



ISSUE BRIEF

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Slow Dispensation of Justice and the Rising Population of Awaiting Trial Inmates in Nigeria: A Call for Legislative Action

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Executive Summary

Nigeria's criminal justice system faces a critical challenge: the slow dispensation of justice, resulting in a growing number of awaiting-trial inmates. As of early 2026, approximately 64% of the prison population, about 51,955 out of 80,812 inmates, consists of persons awaiting trial, many of whom remain incarcerated for months or years without conviction. This situation undermines the constitutional right to a fair hearing within a reasonable time, criminalizes poverty, contributes to overcrowded custodial centers, and places a significant financial burden on government resources.

The Administration of Criminal Justice Act was enacted in 2015 to promote speedy trials, reduce unnecessary adjournments, regulate remand orders, and introduce non-custodial measures; however, its impact has been limited by implementation gaps, administrative delays, and weak coordination across justice-sector institutions.

To address the crisis, the brief recommends that the National Assembly, through its oversight function, may:

- i. **Invite** the Attorney General of the Federation and Minister of Justice to provide periodic briefings on the implementation of the Administration of Criminal Justice Act, particularly on measures taken to reduce the number of awaiting trial inmates and improve the speed of criminal justice administration across the country.
- ii. **Advise** and direct the adoption of a nationwide digital case management system to track criminal cases, monitor remand durations, and schedule court proceedings efficiently, thereby reducing administrative delays and ensuring timely trials.
- iii. **Advise** judiciary on the deployment of a centralized electronic case management platform across courts and prosecutorial offices, accompanied by staff training and mandatory reporting to the Ministry of Justice, to enhance monitoring of case progress, ensure compliance with timelines, and reduce delays in criminal proceedings.

1. Background

The slow dispensation of justice in Nigeria's criminal justice system has contributed to pervasive delays in trials and an escalating number of inmates awaiting

trial. This crisis raises serious constitutional and human rights concerns

because many detainees remain incarcerated for lengthy periods without conviction or access to efficient legal processes.



The slow dispensation of justice remains one of the most persistent challenges confronting Nigeria's criminal justice system. Across custodial centers nationwide, a significant proportion of inmates are classified as Awaiting Trial Persons (ATPs), many of whom spend years in detention without the conclusion of their cases. According to data from the Nigerian Correctional Service, as of early 2026, awaiting trial inmates constituted approximately 64 % of Nigeria's total prison population, with about 51,955 awaiting trial out of 80,812 inmates nationwide.¹

This situation undermines the constitutional guarantee of fair hearing within a reasonable time as enshrined in Section 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended). It also contradicts the objectives of the Administration of Criminal Justice Act (ACJA), which was enacted to promote speedy dispensation of justice, protect the rights of suspects, and reduce prison congestion. Despite the provisions of the as timelines for remand orders, case management systems, and restrictions on adjournments, implementation gaps remain widespread, especially at the state level where domestication and enforcement vary.²

2. Issue

The rising number of awaiting trial inmates in Nigeria reflects serious delays in the justice system, where many individuals accused of minor or bailable offences remain in prolonged detention due to strict bail conditions and administrative bottlenecks. This undermines the right to a fair and timely trial, criminalizes poverty, contributes to overcrowded custodial centers, and places a significant financial burden on government, thereby highlighting the urgent need for legislative intervention.

3. Government Efforts to Address the Rising Population of Awaiting Trial Inmates in Nigeria

The Nigerian government has undertaken several reforms and policy initiatives aimed at reducing the number of awaiting trial inmates and improving the efficiency of the criminal justice system. These efforts involve legislative reforms, judicial interventions, and correctional service initiatives aimed at promoting speedy trials and reducing congestion in custodial centers.

4. Enactment of the Administration of Criminal Justice Act (ACJA)

One of the most significant reforms is the enactment of the Administration of Criminal Justice Act in 2015. The Act introduced key provisions intended to promote speedy dispensation of justice,

¹ Onyedinefu. G (2026 February 12). Awaiting trial inmates make up 64% prison population – NCoS. Business day. <https://businessday.ng/news/article/awaiting-trial-inmates-make-up-64-prison-population-ncos/?utm>

² ACJ Act (2015, 13th May). Administration of criminal justice act. <https://www.accesstojustice-ng.org/Administration%20of%20Criminal%20Justice%20Act%2C%202015.pdf?utm>



limit unnecessary adjournments, and regulate the use of remand orders to reduce prolonged pre-trial detention.³

5. Areas for Legislative Intervention

To address the growing crisis the National Assembly, through its relevant committee may consider the following recommendation:

- i. The National Assembly may invite the Attorney General of the Federation and Minister of Justice to provide periodic briefings on the implementation of the Administration of Criminal Justice Act, particularly on measures taken to reduce the number of awaiting trial inmates and improve the speed of criminal justice administration across the country.
- ii. The National Assembly, through its oversight function, may advise and direct the adoption of a nationwide digital case management system to track criminal cases, monitor remand durations, and schedule court proceedings efficiently, thereby reducing administrative delays and ensuring timely trials.

- iii. The National Assembly, through its oversight function, may advise on the deployment of a centralized electronic case management platform across courts and prosecutorial offices, accompanied by staff training and mandatory reporting to the Ministry of Justice, to enhance monitoring of case progress, ensure compliance with timelines, and reduce delays in criminal proceedings.

6. Conclusion

The slow dispensation of justice in Nigeria has led to a growing population of awaiting trial inmates, undermining constitutional rights, overburdening custodial centers, and straining government resources. Despite the ACJA and other reforms, delays persist due to implementation gaps and administrative bottlenecks. Legislative action is crucial: through oversight, the National Assembly can enforce ACJA provisions, promote digital case management, and improve coordination across justice institutions, ultimately ensuring timely trials, protecting human rights, and reducing prison congestion.

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³ Ibid.