

A BILL

FOR

AN ACT TO AMEND THE CRIMINAL JUSTICE (RELEASE FROM CUSTODY) (SPECIAL PROVISIONS) ACT CAP C40 LAWS OF THE FEDERATION OF NIGERIA 2004 TO PROVIDE FOR THE COMPTROLLER GENERAL OF PRISONS TO MAKE MONTHLY RETURNS TO THE CHIEF JUSTICE OF NIGERIA AND CHIEF JUDGES OF THE STATES TO ORDER THE RELEASE OF PERSONS DETAINED IN PRISONS IN CIRCUMSTANCES SPECIFIED IN THIS ACT AND PROFFER MORE EFFECTIVE PRISONS DECONGESTION SOLUTION AND FOR RELATED MATTERS

Sponsored by Hon Matthew Nwogu

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

- 1 **1.** The Criminal Justice (release from custody) (special provisions) Amendment of
2 Act No. 19 of 1977 (in this bill referred to as "the principal Act") is amended the Principal Act
3 as set out in the Bill.
- 4 **2.** Section 1 of the Principal Act is amended by inserting Amendment of
5 immediately after the existing paragraph (b) a new paragraph (c) thus: section 1
6 (c) "the (Comptroller General of prisons or his representative shall
7 prepare and forward monthly returns of the entire inmates of all prisons
8 facility in the country to the Chief Justice of Nigeria and Chief Judges of the
9 state and thereby apply for the release order in respect of persons detained
10 under Section 1 of this Act".
- 11 **3.** Section 1(1) of the Principal Act is further amended by Amendment of
12 substituting the "officer in charge of prisons and such officer" for the section 1(1)
13 Comptroller-General of prisons.
- 14 **4.** Section 1 (2) of the principal act is amended by the insertion of Amendment of
15 the following: section 1(2)

1 In this section "the Comptroller-General of prisons" has the same meaning as
2 the Prisons Act.
Citation 3 **5.** This Bill may be cited as the Criminal Justice Act (Amendment)
4 Bill, 2023.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the provision of the Criminal Justice (release from custody) (Special Provisions) Act Cap C40 Laws of the Federation of Nigeria 2004. to provide more effective, viable and. workable means of decongesting our prisons subject to the provision of the extant Act.