

# Juvenile Justice in Nigeria<sup>1</sup>

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## **Abstract**

*One feature of the crime situation in Nigeria is the involvement of juveniles in some criminal and/or dubious activities, which is referred to as juvenile delinquency. In Nigeria the laws define delinquency in terms of the age of those involved rather than in terms of their offences. In Children and Young Person Law, a distinction is made between a person who is yet 14 years and one who is 14 years but not yet above 16 years. The former is a 'child' and the latter a 'young person' Therefore any offence committed by a person above 16 is a crime not delinquency. Universally, delinquents are immature and therefore incapable of 'mens rea' (criminal intent) and 'actus reus' (criminal act). To this effect, regulations (laws) pertaining to treatment of delinquents apart from the adult criminals were enacted and documented, thus setting up separate justice system called juvenile justice, which is the focus of this paper. The enactments of these laws were meant to protect the child from the highly technical, cumbersome and harsh adversarial nature of procedure characteristics of ordinary courts. They were also meant to protect the welfare of the children in the dispensation of justice. Despite the universal proclamation that juvenile delinquents should be rehabilitated and not to be punished, studies have indicated that some juvenile institutions are essentially custodial rather than treatment oriented. This paper therefore critically assessed the pre-trial, trial and post-trial handling of juvenile delinquents in Nigeria vis-à-vis the requirements of juvenile justice at each of the three stages. The paper concludes with series of educated recommendations for the improvement of juvenile justice in Nigeria.*

**Key words:** *juvenile justice, juvenile delinquency, juvenile court, remand home, approved school, Borstal centre*

## **Introduction**

In Nigeria, crime is generally increasing and it appears that property offences are increasing more than offences against the person ([www.cleen.org/crime-statistics/1994-2003graphics.pdf](http://www.cleen.org/crime-statistics/1994-2003graphics.pdf)). One feature of the crime situation in Nigeria is the involvement of juveniles in some criminal and/or dubious activities namely: thefts, burglaries, robberies (even armed robberies), teenage preg-

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nancy and prostitution, alcoholisms and drug abuse, and all sorts of violence are widespread among young persons. These are widespread among juveniles.

The definitions of juvenile delinquency vary from one nation to another. Usually, it refers to the offences of the immature persons. In Nigeria the laws define delinquency in terms of the age of those involved rather than in terms of their offences. In *Children and Young Person Law* (CYPL, 1958), a distinction is made between a person who is yet to attain the age of 14 and one who is 14 years but not yet above 16 years. The former is a 'child' and the latter a 'young person' Therefore any offence committed by a person above 16 is a crime not delinquency. The CYPL recognizes three categories of juvenile delinquents, namely 'juvenile offenders'; 'beyond parental control', and; 'wanderers, beggars, truants' and the like. 'Juvenile offenders' are those who commit or are apprehended to have committed any act that would be a crime if they were not underage. The 'beyond parental control' are those that their parents established that they could not control them and make them of good behaviors. 'Wanderers, beggars, truants' and the like are referred to as those who are in need of care and protection. From the above, one can distinguish delinquency from crime in two major ways. First, delinquency is a more inclusive term than crime, which means that it includes in addition to law violation, some other acts or behaviors like 'beyond parental control', 'wandering', 'truancy', 'begging', being exposed to 'moral danger', being exposed to the 'risk of slavery', and the like. These behaviors and/or acts are essentially not criminal. Secondly, delinquency is different from crime in that the people involved are immature, that is, delinquents unlike criminals, are immature, they are 16 years old or less.

Universally, it has been agreed that delinquents are immature and therefore incapable of '*mens rea*' (criminal intent) and '*actus reus*' (criminal acts). To this effect, regulations pertaining to treatment of delinquents apart from the adult criminals were enacted and documented, thus setting up separate justice system called juvenile justice, which is the focus of this paper. In Nigeria, the document is short-titled '*Children and Young Person Laws*', henceforth referred to as CYPL. The four former regions had their respective CYPL. Those of Lagos Colony and Western Region were enacted in 1946. These laws were later adapted for Eastern and Northern regions in 1958. The enactments of these laws were meant to protect the child from the highly technical, cumbersome and harsh adversatorial nature of procedure characteristics of ordinary courts. They were also meant to protect the welfare of the children in the dispensation of justice. Thus, these laws together legislated:

1. Against the trying of juveniles in open adult criminal courts, and made provisions for Juvenile Courts (except that of the North);
2. Against the sentencing of juveniles to prisons, and made provisions for juvenile probation (except that of the North) and Juvenile Institutions, and;

3. Against the maltreatment and neglect of the juveniles, and made provision that juveniles committed to juvenile institutions must be properly lodged, fed, cared for and instructed.

All the above are efforts made by the law to protect juvenile from punishment and, to the contrary, encouraged their rehabilitation even though some of the sections of the law appear punitive. As rightly noted by Philips '...these laws are eclectic in their chaotic assembly of retributive and rehabilitative ideas' (1980: 7). It is also hard to understand why for example the CYPL of Northern Nigeria did not specifically provide for juvenile courts and probation. However the CRA, 2003, has now provided for both.

Despite the universal proclamation that juvenile delinquents should be rehabilitated and not to be punished, even in the developed countries, studies have indicated that some juvenile institutions had been essentially custodial rather than treatment oriented (Sadhu, 1977). Those institutions that were custodial in orientation were found to hold to a moralistic sort of treatment philosophy, while treatment oriented institutions hold to either a social/case work or therapeutic (social-psychological) treatment philosophy. The moralistic treatment philosophy is founded on the conventional idea of free will. The strong underlying argument is the pleasure-pain principles: "inmates should learn to conform out of the fear of the consequences" (Sadhu, 1977: 234). The social/case work treatment philosophy holds that those who are delinquents lack proper schooling and nurturance in a well organized family and can be re-socialized to become normal. This can be done, for examples, through good vocational and academic programmes in a secure and supportive institution. The therapeutic (social-psychological) treatment philosophy holds that, in account of deep-seated deviance (emotional and psychological due to environmental stresses), rehabilitation should take place through extensive changes in character and personality through individual psychotherapy.

The objectives of this paper are therefore three, namely: (1) to identify and discuss the existing juvenile institutions central to juvenile justice in Nigeria; (2) to assess the performance of each of the institutions against what is legally defined for them by the relevant International and national statutes, and; (3) to give a well informed recommendations for the improvement of juvenile justice in Nigeria.

### **Juvenile Institutions**

It has been indicated above that the CYPL have legislated against trying juveniles in adult courts and committing them to prisons with adults. These same laws as earlier indicated have also made provisions for juvenile institutions for the handling of delinquents, including juvenile courts. There are four types of juvenile institutions in Nigeria; namely the Juvenile Courts, Borstal Centres, Approved Schools and Remand Homes.

***Juvenile Courts***

These courts, as they are called, are meant specifically for handling cases involving children and young persons who need care and protection of the society. One of the major features of these courts is that charges by the prosecutor are not encouraged. Instead, a report is presented to the court by a probation officer and/or a social worker as provided for by the Child Rights Act (CRA, 2003, section 217(6a)). The presentation of the report should also not be read aloud, but must provide the substance of the offence or the problem being labeled against the juvenile and the prevailing circumstances surrounding the offence/problem. This is, because juvenile justice does not operate with a criminal procedure in mind. Accordingly, the court does not aim at a “conviction” and “sentencing”, but at aiding the child and/or young offender who is assumed to have committed an offence for some psychological and social-environmental factors (CRA, 2003, S.213[2]). Thus, juvenile courts, rather than using law alone, coordinate and utilize the knowledge and skills of law, science and social sciences/work.

Unlike in the adult court, spectators are not allowed in juvenile court proceedings. Section 418 of the Criminal Procedure Act (CPA) (Cap 80 Laws of the Federal Republic of Nigeria, 1990) provides that only those relations of the juveniles that are directly involved and such experts as social workers, probation officers and, where applicable, medical practitioners are allowed in the court to present their report. In fact, even parents/guardians can be excluded if the judge feels that the presence of the parents will jeopardize rather than help the case for the juvenile (CPA 1990, S. 426 and CRA, 2003, S. 216(2)). In other words, to avoid harmful influences, the privacy of the juvenile must be respected in juvenile courts proceedings. Article 8(1) of the Beijing Rules, 1985, for example, provides that ‘The juvenile’s rights to privacy shall be respected...’ The article provides further that ‘In principle, no information that may lead to the identification of a juvenile offender shall be published’ (Article 8[2]). Similarly, the African Charter on the Rights and Welfare of the Child (ACRWC, 1990), in its article 17(2) (d), provides that state parties to the Charter shall ‘prohibit the press and the public from trial of juveniles’. One of the major reasons for such privacy in juvenile proceedings is to avoid the stigma involved in conventional justice. In fact, no juvenile is to be finger printed or photographed and special terminologies are created in order to avoid stigmatizing the juveniles. Thus, for examples, the term ‘accused’ are replaced by the terms ‘child’ or ‘juvenile’, ‘arrest’ by ‘under custody’, ‘investigation’ by ‘inquiring’, ‘trial’ by ‘hearing’, ‘conviction’ by ‘committal’, ‘jail’ by ‘detention’, ‘punishment’ by ‘correction’, ‘parole’ by ‘after care’, and so on.

The best interest of the child is paramount in hearing of cases in juvenile courts (ACRWC, 1990, Art 17). As such the trial is inquisitorial rather than accusatorial in that the Judge/magistrate and a team of professionals suppose to inquire into cases without necessarily engaging defense lawyers in adversarial manner with the prosecution lawyers as it is done in adult court. The defense lawyer is in the Juvenile court for the purpose of helping the court with

information on the side of the law because, according to Art 17 of the ACRWC, 1990, the aim of treatment of every child during trial and also if found guilty of infringing the penal law shall be his or her reformation, reintegration into his or her family and social rehabilitation. Also in line with the inquisitorial process, it is the judge or magistrate and the other non-legal professionals at the hearing, not the prosecution that will adjourn the case where the necessary information is not available or is available but inadequate (CRA, 2003, S. 217(7)). In either case the judge/magistrate has the power to adjourn and order for social inquiry report (CRA, 2003, S. 219). In short, the hearing of cases in juvenile court is informal without a jury – hearing suppose to take place in a relaxed interaction between the child, parents, the judge and other professionals.

Hearing in juvenile cases should begin, according to the CRA, 2003, S. 217, with the explanation of the substance of the alleged offence to the juvenile and asking the juvenile whether or not the juvenile admits the allegation. The section provides further that if the juvenile does not admit, the court proceeds and hears the evidence of the witnesses in support of the charge. At the end of the evidence, the court asks the juvenile and/or the juvenile parents whether they wish to ask any question or make a statement. The juvenile and/or the juvenile's parents/guardians will be allowed to either ask questions or make statements if they wish to. Whatever the case, the court is obliged to ask witnesses such questions as appear necessary. It may also ask the juvenile and/or the juvenile parents/guardians such questions as appear necessary to explain anything in their statements.

Having satisfied that a *prima facie* case has been established, the CRA, 2003, S. 217 further requires the court to proceed to hear the witnesses for the defense. The juvenile is also allowed to give evidence or make any statement in the juvenile defense. If the court is satisfied that the offence has been proved or if the juvenile eventually admits the offence, the court asks the juvenile and/or the juvenile parents/guardian if they wish to say anything in mitigation of the charges or otherwise. The court, having been satisfied beyond any reasonable doubts that the juvenile has committed the offence, moves on to decide on the disposition measure. The CPA (1990), in its section 427 has provided quite a variety of disposition measures for the court to apply depending on the needs of the individual juvenile that appear before them, viz.:

1. Discharging the offender and ordering the juvenile to be of good character on the juvenile entering into recognizance to be of good character;
2. Discharging the offender and placing the juvenile under probation order;
3. Discharging the offender and placing the juvenile under the care of a relative or other fit person;
4. Committing the juvenile to any of the juvenile custodial institutions, which are described later in this paper;
5. Ordering the juvenile to be imprisoned where the offender is a young person;

6. Ordering the offender to be canded;
7. Ordering the offender to pay a fine, damages, or costs;
8. Ordering the parent or guardian of the offender to pay a fine, damages, or costs;
9. Ordering the parent or guardian of the offender to give security for the juvenile good behavior; and,
10. Dealing with the case in any other manner in which it may be legally dealt with.

As shown above, imprisonment is allowed only in the case of young person if none of the alternative disposition measures can be suitably applied. Even in such a case, the young person shall not be allowed to associate with adult prisoners (CRC, 1991, Art. 40). Again, a sentence of death shall not be pronounced or recorded against any child or young person (CRA, 2003, S.221 (1)). Finally, under no circumstances should a child or young person be convicted into a prison or committed into any of the juvenile detention centers with the aim of punishing the juvenile with hard labour, isolation, and/or corporal punishment of any kind (CRA, 2003, S.221 (1)). Corporal punishment indicated above is a disposition measure in itself, not a measure to accompany any of the other dispositions.

To aid the court on how to deal with the juvenile that has been found guilty of an offence, the court must obtain such information as to the juvenile general character, home background, school records, medical history and all other relevant reports (CRA, 2003, section 217(6a)). The court may, for the purpose of obtaining such information and other relevant report, from time to time, release the child on bail (CRA, 2003, S. 217(7)) or place the juvenile on remand (CRA, 2003, S. 218) pending the provision of the information (CPA, 1990, S. 423).

Having obtained the information and all relevant reports, the CRA, 2003, requires the court to inform both the child and the parent/guardian (if present) of the substance of any part bearing on the juvenile's and/or the juvenile parents'/guardians' character and conduct which it considers germane to the manner in which the juvenile should be dealt with. The parent/guardian and the juvenile have the rights to produce evidence to challenge the report. Similarly, having decided on the disposition measure, the court shall inform both the child and the juvenile parent/guardian (if present) what disposition measures it proposes for the juvenile, and the parents/guardians are entitled to make representation.

To conclude this section, it is worth emphasizing that juvenile courts action, unlike the adult court, is supposed to always aim at providing the child/juvenile with about the same care and protection that the juvenile should be given by the juvenile parents under the doctrine of '*paren patriae*' (the natural responsibility of parents to take care of their child). Accordingly, Juvenile court judge should have special training on child development and must be acquainted with contemporary social problems especially as they

affect children and young persons. The judge must also be morally upright, emotionally stable with high integrity, patience and willingness to learn new ways of protecting children and young persons from delinquencies, and should be of a matured age of at least 30 years and must have a family.

### ***Borstal Centre***

This juvenile institution derives its name from the village called Borstal, just outside Rochester where it was first set up in Britain (Wills, 1962). When introduced in Nigeria, it retained its name. Borstals are fewer than both Approved Schools and Remand Homes in Nigeria. For example, in the whole country, there are only two, one in Lagos in the south and the other in Kaduna in the north. Borstal institutions are meant for only the young persons. According to Milner (1972), there are two functions of Borstal institutions in Nigeria. First function is the encouragement of a personal relationship between the Borstal Staff and inmates through which the inmates will be given 'progressive trust demanding personal decision, responsibility and self-control', and secondly; the placement of emphasis on regular educational and vocational training regiment with a demanding physical training content. Juvenile delinquents can be committed to this school for a period as long as two years and above, and two years follow-up after release programme.

### ***Approved School***

This institution sprang from the early 19<sup>th</sup> Century schools of industry in Britain, chiefly directed to the suppression of child begging (Ferguson, 1952). When it was introduced into Nigeria in 1932 it bore the same name: 'Industrial School'. Subsequently, the name changed to the present name: 'Approved School'. The Enugu Industrial School could be said to be the basis of the approved School system in Nigeria (Milner, 1972). Approved School unlike Borstal, is a place where children, not young persons, are committed for vocational and educational training with no or less emphasis on physical training. Juvenile delinquents can be committed to this school for a period as long as three (3) years and above, and two (2) years follow-up after release programme. The institution is expected to be in some ways not just a school but also a substitute home.

### ***Remand Home***

This institution is a recent development in Nigeria compared to Borstal and Approved Schools. Though most recent, Remand Homes are found to be most numerous by a nationwide study conducted by the Nigerian Institute for Advanced Legal Studies (NIALS, 1990), Lagos. While every state of the federation has at least a Remand Home, not every state has an Approved School. And only Kaduna and Lagos States have a Borstal Institution, which is meant for the whole country (NIALS, 1990). Remand Homes in Nigeria are meant for the following:

1. The detention of juveniles on trial for the purpose of “conducting a special scrutiny of the juvenile with a view to obtaining information about the juvenile, which may assist the court in disposing of the juvenile case” (Milner, 1972: 357).
2. Custody of endangered children; and,
3. Committal of juveniles for short sentences (a maximum of six months), although the Minister can extend the mandate (CYPL, 1958: SS. 4, 7, 9 & 26).

Of all the above purposes of Remand Homes, the first function is the only purpose of Remand Homes in developed countries where the concept of Remand Home was borrowed by Nigeria. In other words, the second and third should not be part of the purposes of Remand Home. Unfortunately, the third function seems to be the preoccupation of the Remand Homes in Nigeria. In other words, they are also being used as Approved or Borstal Institutions. In fact, Remand Homes are being used as substitute for Approved Schools where the latter do not exist since Remand Homes are most numerous in the country as indicated earlier on.

While the primary function of Remand Home (that of detention of juveniles on trial) has been relegated to the background, detaining juveniles in police cell and prison remand has been prevalent. The nationwide study by the Nigerian Institute of Advanced Legal Studies, Lagos, found that 84.1% of juveniles in custody of the police were not released on bail after arrest, and nearly 75% of 203 cases that went to court were not released on bail by the courts (NIALS, 1990). In fact, the young persons among them were sent to prison remand, and contrary to the law, 60% of them were not kept separate from adults (NIALS, 1990).

### **Institutional Handing of Juveniles**

The juvenile institutions including the juvenile courts are supposed to be treatment oriented rather than punishment oriented. This philosophy is better said than followed in the Nigerian Juvenile Justice System.

### ***Juvenile Courts***

As earlier discussed, the preoccupation of the juvenile courts should be identifying the problems of the juveniles brought before them for the purpose of deciding how best to solve their problems. Unless it is very necessary, juveniles should not be sent into even any of the juvenile detention centers such as Approved Schools, Borstal centers and Remand homes, much less into the prisons. Emphasis should be placed on binding orders, committal to the care of fit persons and probation orders. Regrettably, this is not the case for most juvenile cases handled by the juvenile courts. In fact, in most states of the federation, there are not buildings and staff designated specifically as juvenile



courts. In the north, the CYPL does not even provide for juvenile courts. Thus, conventional court buildings and staff are used as juvenile courts. This is a serious omission. Added to this problem is the virtual absence of trained probation officers and very inadequate number of trained social workers in all the states of the federation. Consequently, all those niceties that are supposed to be observed in juvenile courts hearings are hardly observed. Professional information that is required to guide the judge in a juvenile court is hardly provided, and measures alternatives to custodial measures are hardly utilized. The NIALS study showed that, in the opinion of 50% of judicial officers and 30% of social welfare officers, custodial measures are the most frequently used disposition measure (NIALS, 1990). This brings us to the juvenile detention issue.

### ***Juvenile Detention Centres***

To be meaningfully treatment oriented rather than punishment oriented, juvenile detention centers are supposed to be conducive and well equipped to provide treatment/rehabilitation for the juveniles. Thus, whether these institutions are rehabilitative or merely custodial will depend on the prevailing conditions in the institutions. And these can fully be understood through answers to the following questions: Are the facilities adequate for rehabilitation? Are activities carried out in the institutions relevant and adequate for rehabilitation? Are the prevailing social relations within the institutions supportive of rehabilitation? This section seeks to answer these broad questions.

The importance of adequate facilities, adequate relevant activities, and supportive social relations are recognized by CYPL, 1958. For example, section 19(b) provides that it is the responsibilities of an Approved School and of persons to whom a juvenile is sent under mandate for seeing that the juvenile is properly lodged, fed and cared for and instructed. Unfortunately, juveniles in Nigeria are neither *lodged* properly nor *fed* properly. Neither were they properly *cared* for nor *instructed*. With regard to lodging, the prevailing situation in juvenile institutions is that of congestion not due to too many numbers of inmates as such, but due to inadequate number of rooms and/or room space. Similarly, facilities such as beds, beddings are usually inadequate; hence inmates are forced to share beds and beddings. Mattresses are uncommon site in most of these institutions. A number of institutions do not even have enough number of beds; hence some inmates sleep on the floor. As for care and instructions, the juveniles are seriously maltreated and uncared for, and above all not instructed. Majority of inmates do not take their bath regularly much less washing their clothes and beddings. And when they wash, it is usually done without any detergent. And, there are hardly any relevant and adequate vocational and educational trainings taking place in most institutions, much less recreational activities. The most regular activities the inmates are involved in are the kind that amount to unreasonable and excessive use of their labor services, which is outlawed by section 31(b) of the CYPL.

Given the above, one wonders what the difference is between the prevailing institutional condition in Nigeria's juvenile institutions and those in prisons. In fact, devoid of all vital facilities, constructive activities and programmes as well as good social relations, the conditions of juvenile institutions are clearly, as rightly concluded by Sutherland and Cressey (1978: 529) some decades back, worse than the prisons. This brings us to the second issue of relevance, that is, the extent to which the Juvenile Institutions are custodial or treatment oriented.

Three institutional models are usually recognized. These are obedient and conformity model, re-education and development model and, finally, the therapeutic and treatment model. The first model has been classified as the most custodial, while the third one as the most treatment oriented. While the first and second models entertain moralistic and social work treatment philosophy respectively, the third entertains the social psychological treatment philosophy. It appears that Juvenile Institutions in Nigeria are obedient/conformity institutions and therefore custodial rather than treatment/rehabilitative institutions. Several reasons justified this conclusion. First, Custodial staff members dominate Nigeria's juvenile institutions. In fact, in Remand Homes they are virtually the only staff in the institution. Secondly, staff members perceived staff-inmate understanding as difficult, hence they emphasize discipline and they sought to achieve it by coercive methods. Thirdly, the way inmates spend their daily routine is monotonous without vocational, educational and recreational activities. Finally, despite the truism that 'creating more decision-making among residents improves moral and reduces the oppressiveness of an institutional setting' decisions were made about inmates without any consultations with them.

In short, the strategy to change the juveniles in juvenile institutions, like in any obedient and conformity (custodial) institutions, demands compliance and submission. The inmates learn to conform out of the fear of the consequences. Overall then, the juvenile institutions in Nigeria have deviated from the essential provisions of CYPL that sought to provide a secure and supportive environment for sound rehabilitative purposes.

### **Conclusions and Recommendations**

Undoubtedly, a number of things are wrong with the juvenile justice system in Nigeria, ranging from the CYPL itself to the juvenile courts and the institutions that are meant to rehabilitate the delinquents. A number of recommendations become pertinent at this juncture:

There is the need to review to the CYPL once again to adequately take into cognizance the Child Rights Act (CRA), 2003, in all its provisions.

Skillful, knowledgeable and qualified staff such as social workers, teachers, psychologists, psychiatrists and judges/magistrates, who understand that juveniles need treatment/rehabilitation and not punishment, should dominate our juvenile institutions. These staff should be able to sieve and apply from the CYPL and other relevant laws, only those provisions that are

appropriate to the treatment/rehabilitation of inmates, unlike now where the reverse is the case. The laws of course need overhauling as earlier recommended.

The quantity and essentially the quality of inmates' food should be improved. Inmates should eat to their satisfaction, as this will make them feel at home and ready to change positively. The fact that inmates are underage alone is enough pointers to the need for an adequate and good quality diet with all the necessary ingredients (fats, protein, and vitamins) to foster their physical and intellectual development to a healthy adult life without mental or physical deficiencies.

For our juvenile institutions to be a substitute to home as it is intended, the need for a spacious accommodation cannot be overemphasized. Each inmate should have a bed, well dressed with mattresses and beddings. Such accommodation should also be mosquitoes free.

The staff should not be concerned with only the neatness of the surrounding but should also make sure that each inmate bathes at least twice daily, their beddings are properly washed each week, and their clothes are washed after wearing it just twice or thrice.

One very important stigmatizing element in custodial institutions is the wearing of institutional clothes, that is, the uniform. It is only appropriate therefore that the inmates be allowed to wear their personal clothes sewn for them by their parents. Where the parents cannot afford, the institutions should provide the clothing in consultations with the juvenile parents and the juvenile themselves. Juvenile Institutions are supposed to be like a family set up, and in a family, we do not have to wear uniforms all the time.

Vocational, educational and recreational activities should be the pre-occupations of the juvenile institutions. These should replace the manual activities and monotonous life in the institutions. Educational programmes should be able to at least create positive attitude to learning and replace a pattern of failure with a sense of achievement. Vocational activities should also provide a chance for staff-inmates relationship in which a positive view of authority is developed. Recreational activities should also offer opportunities for relaxation and creative past time.

Corporal punishments where they are used as a control device should stop. Instead, positive reinforcement (reward in forms of privileges and material gifts) should be utilized. Corporal punishment only engenders hostility between the juvenile and the administrating agents in the institutions.

The 'iron wall' that is built between the juveniles and the community, where they are supposed to return to at the end, is very inappropriate. More damaging is the total loss of contact with parents, guardians and other relatives. So, efforts should be made to see that inmates see their parents or guardians and other relatives at least twice a month, if not each week. After all, as Article 17(3) of the ACRWC urges, 'the essential aim of treatment of every child during the trial and also if found guilty of infringing the penal law shall be its reformation, re-integration into its family and social rehabilitation'.

Lastly, but not the least, a full juvenile justice system should be established so that Remand Homes can assume its proper/primary functions, which is a place where juveniles await hearings. As at now, because Remand Homes are the most numerous in each state of the federation, they serve as substitutes to Approved schools and Borstal Centres. In other words, more approved schools, Borstal centers and juvenile courts should be established. The federal government should make it mandatory for every state of the nation to have at least a juvenile court in every local government head quarters, one Borstal School in every state capital and an approved school in every senatorial zone of the state. Community based facilities like probation, foster homes and after care services should also be established. A prerequisite to the establishment of all these is the recruitment of adequate and qualified staff that should diligently and carefully select and execute only the useful educational, vocational and recreational activities and approaches. It is also important that intensive efforts is put to enlighten the public about the positive functions of each of these facilities, especially that of the juvenile custodial institutions so as to ensure their cooperation.

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