

Restructuring Nigerian Correctional System: Social Policy, Insecurity and the Feasibility of Justice Reform

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ABSTRACT

Correctional systems increasingly occupy a critical position in contemporary debates on justice, social policy, human security and public safety. Globally, prison populations have continued to expand, with approximately 11.5 million people estimated to be held in penal institutions worldwide. Africa accounts for a growing share of this burden, while many European systems continue to experience overcrowding despite comparatively developed correctional institutions. Nigeria presents a particularly complex case. As of 29 June 2026, the Nigerian Correctional Service reported 82,195 persons in custody, including 53,670 awaiting trial, representing 65% of the custodial population. This study examines the feasibility of restructuring the Nigerian correctional system from the perspectives of social policy, insecurity and justice reform. Using qualitative policy analysis and documentary research, it examines recent official statistics, legislation, policy documents and relevant literature. The study finds that Nigeria's principal challenge is not the absence of reform legislation but a persistent implementation gap involving pre-trial detention, institutional overcrowding, limited non-custodial measures, inadequate rehabilitation, infrastructure deficits and weak inter-agency coordination. It argues that correctional restructuring should extend beyond custodial expansion to encompass justice decongestion, rehabilitation, social reintegration, institutional security, non-custodial sanctions and integrated justice-sector governance. The study concludes that sustainable reform is feasible if correctional policy is repositioned as a component of wider social policy, human security and justice-sector reform.

1. Introduction

Correctional reform has become an important component of contemporary justice and public-policy debates because imprisonment affects not only offenders but also families, communities, public expenditure, human rights and public security. Globally, approximately 11.5 million people were estimated to be held in penal institutions in the latest World Prison Population List, illustrating the continuing global dependence on incarceration (Fair & Walmsley, 2024).

The European experience demonstrates that even relatively developed justice systems continue to face correctional pressures. In 2024, more than 1 million prisoners were held across Council of Europe prison administrations, while the overall occupancy ratio increased to 94.9 prisoners per 100 available places. Several countries recorded occupancy above 110%, demonstrating that overcrowding is not exclusively a developing-country problem (Aebi & Cocco, 2025). More recent Eurostat data similarly show that the European Union recorded 508,746 prisoners in 2024, a 2% increase over 2023, with 14 EU countries experiencing overcrowding (Eurostat, 2026).

The African situation is more structurally difficult. The continent's prison population increased substantially over the long term, while many correctional administrations continue to experience overcrowding, high proportions of pre-trial detainees, inadequate infrastructure and limited rehabilitative capacity. UNODC (2025) identifies growing prison populations, the financial and social burden of incarceration, inadequate rehabilitation and the risk that vulnerable prisoners may be exposed to more serious criminality or violent extremism as major challenges for African justice systems.

Nigeria reflects these wider challenges but with particular intensity. As of 29 June 2026, the Nigerian Correctional Service (NCoS) reported 82,195 persons in custody, of whom 53,670, or 65%,

were awaiting trial, compared with 28,525 convicted persons (NCoS, 2026). The scale and composition of the custodial population suggest that Nigeria's correctional challenge cannot be resolved simply by constructing additional facilities. It is also a consequence of pressures within policing, prosecution, bail administration, legal representation and judicial case management.

The Nigerian Correctional Service Act (NCSA) 2019 already provides for a modern correctional philosophy based on custodial and non-custodial measures, rehabilitation, reformation and reintegration. Nevertheless, recent government assessments indicate continuing weaknesses in the implementation of non-custodial measures, rehabilitation, post-release support and inter-agency coordination (Federal Ministry of Interior, 2026).

This study therefore examines the feasibility of restructuring the Nigerian correctional system through the interconnected perspectives of social policy, insecurity and justice reform. It argues that sustainable restructuring requires movement from a predominantly custodial approach towards an integrated model that reduces unnecessary incarceration, strengthens institutional security, improves rehabilitation and connects correctional policy with wider justice and social-policy institutions.

2. Statement of the Problem

Nigeria's correctional system operates under considerable institutional pressure. The most immediate manifestation is the large population of persons awaiting trial. With 65% of persons in custody awaiting trial as of June 2026, the correctional system is carrying a substantial burden generated by unresolved cases elsewhere in the criminal justice chain (NCoS, 2026). This situation creates several interconnected problems. First, overcrowding places pressure on accommodation, healthcare, sanitation, security and rehabilitation. Second, prolonged pre-trial detention raises questions concerning access to justice and the presumption of innocence. Third, overcrowding can undermine classification by mixing persons with different legal statuses, risks and rehabilitation needs. Fourth, inadequate correctional infrastructure may create security vulnerabilities.

The problem extends beyond custodial management. The Federal Ministry of Interior's recent review of the NCoS identified limited use of non-custodial measures, delays in parole, weak coordination between the judiciary and correctional authorities, inadequate rehabilitation capacity and weak post-release reintegration mechanisms (Federal Ministry of Interior, 2026). The central problem is therefore an implementation gap between Nigeria's correctional reform framework and its institutional outcomes. The question is not whether Nigeria possesses a legal basis for correctional reform; it does. The critical question is whether existing institutions can be reorganised and coordinated sufficiently to make the reform framework operational.

3. Objectives of the Study

The study seeks to:

- i. examine the major structural challenges confronting the Nigerian correctional system;
- ii. assess the relationship between correctional policy, social welfare and insecurity;
- iii. examine the implementation challenges associated with the Nigerian Correctional Service Act 2019;
- iv. assess the feasibility of restructuring the correctional system within Nigeria's wider justice architecture; and
- v. propose policy measures for sustainable correctional and justice reform.

4. Conceptual Review

4.1 Correctional System

A correctional system encompasses the laws, institutions, personnel, facilities and programmes through which the state manages persons subjected to criminal sanctions or other forms of lawful detention. It includes both custodial and non-custodial measures. The Nigerian Correctional Service Act 2019 represents an important shift from a prison-centred model to a broader correctional philosophy incorporating reformation, rehabilitation, reintegration and non-custodial measures. Consequently, correctional administration should no longer be understood simply as the physical confinement of offenders but as a process involving risk assessment, rehabilitation, supervision and preparation for lawful reintegration.

4.2 Social Policy

Social policy concerns public interventions aimed at improving welfare, reducing vulnerability and promoting social inclusion. Correctional policy is a social-policy issue because incarceration affects family income, employment, education, health, social relationships and community stability.

A correctional system that releases individuals without employability skills, social support or community connections may reproduce the conditions associated with reoffending. Correctional reform must therefore connect custodial interventions with education, skills development, employment, healthcare, family support and social reintegration.

4.3 Insecurity

Insecurity in this study has both external and institutional dimensions. Externally, insecurity encompasses crime, terrorism, violent extremism, organised criminality and threats to public safety. Institutionally, it includes vulnerabilities within correctional facilities arising from overcrowding, inadequate surveillance, weak perimeter protection, insufficient staffing and ineffective intelligence systems. The relationship is therefore reciprocal. Insecurity can increase pressure on correctional institutions, while poorly managed correctional environments can contribute to further insecurity through escape, violence, criminal networking and inadequate rehabilitation.

4.4 Justice Reform

Justice reform refers to measures aimed at improving the efficiency, accessibility, fairness, accountability and effectiveness of justice institutions. Correctional reform is consequently inseparable from police, prosecution, judicial and legal-aid reform.

Nigeria's high awaiting-trial population illustrates this interdependence. Correctional congestion cannot be sustainably reduced if delays in investigation, prosecution, bail administration and judicial proceedings remain unresolved.

5. Theoretical Framework

5.1 Human Security Theory

The study is principally anchored in Human Security Theory, which broadens security beyond protection of the state to include the protection of individuals from threats to dignity, safety, livelihood and wellbeing. The theory is applicable because persons deprived of liberty remain entitled to humane treatment, healthcare, safety and opportunities for rehabilitation. Overcrowding, prolonged detention and inadequate correctional conditions therefore constitute human-security concerns.

The theory also connects correctional reform with public safety. A system that fails to rehabilitate offenders or exposes vulnerable inmates to more serious criminal influences may contribute to insecurity after release.

5.2 Systems Theory

The study also applies Systems Theory because the criminal justice process consists of interconnected institutions. Police investigation, prosecution, courts, legal aid, correctional services and post-release supervision constitute parts of a wider system. A failure at one stage produces consequences elsewhere. Excessive arrests and delayed investigations can increase remand populations; delayed trials increase custodial congestion; congestion reduces rehabilitation capacity; weak rehabilitation may increase reintegration difficulties.

Systems Theory therefore provides a useful basis for arguing that correctional reform must be coordinated with broader justice reform.

6. Methodology

The study adopted a qualitative policy-analysis and documentary research design. It relied on secondary data obtained from official government publications, correctional statistics, legislation, international organisations and recent scholarly literature published principally between 2021 and 2026. The principal sources included publications of the Nigerian Correctional Service, Federal Ministry of Interior, Federal Ministry of Justice, United Nations Office on Drugs and Crime, Council of Europe, Eurostat and the Institute for Crime & Justice Policy Research. The study also examined relevant academic literature addressing incarceration, rehabilitation, social reintegration, human security and justice reform.

Data were analysed thematically under five areas: correctional population and congestion; social-policy implications; institutional security; rehabilitation and non-custodial measures; and justice-sector coordination. The approach does not attempt to establish causal relationships statistically. Rather, it uses

recent administrative data and policy evidence to assess the feasibility of restructuring Nigeria's correctional system.

7. Global and Regional Context of Correctional Reform

The global correctional landscape demonstrates a continuing tension between incarceration and rehabilitation. The latest World Prison Population List estimates that approximately 11.5 million people are held in penal institutions globally (Fair & Walmsley, 2024). The scale of imprisonment indicates that incarceration remains a dominant response to crime despite growing international emphasis on rehabilitation, restorative justice and alternatives to imprisonment.

The European experience provides an important comparative perspective. Although European correctional systems generally benefit from stronger institutional infrastructure and developed justice-sector arrangements, overcrowding persists. Council of Europe statistics recorded more than one million prisoners in 2024, while six prison administrations had severe overcrowding, including France, Italy and Belgium (Aebi & Cocco, 2025). In the EU alone, 508,746 prisoners were recorded in 2024, with 14 countries experiencing overcrowded prison cells (Eurostat, 2026).

The European experience is important for Nigeria because it demonstrates that correctional reform is not simply a question of economic development. Even relatively sophisticated justice systems must continuously balance punishment, public protection, rehabilitation and resource constraints. The African context is more challenging. Across the continent, prison administrations frequently contend with high remand populations, overcrowding, inadequate facilities and limited rehabilitative resources. UNODC (2025) identifies growing prison populations and their associated financial and social burdens as continuing concerns, while also warning that vulnerable prisoners may be exposed to criminality and violent extremism within poorly managed custodial environments.

The African policy response has increasingly emphasised alternatives to imprisonment, improved case processing and post-release support. The rationale is both humanitarian and security-oriented: reducing unnecessary incarceration can improve prison conditions while allowing correctional authorities to concentrate resources on higher-risk offenders and meaningful rehabilitation. Nigeria's circumstances must therefore be understood within this broader global and African movement towards correctional systems that combine secure custody with rehabilitation and community-based sanctions.

8. The Nigerian Correctional Context

Nigeria's correctional system has undergone an important legal transformation since the enactment of the Nigerian Correctional Service Act 2019. The Act replaced the traditional prison-service orientation with a correctional framework incorporating custodial and non-custodial measures, rehabilitation and reintegration. However, current statistics demonstrate the continuing scale of the challenge. The NCoS recorded 82,195 persons in custody as of 29 June 2026, including 28,525 convicted persons and 53,670 awaiting trial. Awaiting-trial persons therefore constituted 65% of the custodial population (NCoS, 2026). This composition is particularly significant. It indicates that the correctional system's congestion is substantially connected to the wider justice process rather than solely to sentencing. Building additional custodial capacity may temporarily relieve pressure, but it cannot eliminate the structural causes of congestion if new remand cases continue to enter the system.

The problem has been recognised by government. In 2026, the Federal Ministry of Interior reported that custodial facilities had capacity for approximately 68,496 persons while the population stood at about 80,732, producing a substantial capacity deficit. It also reported improvements in rehabilitation and a decline in repeat offenders from 11,616 in 2023 to 3,156 in 2024 and 1,392 in 2025 (Federal Ministry of Interior, 2026). These figures present a mixed picture. On one hand, the reported decline in repeat offenders suggests that rehabilitation interventions can produce positive outcomes. On the other, the continuing congestion and limited scale of non-custodial interventions demonstrate that reform remains incomplete.

9. Correctional Reform, Social Policy and Insecurity

The evidence suggests that correctional reform should be treated as social policy rather than as a narrow custodial responsibility. Incarceration can affect household income, children's education, family relationships and employment opportunities. Upon release, former inmates may encounter stigma, unemployment and weak community support. Where these vulnerabilities remain unaddressed, reintegration becomes difficult and the possibility of reoffending may increase.

This is why rehabilitation must extend beyond vocational training inside correctional facilities. It should include structured transition from custody to community, employment pathways, family support, psychosocial services and supervised reintegration.

The security dimension is equally important. Overcrowding may weaken classification and make it more difficult to separate high-risk offenders from lower-risk detainees. Inadequate infrastructure may also increase vulnerability to attacks and escapes. UNODC (2025) similarly notes the risks associated with vulnerable prisoners being exposed to more serious criminality or violent extremism.

Correctional security should therefore combine physical protection, intelligence, appropriate classification, staff capacity and rehabilitation. Security should not be interpreted simply as stronger walls or greater numbers of armed personnel. A secure correctional system is one capable of maintaining order while reducing future offending.

10. The Implementation Gap

The principal challenge confronting Nigeria is the gap between the statutory framework and implementation. The NCSA 2019 provides for probation, parole, community service, restorative justice and other non-custodial measures. However, recent government assessments acknowledge that utilisation remains limited and uneven because of delays, inadequate coordination and insufficient supervisory capacity (Federal Ministry of Interior, 2026).

The Federal Ministry of Justice has nevertheless undertaken initiatives aimed at strengthening non-custodial sentencing and accelerating justice. These include capacity-building programmes on non-custodial measures and the establishment of virtual court facilities to support faster case disposal and custodial decongestion (Federal Ministry of Justice, 2024). The implication is that Nigeria does not necessarily require another fundamental legislative transformation. It requires stronger implementation of existing reforms.

The implementation gap has four principal dimensions:

- i. First, justice coordination. Police, prosecutors, courts, legal-aid institutions and correctional authorities do not yet operate as a sufficiently integrated case-management system.
- ii. Second, non-custodial capacity. Legal provisions have not translated into sufficiently widespread use of probation, parole, community service and restorative justice.
- iii. Third, rehabilitation and reintegration. Educational and vocational programmes exist, but their scale and post-release linkages remain insufficient.
- iv. Fourth, institutional security. Correctional facilities require sustained investment in infrastructure, intelligence, surveillance, staffing and emergency preparedness.

11. Feasibility of Restructuring the Nigerian Correctional System

The evidence suggests that restructuring is feasible, but only if it is conceived as an integrated justice reform rather than a correctional construction programme. First, institutional feasibility exists because the NCSA 2019 already provides a statutory foundation for reform. Second, policy feasibility exists because the Federal Government and justice-sector institutions have already initiated non-custodial, digital justice and rehabilitation interventions. Third, social feasibility depends upon public understanding. Non-custodial sanctions should not be presented as an abandonment of punishment. Properly supervised, they constitute structured accountability that may be more appropriate for low-risk offenders. Fourth, security feasibility requires distinguishing between persons who require secure custody and those who can lawfully be supervised in the community. This would enable correctional resources to be concentrated on high-risk offenders.

The central principle should therefore be "secure where necessary, non-custodial where appropriate, rehabilitative throughout."

12. Policy Directions for Restructuring

Restructuring should focus on five mutually reinforcing priorities.

12.1 Justice Decongestion

Reducing the awaiting-trial population should be the immediate priority. Case review, bail administration, legal aid, plea bargaining, digital case management and accelerated judicial proceedings can reduce avoidable detention.

12.2 Expansion of Non-Custodial Measures

Probation, parole, community service and restorative justice should become operational components of everyday justice administration rather than exceptional alternatives.

12.3 Rehabilitation and Social Reintegration

Correctional programmes should be linked with education, vocational training, employment, family support and community reintegration. The reported reduction in repeat offenders provides an encouraging basis for expanding evidence-based rehabilitation (Federal Ministry of Interior, 2026).

12.4 Correctional Security

Infrastructure, surveillance, intelligence, classification and emergency-response capacity should be strengthened. Security investment should be guided by risk rather than simply by the number of inmates.

12.5 Integrated Justice Governance

A unified justice-management approach should link police, prosecution, courts, legal aid, correctional services and post-release supervision. The objective should be to ensure that congestion is addressed at its source rather than merely transferred from one institution to another.

13. Recommendations

Recommendation One

The Federal Government should adopt an integrated national correctional reform framework linking correctional policy with broader justice and social-policy reform.

Implementation Strategies

- i. The Federal Ministry of Justice, in collaboration with the Federal Ministry of Interior, Nigerian Correctional Service, National Judicial Council, Nigeria Police Force and Legal Aid Council of Nigeria, to develop a coordinated implementation framework for the Nigerian Correctional Service Act 2019 with measurable targets for decongestion, rehabilitation, non-custodial sentencing and reintegration.
- ii. The National Assembly to strengthen oversight of correctional reform through periodic assessment of implementation, financing and institutional performance.

Recommendation Two

The Nigerian Correctional Service should prioritise the reduction of the awaiting-trial population through integrated case-management and non-custodial mechanisms.

Implementation Strategies

- i. The Nigerian Correctional Service, National Judicial Council, State Judiciaries, Ministries of Justice, Nigeria Police Force and Legal Aid Council to institutionalise periodic case reviews for persons eligible for bail, probation, community service, parole or other lawful alternatives to incarceration.
- ii. The Chief Justice of Nigeria and Heads of Courts to strengthen criminal case-management procedures for reducing avoidable delays in remand and trial proceedings.

Recommendation Three

The Federal Ministry of Interior should strengthen correctional security while repositioning custodial facilities for effective rehabilitation.

Implementation Strategies

- i. The Nigerian Correctional Service to undertake periodic security and infrastructure assessments covering perimeter protection, surveillance, communication, classification and emergency-response capacity.
- ii. The Federal Ministry of Interior, in collaboration with relevant security agencies, to establish structured intelligence-sharing and emergency-response mechanisms for high-risk correctional facilities.

Recommendation Four

The Nigerian Correctional Service should expand evidence-based rehabilitation and structured post-release reintegration.

Implementation Strategies

- i. The Nigerian Correctional Service, in collaboration with education, skills-development and employment institutions, to expand accredited educational, vocational and entrepreneurship programmes linked to identifiable post-release opportunities.

- ii. State Governments and relevant social-protection institutions to establish community-based reintegration pathways covering employment, family support, counselling and livelihood assistance for eligible released persons.

Recommendation Five

The Federal Government SHOULD establish an integrated justice-sector data system to support evidence-based correctional policy.

Implementation Strategies

- i. The Nigerian Correctional Service, Federal Ministry of Justice, National Judicial Council, Nigeria Police Force and National Bureau of Statistics to develop interoperable data covering arrest, remand, trial, conviction, release, probation, parole and recidivism.
- ii. The Federal Ministry of Justice to publish an annual justice and correctional performance report containing measurable indicators of case disposal, awaiting-trial duration, custodial population, non-custodial measures, rehabilitation and recidivism.

14. Conclusion

The Nigerian correctional system is undergoing a transition from a predominantly custodial philosophy towards a broader model of correction, rehabilitation and reintegration. The Nigerian Correctional Service Act 2019 provides the legal foundation for this transition, but current evidence demonstrates that implementation remains incomplete. The 65% awaiting-trial population reported in June 2026 is particularly significant because it demonstrates that correctional congestion is inseparable from the wider justice system. The problem therefore cannot be solved by custodial expansion alone.

The global and European experience further demonstrates that overcrowding is a persistent challenge even in relatively developed systems. Africa, however, faces additional institutional and resource constraints that make the transition towards rehabilitation and non-custodial corrections particularly important. For Nigeria, restructuring should consequently be understood as a justice-system and social-policy reform, rather than simply an infrastructure project. The central priorities should be reducing unnecessary pre-trial detention, expanding non-custodial measures, strengthening rehabilitation, improving social reintegration, securing correctional institutions and integrating justice-sector data.

The feasibility of reform is therefore considerable because the principal legal framework already exists. What is required is stronger coordination, implementation, accountability and sustained investment. A restructured Nigerian correctional system should ultimately be capable of achieving three complementary objectives: protecting society, administering justice and preparing offenders for lawful reintegration.

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