

Nigerian Juvenile Justice System and the Resocialisation of Young Offenders

Abstract

The Nigerian Juvenile Justice System has over the years played a very major and important role in the rehabilitation of young offenders and their reintegration into society to their needs and the needs of society (Ogunniran, 2013). This paper takes a view of the Nigerian Youth Juvenile System in general, highlighting its main components and challenges as well as the resocialisation programme. The current status of this system as well as its demerits were analysed from various libraries, case studies, and other reports submitted by the government and an effort was made to involve all the major parts of the system and its demerits. A general insight was discussed and recommendations were taken for a comprehensive view for the society, the government, and all the involved taxpayers to keep a view of the major parts of this system.

Keywords: Juvenile Justice, young offenders, law and policies, resocialisation

I- Introduction

The Nigerian Juvenile Justice System was created to reform the ways young offenders think and behave as it is focused on the resocialisation of young delinquents. Thus, the abstract intends to bring out clearly the details of the topic and its importance as it will enlighten the readers on the basic concept of the Nigerian Juvenile Justice System. The abstract of this research examines the Nigerian Juvenile Justice System in detail and its primary objective as regards young offenders towards resocialisation and the reintegration of young offenders into society by focusing on the aims or objective of the Nigerian Juvenile Justice System, structure of the Nigerian Juvenile Justice System as well as the challenges faced by

the society in their resolution to carry out the resocialisation of young offenders and in turn, curb the rate of recidivism to the barest minimum and to ensure that the society is free from crime.

The Nigerian Juvenile Justice System is guided by the principle of restorative justice (Ekpeze and Ezech, 2021). In the Nigerian Juvenile Justice System, the main focus is, on rehabilitating and reintegrating offenders into society. Of relying on punitive measures like retributive justice the system aims to prioritise their well-being and future prospects. The goal is to guide these individuals towards a path, in life rather than simply punishing them (Bella et. al, 2010).

The management of the Nigerian Juvenile Justice System is of the view that since the young offenders are still in the developmental stage and their personal characteristics and behaviour are still subject to changes, they will be able to make and absorb more changes that can be positive (Atilola et, al, 2019). Therefore, the guiding principle of the Nigerian Juvenile Justice System which is restorative justice mainly focuses on resocialising young offenders through the provision of necessary interventions like education, vocational training programmes, counseling, and other supports.

The Nigerian Juvenile Justice System adopts a multifaceted approach to resocialise young offenders and they do not make an effort to tackle only the delinquent act but rather can tackle the main cause of the delinquent act such as poverty, family dysfunction, lack of education, etc (Mouhidin and Adams, 2023). Starting from the learning process to vocational, job training programmes and other ways of developing themselves and acquiring good behaviours are what the Nigerian Juvenile Justice System utilises to equip young offenders who are very much interested in changing their behaviours and in turn can rejoin or cop in the society as the contributing members.

Resocialisation efforts in the Nigerian Juvenile Justice System is enshrined with numerous challenges and limitation which include low availability of resources to implement rehabilitation programmes, space constraints, and a lack of specialised professionals includes administration and counselors (Zagory, 2023). The others are societal stigmatisation and discrimination against young offenders. conducting the resocialisation efforts Hence, funding should be increased to improve the state of

infrastructure, for instance, in some remand homes, and personnel facilities. Also, the Nigerian public needs to be engaged and educated in the process of resocialising young offenders through the programmes which can be achieved through seminars, lectures, and places of public enlightenment such majority of them which include parents, caregivers, teachers, etc. will have a good pair of eyes to see these young offenders and know that they are bound to change then. young offenders have a lot to benefit from the Nigerian Juvenile Justice System if given the room for resocialisation rather than to use punitive measures. Hence, the reason Nigerian Juvenile Justice System still strives to give these young offenders the best in the measures it takes against juvenile delinquency and the multi-facet level as to handle these young delinquents in resocialisation of and reduce recidivism (Kajawo, 2022).

II- An Overview of the Nigerian Juvenile Justice System

The Nigerian Juvenile Justice System is a complex system in many respects. It is a multifarious system that provides responsive intervention for the specific categories of offenders it addresses. The Nigerian Juvenile Justice System seeks to outline the various components and processes that make up the court or justice system designated to young offenders. As it relates to the Nigerian Juvenile Justice System, it is important to note that emphasis is placed on the rehabilitation aspect of the criminal justice system. The objective of this system is to prevent recidivism. "The Juvenile Justice System was created with the adoption of the Juvenile Justice Act No 4 of 2003 by the National Assembly of the Federal Republic of Nigeria" (Nigeria Justice System). The Institution was established to address the needs of young offenders who have committed unplanned or infractions. Juvenile crimes in Nigeria increased due to the migration of people from other countries and the abuse of psychotic drugs and other harmful substances.

The justice system of course provides treatment and education to every act of delinquency. In the case of criminal acts committed by minors, a system of criminal justice actually provides intervention by developing certain measures to prevent delinquency from reoccurring. Rehabilitation programmes are the best forms of

prevention that these young offenders need because, for most of them, it provides structure in their lives that they are not used to having. There are three types of diversion programmes that are placement, in which young offenders may be detained to live in certain groups based on the type of act that was committed, day treatment programmes which provide a certain amount of rehabilitation but young offenders are allowed to go home and last jail-based treatments where a judge sentences a young offender to a certain amount of time to jail, ranging from a few days, weeks, months or even years. The last and final of the three options a judge would have to place or sentence youth offenders is the programmes that focus on youth rehabilitation(Young et. al, 2017).

III- Concept and State of Young Offenders in the Juvenile Justice System

There is a high rate of juveniles' involvement in criminal activities which clearly shows the integrity of the already existing system to abate this reprobate act and at the same time give the young persons a new lease of life after their conviction. The starting point here is to define who a young offender is, and, at what age is a person said to be called a young offender in view of Nigerian law? According to Nigerian law, a young offender is a person between the ages of 7-17 years. Indeed Section 277 of the Child Rights Act defines a child as a person under the age of fourteen years. Although the Act did not define the term juvenile it is noted that the term refers to a person under the age of seventeen, unless it is demonstrated that the child had the capacity to know he or she ought not to commit the act or make the omission, children between the age of 7 and 11 are not criminally accountable for any act or omission. It is imperative to know that there are broad and different stages of development in this age bracket from childhood to very late adolescence stage of development. It is of essence that we observe this uniqueness faced by this set of people at a particular time.

The condition of young offenders within the juvenile justice system in Nigeria is a complex issue. A broader and more comprehensive understanding of the current situation of young offenders in Nigeria could be more effective by answering the

following questions such as What is a young offender? Who is a young offender in Nigeria? Where do they come from?

Young offenders in Nigeria, especially in Lagos, are the victims of poverty, corruption, and ignorance; name it all, imagine it is happening to them. They come from low-income families living in slums and shanties across the state, lack access to healthcare, and quality education, and live in sub-human conditions; as such, they live a life of survival of the fittest which often pushes them into perpetrating crime to have their input or output recognised as crime. The state of the juvenile justice system is overwhelmed by several challenges that tend to produce the current state of young offenders. These issues include high rates of case backlog, inadequate rehabilitation programmes, poor infrastructure in relation to visiting centers, living conditions of young offenders in detention centers, etc. One of the greatest challenges, which this work will extensively research is the congestion of the young offender detention centers which poses several risks to the young offender(Ekpenyong 2012).

The Nigerian government should continuously invest in the reformations of the juvenile justice system by increasing their allocations to rehabilitation centers, improving the quality of education and training and friendly teachings of young offenders, having more social workers visiting detention centers to provide mental health support for the young offender, etc. It is therefore important to know that, there is no individual solving this well-defined challenge but it is the responsibility of everyone in the family to rehabilitate, the integrating collaborations between proper authorities, non-governmental organisations, societies, and communities at large.

IV- Exploring the Legal Framework

Nigeria has historically had a fragmented and inconsistent approach to juvenile justice. Prior to the enactment of the Child Rights Act 2003 in Nigeria, there was no comprehensive legislation to address the rights and treatment of children in conflict with the law. The administration of juvenile justice in Nigeria was restive on the bench warrant of detention in vogue, which saw to the fact that children who went contrary to provide in any law were often treated as an offender therefore not giving due regard to their vulnerability and protection status, which result into an assessment that they are adults who are foreseen and can use their discretion to

decide what is, right or wrong are often irrational end result of bench warrant of detention., The establishment of the Child Rights Act 2003 was a great effort to address some key issues in relation to juvenile justice, by providing legal backing for the protection and rehabilitation of juvenile offenders as provided under the Act of the Nigeria Child which became an Act on the 31st July 2003. It provides that a person under the age of eighteen years is a child and therefore not blamed when a case contrary to the Child Rights Act is given to a person. It also provides that all the relevant institutions responsible for the administration of juvenile justice (which include; the juvenile police, the juvenile court, the state prosecutor, and the custodial) be established as provided under section 3 of the Act and Section 131 of the Act. The law's implementation has given birth to the following challenges (enforcement problemme and inadequacy of infrastructure and resources). Section 8 (j) and (k) of the Act of the Nigeria Child Rights aimed at the educative provisions of the Act, which talks about information and has traveled on the Act, and section 8(2)(j) of the Act. The Juvenile Justice System is a work in progress in Nigeria and the appropriate steps to curtail these problemmes by way of awareness, help from within after passing the items of the right law, improved and rehabilitated infrastructure, and hence the very best and central means to any government.

V- The Resocialisation Process

A crucial aspect of the criminal justice system of Nigeria appears to be the focus on the resocialisation of young offenders. The main goal is to efficiently bring young offenders back to society as law-abidingcitisens with their behaviour and attitude changed. By the use of several transformational methods, young offenders will be restructured to be denied the viability of crime in any way(Steinberg 2004). There are several resocialisation programmes available in Nigeria to address the issue of young offenders and they have produced significant positive results (UNODOC 2018).

What is the role of rehabilitation or resocialisation in the Nigerian juvenile justice system? The Nigerian juvenile justice system, apart from punishing young offenders should focus more on reintegrating and reforming them possibly by retraining this young person which includes counseling, education, vocational training, and

community. For all intents and purposes, the aim of our juvenile justice system should concentrate on promoting the reformation of character among such groups of people. Furthermore, special care should be taken to ensure that the rights of young offenders are protected as far as the judicial process is concerned. These young persons should be treated in accordance with appropriate standards in detention, and be allowed the right of representation in any fair trial, or hearing by a court, including the presence of the legal representative of his or her guardian or parent. We have to face the situation by observing the set of people involved, by looking at the factors involved, transforming the young person by putting in place institutions that can improve or bring about wholistic reformation and to ensure that their rights are protected as far as the judicial process is concerned(James 2013).

The process of resocialisation in Nigeria is quite complex and vast. Resocialisation refers to the process of transforming miscreants into law-abiding citizens who could fit into the mainstream of society. This involves not only the formation of the individual's attitude towards the deviant act but also addressing issues that surround the act. The provision of educational, and vocational skills acquisition training and productive activities would enable them to fit well in society. It would also help reduce the rate at which they go back to the society. Their dependence on handouts from relation's friend, or engagement in armed robbery to survive would be reduced. They would be self-sustained and society would be relieved of the burden of providing them with every means of survival. The provision of psychological and emotional support is another aspect of the resocialisation process in Nigeria. People who engage in criminal activities have a psychology of their own. Their emotional imbalance needs to be treated. Counseling and therapy sessions would assist them in reopening their hidden apprehensions, and anxiety and convert these inner emotion into active health feelings that could assist them in thinking positively. Lastly, includes community support. Society should accept and embrace those who are undergoing the resocialisation process so that they can also serve as good examples to others. Job placement should also be created. Community involvement programmes and processes must be ensured to serve as a helping hand. Society should try to avoid outcasts and stigmatisation within crime suspects so that they can feel belong and fit in into society and a reduction would be noticed. It should also be

understood that, without the presence of the community to receive and accept the transformed individuals the practice would be in vain.

Two examples are that of the Youth Rehabilitation and Reintegration Programme and the Initiative by the Nigerian Government. The Youth Rehabilitation and Reintegration Programme (YRRP) ensures that young offenders are well supported by attempting to Restorative Justice cover every aspect of their needs such as; educational, vocational, counseling, and mentorship (The Restorative Justice Council 2015). Most importantly, it provides commendable alternative family programmes for the reunion of the family of the young offender, and by so doing, young offenders feel at home visiting their family which gives them a sense of relaxation. The purpose of the Restorative Justice Initiative (RJI) is based on the reparation of the criminal offence by the offender, to the victim and the community as a whole, the restoration of the offender first before his reintegration, since it emphasises more on the safe and problem-solving approach which calls for a dialogue between the three parties (offender, victim, community). By including such a provision in the law, the offenders have the opportunity to experience the consequences of their misdemeanor and through this process, there is no doubting their transformation. Though the government tried to do a lot in the Nigeria Prison Service (NPS) by equipping prison institutions with educational, vocational, and psychological amenities to cater to young offenders in all parts of the country, a lot is still needed to be done especially to increase the rate of success of the rehabilitative programmes in the Nigeria Prisons with better sitting facilities so as to create genuine resocialisations to reduce crime and to save the public (Adeyeye 2019). In addition to the public efforts made towards the eradication of the menace of young offenders, there are some voluntary establishments that are available in Nigeria and they are ones that in some ways provide certain measures of the resocialisation needs of the young offender in Nigeria such as the Centre for Justice, Mercy, Reconciliation etc. Resocialisation programmes for young offenders are designed to halt or prevent the cycle of young offenders by rebuilding young delinquents to become law-abiding productive people and are made up of programmes such as rehabilitation, education, counseling, support, mentorship, vocational training, and others.

VI- Evaluation of the Resocialisation Efforts

The Nigerian Juvenile Justice System (NJJS) plays an important role in resocialisation of young offenders, to evaluate the effectiveness of these resocialisation efforts proper assessment of the programmes and initiatives introduced must be made. Doing this will enable us to know how far have programmes really gone with their resocialisation, this assessment becomes part of this paper to ascertain resocialisation in the Nigerian Adolescent Legal System. Generally, programmes and initiatives introduced were all aimed at achieving the resocialisation of young offenders; Programmes and Initiatives were therefore reviewed. Assessment of the programmes and initiatives shows that some robust and strong programmes that consume a reasonable time of for young offenders such as the educational and vocational training, on conclusion of the skill acquisition of the young offender become a sustainable skill to cushion his reintegration back to the society. Thus it addresses the discharge of the law such as prevention; some programmes are goal-oriented that are aimed at addressing the root causes of the restiveness thereby ensuring a chance for a change of heart and total rehabilitation of the ill-fated juveniles with the main aim of changing their behavioural pattern, a broad spectrum of counseling and medical programmes, builds up a strong mind in young offenders, by given the juveniles a good sense of worthiness by feeling self-satisfied with his comportment. Success stories and their attendant positive outcomes were good evidence of the goodness of orderliness in resocialisation. Indeed, many young offenders achieved greatness because the programme was detailed and good to effect changes in the lives of the youths grinding thoughts was that many juveniles were discharged, and given a disposition to victories of all kinds. They were discharged and their announcements were echoed in every corner of the village (Zumve 2020).

VII- An Evaluation of Policies and Practices

The Nigerian juvenile justice system has a major role to play in rehabilitating young offenders because many of them will return sooner than expected to society in ignorance of their ways of life. It is therefore, necessary to look into the national policies in support of the resocialisation efforts of the state, international best practice, their learning impact on the development of the country, and the evidence-based approaches in Nigeria with a view to highlighting the importance of resocialisation in the Nigerian juvenile justice system. For young offenders to be successfully reintegrated into the society in Nigeria, resocialisation is a must and this can be realised through the implementation of national policies, learning from the international best practices and evidence-based approaches in Nigeria.

The government of Nigeria has realised the importance of resocialisation in rehabilitating young offenders. The Nigerian Child Rights Act 2003 has recognised the relevance of Restorative justice and rehabilitation in place of punishment as it concerns juveniles. It rather emphasises the rights and well-being of young offenders as well as the need to reintegrate them into society, as it relates to the rehabilitation and protection of the offenders (Ogbuabor and Nwosu 2014). Also, the National Youth Policy 2019 speaks of the holistic development of young people among which there are also those that have come in conflict with the law, giving indication of how much the government is committed to the issue of the rehabilitation of young offenders (National Youth Policy 2019).

There is a need to look at the best practices used by other countries in the rehabilitation of young offenders to boost Nigeria's efforts. For example, in Canada, the use of restorative justice is used in the form of Child Youth Criminal Justice 2003 at the same time the involvement of the community and the availability of an ordered program for any young offender (Government of Canada 2021). In the United Kingdom the use of education and vocational training and also the therapeutic interventions to address the offending behavior of young persons through the youth justice board (Taylor 2016). Therefore, Nigeria is free to choose among these best practices in the rehabilitation of its young offenders as it suits its culture and economy. III. Recommendation for an evidence-based approach in Nigeria To ensure the success of the resocialisation of young offenders it is necessary to adopt an evidence-based approach in Nigeria. This will involve the use of research and data in

making them decide and plan a program. The base practices are those practices that are good and skillful practices. Evidence-based practices are the bad practices of resocialising, they include training the young offender on how to make good judgment, teaching work skills, educational programmes, and mentoring initiatives. Based on worn base studies will be used to make decisions in stages. Evidence will be used in evaluating the programmes in order to know how well their goals and objectives have been met.

VIII- Challenges to the Nigerian Juvenile Justice System

The Nigerian juvenile justice system faces daunting challenges that hinder its ability to effectively rehabilitate and reintegrate young offenders. Some of these challenges include limited infrastructure and resources; overcrowding in the detention facilities; lack of access to legal representation among others. Arguably, the lack of infrastructure and resources is one of the core challenges facing the Nigerian juvenile justice system. Many Juvenile Detention Centers are often lacking in good facilities and proper equipment to provide educational and vocational programmes for young offenders (Idowu and Muhammed 2019). Detention Centers are supposed to be rehabilitative, not punitive. In other words, it's meant to help young offenders acquire the necessary skills for their successful reintegration into society. Unfortunately, this is not the case in Nigeria as most detention centers are dilapidated and unsanitary. In addition, overcrowding in the detention facilities is another pertinent challenge facing the system. Overcrowded facilities with limited resources make it very difficult to provide individualised attention and support for each young offender. It also increases the risk of violence and abuse and jeopardises their well-being. Equally important, inadequate legal representation is also a significant challenge. A lot of young offenders lack access to good legal counsel in defense of their rights. This can lead to a miscarriage of justice and recidivism. Finally, a lack of understanding and awareness by the stakeholders about Restorative justice reintegration points to another problem facing the system. With emphasis on repairing the harm caused by a criminal through dialogue, accountability, and community involvement, the system may wrongly focus on only

the punishment while ignoring the essence of the rehabilitation. Understanding and proper implementation of these principles must be adopted and used as a way of addressing the problem.

IX- Exploring New Paradigms

As indicated hereinbefore, the resocialisation of young offenders in Nigeria is a complex process that must be approached with creativity and new paradigms. This complexity arises from an intricate mix of factors, including the nature of crimes committed, the background of the young people, and the level of success and quality of existing rehabilitation programmes. To address these challenges, it is necessary to adopt approaches to resocialisation that are innovative and go beyond the prevailing and traditional model. One of the major challenges in the resocialisation of young offenders is the challenge of transforming the deeply ingrained patterning of behaviours. Many young people who have committed crimes have grown up in homes of violence, crime, or chaos. As a consequence, they have been socialised to certain behaviors and certain ways of thinking that do not conform to the norm in many societies. Resocialisation efforts must reflect this reality and go beyond minor punishment or behavior imitation to address both the behavioral and internal factors that are the basis for why crimes are committed in the first place. The second major challenge is the limited effectiveness of many traditional rehabilitation programmes for young offenders. Many rehabilitation programmes rely more heavily on punitive measures, such as incarceration or probation, that do not address the social and contributing factors of crime. There needs to be a move to more evidence-based rehabilitative approaches that deal with the factors that cause young people to offend. That means, though we have made significant strides in knowledge as a society, we are still in the early days of rehabilitating young people. When we see that as a society, offender programmes have not come near to reaching maximum effectiveness, there are many improvements that can still be made Thirdly, the resocialisation must be all-encompassing and take into account the particular needs of the individual young person. In other words, a 'one size fits all' approach doesn't

work. Young people's rehabilitation process should recognise that all young offenders are unique, and therefore their personalised programmes should be all-encompassing to include their struggles, ethnicity, gender, educational status, family, risk factors, and personal needs that are always different. These challenges are daunting and cover a broad array of issues. They are also ever-changing, as they expand and contract with society's values and norms. Efforts at the rehabilitation of young offenders however will never be perfect but can be more effective and a better investment in the future. These are concepts, however, that to many communities in Nigeria may seem to be a bridge too far. And so, while young adults in many communities and cultures during the past few decades have not had a second chance at a productive life as a citizen, those in this current time have hope for a positive future and a chance to be returned to society (Okoh 2021).

X- Conclusion

The Nigerian Juvenile Justice System is crafted with the primary objective of resocialising young offenders. It is a system that is focused on rehabilitation rather than punitive measures with the hopeful aim of making these individuals respond to treatment and adjust to everyday life as law-abiding citizens. The system employs intellectual and vocational training, educational and counseling services, and family and kinship ties in an attempt to not only manage the problematic attitudes and behaviors of young offenders but also employ lasting change. It also provides insight into the factors associated with juvenile delinquency, design programmes aimed at the causes of the factors, and help young offenders with the necessary tools needed for successful reintegration based on the relationship between these factors. Family involvement and community support are also highlighted. Community awareness and support is necessary to affect any change in our society especially as it relates to the resocialisation of young offenders. It is impossible to ignore how the causes of delinquency have been fixed, and that Nigerians have shown that we are not very concerned with the plight of delinquents, especially when we find their victims almost every day around us. Some areas that need urgent attention and discussion in order to deal with are the overcrowding in facilities and the availability of adequate

resources in the training schools, as well as the societal stereotypes and stigmatisation. In retrospect, the Nigerian Juvenile Justice System has a good prospect for the Nigerian child. Because of the benefits of our society and the various treatments and programmes available to these young offenders to meet their needs, they are afforded the opportunity to acquire these qualities, but also to obtain them as part of a process of resocialisation based on a promise that their pattern of delinquency will lead to their disillusionment and ultimately to their death by the State to bring. Let it be said of the young offender, a few years after his conviction that he is informed of the nature of his crime and has received the full penalty.

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