

A BILL

FOR

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 THE CHIEF JUDGES OF THE STATES TO ORDER THE RELEASE OF PERSONS DETAINED IN PRISONS IN THE CIRCUMSTANCES SPECIFIED IN THIS ACT AND PROFFER MORE EFFECTIVE PRISON DECONGESTION SOLUTION AND FOR RELATED MATTERS

Sponsored by Senator Babajide Christopher Omoworare

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Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1. The Criminal Justice (Release from Custody) (Special Provisions) Act No.19 of 1977 (in this Bill referred to as “the Principal Act”) is amended as set out in this Bill.
2. Section 1 of the Principal Act is amended by inserting immediately after the existing paragraph (b) a new subsection (c) as follows:
“The Comptroller- General of Prisons or his representative shall prepare and forward monthly returns of the entire inmates of all prisons facility in the country to the Chief Justice of Nigeria and Chief Judges of the states and thereby apply for the release order in respect of persons detained under Section 1 of this Act”
3. Section 1(1) is further amended by substituting the “officer in charge of prisons and such officer” for the “Comptroller-General of Prisons who”.
4. Section 1 (2) of the Act is amended by the insertion of the following:

In this section the **“Comptroller-General of prisons”** has the same meaning as in the Prisons Act.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the provision of the 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.