statistically significant t(47)=1.503, P > 0.05 difference between Junior and Senior lawyers on impact of Forensic Psychological Knowledge Administration of Justice. In other words, the hypothesis was confirmed in this study. Meaning the higher a Lawyer's experience in the legal profession the more his/her Knowledge of psychology.

Hypothesis Two: there will be significant relationship between Judicial Officers Knowledge of forensic Psychology and Perceive actual impact of Administration of Justice.

Table 3: Summary of Correlation table showing the relationship between Judicial Officers Knowledge of forensic Psychology and Perceived actual impact of Administration of Justice.

Variables	Ν	М	SD	Df	r	Sig.
КҒРЈО	49	38.69	3.11	47	0.51	-0.725
EJAT	49	36.27	5.47	47		

* P-Val. 0.05

49 Judicial Officers participated and responded to the research questionnaires using correlation, the result shown on the table reveals that the mean of the score for Knowledge of Forensic Psychology for Judicial Officers (KOFPJO) (M= 38.68 SD= 3.11) and for impact of Justice Administration Questionnaire (EJAQ) (M= 36.27; SD= 5.47). This result shows a significant relationship between the Judicial Officers Knowledge of forensic Psychology and Perceive actual impact of Administration of Justice r (47)= 0.51, P<0.05). This result hereby confirms the hypothesis.

IV. DISCUSSION

The first hypothesis of this research which states that there will be significant difference in perception between Junior and Senior lawyers on the impact of Forensic Psychological Knowledge Administration of Justice is confirmed. This means that the higher a Lawyer's experience in Law practice the greater his understanding of Psychological related matters. This finding corroborate the assertion by Ronnenolt, (2008), who believes that most senior lawyers or experienced lawyers as tagged in the work learns more of psychological knowledge from "cases, finding of psychology in law and legal practices as well as general human behavior through personal study". This greatly spotlighted the needs for a more close familiarity with psychological related literatures by the Judicial Officers and much emphasis on the inclusion of Psychology curriculum in raising future lawyers. This research findings assumes that while some believe knowledge of human Psychology determine Effective Justice Administration, others don't but rather sees effective justice to stern from their personal ability to either convince or confuse a judge to accept their outline of argument.

The second hypothesis stated that there will be significant relationship between Judicial Officers Knowledge of forensic Psychology and Perceive actual impact of Administration of Justice. The result shows a relationship between Judicial Officers Knowledge of Psychology and perceives Effective Justice Administration. This implies that the Knowledge of Psychology by Judicial Officers will have positive impact in ensuring and enhancing Effective Administration of Justice to the common man. To the best of the researcher's knowledge at the point of carrying out this study, there are no known research outcomes in line with this, the result indicates that fair, impartial and just upholding of human right regardless of who is involves can effectively be achieved if the judicial officers understand the people involved and the motivation behind their actions (www.duhaime.org). It further agrees with Robbenolt, (2008), who opines that the impartial upholding of right and punishment of wrongs according to rule of law can be enhanced with increase knowledge of human behavior and motivations. Also support Edwin assertion as cited in Robbenolt, (2008), that legal practice is far more people oriented than just legality of law education and procedure. Furthermore, the result support Justice Stephen Breyer as cited by Foxhall, (2000), who spoke in APA and ABA joint conference that science of Psychology has become part of the legal system, he advocated for the bar, the bench to work together to find out it legitimate role to the legal system.

Breyers further asserts that both Psychology and Law should set up structures to help Judges make better decision. To further buttress on the relationship Psychology Knowledge has on Justice Administration as shown by this result, Judge Rya of the Federal Judicial Centre in Washington DC as cited in Foxhall, (2000), sees the need for Psychologist to "teach attorneys what they have to offer". Attorneys, she said, will then teach the judges by putting evidence before them. Also, Judge Sheila Murphy advised that inclusion of Psychologist from the onset of a case will help revotionalize the justice system. She concluded by saying "a judge and attorneys need to be educated by Psychologists in areas where they were never thought at all, such as psychological disorders, addiction etc" (Foxhall, 2000).

However, the finding is in contrast to the views of Gold, (1988), who asserts that psychology is an instrument lawyers used to manipulate justice. One plausible explanation to this relationship may be due to increase awareness about psychology to the judicial officers by media and experience from developed countries on how Psychologists are aiding judicial officers and justice system achieve effective justice. Another explanation can be the availability of psychological knowledge in the media and increase in researches in the area of forensic psychology and legal psychology which can be found in the internet. Also the frantic effort of Nigerian Psychological Association in educating not just the judicial officers but the general public on the role psychology plays in nation development can also not be overlooked, this they do through the annual conferences organized and other awareness programmes.

However, the finding is of great importance because it has increased our awareness that psychology and psychologists has an important role to play in the justice system. It has thrown a challenge to the psychologist to intensify in research that addresses the bottle necks in our justice system. Another significant point of this finding is the need for increase participation of psychologist in real legal issues, such as experts witnessing, consultative services or Amicus Curiae to the court and law chambers.

V. CONCLUSION

Being psychologically aware is essential not only in courtroom but also among other arms of the criminal's justice system as the police and the prison service. Psychology is Amicus Curiae brief in the sense that is not a party to the case and is not entitled to be heard as a matter of right but as an individual the court grant such a person discretionary leave to file a written brief or orally to provide insight to an issue that the parties to the case may not be able to have because of lack of time, space or expertise. Just as judges are gate keepers to the legal system also the knowledge of psychology remains the way, the door and source of light to all human behavior both normal and abnormal, observable as well unconscious, to reject Psychology is to reject oneself, since it remain the gateway to understanding human behaviour, and the world at large.

VI. RECOMMENDATIONS

i. Psychologists should speak louder than their voices through their works by diversifying their interest and researches to extend to their areas that will promote enhancing effective justice administration and National development.

- ii. Psychologists must work to sell their skills, knowledge and researches beyond the four-walls of the classroom, and the clinical setting to the justice system. They must prove their worth by investing their time, energy and resources to real legal and social issues bordering our country.
- iii. Nigerian Psychologist needs to actively support the ongoing effort of the Nigeria Psychological Association to urgently put in place legal sanctioned mechanisms for regulating the teaching and practice of psychology in Nigeria.

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1David Markus Shekwolo PhD, et. al. "Judicial Officers Gen of Forensic Psychology and the Perceived Actual Administration of Justice in Kaduna- Nigeria." *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 27(01), 2022, pp. 14-20.