

A BILL

FOR

AN ACT TO ESTABLISH A NATIONAL PAROLE SYSTEM IN NIGERIA PRISON;
AND FOR CONNECTED PURPOSES

Sponsored by Senator Isiaka Adeleke

[] Commencement

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

1 1.-(1) There is hereby established a body to be known as the Establishment of
2 National Parole Board (in this Act referred to as "the Board") National Parole
Board

3 (2) The Board shall be a body corporate with perpetual succession
4 and a common seal, and may sue and be sued in its corporate name.

5 2.-(a) The Chief Justice of the Federation as Chairman; Composition of
the Board

6 (b) President Court of appeal;

7 (c) Attorney General of the Federation;

8 (d) The comptroller General of Prisons;

9 (e) Six Attorney General from the six Geo-Political Zones (who
10 shall be members in rotation for a period of 2 year);

11 (f) Six Chief Judges of States High Courts, who shall be members
12 by rotation of a period of 2 years; and

13 (g) One Social Welfare Officer not below the rank of a Chief
14 Welfare Officer who shall be appointed by the president of the Federal
15 Republic on the recommendation of the Minister.

16 3. It shall be the duty of the Board to: Duties of the
Board

17 (a) Consider parole and probation application by a convict before
18 the expiration of the prison term;

19 (b) Form an opinion as to whether the prisoner has shown sign of
20 remorse to be granted a parole or probation;

21 (c) Consider whether the convict is a first offender or has been

1 previously convicted;

2 (d) Fix the condition to be fulfilled before a parole is granted;

3 (e) Review sentences passed on convict; and

4 (f) For such other matters in connecting with one or more of the

5 foregoing as the Board may deem fit in the circumstances.

Categories of
Prisoners to
benefits

6 4. The following shall benefit in the exercise of the parole system:

7 (a) First offenders;

8 (b) Aged people;

9 (c) Female offenders with minor offences;

10 (d) Pregnant women; and

11 (e) Those who suffered possible miscarriage of justice.

Conditions for
grant of parole

12 5.-(1) For a parole to be granted:

13 (a) There shall be evidence given by the prison officials of the parole

14 good behaviour and remorse shown;

15 (b) Sworn declaration of good behaviour of the parolee.

16 (2) In granting the parole, one of the following shall be a parolee's

17 reference:

18 (a) Clergy man;

19 (b) Imam;

20 (c) Community leaders;

21 (d) Legislators;

22 (e) Traditional leaders;

23 (f) Family members; and

24 (g) Justice of peace.

Secretary of the
Board

25 6.-(1) There shall be appointed by the Board a Secretary who shall be

26 the Chief Executive Officer of the Board and shall have such qualifications and

27 experience as are appropriate for a person required to perform the functions of

28 his office under this Act.

29 (2) The remuneration and tenure of office of the Secretary of the

30 Board shall be determined by the Board.

- 1 7.-(1) The Board may appoint other employees to assist the Staff of the
2 Executive Secretary in the exercise of his functions under this Act. Board
- 3 (2) Notwithstanding the provisions of subsection (I) of this section,
4 employees of the Board may be appointed by the Board by way of transfer or
5 secondment from any of the civil services of the Federation
- 6 (3) The supplementary provision contained in the schedule to this
7 Act shall have effect with respect to the matters contained therein.
- 8 **8. The Funds of the Board shall consist of:** Funds of the
9 (a) Such funds as may from time to time be provided by the Federal Board
10 Government; and
- 11 (b) Such other sums as may be collected or received by the Board in
12 the executive of its functions under this Act.
- 13 **9. The Board may from time to time borrow such sums it may** Power to Borrow
14 require in the executive of its functions under this Act.
- 15 **10.-(1) The Board may accept gifts of land, money or other** Power to accept
16 property on such terms and conditions, if any, as may be prescribed by the Gifts
17 person or organization making the gift.
- 18 (2) The Board shall not accept any gifts if the conditions attached
19 are inconsistent with the objectives of the Board.
- 20 **11. The Board shall prepare and submit to the National Assembly** Annual Estimate
21 through the Minister not later than 30th September of each year, an estimate
22 of its expenditure and income during the next succeeding year.
- 23 **12. The Board shall:** Accounts
- 24 (a) Cause to be kept proper accounts and records of the transactions
25 of the Board;
- 26 (b) Maintain effective control over its assets and liabilities incurred
27 in the discharge of its functions;
- 28 (c) Prepare in respect of each financial year a statement of account
29 in such form as the Auditor-General may direct.

Audit	1	13. -(1) The Board shall cause the accounts to be audited not later than
	2	six months after the end of each year by the Auditor General of the Federation.
	3	(2)The Auditor-General or any officer authorized by him is entitled at
	4	all reasonable times to full and free access to all accounts, records, documents
	5	and paper of the Board relating directly or indirectly to the receipt or payment
	6	of money by the Board or to the acquisition, receipt, custody or disposal of
	7	assets by the Board.
Annual Report	8	14. The Board shall submit to the President through the Minister not
	9	later than 30th June of each financial year, a report of its activities during the
	10	preceding year and it shall include in such report a copy of the audited accounts
	11	of the Board for that year and a copy of the Auditor's report on it.
Miscellaneous Provisions	12	15. -(1) The Provisions of the Public Officers Protection act shall
	13	apply in respect of any suit instituted against any officer or employee of the
	14	Board.
	15	(2) No suit shall be instituted against any member of the Board, the
	16	Executive Secretary, officer or employee of the Board before the expiration of
	17	a period of one month after written notice of intention to commence the suit
	18	shall have been served upon the Fund by the intending plaintiff or his agent.
	19	(3) The notice referred to in Subsection (2) of this section, shall state
	20	the cause of action, the particulars of claim, the name and place of abode of the
	21	intending plaintiff and the relief sought by him.
	22	A notice, summons or other documents required or authorized to be served
	23	upon the Board under the provisions of this Act, or any other law enactment
	24	may be served by delivering it to the Executive.
Service of Notice	25	16. -(1) Secretary at the principal office of the Board. In any action or
	26	suit, no execution or attachment of process shall be issued against the Board
	27	without the consent of the Attorney General of the Federation.
	28	(2) Any sum of money which may be judgment of any court be by the
	29	court where notice of appeal of the said judgment has been given, be paid from
	30	the general reserve of the Board.

- 1 **18.** A member of the Board, the Executive Secretary, any officer or Indemnity
2 employee, shall be indemnified out of the assets of the Board against any
3 proceeding whether civil or criminal, in which judgment is given in his
4 favour or in which he is acquitted, if any such proceedings is brought against
5 him in his capacity as a member of the Board, the Executive Secretary,
6 officer or employees of the Board.
- 7 **19.** The Board may engage the service of persons with knowledge Power to engage
8 or experience in matters relevant to the functions of the Board to assist Staff
9 otherwise than on the basis of full time employment.
- 10 **20.** In this Act, unless the context otherwise requires: Interpretation
11 "Parole" means a system of early release of a convict from prison, and
12 placed under supervision by a probation officer;
13 "Parolee" means the Prisoner apply for a parole;
14 "Board" means the National Parole and Probation Board.
- 15 **21.** This Act may be cited as the National Parole Board (est., etc) Citation
16 Bill, 2015.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a parole and probation system in Nigeria prisons so as to release inmates before expiration of their prison terms based on a plea of good behavior. It is not a total discharge but probation to help to integrate the convict parole back to the society and to ameliorate decongestion of the Nigerian Prisons.

1933

1933