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THE LEGALITY OF THE PRACTICE OF HOLDING CHARGE UNDER THE  
NIGERIAN CRIMINAL JUSTICE SYSTEM

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ABSTRACT

The practice of Holding Charge which is a form of pre-trial detention has been viewed as one of the major legal constraints to proper and swift administration of Criminal Justice in Nigeria and has remained unabated despite the apparent opposition against such practice in advanced legal systems like England and United States of America.<sup>1</sup> This paper is an exposition of the said practice, making a case for either its repeal or resort for possible alternatives to the practice by making a comparative analysis of municipal, regional and international instruments, case law and statutes on the practice of holding charge (pre-trial detention) as well as analyzing the legality or otherwise of this phenomenon.

*Keywords:* Holding Charge, Criminal Law, Prosecution, Nigeria.

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<sup>1</sup> It is generally referred to as pretrial detention in these jurisdictions.