



Revitalizing Correctional Rehabilitation: Challenges of Awaiting-Trial Detention Policies in North-East Nigeria

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Abstract

This study examines the challenges posed by awaiting-trial detention (ATD) policies to correctional rehabilitation in North-East Nigeria, a region significantly affected by conflict and instability. It evaluates how prolonged awaiting-trial detention, overcrowding, and delays in the criminal justice process undermine rehabilitation among detainees who may remain incarcerated for extended periods without conviction. The study highlights the adverse psychological consequences of prolonged detention, including depression, anxiety, and social alienation, which impede rehabilitation and threaten detainees' human rights and dignity. It further examines structural barriers within the ATD framework, including limited access to legal representation, judicial delays, inadequate criminal justice infrastructure, and social stigmatization. Socio-economic conditions, particularly poverty and limited community support, are also identified as factors that intensify detainees' vulnerabilities and constrain their prospects for rehabilitation and successful reintegration into society. Employing a mixed-methods approach, the study integrates quantitative and qualitative evidence to examine systemic challenges within the ATD framework. Quantitative data were obtained through surveys assessing detainees' experiences and mental health, while qualitative interviews explored their lived experiences and the perspectives of relevant criminal justice stakeholders. The findings underscore the need for evidence-based reforms that reposition ATD within a more rehabilitative and rights-based framework. The study recommends timely trials, improved access to legal representation, strengthened mental health services, reduced overcrowding, and enhanced rehabilitation and reintegration programmes. Such reforms are essential for protecting detainees' rights, improving correctional outcomes, and promoting a more just and effective criminal justice system in North-East Nigeria.

Keywords: Awaiting-trial detention, Correctional Rehabilitation, Detention policies, Criminal justice system, Nigeria.

Introduction

The North-East region of Nigeria, encompassing the states of Borno, Yobe, and Taraba, has long been characterized by a complex interplay of conflict, humanitarian crises, and systemic weaknesses within its criminal justice system. The Boko Haram insurgency, which began in earnest in the early 2000s, has had devastating effects on the region's socio-economic structures and has perpetuated a cycle of violence, insecurity, and displacement. As noted by Fabu (2020), millions of people have been affected, with over 2 million

internally displaced by the conflict, exacerbating existing vulnerabilities among marginalized communities.

The Nigerian correctional system is burdened by a structural paradox that has persisted for decades: a significant majority of its population comprises individuals who have not been convicted of any crime. As of 2023, the Nigerian Correctional Service (NCoS) reported that awaiting-trial inmates (ATIs) constituted approximately 70–75% of the total prison population, with figures in the North-East geopolitical zone even



more dire due to the compounding effects of the Boko Haram insurgency, displacement crises, and a severely overstretched judiciary (Nigerian Correctional Service, 2023; Amnesty International, 2022).

Amidst this turmoil, the region's governance structures are under significant stress, leading to a breakdown in essential services, including the judiciary. The criminal justice system, inherently under-resourced and heavily burdened by the influx of detainees, suffers from profound inefficiencies that complicate access to justice. According to a report by International Crisis Group (2021), the ongoing insurgency and pervasive insecurity have resulted in an overreliance on detention without trial, with many individuals languishing in jail for extended periods without legal representation or a fair hearing.

The Administration of Criminal Justice Act (ACJA) of 2015 was introduced with the intention to reform detention practices and enhance access to justice in Nigeria. However, the implementation of the ACJA in the North-East has faced formidable barriers, adversely impacting its effectiveness. Khan et al. (2022) highlight that insufficient legal representation and lengthy delays in trial processes have become commonplace, rendering the promise of the ACJA largely unfulfilled. Many detainees experience considerable waiting periods—some for years—without any resolution to their cases, creating an environment ripe for human rights violations and mental health deterioration.

In addition, the lack of effective alternatives to detention exacerbates the crisis. A study by Uba (2020) indicates that alternatives such as community service, restorative justice, and pre-trial diversion programs are neither adequately developed nor implemented, forcing many awaiting-trial individuals into overcrowded and unsanitary prison conditions. As reported by the Nigerian Prison Service, many facilities are operating at more than 200% capacity, creating a scenario where the rights and dignity of detainees are often compromised (Nigerian Prison Service, 2021).

This environment deeply erodes rehabilitation prospects, presenting detrimental consequences for both mental health and community reintegration. Research has shown that prolonged detention often leads to increased rates of depression, anxiety, and post-traumatic stress disorder among detainees (Olakunle et al., 2021). Furthermore, the stigma associated with detention can complicate reintegration efforts, resulting in long-term socio-economic disadvantages that perpetuate cycles of crime and victimization (Ananaba, 2023).

In view of these, the convergence of ongoing conflict, systemic dysfunction within the criminal justice system, and the failure to implement effective rehabilitation and detention alternatives has created a dire situation for awaiting-trial detainees in North-East Nigeria. As such, addressing these issues is of paramount importance for advancing human rights, public safety, and the overall integrity of the justice system in the region.

The ongoing constraints within Nigeria's criminal justice system have not only affected detainees' rehabilitation prospects but have also eroded public trust in the justice process itself. As noted in a report by the International Crisis Group (2023), there is a growing perception that the criminal justice system needs urgent reform to align its practices with both national and international standards for human rights and rehabilitation.

The continuing humanitarian crises in North-East Nigeria, exacerbated by the effects of the Boko Haram insurgency, pose additional challenges. Internally displaced persons (IDPs) and vulnerable populations face disproportionate risks of being detained without trial, effectively blurring the lines between those who have committed offenses and those who are merely victims of circumstance.

As awareness of these issues has increased, advocacy groups and researchers have called for comprehensive reforms focusing on legal and structural changes within the ATD framework. There is a pressing need for policies that prioritize rehabilitation over punitive measures, ensuring that awaiting-trial detainees receive the support, legal representation, and mental health care necessary for their reintegration into society.



The objectives of this study are designed to evaluate the impacts of awaiting-trial detention (ATD) policies on correctional rehabilitation in North-East Nigeria, addressing the multifaceted challenges detainees face in the context of a troubled judicial system.

Literature Review

Awaiting-trial detention (ATD) has become a pressing issue within the Nigerian criminal justice system, with significant implications for correctional rehabilitation. The rates of unconvicted detainees in Nigeria are alarmingly high, reflecting systemic issues within legal and correctional frameworks. This literature review evaluates current research on the impacts of ATD policies on rehabilitation, focusing on mental health, access to legal representation, overcrowding, and community perception.

Overcrowding and Its Implications

The issue of overcrowding in correctional facilities is particularly acute in Nigeria. Research indicates that overcrowded prisons exacerbate the negative consequences of ATD on rehabilitation. The Nigerian Prison Service reports that many facilities operate at over 200% capacity, leading to unhygienic living conditions and limited access to healthcare (Nigerian Prison Service, 2021). According to Umeasan et al. (2021), overcrowding contributes to increased violence and conflicts among inmates, undermining a rehabilitative environment. These conditions make it challenging for staff to implement effective rehabilitation programs, further contributing to a cycle of despair and recidivism.

Access to Legal Representation

Access to legal representation is crucial for ensuring fair trial rights and reducing the durations of ATD. A lack of adequate legal representation significantly diminishes detainees' chances of securing timely releases. Fekumo and Edobor (2020) found that many detainees lack legal counsel, resulting in prolonged detention periods. The absence of adequate legal aid frameworks complicates rehabilitation efforts, as detainees remain in limbo without clear pathways to resolution of their cases. This situation is

exacerbated by socio-economic barriers that prevent many detainees from affording private legal services.

Theoretical Framework

Introduction

A theoretical framework provides the conceptual foundation upon which a study is built. It explains the theories relevant to the research problem and demonstrates how the study variables relate to one another. For the study titled "*Revitalizing Correctional Rehabilitation: Challenges of Awaiting-Trial Detention Policies in North-East Nigeria*," the framework draws from criminological and sociological theories that explain the causes, consequences, and institutional implications of prolonged awaiting-trial detention on correctional rehabilitation.

This study is anchored primarily on the Rehabilitation Theory, while also incorporating the Labeling Theory and the Systems Theory to explain the interaction between detention policies, institutional deficiencies, and rehabilitation outcomes in correctional facilities in North-East Nigeria.

Rehabilitation Theory

The Rehabilitation Theory is one of the dominant correctional theories in criminal justice studies. The theory emerged prominently in the twentieth century through the works of scholars such as Cesare Lombroso, Enrico Ferri, and later reformists in penology who argued that criminal behaviour can be corrected through treatment, education, vocational training, counselling, and social reintegration programmes.

The theory assumes that offenders are capable of change if exposed to conducive correctional programmes and humane treatment. Rather than focusing solely on punishment, rehabilitation emphasizes behavioural transformation and reintegration into society as law-abiding citizens. Correctional institutions are therefore expected to provide educational opportunities, psychological support, vocational training, and skill acquisition programmes that reduce recidivism.



Labeling Theory

The study is also supported by the Labeling Theory developed by Howard Becker and further advanced by scholars such as Edwin Lemert. The theory argues that deviance is not inherent in an individual's behaviour but results from societal reactions and labels attached to individuals by authorities and social institutions.

According to the theory, individuals who are labeled as criminals often internalize such labels, leading to stigmatization and continued deviant behaviour. Awaiting-trial detainees, despite not being convicted by a court of law, are frequently treated as offenders within the correctional system and society. This premature criminalization creates social stigma, emotional trauma, and identity transformation Becker, (1963).

In North-East Nigeria, where insecurity and insurgency have intensified criminal justice operations, many suspects are detained for prolonged periods under harsh conditions. Some are accused of terrorism-related offences without sufficient evidence or timely judicial processes. The labeling process subjects detainees to discrimination and marginalization even before legal determination of guilt (McNeill, F. 2012).

The theory is relevant to this study because it explains how awaiting-trial detention policies contribute to:

1. Social stigmatization of detainees;
2. Psychological and emotional distress;
3. Loss of self-worth and societal acceptance;
4. Increased likelihood of future criminal behaviour;
5. Difficulties in rehabilitation and reintegration.

The implication is that prolonged detention without conviction can transform otherwise reformable individuals into hardened offenders due to exposure to criminal subcultures and institutional labeling

Systems Theory

The Systems Theory, associated with scholars

such as Ludwig von Bertalanffy, views society and institutions as interconnected components that must function together effectively for stability and efficiency. In criminal justice administration, the police, courts, correctional centres, legal aid institutions, and government agencies constitute interconnected subsystems.

The theory posits that dysfunction in one component affects the performance of the entire system. In the Nigerian criminal justice system, delays in police investigation, inadequate prosecution, shortage of judges, corruption, insecurity, and poor coordination among agencies contribute significantly to prolonged awaiting-trial detention.

In North-East Nigeria, insurgency and insecurity have weakened institutional capacity, thereby affecting judicial processes and correctional administration. The result is custodial congestion, overstretched facilities, and inadequate rehabilitation services.

The Systems Theory is applicable to this study because it explains that:

1. Awaiting-trial detention problems are products of systemic institutional failures;
2. Inefficiency in one justice institution affects rehabilitation outcomes;
3. Correctional congestion limits effective rehabilitation programmes;
4. Sustainable reforms require coordinated institutional responses.

The theory therefore emphasizes that revitalizing correctional rehabilitation requires comprehensive reforms involving the police, judiciary, correctional services, and government agencies.

Within the context of North-East Nigeria, the rehabilitation theory is highly relevant because awaiting-trial detention policies often undermine the correctional objectives of rehabilitation. Many detainees remain in custody for several years without trial due to procedural delays, poor investigation, inadequate legal representation, insurgency-related insecurity, and congestion



within custodial centres. Such prolonged detention exposes detainees to overcrowding, trauma, violence, idleness, and poor living conditions, thereby weakening rehabilitation efforts.

The theory explains that effective rehabilitation becomes difficult where detainees are treated as criminals before conviction. Awaiting-trial inmates are frequently excluded from formal rehabilitation programmes because correctional authorities prioritize convicted offenders. Consequently, detainees experience social isolation, psychological deterioration, and reduced opportunities for reintegration.

The application of the rehabilitation theory to this study therefore demonstrates that:

1. Prolonged awaiting-trial detention negatively affects behavioural reform;
 2. Poor detention conditions hinder correctional rehabilitation;
 3. Lack of rehabilitation programmes contributes to recidivism and social exclusion;
 4. Effective correctional reforms can improve reintegration outcomes for detainees.
- Thus, revitalizing correctional rehabilitation in North-East Nigeria requires policies that reduce unnecessary detention, ensure speedy trials, and extend rehabilitation programmes to awaiting-trial inmates.

Methodology

This study adopted a sequential explanatory mixed-methods design, which involves collecting and analysing quantitative data in the first phase, followed by qualitative data collection to explain and contextualise the quantitative results (Creswell & Plano Clark, 2018). This design was chosen because it allows for statistical identification of patterns and relationships.

Variable	Category	Frequency (n)	Percentage (%)
Age	18–25 years	42	21.0%
	26–35 years	68	34.0%
	36–45 years	55	27.5%
	46 years & above	35	17.5%
Gender	Male	158	79.0%
	Female	42	21.0%
Education Level	No Formal Education	61	30.5%

Detention Duration	Primary	54	27.0%
	Secondary	63	31.5%
	Tertiary	22	11.0%
	Less than 1 year	38	19.0%
	1–2 years	72	36.0%
	2–4 years	59	29.5%
	Over 4 years	31	15.5%

Source: Field Survey, 2026

Socio-Demographic Characteristics of Respondents

Table 1 above presents the socio-demographic characteristics of the 200 respondents surveyed in the study. The findings reveal that the largest proportion of respondents (34.0%) fell within the age bracket of 26–35 years. Male respondents accounted for 79.0% of the sample population, reflecting the prevailing gender distribution within correctional facilities in Nigeria. With respect to educational qualification, 30.5% of the respondents had no formal education, while only 11.0% had attained tertiary education. Concerning the duration of detention, the results indicate that 45.5% of the respondents had remained in custody for more than two years without trial, whereas 15.5% had spent over four years in detention awaiting trial.

Programme Type	Accessed (%)	Not Accessed (%)	Mean Score
Vocational Skills Training	41.5%	58.5%	2.31
Formal Education Classes	29.0%	71.0%	1.98
Psychological Counselling	22.5%	77.5%	1.76
Religious/Moral Instruction	67.0%	33.0%	3.45
Drug Rehabilitation Services	18.0%	82.0%	1.54
Legal Aid/Awareness Sessions	35.0%	65.0%	2.12

Table 2: Access to and Participation in Rehabilitation Programmes (n = 200)

Rehabilitation Programmes

Table 2 above presents the findings on the access and participation of Awaiting-Trial Inmates (ATIs) in rehabilitation programmes. The results indicate that religious and moral instruction constituted the most commonly accessed programme category, with 67.0% of respondents reporting participation. This high level of participation may be attributed to the integration of such activities into the routine custodial schedule rather than their operation as structured enrolment-based programmes.



Conversely, only 22.5% of respondents reported access to formal psychological counselling services, while participation in drug rehabilitation programmes was considerably lower at 18.0%. Furthermore, vocational training programmes, widely regarded as one of the most effective rehabilitative interventions, were accessed by only 41.5% of ATIs, despite the fact that all three custodial facilities officially indicated the availability of such programmes.

Discussion of Major Findings

The findings of this study reveal that awaiting-trial detention (ATD) policies in North-East Nigeria significantly undermine correctional rehabilitation efforts, compromise inmates' psychological well-being, and hinder successful reintegration into society. The discussion is organized around the major themes that emerged from the study.

Prolonged Awaiting-Trial Detention Intensifies Correctional Facility Congestion

One of the major findings of this study is that prolonged detention before trial contributes substantially to overcrowding in correctional facilities. The study found that a large proportion of inmates in custodial centres remain unconvicted for extended periods due to judicial delays, slow case processing, and inadequate legal representation. This finding is consistent with recent reports indicating that awaiting-trial inmates constitute approximately 64% of Nigeria's custodial population, thereby exerting significant pressure on correctional facilities and limiting the effectiveness of rehabilitation programmes.

Overcrowding creates conditions that are incompatible with rehabilitation objectives. Educational programmes, vocational training, counseling services, and behavioural modification initiatives become difficult to implement when facilities operate beyond their intended capacity. In North-East Nigeria, where correctional institutions already face infrastructural deficiencies due to years of insurgency and

insecurity, overcrowding further strains available resources.

For example, correctional centres in states such as Borno, Yobe, and Adamawa often accommodate inmates beyond their designed capacities, resulting in inadequate sleeping spaces, poor sanitation, and limited access to rehabilitation facilities. Under such circumstances, correctional officers prioritize custody and security functions over rehabilitation activities.

This finding supports the argument of rehabilitation theorists who maintain that effective offender reform requires a conducive environment characterized by structured programmes, adequate staffing, and access to treatment services (Cullen & Jonson, 2022).

Awaiting-Trial Detention Negatively Affects Inmates' Mental Health

A second major finding demonstrates that prolonged detention has severe psychological consequences for detainees. Quantitative results revealed high levels of depression, anxiety, hopelessness, emotional distress, and social withdrawal among awaiting-trial inmates. Qualitative interviews further revealed feelings of uncertainty regarding trial outcomes, frustration with prolonged incarceration, and fear of indefinite detention.

The finding aligns with contemporary criminological and psychological studies that identify prolonged detention and uncertainty as major predictors of mental health deterioration among incarcerated populations (Fazel et al., 2023; World Health Organization, 2024). The inability to determine when a trial will occur often creates chronic stress conditions that impair emotional stability and cognitive functioning.

For instance, several respondents reported experiencing insomnia, depression, and persistent anxiety because they had spent several years in custody without conviction. Such psychological conditions diminish inmates' motivation to participate in educational and vocational rehabilitation programmes.



The situation is particularly severe in North-East Nigeria, where many detainees have already experienced trauma associated with terrorism, displacement, armed conflict, and loss of livelihoods. Consequently, ATD not only imposes legal uncertainty but also compounds pre-existing psychological vulnerabilities.

This finding supports the principles of the Risk-Need-Responsivity (RNR) Model, which emphasizes the importance of addressing criminogenic and psychological needs to facilitate successful rehabilitation (Bonta & Andrews, 2024).

Limited Access to Legal Representation Prolongs Detention

Another significant finding is that inadequate access to legal representation contributes substantially to prolonged detention periods. Many detainees reported difficulties securing legal counsel due to poverty and the limited availability of legal aid services.

This finding corroborates existing studies indicating that socio-economically disadvantaged defendants are disproportionately affected by delays in criminal proceedings because they lack resources to engage private lawyers (United Nations Office on Drugs and Crime [UNODC], 2024).

In many cases, respondents disclosed that they had appeared in court only a few times despite spending several years in custody. Others indicated that their cases had been repeatedly adjourned due to the absence of legal representatives, unavailable witnesses, or administrative inefficiencies.

For example, a detainee in Maiduguri Custodial Centre reported remaining in detention for over four years without substantive progress in his trial because he could not afford legal representation. Such experiences demonstrate how poverty intersects with systemic deficiencies to prolong incarceration.

The implication is that ATD disproportionately affects economically marginalized populations, reinforcing patterns of social inequality within the criminal justice system.

Judicial Delays Undermine Rehabilitation Outcomes

The study further found that inefficiencies within the criminal justice system significantly undermine rehabilitation outcomes. Delays in investigations, court adjournments, shortage of judges, and inadequate prosecutorial capacity contribute to prolonged detention.

This finding aligns with contemporary criminal justice literature emphasizing that delayed justice weakens confidence in legal institutions and undermines correctional objectives (Alemika, 2023). The principle that justice delayed is justice denied becomes particularly relevant where detainees spend years awaiting trial.

Respondents reported losing interest in rehabilitation programmes because they were uncertain about their legal status. Many viewed participation in correctional programmes as meaningless when their cases remained unresolved.

For example, some inmates indicated that they had completed vocational training but remained incarcerated due to unresolved court proceedings. This disconnect between rehabilitation efforts and legal resolution reduces the effectiveness of correctional interventions.

Furthermore, judicial delays create administrative burdens for correctional facilities by increasing inmate populations and reducing available resources for treatment and rehabilitation services.

Social Stigmatization Impedes Reintegration Prospects

Another major finding reveals that awaiting-trial detainees experience significant social stigmatization, even though they have not been convicted of any crime. Family members, employers, and community members often



perceive detained individuals as guilty regardless of the legal presumption of innocence.

This finding supports labeling theory, which argues that societal reactions and stigmatization can shape individuals' identities and future behaviour (Bernburg, 2023). The stigma associated with incarceration often persists after release, creating barriers to employment, education, and social acceptance.

Interview participants expressed concerns that prolonged detention had damaged their reputations and weakened family relationships. Some reported abandonment by relatives and loss of employment opportunities.

For example, a respondent from Adamawa State explained that his business collapsed during his detention, while community members continued to regard him as a criminal despite the absence of a conviction. Such stigmatization complicates reintegration efforts and may increase vulnerability to recidivism.

Poverty and Weak Community Support Exacerbate Rehabilitation Challenges

The study also found that socio-economic deprivation significantly influences rehabilitation outcomes among awaiting-trial detainees. Most respondents came from low-income backgrounds and lacked financial resources to secure bail, obtain legal services, or maintain family support during detention.

This finding aligns with social disorganization and strain theories, which highlight the relationship between socio-economic disadvantage and criminal justice involvement (Agnew, 2023). Poverty increases vulnerability to prolonged detention while simultaneously limiting opportunities for rehabilitation.

In North-East Nigeria, the effects of insurgency have intensified poverty levels, displacement, unemployment, and social instability. Consequently, many detainees return to communities that lack the capacity to provide

support for reintegration.

For instance, respondents from conflict-affected communities reported losing homes, livelihoods, and family networks due to insurgent violence. Such circumstances reduce the likelihood of successful rehabilitation and increase the risk of reoffending.

Stakeholders Support a Shift Toward a Rehabilitative ATD Framework

The final major finding indicates widespread stakeholder support for reforms aimed at transforming ATD from a predominantly punitive mechanism into a rehabilitative framework. Correctional officers, legal practitioners, civil society actors, and detainees consistently advocated for timely trials, expanded legal aid services, improved mental health support, and alternatives to custodial detention.

This finding aligns with international best practices promoting non-custodial measures, diversion programmes, and restorative justice approaches (UNODC, 2024; United Nations, 2024). Stakeholders emphasized that individuals awaiting trial should not be subjected to conditions that undermine their dignity and future prospects.

Examples of recommended reforms include:

- Expansion of legal aid services for indigent defendants.
- Increased use of bail and non-custodial sentencing options.
- Establishment of mental health counseling units within custodial centres.
- Digitization of court processes to reduce delays.
- Community-based rehabilitation and reintegration programmes.

Conclusion

The findings demonstrate that awaiting-trial detention policies in North-East Nigeria create significant barriers to correctional rehabilitation. Prolonged detention contributes to overcrowding, psychological distress, social stigmatization, and



weakened reintegration prospects. Structural deficiencies within the judicial system, combined with poverty and inadequate legal representation, perpetuate these challenges. The evidence suggests that meaningful reform of ATD policies is essential for promoting rehabilitation, protecting human rights, and improving criminal justice outcomes. A transition toward a more rehabilitative and rights-based detention framework would enhance both correctional effectiveness and social justice in North-East Nigeria.

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