

## Public Complaints Commission and the Administration of Justice in the Local Government System in Nigeria

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### **Abstract**

The study focusses on the Public Complaints Commission (PCC) and the administration of justice among local government system in Nigeria with special focus on Benue state. Since, the establishment of PCC in Nigeria in 1975, there have been contentious debates as to whether the Commission has performed its role creditably or not. This is because injustices in Nigeria, appears to be on the increase. Hence, there is a need for a scholarly attention paid to the PCC and the administration of justice in Nigeria. To investigate this, the study employed descriptive research design with content analysis to gather comprehensive data. The study raised host of questioned, among which are: Did poor funding of PCC account for the delay in addressing Local Government workers' complaints in Benue state? The study was situated within the System Theory Framework. The finding shows that despite inadequate funding, the PCC have performed its obligation. The study thus, recommends for an increased funding for the PCC, and that stiffer penalty be given to defaulting agencies/departments or any other entity that abuses the resolutions of the commission.

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## **Background to the Study**

The ever-increasing size, activity, and risk of unresponsiveness of modern government necessitate a balancing force to defend individual rights while preserving individuals' authority over their government. This is fundamental to democratic governance and an open society. All democratic constitutional systems recognise the concept of popular government as crucial to democracy. In the administrative field, however, with its growing authority and significant impact on the individual, there was a need for a psychologically valuable institution to give each person a methodical manner of resolving their interactions with the government. Satyanand (1999) defines an Ombudsman as:

*An office established by the constitution or by action of the Legislature or Parliament and led by an independent high-level public official who is accountable to the Legislature or Parliament, receives complaints from aggrieved persons against government agencies, officials, and employees, or acts on [his] own initiative, and has the authority to investigate, recommend corrective action, and issue reports.*

The notion or institution of an ombudsman dates to 3000 BC in China and India (Satyanand, 1999). Complaints from citizens were filed for official action to provide redress; however, the present Ombudsman system dates to Sweden in 1809, when a justice ombudsman was formed to hear citizen complaints and report back to parliament (Beqiraj et al., 2018). As a result, other countries adopted this method in their efforts to address administrative and civil service inequalities faced by their citizens. According to Roosbroek and Van de Walle (2008), the relevance of ombudsmen lies not only in providing individuals with an alternative means of seeking redress but also in acting as change agents and presenting early warning signs of flaws in public administration. In a larger sense, these institutions' suggestions may aim to change laws, rules, and/or organisational structures. Similarly, they are thought to improve quality control and service delivery (Towne, 2013).

The Federal Government established the Nigeria Ombudsman (now known as the Public Complaints Commission) under Decree No. 31 of 1975 with the intention of dramatically reducing the accumulation of administrative injustices meted out to public officials. According to Adeniran (2004), the primary mission of the Public Complaint Commission is to prevent abuse of power by administrative officials at the federal, state, and local government levels, as well as in the private sector, by acting as a watchdog for citizens who have been wrongfully abused by administrative officials in any way. As a result, residents file complaints with the commission alleging maltreatment or injustice to seek appropriate remedies. In general, the commission is statutorily entitled to monitor government actions for the benefit of citizens and to oversee the investigation of allegations of improper government activity in the interest of citizens. There is evidence that Nigerian civilians were generally oppressed and victimized by the government's administrative authorities, especially during the military era (Kayode, 2005). And, given

the Scandinavian countries' success in reducing cases of maladministration and repression in the public sector, the Ombudsman system became a global draw, prompting several countries to follow suit (Ayo and Anthony, 2011).

Governments around the world rely on civil servants to carry out their decisions. Given that the civil service is well-equipped with competent technocrats and bureaucrats to convert and interpret government ideas into actual reality in order to address the requirements of society, they play an important role (Ademolekun, 2006). Under the colonial and post-colonial ages in Africa, particularly in Nigeria, the civil service exercised enormous power, particularly under General Yakubu Gowon's military regime, amidst the country's political turmoil. During this time, there was an increase in cases of administrative injustices such as victimisation, marginalisation, and arbitrary termination of service. As a result, barely a decade after independence, there became an urgent need to significantly improve access to justice as a fundamental right of individuals and to prevent the Nigerian public sector from falling short of moral standards. As a result, the then-Head of State, General Yakubu Gowon, established the Udoji-led Public Service Review Commission to propose solutions to the rising anomalies in the public civil service, particularly in terms of increasing the civil service's efficiency and effectiveness while ensuring fair treatment of citizens. As a result, the Head of State appointed the Udoji-led Commission to carry out this objective, with specific terms of reference. The Commission shall, having regard to the need to secure adequate development and optimum utilization of manpower, as well as to increase the efficiency and effectiveness of public services in meeting the challenge of a development-oriented society, inquire into or make recommendations on any other matters that, in the opinion of the Commission, appear to be relevant to the foregoing and thus ought to be in the public interest.

As part of its mandate, the Commission suggested the establishment of the Ombudsman institution at both the federal and state levels (Acheneje, 2001). This became necessary because, while the Commission was carrying out its duty, it was revealed that some people had complained about being treated unfairly by public officials. While the report acknowledged that other avenues for citizens to seek redress exist, administrative improprieties, abandonment of duty, or even abuse of office by public officers do not constitute criminal infringements, and redress in a regular court of law may not be considered. As a result, in its report, the Commission emphasised the importance of conducting a neutral and unbiased examination of complaints in order to retain public confidence and trust in government institutions. It was therefore thought necessary to establish the Ombudsman institution in Nigeria. According to Jerome Udoji, referenced in Acheneje (2001),

*As a result, we believe there is a need for an Ombudsman institution in Nigeria. This institution's principle is simple: a citizen who is dissatisfied with an official action or inaction has the opportunity to express his dissatisfaction to an independent person or persons who are authorized to investigate the complaints.*

As a result, the purpose of this mechanism was to provide any disgruntled citizen with an opportunity to get an objective appraisal and review of administrative decisions that appeared to be unjust. Furthermore, to safeguard such individuals from abuse of power, lack of duty, or errors of judgement by those in positions of responsibility (Acheneje 2001), to improve the efficiency and efficacy of the newly constituted Public Complaints Commission, the founding decree of 1975 was revised and incorporated into the country's constitution in 1979. Additionally, an enabling Public Complaints Commission Act Cap. The Federal Republic of Nigeria's parliament issued Law No. 37 in 2004. Section 315(5) of the 1999 Constitution (as modified) also establishes and recognises the Public Complaints Commission. Since then, the Commission has documented various situations in which its actions have helped resolve or address issues. However, researchers and pundits have had differing views on the commission. While some argue that the Commission has attempted to meet citizens' demands for justice despite numerous obstacles (Afegbua & Adejuwon, 2015), others believe that the Commission has failed to meet its mandate due to insufficient funding and inherent structural weakness, among other factors (Daniel, 2013).

In particular, the actions of Benue State's Public Complaints Commission (PCC) have not garnered significant academic attention since its founding in 2005. Some of the difficulties noted by researchers as troubling the national PCC may also impact the state chapters, as Lawal et al. (2019) have demonstrated in Oyo State. The Samuel Ortom administration subjected Benue State workers to a variety of screening exercises in order to identify ghost workers. As a result of this exercise, many of these workers lost their employment, some prematurely retired, demoted, or subjected to other harsh treatment. Against this backdrop, this paper examines the Public Complaints Commission (PCC) and the administration of justice in Nigeria's local government system, specifically in Benue State, from 2007 to 2015. It is worth noting that local government workers account for the majority of reported occurrences of administrative unfairness in Benue State. In addition, since 2007, there has been a significant increase in the number of public employees in the state filing complaints with the PCC. Interestingly, based on the foregoing, there appears to be little scholarly discussion on the extent to which the Public Complaints Commission has managed the administration of justice among local government employers in Nigeria, notably in Benue State. This work aims to close this gap. The study specifically seeks to determine whether the Public Complaints Commission in Benue State's inadequate financing is to blame for the delay in processing worker complaints. In this sense, our focus is on whether PCC funding is responsible for the delay in addressing local government workers' complaints in Benue State.

### **Scope of the Study**

The study examines the Public Complaints Commission and the administration of justice in Nigeria's local government system in general, with a specific focus on Benue state workers in 2007–2015.

## **Methodology**

The study followed a descriptive design. The study relied on secondary sources of data. Secondary data were gathered from journals, textbooks, government publications, and online sources. The secondary data were analyzed using content analysis.

## **Literature Conceptualization**

### **Public Complaint Commission (PCC)**

The important necessity of providing access to justice as a critical factor in protecting people's rights and promoting social justice may have influenced the formation of the Ombudsman system, also known as the Public Complaints Commission (PCC) in Nigeria and elsewhere. More importantly, as an alternative means of seeking redress, the Public Complaints Commission is recognized as complementing other formal mechanisms of legal protection for citizens, such as courts and tribunals, but it has also demonstrated to be a viable means of resolving citizens' grievances (Mbapanga, 2009; Daniel, 2013). More importantly, researchers point to the PCC as a vital tool in the administration of justice, assisting complainants in seeking sufficient restitution for any wrongdoing that is generally inexpensive, accessible, and quick (Pienaar, 2010).

However, despite the appeal of the PCC (Ombudsman) in addressing maladministration in the public sector and arbitrating on administrative justice issues, experts have found various structural flaws and other factors hindering its operations. The ombudsman problem in other countries, such as Nigeria, may not be very different in the sense that the obstacles experienced by the institution of public complaints are quite obvious. For example, Seneviratue (1994) contends that, while public complaints commissions can investigate and comment on the quality of administration in some nations, the enforcement aspect may be hampered by a lack of or restricted power to address poor administration. As a result, failure to execute the recommendations represents a waste of resources that could have been directed towards other social programs. More concerning is that a strong democracy, such as Canada, where provincial Ombudsmen are known to have substantial remedial ideas for addressing the malady of inadequate administration, is left to the whims and caprices of political leaders, which have, in numerous cases, gone unchecked. Furthermore, Akpomuvire (n.d.), Olowu (2002), and Afegbua & Adejimon (2015) have identified inadequate resources, bureaucratisation, a lack of freedom for independent operations, and overcentralization of government as contributing to the Public Complaints Commission's poor performance in carrying out its mandate. Furthermore, Afegbua and Adejimon (2015) emphasize that an ineffective record management system can make it difficult to analyze how cases are handled.

In another vein, Akpomuvire (n.d.) attributes the high level of inefficiency and efficacy of ombudsmen in Africa in general to corruption, a lack of respect for democratic norms, poverty, public confusion about the job of the ombudsman, and a lack of enforceable powers (p. 20). On their part, Kuye and Kukamba (2008) recognised numerous imminent issues that impede the effective operation of the public complaints commission in the administration of justice, notwithstanding the allocation of necessary resources to carry

out its mandate. This includes the commission's jurisdictional limitations, resentment from government agencies, undemocratic orientations, a lack of visibility and awareness among the public, the commission's initial success, spoiling tactics by other political figures, and the manner and character of the commission's head's resignation, which is sometimes blamed on unnecessary political interference.

The Public Complaints Commission is also challenged for its efficiency, which is dependent on the character and personality of the ombudsman officer(s) rather than the system as a whole. Regardless of their organizational framework, they are a highly personalized institution, and success necessitates the presence of an individual or team recognized as independent and unbiased, with suitable qualifications and in-depth knowledge of the industry, and capable of commanding respect and trust from all stakeholders. Indeed, such people are difficult to discover.

Furthermore, because the Commission's powers are primarily limited to recommendations, there is legitimate fear that the Commission lacks teeth. For example, the annual report (for many ombudsmen, the only public document released) is frequently regarded as an insufficient tool for influencing administrative procedures and practice, informing the media, and educating the public. Furthermore, the commission often lacks the authority to amend or overturn rulings. In fact, some argue that the ombudsman's responsibilities as a critic and reformer should be expanded to influence changes in legislation and policy, rather than only administrative procedures. Looking at public sector performance in Nigeria, particularly at the federal and state levels, Ayo and Anthony (2011) remark that the ombudsman system is unable to perform its duty due to a lack of punitive powers to enforce its rulings. This renders the ombudsman more of an adviser than a barrier against administrative unfairness. Furthermore, their lack of complete independence from the government indirectly exposes them to the influence of the government that selects them. Further regretting the commission's helplessness, it cannot order a decision to be annulled, leaving bureaucrats unaffected by the commission's judgment.

Meanwhile, Ademolokun (2002) states that the Commission's performance differs greatly throughout Nigeria's states. However, in each of these circumstances, the presence of the Public Complaints Commission reflects an expression of a commitment to assisting citizens seeking recourse against maladministration in obtaining a meaningful degree of relief. Since the establishment of the fourth republic, public sector workers in Nigeria, notably local government personnel in Benue, have experienced a variety of administrative issues that appear to be inadequately addressed. These challenges include termination of appointment, nonpayment of benefits and entitlements, seniority, promotion, salary payment, transfer cancellation, and salary underpayment, among others. According to the authority, several dissatisfied civil personnel in Benue State have petitioned the state's Public Complaints Commission several times to seek justice for their issues.

### **Funding of PCC and Delay in Addressing Workers Complaint**

The Public Complaints Commission (ombudsman), like any other government-owned and controlled entity, is funded with public revenues. Furthermore, researchers have suggested that the public commission's financial reliance on either the executive or the legislature, depending on whether monies are granted to it, may impair the smooth operation of the institutions. They are particularly keen to point out Africa's vulnerable status (Pienaar, 2010). There is a significant disparity between the ombudsman in developed and underdeveloped countries. For example, while ombudsman financing is essentially nonexistent in the former, ombudsman funding is a source of contention in the latter. It is also maintained that donors should always provide funding as well as international technical assistance for the formation of national human rights institutions. However, the primary focus should be on the effective and prudent use of funds.

While it is acknowledged that the provision of funds is a necessary condition for the ombudsman to function properly, the African Ombudsman Research Centre (2001) observed that the effectiveness of the commission's human resources is not always determined by financial resources but rather by the commission's staff recruitment process. In Lethoso, for example, the report said that the country's ombudsman's continued reliance on the public service commission to hire staff rather than conducting its own recruiting has resulted in delays in obtaining the necessary staff, which has contributed to the accumulation of cases. In such circumstances, the already limited staff is overwhelmed by the situation.

Hatchard (1986) noted that there is growing faith in the role of the ombudsman institution. In particular, he observes that, while there are variable degrees of complaints recorded to various commissions across Africa, the figure is extremely low in comparison to the overall population ratio. He linked this state to inaccessibility on the one hand and poor budget and personnel on the other, all of which have had an impact on the institution's performance in their respective countries. He goes on to say that the commissions in their various countries are generally regarded with mistrust, particularly by those in positions of authority, due to the sensitive nature of the investigations and the potentially politically damaging ramifications of their conclusions. Furthermore, he noticed that, in most situations, the commission is denied the congenial political climate required for its functioning. In general, government officials are willing to cooperate with the ombudsman only if they are confident that it will safeguard them from speculative, hostile, or biased criticism. And, to a considerable extent, it has created concerns about the government's willingness to address injustice and abuses in the public sector.

As a result, most African governments have given the commission's activities little thought or attention. The commission's financing has suffered significantly because of the apathy. According to Hatchard (1986), providing appropriate financing for the commission to carry out its purpose results in a deficit of the required people to adequately function with respect to its main duty of enquiry as well as other auxiliary responsibilities. According to Kapa (2009) and others, the issue of financial management

for some ombudsmen across Africa is essential in determining the impartiality and efficiency of the ombudsman on the continent. Citing the example of Lesotho, it is noted that, even though the parliament approves the office budget, it is not free to utilize it. Instead, the government has complete control over the commission's funds. The implication is that the government can unilaterally reduce the commission's budget or even redirect funds designated for the commission to initiatives or activities beyond the scope of its mandate. In this context, an instance was highlighted in which the Lesotho government unilaterally removed 2% of the approved budget for the Lesotho Ombudsman's Office, which was then used to fund HIV/AIDS-related initiatives. This move was taken without regard for the insufficient number of funds granted to the commission or what would be left over after shifting approved monies to other activities. According to African Ombudsman Research Centre research, purposely starving the commission of funding may deprive it of the necessary independence and impair its overall functioning.

#### **Limited Funding of PCC and Addressing Workers Complaints in Benue State**

The basic mandate of the Public Complaints Commission (PCC), as stated in Section 5(2) of the Public Complaints Commission Act in Nigeria, is to receive, investigate, and resolve people's complaints about maladministration by government agencies or their workers. The Ombudsman Institution has an interesting responsibility in that it does not compete with courts or serve as an additional body to which persons who have been unsuccessful in court might appeal. The ombudsman's principal purpose is to conduct an impartial investigation on behalf of citizens who believe they have been subjected to injustice and maladministration as a result of the actions of government ministries, agencies, local governments, private organizations, and their personnel. Organisations (government or commercial) frequently make decisions that influence the lives of our country's citizens. The majority of government officials' decisions and actions may be just and reasonable, but errors can occur, and it is the Commission's responsibility to identify, address, and recommend the remedy of these errors amicably.

To properly carry out its tasks, the Commission maintains offices in all states of the Federation as well as Abuja, as specified in Section 1(2). In addition, five zonal offices are located in each local government area of each state in the Federation. Furthermore, complaint boxes are strategically positioned in local government areas across the Federation, allowing convenient access to the Commission. According to Section 5(2) of the Public Complaints Commission Act, all commissioners (including the Chief Commissioner) are accountable to the National Assembly; however, the Chief Commissioner oversees the work of all state commissioners. The power to investigate, on their own initiative or following complaints lodged before him by any person, any administrative action taken by: any department or ministry of the federation or state government; any department of any local government authority (howsoever designated) set up in a state in the federation; any statutory corporation or public institution set up by any government in Nigeria; Any company incorporated under or pursuant to the Companies and Allied Matters



Furthermore, in exercising its investigative powers, the commissioner may specify how complaints filed with the commission are lodged. Perhaps this is to ensure that cases are handled quickly and easily. In addition, the commissioner has unrestricted access to all vital information and can visit and inspect the premises of any person or establishment named in the matter under investigation. Subsection (3) specifies that the Commission must guarantee that any administrative action taken by any person or body listed in subsection (2) does not result in the commission of an act of injustice against any Nigerian citizen or other person residing in Nigeria. To that end, the Commission will investigate any administrative action that appears to be: contrary to any law or regulation; mistaken in law or arbitrary in fact determination; unreasonable, unfair, oppressive, or inconsistent with the general functions of administrative organs; improper in motivation or based on irrelevant considerations; unclear or inadequately explained; or otherwise objectionable.

These activities, primarily investigations, are carried out by two sub-units of the Department of Investigation: The Public Sector Investigation Department and the Private Sector Investigation Department (PPC Annual Report, 2017). With a total staff of 152, which includes 82 in the Department of Investigation, 33 in the Administration Department, 8 in the Finance and Account Unit, 2 in the Legal Unit, 4 in the Personnel Service, and 2 in the Public Relations Unit, Interestingly, during the study period, the Benue state office of the Public Complaints Commission, like its counterparts across Nigeria, maintained an active interest in the complaints and grievances of state workers who felt wronged by administrative decisions, actions, directives, and inactions in the state. Table 1 indicates the total number of complaints received by the Public Complaints Commission's Benue state office.

Table 1 below shows the number of complaints received by the Benue state office of the Public Complaints Commission.

**Table 1:** Receipt and Disposal of complaints in Benue State (2007 – 2014)

	2007	2008	2009	2010	2011	2012	2013	2014
	-	124	243	315	71	232	190	155
Receipt	830	935	692	664	1031	631	709	829
Total process	830	1059	935	979	1110	863	899	984
Disposal	706	816	620	908	878	673	744	861
Carried forward	124	243	315	71	232	190	155	123

**Source:** Public Complaints Commission (2015)

According to table 1 above, the Commission received 6,321 complaints from Benue State between 2007 and 2014. Of them, 6,202 were disposed of, with the remaining 123 still outstanding. Also, the data on cases shown in the above table show that the number of disposable instances is gradually increasing in proportion to those carried forward to the

following year. It was also noticed that 2011 had the highest number of cases received and processed by the Commission during the study period, while 2009 had the most cases carried forward to the next year. The Commission's large volume of cases received, processed, and disposed of has given workers confidence to seek redress when necessary. In general, the data in the table above reflect the Commission's effectiveness and efficiency in addressing cases.

It is worth noting that demographic variables such as age, gender, and educational level were not included in the report; however, a few of those who participated in the focus group discussion noted that this was not significant because the main topic was issue-based concerns. In this regard, a complainant who feels offended may file a complaint with the Commission by writing to the state commissioner. This letter is submitted to the clerk, who then submits it to the commissioner. The state commissioner then reports on it to the director of the investigation department. He then assigns the case to investigation officials to examine if it falls under the commission's jurisdiction. In rare cases, there may be insufficient evidence to justify further action; in such cases, the case is closed. On the other hand, if the case has merit, an inquiry is launched to determine the cause of the problem.

Between 2007 and 2014, the Local Government Service Commission, Ministry of Education, Police, Housing, and Health received the majority of grievances and complaints addressed to the Public Complaints Commission in Benue State, with 1261, 1160, 837, 579, and 443, respectively. In addition, the Local Government Service Commission received the most complaints (19.95%), followed by education (18.4%), police (13.24%), housing (9.15%), and health (7%). Other groups split the remaining percentage. It is worth noting that several of these scattered categories, such as the Ministry of Education, include both worker and public complaints. In another scenario, the public appears to dominate the complaints recorded, as in the case of the police.

Table 2 below shows agencies/ministerial/departments breakdown of the total complaints received by the Commission under the period of study.

**Table 2:** Agencies/Departments Breakdown of Complaints Received between 2007 and 2014.

S/No	Department/Agency	No. of Complaints	Percentage (%)
1	Local Government Service Commission	1261	19.95
2.	Ministry of Education	1160	18.4
3.	Police	837	13.24
4.	Housing	579	9.15
5.	Health	443	7
6.	Electricity and power	430	6.8
7.	Water and Sanitation	186	2.94
8.	Universities	134	2.1
9.	Communication and Works	125	1.98
10	Agriculture	125	1.98
11.	Social Welfare and Women Development	12	0.18
12	Others	1,029	16.28
13	<b>Total</b>	<b>6321</b>	<b>100</b>

**Source:** Public Complaints Commission (2015)

The above shows that the Local Government Service Commission, Ministry of Education, the Police, Housing and Health attracted majority of the grievances and complaints with 1261, 1160, 837, 579 and 443, respectively, sent to the Public Complaints Commission in Benue state between 2007 and 2014. Also, the Local Government Service Commission recorded the highest percentage of complaints with 19.95%, Education 18.4%, Police with 13.24%, Housing with 9.15%, and Health 7% respectively. While other categories shared the rest percentage. It is important to note that some of these distributed categories are fused with both workers and public complaints, for example, Ministry of Education. Orr in another case, the public seem to dominate the complaints recorded as in the case of the Police.

Furthermore, Table 3 shows the nature of alleged administrative injustice and/or maladministration complaints received by the Commission in Benue state.

**Table 3:** Nature of Administrative Injustice Complained

S/No	Nature of Administrative Injustice (Alleged)	Complaints	Percentage (%)
1	Administrative excesses, discrimination, favouritism, arbitrary, unjust and biased decisions	2197	34.78
2.	Inattention, delay, neglect, inefficiency and ineptitude.	1893	29.94
3.	Corrupt practices.	991	15.68
4.	Others	1240	19.6
5.	Total	6321	100

**Source:** Public Complaints Commission (2015)

According to table 3 above, the bulk of grievances (34.78% of all documented cases) were based on administrative excesses, discrimination, favouritism, and arbitrary, unfair, or biased decisions. Others included inattention, delay, negligence, inefficiency, and ineptitude, which accounted for 29.94%, while corrupt behaviours accounted for 15.68% and 19.6%, respectively. This implies that the majority of the complaints received by the Commission concerned administrative decisions and actions. In this case, the establishment against whom a case is launched is invited and asked to provide necessary official records and documents that may be related to or important to the inquiry. Typically, these records are expected to reach the Commission within thirty days of request. And if it becomes necessary for people or government officials involved in the subject to appear, the Commission summons them. Furthermore, the confidentiality of the communication is strongly protected and assured to all parties involved in the case. In reality, Section 8 of the Commission Act requires complete confidentiality for any problem addressed by any of its officials. And any violation results in a jail sentence or a fine.

Table 4 shows the various category of administrative issues that led to complaints by aggrieved citizens and employees of the state and local government councils in Benue state.

**Table 4:** Categories of Complaints Relating to Maladministration in Benue State

S/No	Description	No. of Complaints
1	Pension	247
2.	Payment of Salary/Wages	230
3.	Appointment	171
4.	Selection Grade/Promotion	125
5.	Misconduct	114
6.	Reimbursements	90
7.	Increments	71
8.	Completion of service book/records	42
9.	Reinstatement in service	36
10	Payment of allowances	27
11.	Cancellation of transfer orders	12
12.	Seniority disputes	12
13.	Payment of death benefits	10
14.	Annual confidential reports	2
15	Others	1189

**Source:** Operational Statistics and Registry Department, PCC, Markurdi, (2016)

Table 4 shows that the grievances that prompted the complainants to contact the Public Complaints Commission in Benue State are related to pension, salary payment, appointment, grade selection or promotion, seniority disputes, payment of death benefits, allowances, misconduct or disciplinary issues, reinstatement into service, and transfer cancellation. Interestingly, the high number of pension complaints reflects the demographic distribution of maladministration in Benue State. That is, retirees account for the vast majority of registered grievances. Although some complaints may stem from a lack of awareness of government procedures, government policy delays are typically cited for reported grievances.

More so,

Table 5 provides a breakdown of number of cases where grievances were redressed, the position of the agencies/ departments concerned which were upheld and cases that are still awaiting resolution.

**Table 5:** Breakdown of Complaints decided after Investigation

S/No	Description	Complaints
1	No. of complaints wherein the grievances were redressed	3152
2.	No. of complaints where the views/position of the agencies were upheld	2822
3.	No. of complaints wherein grievance recommended redress but direction awaiting implementation.	244
	Total	6198

**Source:** Operational Statistics and Registry Department, PCC, Markurdi, (2016)

Table 5 shows that the Public Complaints Commission in Benue State resolved 3,152 complaints and grievances out of 6,198 received and disposed of during the study period. That is to say, the matters were satisfactorily resolved. In each circumstance, the PCC uses a different method of involvement to reach an amicable resolution. To ensure a fair hearing and representation for all parties involved, a communication line is established through correspondence via letters or telephone interchange. In some other circumstances, where the aforementioned is ineffective, the Commission used a case conference, in which all parties involved are asked to a round-table discussion to determine ways to amicably resolve the matter. In other cases, the PCC directed its investigators to visit the establishment's offices or locations in order to conduct on-the-spot assessments of claimed administrative misuse.

Furthermore, to expedite action on any matter, the Commission employs its Integrated Complaints Management System to take complaints from the public while also assisting the complainant in lodging the complaint and monitoring its progress via the internet and social media platforms. Furthermore, the commission upheld the views and decisions of the agencies and departments involved in the 2,822 complaints that were received, processed, and investigated. However, the Commission recommended redress for 244 complaints that have yet to be addressed by the relevant agencies or departments.

### **Theoretical Framework**

This study uses structural functionalism as a theory, which is derived from the generic system theory. Holmwood's (2005) theory is related to the works of sociologists and philosophers such as Bronislaw and Radcliffe-Brown (1952), Parson (1961), and Durkheim. Bronislaw and A. Durkheim's organism had a particularly strong influence on R. Radcliffe-Brown. Radcliffe-Brown (1952) argued that the concept of function in human society is analogous to organic life. Structural functionalism emerged at the turn of the century in response to new discoveries in the natural sciences, and it is a holistic view of society that holds that, just as organs serve different functions for biological organisms, so do individual institutions in our society serve the needs and purposes of our entire culture (Bernard, 2000). These writers made various arguments about how society is

similar to the human body. Society, like the body, is made up of numerous elements that must function together and properly in order to be healthy. Every part must be in equilibrium or balance. Just as the human body evolved with time, so did civilisation (Verma, 2005).

Almond (1966) used structural functionalism to analyse politics. Almond believes that in order for political systems to exist, they must accomplish a precise set of tasks. The political system has been constructed, with certain tasks assigned to ensure the system's survival. The system's stability and advancement are dependent on the structures' ability to perform their varied responsibilities without interruption. The fundamental theoretical postulation of structural functionalists is that all systems exist to perform functions through their structures. The structural-functional framework's primary assumption is that all systems have identifiable structures that execute specific functions in order to exist. Structural-functionalism is consequently based on two fundamental terms: structure and function. Structures are arrangements inside a system that carry out functions that may be detected or diffracted, whereas functions are the system's observable outcomes (Verma, 2005).

Generally, all political systems perform two fundamental functions: input and output. While input activities include political socialisation, recruiting, interest articulation and aggregation, and political communication, output functions primarily involve rulemaking, implementation, and adjudication. Structural-functionalism sees society as a collection of interconnected structures or parts, each of which serves an important function in the preservation and stability of society (Strickland, 2007). Society is viewed as being in a state of consensus and equilibrium. It attempts to move the focus of examination away from observable institutional political mechanisms and towards any place where the real performance of the system's functional requirements can be found. Political systems are thus evaluated depending on the degree to which political organizations serve specified functions. As a result, Verma (1983) posed three fundamental issues about political institutions and the roles they serve: (1) What are the basic functions? Verma (1983) emphasised that functions deal with the outcomes of patterns of actions, whereas structures deal with arrangements inside the systems that actually perform the specified functions.

### **Application of Theory**

The role of the PCC in administering justice to aggrieved local government workers in Benue State, Nigeria, is examined in light of structural-functionalist or structural-functional theory. One important proposition of structural functional theory is that all systems have identifiable structures that fulfil specific functions in order to exist. The public complaints commission is organized in accordance with the federal form of government. The commission is structured as follows: Honourable Commissioner, Directors of Investigations, Deputy Directors of Investigation, Chief Investigation Officer, and Assistant Chief Investigation Officer, among others. The commission also performs some basic functions, such as: (a) protecting citizens' rights; (b) acting as an

indirect check on the misuse of powers by administrators or any government official; and (c) investigating and publicising abuses of bureaucratic power and, in some cases, initiating legal action in the same way that a private citizen would. This is certainly not an exhaustive list, but it does highlight the most critical functions. As a result, the Public Complaints Commission has institutions that serve a variety of purposes, one of which is to safeguard citizens (local government workers) from the misuse of bureaucratic powers when they are denied their rights and subjected to injustices.

### **Practical Implication of the Study**

The study of the Public Complaints Commission and justice administration in Nigeria's local government system has practical implications for establishing a responsive and equitable governance structure. Policymakers can adopt targeted reforms by reviewing the Commission's performance in dealing with public complaints at the local level. This involves expanding the Commission's outreach efforts, simplifying complaint procedures, and improving partnerships with local governments. Practical uses include providing procedures for regular feedback, fostering openness, and ensuring that issues are resolved on time. This can lead to enhanced public trust in local governance, improved accountability, and, ultimately, a more just and efficient administration of justice at the grassroots level, all of which are consistent with Nigeria's larger efforts to strengthen democracy.

### **Discussion of Findings**

Between 2007 and 2014, the Public Complaints Commission improved the administration of justice for a variety of complainants, particularly local government employees in Benue State. Unfortunately, despite the PCC's impressive success in Benue State, it has been stated that 80% of its budgeted allocation is spent on staff salaries. The remaining 20% is used to run the office's many branches throughout Nigeria (PCC Annual Report, 2017). The conclusion is that the Commission is facing severe logistical challenges, such as insufficient office space and furniture. Nonetheless, it is remarkable that the Commission, despite limited financing, can operate thirty-seven state offices as well as several regional offices in local government councils across the country. More astonishing is how effectively and efficiently situations presented to it are processed, examined, and potentially resolved. In truth, the Public Complaints Commission Report (2017) states that, despite inadequate federal financing, the management team work hard to ensure that the Commission can carry out its mandate with the resources it has. Furthermore, in the previous year, "We did not allow the limited resources to deter us from investigating and resolving the numerous complaints lodged by members of the public." (Public Complaints Commission Annual Report, 2017, 192).

The preceding analysis indicates that money is a vital prerequisite for the proper and effective operation of the Public Complaints Commission (PCC); yet the Benue state understudied shows that it has little or no effect on attaining its objective. This is in light of the cases received, specifically those investigated and handled by the Commission. As a result, it is appropriate to attribute the cause of the delay in the Public Complaints



Commission's administration of justice to other circumstances. These elements that contribute to the delay in delivering justice may include delays in agencies implicated in complying with requests made by the Commission, possibly due to bureaucratic bottlenecks. Noncompliance with complaints or a lack of sufficient paperwork may also be to blame. Finally, in some situations, the concerned establishment or agency may send workers who are unable to finish cases to the Commission, which appears to impair the Commission's ability to administer justice quickly.

### **Conclusions and Recommendation**

The study looked at the Public Complaints Commission and how justice was administered among local government officials in Nigeria's Benue State. The study specifically looked into whether the Public Complaints Commission's poor resourcing and lack of prosecutorial powers were to blame for both the delay in processing complaints and the failure to reverse maladministration among local government personnel in Benue State. Following this, the study went on to verify the hypothesis raised, which is: "Poor funding of PCC did not account for the delay in addressing LG workers' complaints in Benue State." After an extensive examination, the study discovered that, despite popular belief, insufficient funding did not prevent the Public Complaints Commission in Benue State from carrying out its mandate. Importantly, while money was identified as a critical component in determining the commission's efficacy and efficiency, cases decided by the commission demonstrated that it remained steadfast in attaining its objective. Based on the aforesaid, the recommendation was made. Based on the findings of this study, we recommend that the government enhance budgetary allocations to the Public Complaints Commission in order to ensure that it has the necessary logistics, equipment, and staff to deliver services effectively and efficiently.

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