International Journal of Education, Culture, and Society

e-ISSN : 3024-8973
p-ISSN : 3024-8981

Index: Harvard, Boston, Sydney University, Dimensions, Lens, Scilit, Semantic, Google, etc

https://doi.org/10.58578/IJECS.v3i1.4718

Impact of Plea-Bargaining on the Criminal Justice System in Takum Metropolis

Charity Stephen & John A. Fadahunsi
Federal University Wukari, Taraba State, Nigeria
Ibrahim Badamasi Babagida University, Lapai, Nigeria
charitystephen957@gmail.com; fadahunsijohn04@gmail.com

Article Info:

Submitted:	Revised:	Accepted:	Published:
Dec 21, 2024	Jan 5, 2025	Jan 17, 2025	Jan 22, 2025

Abstract

The study examines impact of plea bargaining on the criminal justice system in Takum Metropolis. The objectives of the study were to assess the impact of plea bargaining on the efficiency of the criminal justice system in Takum Metropolis, Taraba State and identify the challenges and barriers to effective implementation of plea bargaining in Takum Metropolis, Taraba State. The study adopted the use of descriptive survey research design. The sample size for the study was 46 respondents which was the total number of staff working in Nigeria Correctional Service Medium Security Custodial Center Takum (NCSMSCCT) and the Magistrate Court Takum (MCT). The sampling technique adopted for the study was total census sampling technique. Data for the study from the study was collected through the use of structured questionnaires and oral interview. Findings from the study revealed that plea bargain has an overwhelming impact on the administration of criminal justice

IJECS Journal is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License

system in Takum Local Government Area. is a veritable catalyst for speedy trial. Further findings from the study also revealed that there are challenges and barriers to effective implementation of plea bargaining in Takum L.G.A plea bargaining in Takum Local Government. Notable among these challenges is the issue of lack of understanding of plea bargaining among stakeholders in Takum Metropolis**.** It was recommended that Takum Judicial System should establish a robust oversight mechanism to monitor plea bargaining agreements, ensuring they are not used to protect corrupt public officials and also launch public awareness campaigns to educate citizens about the plea-bargaining process, its benefits, and its limitations.

Keywords: Plea Bargaining, Criminal Justice System, Backlogs, Justice System

INTRODUCTION

Plea bargaining has become a crucial component of criminal justice systems across the world, providing a workable answer to the problems of overworked courts and drawn-out legal proceedings. In the 1970s, the United States began using plea bargains for property crimes and other offenses that do not carry the death penalty. The goal was to retrieve the stolen common wealth in property crime cases and spare society the enormous costs associated with litigation (Yibe & Nwanyanwu, 2020). Instead of just hitting the criminal and leaving the victim without their goods back, it was intended to help individual victims of property crimes get what was taken. Today, more than sixty percent of cases in England, Russia and Australia are resolved by plea bargaining.

Plea bargaining has been used in a number of criminal procedures throughout Africa. In South Africa, the Criminal Procedure Act. Section 112(1)(a) states that if a defendant enters a guilty plea to an offense that does not warrant incarceration or a hefty fine and the prosecutor accepts the plea, the presiding judge may convict the defendant of the pleaded offense and impose any appropriate sentence without further evidence beyond the guilty plea. Also, plea agreements were enacted in the Federal Democratic Republic of Ethiopia in 1994. According to Aborisade and Adeleke (2018), it was passed in order to solve the numerous issues facing Ethiopia's criminal justice system.

In the Nigerian legal system, plea bargaining has been used in the prosecution of high-profile corruption cases. Some of the notable cases prosecuted through plea bargaining are Federal Republic of Nigeria v. Lucky Nosakhare Igbinedion, Federal Republic of Nigeria v. Mr. Diepreye Alamieyeseigha, and Federal Republic of Nigeria v. Dr. (Mrs.) Cecilia Ibru. The use of plea bargaining in the Nigerian legal system has served as a remedy for the unpleasant problem of court overcrowding; a situation where the number of cases have been pending in court for a long period without any rulings or verdicts (Salihu, Isiaka, Balogun, Akangbe, & Ibrahim, 2022). However, despite its advantages, Adetomiwa (2018) contended that the process promotes high-level corruption since the guilty typically keep a sizable amount of their loot and avoid receiving the proper punishment. The scholar further went on to say that the majority of corrupt and wealthy politicians saw it as a weapon for the wealthy. This is due to the fact that plea bargaining is mostly used in Nigeria to resolve corruption charges involving wealthy Nigerians, including politicians, high-ranking officials, executives of large enterprises, and leaders of government organizations.

In Takum Metropolis, Taraba plea bargaining has aid law enforcement agencies in Nigeria in prosecution of cases by reducing time wasting, cost and waste of resources. However, despite its potential benefits, plea bargaining has remained a serious problem in Takum Metropolis, Taraba State.

Preliminary observation showed that some law enforcement agent in Takum Metropolis, Taraba State carry out most cases of plea bargaining behind closed doors, lacking public scrutiny and transparency and this may likely foster unfairness and corruption. Furthermore, some prosecutors now see the use of plea bargaining as a way of enriching themselves by overcharging and threatening defendants with more severe charges to coerce them into accepting a plea deal. This practice may lead to some defendants pleading guilty to avoid the risk of a much harsher punishment, even if the evidence against them is weak. It is against this background that this study examine the impact of plea-bargaining on the criminal justice system of Takum Metropolis, Taraba State.

Objectives of the Study

The objective of the study is to examine the impact of plea-bargaining on the criminal justice system of Takum Metropolis, Taraba State. Specifically, objectives of the study are to

i. assess the impact of plea bargaining on the efficiency of the criminal justice system in Takum Metropolis, Taraba State
ii. identify the challenges and barriers to effective implementation of plea bargaining in Takum Metropolis, Taraba State

Literature Review

Concept of Plea bargaining

Although there isn't a single, widely recognized definition of plea bargaining, a number of academics and prominent figures in the legal community have tried to define it. Ted and Eze (2019) averred that the phrases "plea" and "bargaining" are the origins of the term "plea bargaining." Plea bargaining, according to the academics, is the accused's official admission of guilt, not guilty, or no contest to a criminal accusation. The definition given by Ted and Eze (2019) was not encompassing enough as plea bargaining extends beyond just the accused's formal plea. It might also involves a negotiation process between the accused, the prosecution, and sometimes the court, where the accused agrees to plead guilty. This negotiation aims to achieve mutual benefits for both the defendant (reduced charges or sentencing) and the judicial system (efficient case resolution and reduced backlog).

Plea bargaining, according to Mwuese and Bem (2020), is the informal process through which defense attorneys and the prosecuting authority negotiate the charge or charges on which the prosecution will proceed, as well as any concessions the prosecution may make regarding sentencing, including the facts on which sentencing should proceed, in order to reach a mutually agreeable agreement. The definition given by Mwuese and Bem (2020), is encompassing as it offers a comprehensive and accurate portrayal of the process. The definition effectively captures the central elements of plea bargaining, particularly its natureas an informal process. It emphasizes the negotiation between the prosecuting authority and defense counsel, which is the core mechanism of plea bargaining. This negotiation often involves discussions over the charges to be pursued, the concessions regarding sentencing, and even the facts that will be considered during sentencing. By focusing on reaching a mutually acceptable agreement, the definition aligns with the primary goal of plea bargaining: to find a balanced resolution that benefits both the prosecution and the defendant, and ensures efficiency within the justice system.

Plea bargaining, according to Olugbile (2023), is not the same as a confession because it does not entail the defendant's full admission of guilt as it should, and the defendant typically confesses to acts that satisfy the elements of the crime. This is a legally sufficient admission, to be sure, but it is frequently not made under oath, is frequently not backed up by a substantial body of factual evidence, and typically has no bearing on subsequent cases. This study agrees with Olugbile's (2023) argument that plea bargaining is not the same as a confession. While both involve an admission of guilt, a confession typically includes a detailed and explicit acknowledgment of wrongdoing, often made under oath and supported by extensive factual evidence. In contrast, plea bargaining may involve a general admission to acts that satisfy the elements of the crime, but it is usually not made under oath and lacks a comprehensive factual record. This difference means that plea bargaining does not carry the same legal weight as a confession, and its effects are generally limited to resolving the immediate case without influencing future legal proceedings.

In the context of this study, plea bargaining will be defined as a legal process in which a defendant agrees to plead guilty to a criminal charge in exchange for a concession from the prosecution, such as a reduced sentence or a lesser charge. This negotiation typically involves discussions between the defense counsel and the prosecuting authority, where both parties aim to reach a mutually acceptable resolution without the need for a full trial. Plea bargaining is commonly used to expedite the legal process, reduce case backlogs, and provide more predictable outcomes for both the defendant and the justice system.

Concept of Criminal Justice System

A nation's criminal justice system is a framework or system that helps guarantee the protection and enforcement of its people' rights by enforcing the laws that govern its existence and order. According to Ukwayi and Okpa (2017) criminal justice system is an embodiment of crime control techniques which usually represents an entire government agency that function as entities of the state to enforce set out rules which are for the maintenance of law and order'. The need to develop and also evolve a system that would help government to regulate and also minimize deviant conduct in society has continued to influence the institutionalization of a criminal justice system. The definition given by Ukwayi and Okpa's (2017) is encompassing. their explanation accurately highlights the systematic and institutional nature of criminal justice, emphasizing its role as a state mechanism to regulate societal behavior and curb deviant conduct. Moreover, their

assertion that the need to minimize deviance in society has driven the development and evolution of the criminal justice system. This perspective underscores the adaptive nature of the system, which evolves in response to changing societal norms, emerging crimes, and advancements in technology and policy.

According to Ogunode (2018), the criminal justice system is a group of government agencies that an accused individual must go through in order to be found guilty, sentenced, and imprisoned that is, punished. The definition given by Ogunode's (2018) it is overly narrow and does not fully capture the complexity and scope of the system. By describing the criminal justice system solely as a process through which an accused individual is found guilty, sentenced, and punished, the definition focuses exclusively on the punitive aspect, overlooking other vital components of the system. The criminal justice system is not only about punishment but also encompasses crime prevention**,** rehabilitation, and the protection of individual rights. Agencies within the system, such as law enforcement, courts, and correctional institutions, play roles that go beyond finding guilt and imposing sentences. For example, the system aims to rehabilitate offenders, deter future crimes, and promote social reintegration, all of which are critical to maintaining societal stability and reducing recidivism.

In the context of this study, criminal justice system refers to an organized network of government institutions, laws, and processes designed to prevent and control crime, enforce legal standards, and maintain social order. It encompasses three main components: law enforcement**,** which investigates and apprehends offenders; the judiciary, which ensures fair trials and determines guilt or innocence; and correctional institutions, which oversee the punishment, rehabilitation, and reintegration of offenders into society. Beyond punitive measures, the criminal justice system also aims to protect individual rights, support victims, and promote societal stability through justice and fairness.

Types of Plea Bargaining

Olowo (2023) listed types of plea bargaining as follows:

Sentence Bargain: The defendant is told in advance of the punishment he would receive if he entered a guilty plea in a sentence bargain. For example, if the offender is being held on serious accusations and is worried about receiving the harshest punishment possible, only sentences that have been approved by the trial judge may be served.

Charge Bargain: This occurs when the prosecutor allows a defendant to plead guilty to a reduced charge or to only some of the counts brought against him. For example, a prosecutor may agree to a guilty plea to manslaughter in exchange for dropping the murder charge.

Express bargaining: Express bargaining is when a defendant or his lawyer actively talks to a prosecutor or trial judge about the possible benefits of taking a guilty plea. However, face-to-face interactions are not included in implicit bargaining. When trial judges, in particular, start treating guilty pleaders more leniently than defendants who assert their right to a trial, this is known as implicit bargaining. Defendants thus learn to anticipate that if they submit guilty pleas, the trial judge would treat them favorably.

Impact of Plea Bargaining on the Efficiency of Criminal Justice System

Various impacts have been attributed to the plea bargaining process. One of the benefits, according to Olugbile (2023), is that they avoid prolonged pre-trial detention and the associated fears and uncertainties. However, in return, they give up their fundamental rights, including the right to a jury trial, the presumption of innocence, the right to face unfavorable witnesses, and the right to be found guilty beyond a reasonable doubt. Plea bargaining provides the government with significant benefits at a far lower cost since the government gains immediate, observable benefits and, crucially, punishment that is implemented quickly without requiring the use of prosecution resources (Olugbile, 2023).

Plea bargains, according to Oguche (2017), aids the EFCC in prosecution in the Nigerian legal system since trials need resources, time, and money. Additionally, they pointed out that plea negotiating is appropriate because statutory penalties are sometimes overly severe and because plea bargaining cases typically offer customized punishments for various counts rather than the same punishment for charges that are similar but differ. Because not all criminal justice systems are able to prosecute every crime that falls under their jurisdiction, Olugbile (2023) contended that plea bargains help reduce economic and financial crimes in Nigeria. Plea bargaining is also thought to be a helpful tactic in the battle against complicated crimes that are hard to investigate and prosecute, such as frauds.

In collaboration, Yiibe and Nwanyanwu (2020) asserted that the country's criminal justice system's adoption of plea bargains is a positive step as it will expedite adjudication, reduce court caseloads, and prevent willful subversion of the law. According to the researcher, it also spares the defendant the time and expense of defending himself in court. Plea

negotiating guarantees the criminal returns some or all of the property he unlawfully took, and also guarantees that victims are partially or completely returned to their pre-loss status.

Challenges and Barriers to Effective Implementation of Plea Bargaining

Plea bargaining, according to Yiibe and Nwanyanwu (2020), punishes innocent people who could be enticed to enter a guilty plea in order to avoid being punished by judicial default. At its most egregious level, it gives criminals excessive leniency as a reward for merely entering a guilty plea. According to Okwori (2018), the practice of pressuring an accused individual to confess to committing a crime and surrender their right to a trial in exchange for a lighter penalty is a violation of their fundamental human rights. According to Yiibe and Nwanyanwu (2020), the practice infringes upon the rights guaranteed by the constitutions of the Federal Republic of Nigeria and the United States of America, including the right to a fair public hearing, the privilege against self-incrimination, the right to question witnesses, and the presumption of innocence until proven guilty.

Furthermore, Shoba (2018) pointed out that when someone who may have committed an offense is permitted to make some kind of atonement rather than bear the full weight of the penalty that follows, the fundamental principle of deterrence is undermined. They said that plea bargaining did not make criminals fearful or discourage them from committing crimes in the future since doing so will only motivate them to carry out their crimes and incite others to do the same. In his stance on plea bargains, Bamide (2019) voiced serious concerns about their use, saying that they are a disgrace to Nigeria's criminal judicial system. According to him, it breeds corruption and has further diminished Nigeria's moral values as it gives a strong indication that those who have enriched themselves corruptly can easily afford to serve lenient sentences and return rich. In the opinion of Nzeribe (2019), asserted that plea deals incite inertia within law enforcement organizations. He went on to say that law enforcement organizations would prefer to depend only on the admissions made by those who are accused and on plea bargaining rather than actively seeking for evidence that would prove a defendant's guilt.

Theoretical Framework

The theoretical underpinnings of plea bargaining revolve around several key principles. However, efficiency theory was used in this study. The theory is explained as follows;

Efficiency Theory:

Efficiency theory was Harrington Emerson in the early 20th century. Rejecting the machine metaphor of scientific management, Emerson conceived of an organic organisation where efficiency was a natural occurrence. Emerson argued that an efficient organisation was a necessary prerequisite to task and process efficiency. Emerson argued that what mattered was not the output of individual processes but total output.

One of the basic assumptions of the theory is that individuals and organizations are assumed to act rationally, seeking to maximize their utility (satisfaction) or profit given the constraints they face. In addition, the theory posit that resources are limited and must be allocated efficiently to meet the needs and wants of individuals and organizations. This scarcity necessitates choices and trade-offs. More so, the theory states that the goal is to allocate resources in a way that maximizes overall welfare or efficiency, often measured in terms of productivity or profit. The strengths of the theory are that the theory provides clear and precise criteria for evaluating resource allocation, allowing for straightforward analysis of economic activities and organizational behavior. However, one of the weakness of the theory is that it often relies on assumptions like perfect information, rational behavior, and competitive markets, which are rarely fully met in the real world, limiting its practical applicability.

Application of Efficiency Theory

One of the basic assumptions of efficiency theory is that individuals and organizations act rationally. The implication of this is that in Takum LGA, prosecutors and defendants engage in plea bargaining rationally to achieve their respective goals. Prosecutors aim to secure convictions efficiently, while defendants seek to minimize their sentences or avoid the uncertainties of a trial.

The theory also assumes that resources are limited and must be allocated efficiently. This implies that through the use of plea bargaining in court cases, it will aid to alleviate the burden on courts by reducing the number of cases that go to full trial. Moreso, by resolving less serious cases through plea bargains, the criminal justice system in Takum LGA can allocate more resources to serious and complex cases, optimizing the overall functioning of the system.

Empirical Review

Olugbile (2023) conducted an evaluation of the use of plea bargaining in the Nigerian justice system using a qualitative descriptive research design, using secondary sources to gather data. The study's findings indicate that the principles of plea bargaining also have advantages, including the fact that it lowers the cost of prosecution and other related expenses that the State must pay when prosecuting corrupt suspects. It was determined that plea bargaining is significant and helpful for resolving cases in the Nigerian judiciary, similar to several other countries around the world.

Olowu (2023) conducted a study on the subject of plea bargain law and the fight against corruption in Nigeria: between punishment and protection. The study used a qualitative descriptive research design to present the data that was gathered from a variety of sources, including textbooks, journals, seminar papers, government publications, the internet, media reports on corrupt public officials, and court case reports. The study's findings indicate that the fight against corruption in Nigeria is selective, as many accused officials were exonerated. he study came to the conclusion that in order to make room for stricter and more severe penalty legislation, the 1999 Federal Republic of Nigeria Constitution should be revised as quickly as possible to eliminate the provision that encouraged plea bargaining.

Mwuese (2020) investigated plea bargains as a means of expediting the delivery of criminal justice under Benue State's 2019 State Administration of Criminal Justice Law (SACJL). The study's goal was to determine how much the SACJL has improved the prompt administration of justice through plea deals. The SACJL and the 1999 Constitution of the Federal Republic of Nigeria (as amended) served as the primary sources of data for the study. Secondary sources of knowledge, such as the views of distinguished academics published in books and journals, were also relied upon. The study discovered that while plea bargains are a great way to expedite a trial, their successful use, it is hindered by the lack of a clause defining deadlines. It was concluded that SACJL should be amended to provide 30 days within which to conclude the plea bargain process, more lawyers should, as a matter of urgency, be employed by the State Government and the police authority so as to make the process of plea bargain seamless and that the State Criminal Justice Monitoring Committee should be inaugurated without delay, among others.

METHODS

Research Design

This study employed a descriptive survey. The justification for this is because it makes it easier to describe and validate research findings, which enables the researcher to characterize impact of plea-bargaining on the criminal justice system of Takum Metropolis.

Population of the Study

The population of this study consists of 46 staff members, comprising the entire workforce at the Nigeria Correctional Service Medium Security Custodial Center Takum (NCSMSCCT) and the Magistrate Court Takum (MCT). According to the Administrative Department of NCSMSCCT, the total number of staff working at the correctional center is 20. Additionally, the Administrative Department of MCT reports a total of 23 court officials working at the court. This population was selected for the study because they are directly involved in the plea bargaining process and its outcomes, making their perspectives crucial for this study.

Sample Size and Sampling Technique.

The sample size for this study is 46 respondents which is the total population of staff in Nigeria Correctional Service Medium Security Custodial Center Takum (NCSMSCCT) and the Magistrate Court Takum (MCT).The sampling technique adopted for this study is total census sampling technique. This technique was adopted in this study because it involves gathering data from every individual within the defined population, ensuring that no relevant perspectives are excluded. Since the study focuses on court and prison officials in Takum Metropolis and the population is of a manageable size, this technique was deemed fit for the study. Since the study focuses on court and prison officials in Takum Metropolis and the population size is manageable, the total census sampling technique was deemed appropriate for this study.

Sources/ Method of Data Collection

Both primary and secondary sources were employed to acquire data for the study. The researcher employed an oral interview and a structured questionnaire as the primary source. Parts A, B, C, and D comprised the four sections of the questionnaire. The biographical details of the respondents, including their gender, marital status, age group, and educational background, are included in part A. In addition, sections B, C, and D measured the

research objectives. The statements were ranked in a five Linkert scale of Strongly Agree (SA), Agree (A), Undecided (UD), Disagree (D), and Strongly Disagree. The questionnaires was given to Nigerian employees in Nigeria Correctional Service Medium Security Custodial Center Takum (NCSMSCCT) and the Magistrate Court Takum (MCT).

Additionally, in order to gather qualitative data that could not be obtained through structured questionnaires alone, the researcher employed oral interviews with ten (10) respondents. This method allowed participants to freely express their thoughts, feelings, and experiences, which resulted in a deeper understanding of the impact of plea bargaining on the criminal justice system in Takum Metropolis, Taraba State.

Secondary materials were also gathered from government gazettes, books, journals, magazines, seminar papers, both published and unpublished, theses, monographs, pamphlets, periodicals, special papers, and official documents

Validity and Reliability of Instrument

The instrument demonstrated both face validity and content validity. Copies of the questionnaire were given to a group of impartial test and measurement specialists in order to evaluate its validity. These professionals evaluated the questions impartially, paying particular attention to how well they covered the study's overall topic. The questionnaire was updated to reflect their comments and recommendations. All of the experts separately affirmed that they strongly approved the final version after these adjustments.

To make sure the research instrument was reliable, the study used a test-retest reliability strategy. The questionnaire was first given to a limited sample of respondents from the Magistrate Court Wukari and the Nigeria Correctional Service Medium Security Custodial Center Wukari. The identical questionnaire was distributed to the same group of responders two weeks later. The stability and consistency of the instrument over time were then evaluated by comparing the results from the two administrations. The instrument's dependability was confirmed by the great degree of resemblance between the two sets of replies, which also confirmed that it could yield consistent results for the primary research.

Method of Data Analysis

The data gathered for the study were examined using descriptive, inferential, and content analysis techniques. The study hypotheses were evaluated using chi-square inferential

statistics, and the respondents' responses to goals 1, 2, and 3 were examined using the mean. Additionally, content analysis was used to examine the interview responses.

RESULTS

Table 1: Impact of plea bargaining on the efficiency of the criminal justice system in Takum Metropolis, Taraba State

S/N	Statement	5	4	3	2	1	Mean	Remarks
		SA	A	U	D	SD	X	
1	Plea bargaining has reduced the time required to resolve criminal cases in Takum Metropolis.	18	15	3	2	1	4.23	Accepted
2	Plea bargaining has helped in decongesting prisons in Takum Metropolis.	10	12	8	6	25	3.48	Rejected
3	The use of plea bargaining ensures quicker justice delivery in the criminal justice system.	14	13	6	4	2	3.81	Accepted
4	Plea bargaining has enhanced the allocation of resources within the criminal justice system.	12	14	7	4	2	3.74	Accepted
5	Plea bargaining has aid prosecution secure convictions in cases where the evidence might be insufficient	9	10	8	8	4	3.26	Rejected
	Grand mean						3.69	Accepted

Source: Authors' Analysis **(2025)**

Table 3 depicts the impact of plea bargaining on the criminal justice system in Takum Metropolis, Taraba State. Statement 1, which states, *"plea bargaining has reduced the time required to resolve criminal cases in Takum Metropolis,"* was strongly accepted with a mean score of 4.23**,** indicating widespread agreement that plea bargaining significantly expedites the resolution of criminal cases, reflecting its effectiveness in improving judicial efficiency.

This was followed by Statement 3, which states, *"the use of plea bargaining ensures quicker justice delivery in the criminal justice system,"* with a mean score of 3.81. This suggests a strong perception among respondents that plea bargaining contributes positively to faster justice delivery, supporting its role as a tool for enhancing judicial operations.

Statement 4, which states, *"plea bargaining has enhanced the allocation of resources within the criminal justice system,"* was accepted with a mean score of 3.74, reflecting agreement that plea bargaining improves resource allocation, enabling the system to function more effectively.

Statement 2, which states, *"plea bargaining has helped in decongesting prisons in Takum Metropolis,"* was rejected with a mean score of 3.41, indicating that while some respondents recognize its potential, there is insufficient consensus to affirm that plea bargaining has significantly reduced prison congestion.

Lastly, Statement 5, which states, plea bargaining has aid prosecution secure convictions in cases where the evidence might be insufficient was also rejected with a mean score of 3.26, showing that respondents do not overwhelmingly agree on the consistent efficacy of plea bargaining in reducing case resolution time. The Grand Mean of 3.69 indicates that, overall, plea bargaining is perceived as having a positive impact on the criminal justice system in Takum Metropolis, particularly in improving judicial efficiency, faster justice delivery, and better resource management.

Table 2: **Challenges and barriers to effective implementation of plea bargaining in Takum Metropolis, Taraba State**

S/N	Statement	5 (SA)	4 (A)	3 (U)	2 (D)	1 (SD)	Mean (X)	Remarks
1	There is a lack of understanding of plea bargaining among stakeholders in Takum Metropolis	20	12	4	2	1	4.23	Accepted
2	Corruption affects the effective implementation of plea bargaining in Takum Metropolis.	9	11	8	7	4	3.36	Rejected
3	Victims often feel neglected or unsatisfied with the outcomes of plea bargaining agreements.	15	13	5	4	2	3.90	Accepted
4	The absence of clear guidelines hinders the effective use of plea bargaining.	11	13	7	5	3	3.62	Accepted
5	Cases of favoritism of wealthy politicians and businessmen	8	9	9	8	5	3.18	Rejected
	Grand Mean						3.66	Accepted

Source: Authors' Analysis **(2025)**

Table 2 presents challenges and barriers affecting the effective implementation of plea bargaining in Takum Metropolis, Taraba State. Statement 1, which states, "There is a lack of understanding of plea bargaining among stakeholders in Takum Metropolis," was strongly accepted with a mean score of 4.23. This demonstrates a broad consensus among respondents that the limited understanding of plea bargaining by stakeholders is a significant barrier to its effective implementation in the area.

Statement 3, which states, "Victims often feel neglected or unsatisfied with the outcomes of plea bargaining agreements," was also accepted with a mean score of 3.87. This highlights that the dissatisfaction and sense of neglect experienced by victims is a major challenge affecting the successful implementation of plea bargaining.

Statement 4, which states, "The absence of clear guidelines hinders the effective use of plea bargaining," was accepted with a mean score of 3.59. This finding indicates that the lack of structured and well-defined guidelines is a recognized obstacle that impedes the efficient application of plea bargaining processes in Takum Metropolis.

In contrast, Statement 2, which states, "Corruption affects the effective implementation of plea bargaining in Takum Metropolis," was rejected with a mean score of 3.36. While corruption may be considered a concern, the respondents did not strongly agree that it constitutes a primary challenge to the implementation of plea bargaining in the metropolis.

Similarly, Statement 5, which states, "Cases of favoritism of wealthy politicians and businessmen," was also rejected with a mean score of 3.18. This suggests that while favoritism could be an issue in some instances, it is not widely perceived as a significant barrier to plea bargaining in the area. The grand mean of 3.66 indicates an overall agreement among respondents that challenges such as the lack of understanding of plea bargaining, dissatisfaction among victims, and the absence of clear guidelines are significant barriers to its effective implementation. However, corruption and favoritism are less strongly perceived as critical obstacles in Takum Metropolis.

Interview Responses

Impact of plea bargaining on the efficiency of the criminal justice system in Takum Metropolis, Taraba State

An interview was conducted on the impact of plea bargaining on the efficiency of the criminal justice system in Takum Metropolis, Taraba State. In an interview with a senior

legal practitioner in Takum, he described plea bargaining as a legal process where the prosecutor and the defendant negotiate an agreement, usually resulting in the defendant pleading guilty to a lesser charge in exchange for a reduced sentence or dismissal of certain charges." He further explained that while the practice is relatively new in Nigeria, it has gained recognition in recent years as part of judicial reforms aimed at improving case resolution efficiency (Oral interview, 2025). Similarly, a judicial officer interviewed highlighted the gradual acceptance of plea bargaining within the courts in Takum. According to him, "Although plea bargaining is still developing in the Nigerian legal system, its presence in Takum has begun to reflect in criminal case management. More lawyers and prosecutors are becoming familiar with the process, particularly in cases involving non-violent crimes" (Oral interview, 2025).

In another interview with a senior prosecutor in Takum, he confirmed that plea bargaining has contributed significantly to reducing the time needed to resolve criminal cases. "Before plea bargaining, it could take months or even years for cases to be decided, especially those involving less serious crimes. However, since its introduction, many of these cases are resolved within weeks or a few months, significantly improving the speed of justice delivery," he explained. He further added, "Plea bargaining helps both the prosecution and defense to focus on finding a fair resolution quickly, which minimizes prolonged court battles" (Oral interview, 2025). Similarly, a judge in Takum noted that the efficiency of the court system has improved due to the use of plea bargaining. "Plea bargaining allows us to clear cases more efficiently by resolving them without a full trial. This gives us more time to handle other pending matters, reducing delays in the justice system overall," he stated. However, he emphasized that while it reduces time, it is important to ensure that justice is not compromised in the process (Oral interview, 2025).

In an interview with a senior legal practitioner in Takum, he noted that plea bargaining has played a significant role in decongesting the courts by expediting the resolution of criminal cases. According to him, "The process allows for quicker negotiations between prosecutors and defendants, which significantly reduces case backlogs and ensures justice is not delayed" (Oral interview, 2025). This observation aligns with findings by Mwuese and Bem (2020), who emphasizes the importance of plea bargaining in enhancing the efficiency of Nigeria's judicial system.

Similarly, during an interview with another staff of Nigeria Correctional Service Medium Security Custodial Center Takum, he acknowledged that plea bargaining helps to manage limited resources within the law enforcement system. "Instead of lengthy investigations and court proceedings, some cases are resolved swiftly, allowing us to focus on more pressing criminal matters," he explained. However, he expressed concerns that the process might sometimes compromise justice, particularly when wealthier defendants use it to escape harsher penalties (Oral interview, 2025).

Challenges and barriers to effective implementation of plea bargaining in Takum Metropolis, Taraba State

An interview was conducted to identify the challenges and barriers to the effective implementation of plea bargaining in Takum Metropolis, Taraba State. In an interview with a senior legal practitioner, he highlighted several challenges to the effective implementation of plea bargaining in the region. One of the major barriers is the lack of adequate awareness and understanding of the process among both the public and legal practitioners. He explained that many people, especially in rural areas, view plea bargaining with suspicion, believing that it allows offenders to evade proper justice. He also noted that some lawyers and even judges are still not fully comfortable with the process, which hampers its smooth execution (Oral interview, 2025).

Also, a staff in Nigeria Correctional Service Medium Security Custodial Center Takum expressed mixed reactions about the existence of plea bargaining in the area. He acknowledged that it could be useful in addressing case backlogs but noted that many people in the community are unaware of its concept and purpose. "For the average person here, justice is seen as a full trial and sentencing, not an agreement behind closed doors," he stated. He emphasized the need for more public awareness to ensure people understand how plea bargaining operates and its benefits (Oral interview, 2025). This is in accordance with Ted and Eze (2019), who revealed that many legal practitioners, including some judges and lawyers, are still not fully familiar with the process or its benefits. The scholar further posited that this lack of awareness extends to the general public, particularly in rural areas, where traditional views of justice dominate. As a result, plea bargaining is often seen with suspicion, and its potential to expedite case resolution and reduce court backlogs is not fully appreciated

A prison warder in Takum shared concerns about the potential misuse of plea bargaining. "Another challenge is that in some cases, wealthy and influential defendants use their resources to manipulate the system, ensuring they get reduced sentences for serious offenses," he stated. "This undermines public trust in the system, as it creates a perception of inequality in access to justice." He emphasized that more robust safeguards are necessary to prevent such abuses and ensure fairness (Oral interview, 2025). This assertion is shared by Olugbile (2023) who submitted that the major problem with plea bargain was that its applications are in favor of the politically and economically powerful person rather than for the benefit of the underprivileged and common offenders in Nigeria.

Similarly, a judge in Takum mentioned the challenge of insufficient legal framework. "While the concept of plea bargaining has been introduced, there are still gaps in the legal framework that govern its use," he stated. "For instance, the guidelines for implementing plea bargaining are not as clearly defined as they should be, which creates confusion among practitioners." He also pointed out that some cases might not be appropriate for plea bargaining, yet the pressure to resolve cases quickly sometimes leads to its overuse (Oral interview, 2025)

In another interview with a corrections officer, he highlighted another significant barrier to the effective implementation of plea bargaining in Takum Metropolis: the issue of overcrowding in prisons. "Although plea bargaining is intended to reduce the number of cases and, in turn, the prison population, the lack of adequate rehabilitation programs and resources in the correctional facilities remains a concern," he explained. "While more prisoners may be released or given lighter sentences through plea bargaining, many of those who remain in custody still face poor conditions due to overcrowding, which limits the effectiveness of the criminal justice system overall." He suggested that improvements in the prison system, including better rehabilitation programs and infrastructure, would make plea bargaining more effective in achieving its intended outcomes (Oral interview, 2025).

DISCUSSION

Findings from the study revealed that plea bargain has an overwhelming impact on the administration of criminal justice system in Takum Local Government Area as it has aid in reducing slow processes in judicial process and led to lesser cost in Judicial process. More so, plea bargaining in Takum Judicial System had aid prosecution secure convictions in

cases where the evidence might be insufficient; thereby ensuring some measure of accountability and justice. This findings were in line with Olugbile (2023) asserted that plea bargaining provides an option to address some of the problems plaguing the administration of criminal justice particularly the problem of heavy criminal caseload and cost to tax payers of protracted criminal trials. Adetomiwa (2018) claimed that the application of plea bargain in Nigeria certainly have positive impacts amidst the criticisms. Mwuese (2020) noted that plea bargain is a veritable catalyst for speedy trial and reduced the time required to resolve criminal cases.

Findings from the study also revealed that there are challenges and barriers to effective implementation of plea bargaining in Takum L.G.A plea bargaining in Takum Local Government. However the most notable among them is the lack of understanding of plea bargaining among stakeholders in Takum Metropolis. This assertion is shared by Ted and Eze (2019), who revealed that many legal practitioners, including some judges and lawyers, are still not fully familiar with the process or its benefits. The scholar further posited that this lack of awareness extends to the general public, particularly in rural areas, where traditional views of justice dominate. As a result, plea bargaining is often seen with suspicion, and its potential to expedite case resolution and reduce court backlogs is not fully appreciated

CONCLUSION

Plea bargaining over several benefits including expediting the legal process by reducing slow processes in judicial process and led to lesser cost in Judicial process. Thereby alleviating court congestion and saving judicial resources. However despite its potentials in Takum Judicial System, plea bargaining in Takum is being faced with challenges which has affected its implementation. Notable among them is issue of lack of understanding of plea bargaining among stakeholders in Takum Metropolis**.**

Recommendations

Based on the findings of the study, it is recommended that:

i. Takum Judicial System should establish a robust oversight mechanism to monitor plea bargaining agreements, ensuring they are not used to protect corrupt public officials.

ii. Amend existing laws to close loopholes that allow for lenient plea bargains in corruption cases. This could involve revising laws to ensure that the punishment is proportionate to the crime and that plea bargains cannot be used to escape significant accountability.

iii. Launch public awareness campaigns to educate citizens about the plea bargaining process, its benefits, and its limitations. This will help in garnering public support for necessary reforms and ensuring that the process is not misused.

REFERENCES

Adetomiwa, B. (2018) Nigeria: The Concept of Plea Bargaining. *Paper Presented at a Sensitization Workshop for top Management and Legislators of Gwagwalada Area Council, Abuja.*

Mwuese, M. M. & Bem A. (2020). Plea Bargain as an Instrument of Fast-Tracking Criminal Justice Delivery under the State Administration of Criminal Justice Law of Benue State, 2019. *Benue State University Law Journal.* 5, (3), 248-261

Nzeribe E. A (2019). Plea Bargaining and the Administration of Criminal Justice in Nigeria. I*nternational Journal of Innovative Science, Engineering & Technology*, 6 (9), 387-394

Oguche, S. (2017). Development of plea bargain in the administration of justice in Nigeria: A revolution, vaccination against punishment or mere expediency. In Azinge, E. & Laura, A. (eds.) Plea bargain in Nigeria: Law and practice. Abuja: *Nigerian Institute of Advanced Legal Studies' Press*, 97-119.

Ogunode, S.,A. (2015). Criminal Justice System in Nigeria; for the Rich or the Poor *Humanity and Social Sciences Review*, 4(1), 27- 39

Okwori, N A (2018). Plea Bargain: A trial procedure that Negates Fundamental Right of the Accused. *SAGE Publications*, 100-115

Olugbile, A. (2023). An appraisal of the use of plea bargaining in the Nigerian justice system. *African Journal of Law, Political Research and Administration.* 6, (2), 100-124

Salihu, H. A., Isiaka, M., Balogun, S. O., Akangbe, T. A., & Ibrahim, A. (2022). The Nigerian Criminal Justice System: A Cursory Look at Salient Issues and Areas of Reform. *Ilorin J. Bus. Soc. Sci.* 24(1): 101-117.

Shoba, B. (2018). Effect of Plea Bargain on the criminal Justice System of Madhya Pradesh. *Galgotias Journal of Legal Studies*, 1 (2) 1-38

Ted. C. E. & Eze, G. A (2019). Critical appraisal of the concept of plea bargaining in criminal justice delivery in Nigeria. *Global Journal of Politics and Law Research* 3, (4), 31-43,

Ukwayi, K & J.T Oka, (2017). Critical Assessment of the Nigerian Criminal Justice System and the Perennial Problem of Awaiting Trial in Port Harcourt Maximum Prison, Rivers State. *Global Journal of Social Sciences*, 16(1), 7-25

Yiibe, R. & Nwanyanwu, M. A. (2020). Evaluating the application of plea bargain in the administration of criminal justice in Nigeria. *AJIEEL, 6(01),22-34*.

Olowu, O.F (2023). Plea Bargain Law and the Fight Against Corruption in Nigeria: Between Punishment and Protection. *Wukari International Studies Journal*, 7, (1), 502-520