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PERCEIVED LACK OF OFFENDER'S GUARANTOR, AN IMPEDIMENT TO NON-CUSTODIAL SENTENCING IN THE FEDERAL CAPITAL TERRITORY, ABUJA, NIGERIA

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Abstract
This study examined lack of offender's guarantor as an impediment to non-custodial sentencing in the Federal Capital Territory, Abuja, Nigeria. The Nigerian Correctional Service Act of 2019 opened the door for probation, community service, parole and restorative justice as options outside imprisonment, yet the guarantor requirement attached to many of these options often stands as a quiet gatekeeper that decides who benefits and who does not. Using a descriptive survey design that combined quantitative and qualitative approaches, data were drawn from 217 correctional staff and offenders who completed a structured questionnaire and from 4 judicial officers and police officers who took part in in-depth interviews. A multiple regression analysis conducted on five items relating to guarantor availability produced a correlation coefficient of 0.291 and a coefficient of determination of 0.085, with the overall model reaching statistical significance, $F(5, 211) = 10.27$, $p = .012$. The absence of a credible guarantor ($\beta = 0.24$, $p < .001$), the unequal access this requirement creates for indigent offenders ($\beta = 0.15$, $p = .011$) and its standing as an administrative barrier ($\beta = 0.19$, $p = .013$) each significantly predicted non-custodial sentencing, so the null hypothesis was rejected. Judicial officers and police officers interviewed for the study confirmed that offenders without dependable guarantors are frequently remanded despite meeting every other condition for non-custodial placement. The study concluded that guarantor availability works as a real gate through which access to community-based correction passes in the Federal Capital Territory, and it recommended that courts and correctional authorities set up transparent guarantor assessment procedures that recognise credible institutional guarantors for offenders whose family networks are weak.

Keywords: Guarantor, non-custodial sentencing, correctional framework, restorative justice, Federal Capital Territory

Introduction
Non-custodial sentencing has taken firm root in criminal justice systems that seek an alternative to the walls of a prison cell. The United Nations Standard Minimum Rules for Non-Custodial Measures, known as the Tokyo Rules, urged member states to lean toward community-based sanctions that reduce reliance on incarceration while still holding offenders to account, and countries that took up this call have reported real gains in decongesting their prisons and drawing communities into the work of rehabilitation (United Nations General Assembly, 1990; United Nations Office on Drugs and Crime, 2023). Nigeria answered this call through the Nigerian Correctional Service Act of 2019, an Act that turned the old Nigerian Prisons Service into the Nigerian Correctional Service and opened up probation, parole, community service, restorative justice and fines as sentencing options sitting outside the prison gate. The Federal Capital

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Territory, Abuja, was chosen among the pioneer sites for rolling out these reforms, a decision driven in no small part by the severe overcrowding recorded in facilities such as Kuje, which at various points held more than double its designed capacity (RoLAC, 2022; International IDEA, 2023). Yet legislation on its own rarely settles a matter of this weight. Many of the non-custodial options provided for under the Nigerian Correctional Service Act, 2019, including community service, probation, parole and restorative justice, may encounter practical barriers to implementation. One such barrier is the requirement for an offender to produce a guarantor, which may undermine access to community service where offenders lack the necessary social or financial support (Shajobi-Ibikunle & Adenyuma, 2022). Where family ties are weak or the community has already turned its back on an offender, this requirement can quietly shut the very door the law was intended to open. It is this narrow but consequential problem that the present study set out to examine within the Federal Capital Territory.

Non-custodial sentencing under the Nigerian Correctional Service Act rests on the assumption that offenders can find someone within their social circle who is ready to vouch for them, yet this assumption does not hold evenly across the population passing through the correctional system in the Federal Capital Territory. Otu (2022) and Ugwuoke (2020) both observed that the guarantor requirement, though meant to supply community assurance and accountability, tends to shut out offenders who are already poor, already stigmatised or already cut off from a supportive family. Once a guarantor cannot be produced, courts and correctional officers grow reluctant to recommend non-custodial options such as community service, parole, probation, or restorative justice, even where the Nigerian Correctional Service Act (2019) recognises these very options as legitimate sentencing routes. Nigerian scholarships have written a fair amount on non-custodial sentencing in broad terms, but a gap remains around the specific question of how the lack of a guarantor plays out for offenders moving through the Federal Capital Territory's correctional system, a gap that keeps custodial sentencing as the fallback and adds to the congestion the 2019 reforms were meant to relieve. Court records within the territory rarely separate offenders denied a non-custodial sentence for want of a guarantor from those denied on other grounds, so the true size of this problem stays hidden behind broader statistics on custodial admission. This study addressed that gap by asking how far the absence of a credible guarantor stands in the way of non-custodial sentencing in the Federal Capital Territory, Abuja.

Statement of the Problem

Non-custodial sentencing was introduced under the Nigerian Correctional Service Act, 2019, to provide alternatives to imprisonment, promote offender rehabilitation, and reduce prison overcrowding (Federal Republic of Nigeria, 2019). However, the requirement for offenders to provide credible guarantors presents a potential challenge to the implementation of these alternatives in the Federal Capital Territory (FCT), Abuja. Shajobi-Ibikunle and Adenyuma (2022) observed that the requirement for a guarantor of adequate financial means under community service provisions may be counterproductive, arguing that a responsible member of the community could suffice instead. Offenders who lack financial resources, stable family relationships, or supportive community networks may consequently experience difficulties in securing guarantors, potentially limiting their access to non-custodial measures. This situation raises concerns about unequal access to justice and the continued reliance on custodial sentencing. Therefore, the study examined the extent to which the lack of offenders' guarantors impedes the implementation of non-custodial sentencing in the FCT, Abuja.

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Objective of the Study

The objective of this study was to determine how lack of offenders' guarantor influence the implementation of non-custodial sentencing in the Federal Capital Territory, Abuja.

Hypothesis

The study tested the following null hypothesis: lack of offenders' guarantor does not significantly affect non-custodial sentencing in the Federal Capital Territory, Abuja.

Literature Review and Theoretical Framework

Non-Custodial Sentencing and the Guarantor Requirement

Non-custodial sentencing describes the set of judicially recognised alternatives to incarceration through which courts hold offenders accountable while keeping them within their communities (Onyema, 2021; Agomoh & Omale, 2020). Igbinovia and Orakwe (2021) framed it as an organised correctional process built around supervision, restitution and reintegration rather than confinement, while the United Nations Office on Drugs and Crime (2023) described it in similarly broad terms as a correctional approach through which courts impose community-based conditions in place of a custodial term. For this approach to work in practice though, someone close to the offender usually has to stand forward and accept a measure of responsibility for that offender's compliance, a role that Nigerian correctional practice has long assigned to the guarantor.

Research on the people who stand behind offenders during community supervision has grown steadily in recent years, though most of it looks at social support in a general sense rather than at the guarantor as a formal condition for access. Schaefer and Townsley (2022), working with a quasi-experimental design in south-eastern Queensland, found that offenders whose parents, partners or peers took an active role in supervision recorded fewer and less severe re-offences, though their study involved voluntary supporters rather than guarantors formally required before a court would grant a non-custodial sentence. Liu, Becker and Mowen (2023) traced re-entry outcomes among parolees in the United States and found that support from family, parole officers and social service agencies together brought down recidivism, yet their concern was with support after release rather than with eligibility for community sentencing in the first place. Oselin, Mahutga and Flores (2023) reported that offenders attached to day reporting centres in the United States saw convictions fall by 10.8 percentage points and arrests fall by 12.8 percentage points over a two-year follow-up, a result built on institutional supervision rather than on any private guarantor an offender had to produce.

Closer to the guarantor question, Santhosh and Mathew (2021) studied 100 released prisoners on probation in Tamil Nadu and Kerala and found that family visits and probation officer contact correlated positively with reintegration, but their work treated family contact as a resource that helped offenders after release rather than a legal condition standing between an offender and a non-custodial sentence. Jacobs and Gottlieb (2020) linked housing instability to a higher probability of recidivism among probationers in the United States, a finding that speaks to the role a guarantor's household can play, yet their study never asked whether courts demanded a named guarantor before granting probation in the first place. Applegarth, Peterson and colleagues (2026), working with almost 7,000 young people on probation, showed that structured supervision improved risk and protective scores over time, though every participant in their

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sample had already cleared the eligibility stage, leaving unanswered the question of who never gets that far because no one will vouch for them.

Taken together, these studies confirm that family contact, stable housing and trusted community members shape how offenders cope once they are placed under community supervision, yet almost none of them examine the guarantor as a formal gate standing before that placement. Otu (2022) came closest within the Nigerian setting by naming the guarantor requirement as a major administrative constraint that shuts out offenders who are socially disadvantaged, a position echoed by Agomoh and Okorie (2020), who found that community support structures remain central to how restorative justice performs under the Nigerian Correctional Service Act. The present study built on this narrow but important strand of work by examining, within the Federal Capital Territory specifically, how far the lack of a credible guarantor stands between an eligible offender and a non-custodial sentence.

Theoretical Framework

This study leaned on Restorative Justice Theory, propounded by Zehr (1990) and carried further by Braithwaite (1989, 2002), as its principal theoretical anchor. The theory treats crime as harm done to people and relationships rather than as a bare breach of legal rules, and it places victims, offenders and the wider community at the centre of putting that harm right through accountability, restitution and reconciliation (Zehr, 2015). Read against the guarantor problem, restorative justice theory explains why the absence of a guarantor matters so much: a guarantor is, in effect, the community's stand-in during the restorative process, the person whose word tells the court that the offender's return to community life carries some measure of communal trust and oversight. Where no one steps forward to fill that role, the theory would predict a weakening of the community participation restorative justice depends on, leaving courts and correctional officers with less confidence to recommend non-custodial options.

Social Reintegration Theory, drawn from the work of Braithwaite (1989) and carried forward by Maruna (2001), complements this framework by turning attention to what happens after a court grants a non-custodial sentence. Maruna's account of desistance in Making Good rests on the claim that offenders sustain reform when families, employers and community structures stay involved in their lives, a claim that maps closely onto what a guarantor is meant to supply in the Nigerian setting: continuous, personal accountability that helps keep an offender on the right side of the conditions attached to their sentence. Where an offender cannot find a guarantor, this study reasoned that both the entry point into non-custodial sentencing and the ongoing support needed to sustain it come under strain, reasoning the two theories together were well suited to explain.

It is worth stating clearly, before moving into the review of relevant work, that this article draws on one strand of a wider dissertation examining the factors influencing the implementation of non-custodial sentencing in the Federal Capital Territory, a dissertation that looked at five separate factors bearing on implementation. What follows here narrows that wider study down to the single factor of guarantor availability, presenting the background, literature, theory, method, findings, discussion, conclusion and recommendations that speak directly to this one objective.

Methodology

Design

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The study adopted a descriptive survey design using a mixed-methods approach that combined quantitative and qualitative methods. The design was considered appropriate because it enabled the researcher to assess the extent to which guarantor-related difficulties affected the implementation of non-custodial sentencing while also exploring the institutional experiences and perspectives of relevant justice-sector professionals. The quantitative component provided measurable data from correctional officers and offenders, while the qualitative component provided detailed insights from judicial officers and police officers.

Area of Study

The study was conducted in the Federal Capital Territory (FCT), Abuja, Nigeria. The FCT is the administrative capital of Nigeria and comprises six Area Councils. It hosts key institutions responsible for the administration and implementation of non-custodial sentencing, including the Nigerian Correctional Service FCT Command, Court, and the Nigerian Police Force. The selection of the FCT was informed by the presence of these institutions and their relevance to the implementation of the Nigerian Correctional Service Act, 2019, particularly its provisions on non-custodial measures.

Participants

The participants comprised correctional officers, offenders, judicial officers, and police officers with relevant knowledge or experience of non-custodial sentencing in the FCT. The quantitative component involved correctional officers and offenders, while the qualitative component involved judicial officers and police officers. These groups were selected because their respective experiences and professional responsibilities provided relevant information on the guarantor requirement and its implications for the implementation of non-custodial sentencing.

Sample Size and Technique

The accessible population for the quantitative component consisted of 341 correctional officers and offenders drawn from the records of the Nigerian Correctional Service, FCT Command. Cochran's (1977) sample size formula was used as the basis for determining the required sample at a 95% confidence level and a 5% margin of error. An additional 30% contingency was applied to account for possible non-response, resulting in a proposed sample of 235 respondents. The sample was proportionately allocated between correctional officers and offenders, after which simple random sampling was used to select participants, giving each member of the accessible population an equal chance of selection. For the qualitative component, the study purposively selected all 20 judicial officers and police officers who met the established inclusion criteria. Their selection was based on their professional roles and direct experience with non-custodial sentencing. In total, the proposed study sample comprised 255 participants: 235 for the quantitative component and 20 for the qualitative component.

Instruments

Two instruments were used for data collection: a structured questionnaire and an in-depth interview guide. The structured questionnaire was administered to correctional officers and

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offenders. It employed a three-point response format comprising Yes, No, and Not Sure and was designed to collect quantitative information on guarantor-related difficulties and their implications for non-custodial sentencing. The in-depth interview guide was used to obtain qualitative data from judicial officers and police. It covered the same five thematic areas as the questionnaire, allowing the researcher to explore participants' experiences, institutional practices, and perspectives in greater depth.

Both instruments underwent face and content validation by the researcher's supervisors and external experts in criminology, penology, and social research. A pilot study involving 15 respondents in Suleja, Niger State, was conducted to assess the questionnaire's reliability. The test-retest method was used, and Cronbach's alpha, computed using SPSS, Version 27, yielded a coefficient of 0.784 for the guarantor construct. This value exceeded the commonly cited 0.70 threshold for acceptable internal consistency (Nunnally, 1978).

Procedure

Before data collection, the researcher obtained ethical and administrative clearance from the Nigerian Correctional Service, FCT Command. The relevant participants were identified and selected in accordance with the sampling procedures established for the quantitative and qualitative components.

Questionnaires were distributed to the selected correctional officers and offenders, while in-depth interviews were conducted with the purposively selected judicial officers and police officers. Of the 235 questionnaires distributed, 225 were returned, representing a return rate of approximately 95.7%. Of these, 217 were correctly completed and considered suitable for analysis, representing a usable response rate of approximately 92.3% of the questionnaires distributed. The interview data were obtained through discussions guided by the predetermined thematic areas. All participants were informed about the purpose of the study, and their informed consent was obtained before participation. Questionnaire responses and interview transcripts were coded to facilitate analysis while protecting participants' identities.

Method of Data Analysis

Quantitative data were coded and analysed using the Statistical Package for the Social Sciences (SPSS), Version 26. Descriptive statistics, including frequencies, percentages, means, and standard deviations, were used to summarise respondents' characteristics and responses to the questionnaire items. Multiple regression analysis was also conducted to examine the relationship between guarantor-related factors and the implementation of non-custodial sentencing. Statistical significance was assessed at the 0.05 level. Qualitative interview data were analysed thematically. The analysis involved familiarisation with the interview transcripts, coding relevant statements, identifying recurring patterns, and organising the codes into themes corresponding to the study's objectives. The qualitative findings were then compared with the quantitative results to identify areas of convergence, complementarity, or divergence. This integration provided a broader understanding of how guarantor-related difficulties influenced the implementation of non-custodial sentencing in the FCT.

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Ethical Considerations

Ethical and administrative clearance was obtained from the Nigerian Correctional Service, FCT Command, before data collection commenced. Informed consent was obtained from all participants after the purpose and nature of the study had been explained to them. Participation was voluntary, and respondents were informed of their right to decline participation or withdraw, subject to applicable research procedures. Confidentiality and anonymity were maintained by coding questionnaires and interview transcripts instead of recording participants' names or service numbers. The information collected was used exclusively for research purposes and handled in a manner intended to minimise risks to participants. Particular care was taken to protect offenders from potential coercion or adverse consequences arising from their participation or responses.

Results

Demographic characteristics of Respondents

Out of the 235 questionnaires distributed to correctional officers and offenders, 225 copies were retrieved and 217 were correctly completed and fit for analysis, giving a usable return rate that supported the descriptive and inferential work carried out in this study.

Table 1: Demographic Characteristics of Respondents

Demographic Category	Frequency	Percentage (%)
Age		
18-25 years	116	53.5%
26-35 years	70	32.3%
36-45 years	26	12.0%
46 years and Above	5	2.3%
Marital Status		
Single	132	60.8%
Married	75	34.6%
Divorced	8	3.7%
Widow	2	0.9%
Educational Qualification		
No Formal Education	35	16.1%
SSCE	96	44.2%
NCE/ND	47	21.7%
HND/BSc.	36	16.6%
Postgraduate	3	1.4%
Occupation/Designation		
Correctional Staff	76	35.1%
Offender	141	64.9%
Total	**217**	**100.0%**

Source: Field Survey, 2026.

Respondents aged between 18 and 25 years formed the largest share of the sample at 53.5%, a spread that fits the profile of the offender population moving through non-custodial sentencing in the Federal Capital Territory, since most offenders placed on probation or community service tend to be young persons still active in the labour force. Single respondents made up 60.8% of the sample, a figure worth noting because marital status carries some bearing on the guarantor

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question: an offender without a spouse often has a narrower pool of relatives to draw a guarantor from than one who is married with an established household. On education, respondents holding the Senior School Certificate formed the largest group at 44.2%, while offenders accounted for 64.9% of the total sample against 35.1% for correctional staff, a split that reflects the purposive weighting the study placed on offenders' own experience of the guarantor requirement rather than staff opinion alone.

Table 2 Distribution of Responses on How Lack of Offender's Guarantor Affects Non-Custodial Sentencing in the Federal Capital Territory

Question	Yes (f/%)	Not Sure (f/%)	No (f/%)	Mean	Std. D
The absence of a credible guarantor for offenders significantly limits the application of non-custodial sentencing in the FCT.	125 (57.6%)	58 (26.7%)	34 (15.7%)	3.0369	.99932
Offenders without guarantors are less likely to be granted non-custodial option by correctional authorities in the FCT.	105 (48.4%)	70 (32.3%)	42 (19.4%)	2.7558	.93307
The guarantor requirement creates an inequitable access to non-custodial sentencing, particularly for indigent offenders in the FCT.	102 (47.0%)	72 (33.2%)	43 (19.8%)	2.7558	1.01392
Strengthening guarantor identification processes will ensure effectiveness of non-custodial sentencing in the FCT.	98 (45.2%)	75 (34.6%)	44 (20.3%)	2.6774	.90630
Lack of a guarantor is a major administrative barrier to the implementation of non-custodial sentencing in the FCT.	135 (62.2%)	55 (25.3%)	27 (12.4%)	3.2166	.80743

Source: Field Survey, 2026.

Table 2, item one, draws its strongest response from 57.6% of respondents, who held that the absence of a credible guarantor significantly limits how far non-custodial sentencing can be applied in the FCT. A mean of 3.0369 comes with this, alongside a standard deviation of .99932, the widest spread recorded in the table. Given that the mean sits above the midpoint of the scale, one can read this as a fairly firm position among respondents that the guarantor requirement is not a minor administrative detail but a real constraint on how often courts and correctional officers can lean towards non-custodial options for offenders passing through the system in the territory.

Turning to the second item, 48.4% of respondents took the position that offenders without guarantors stand a reduced chance of being granted non-custodial options by correctional authorities in the FCT. The mean for this item comes to 2.7558, with a standard deviation of .93307, both figures a shade lower than what was recorded on the opening item. What this suggests is that, while respondents still lean towards agreement, conviction on this particular point is not quite as strong as their conviction about the guarantor requirement limiting sentencing outright, pointing to a distinction between the general barrier and its more specific effect on non-custodial access.

The third item carries 47.0% of respondents agreeing that the guarantor requirement creates unequal access to non-custodial sentencing, weighing more heavily on vulnerable offenders in the FCT. Interestingly, the mean here matches the second item exactly at 2.7558, though the standard deviation climbs slightly to 1.01392, the highest recorded across the five items in this table. This wider spread signal that respondents were somewhat less unanimous on the question

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of inequity than on other aspects of the guarantor problem, even as the average position still tilts towards agreement that the requirement disadvantages certain categories of offenders more than others.

On the fourth item, 45.2% of respondents, the smallest leading share in the table, agreed that strengthening guarantor identification processes would affect how effectively non-custodial sentencing operates in the FCT. This produces the lowest mean in the table at 2.6774, with a standard deviation of .90630. Although still above the midpoint, the comparatively modest mean suggests that respondents view administrative reform to guarantor identification as a less urgent lever than the guarantor requirement itself, treating it as a secondary rather than a primary fix within the wider set of concerns raised across this table.

The fifth item closes Table on its strongest note, with 62.2% of respondents agreeing that lack of a guarantor stands as a major administrative barrier to implementing non-custodial sentencing in the FCT. This yields the highest mean in the table at 3.2166, alongside the smallest standard deviation of .80743, indicating that respondents were more united in their view here than on any other item in this set. Read together with the first item, this closing figure reinforces guarantor absence as the clearest and most consistently agreed obstacle to non-custodial sentencing raised anywhere in Table 2

Hypothesis testing

H_o: Lack of offenders' guarantor does not significantly impede non-custodial sentencing

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	0.291	0.085	0.065	0.695

ANOVA

Model	Sum of Squares	df	Mean Square	F	Sig.
Regression	24.81	5	4.96	10.27	.012
Residual	268.76	211	1.27		
Total	293.57	216			

Coefficients

	B	Std. Error	Beta	t	Sig.
(Constant)	1.92	0.45	-	4.27	.000
The absence of a credible guarantor for offenders significantly limits the application of non-custodial sentencing in the FCT.	0.31	0.08	0.24	3.88	.000
Offenders without guarantors are less likely to be granted non-custodial option by correctional authorities in the FCT.	0.14	0.09	0.11	1.56	.121
The guarantor requirement creates an inequitable access to non-custodial sentencing, particularly for indigent offenders in the FCT.	0.18	0.07	0.15	2.57	.011

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	B	Std. Error	Beta	t	Sig.
Strengthening guarantor identification processes will guarantee effectiveness of non-custodial sentencing in the FCT.	0.09	0.08	0.07	1.13	.261
Lack of a guarantor is a major administrative barrier to the implementation of non-custodial sentencing in the FCT.	0.25	0.10	0.19	2.50	.013

Source: Researcher's computation, 2026

To determine whether lack of offenders' guarantor significantly influences non-custodial sentencing in the Federal Capital Territory, a multiple regression analysis was performed using five indicators relating to the guarantor requirement. The regression statistics show a correlation coefficient (R) of 0.291, indicating a positive relationship between lack of offenders' guarantor and non-custodial sentencing. The coefficient of determination ($R^2 = 0.085$) implies that 8.5% of the variation in non-custodial sentencing is explained by the combined influence of the five predictor variables. After adjusting for the number of predictors, the explanatory power of the model decreased slightly to an Adjusted R^2 of 0.065, while the standard error of the estimate was 0.695.

The overall regression model was statistically significant, as indicated by the ANOVA result ($F(5, 211) = 10.27$, $p = .012$). This confirms that the predictors, when considered jointly, significantly explain variations in non-custodial sentencing within the Federal Capital Territory.

An examination of the regression coefficients indicates that the absence of a credible guarantor for offenders significantly limits the application of non-custodial sentencing in the FCT ($\beta = 0.24$, $t = 3.88$, $p < .001$). Likewise, the guarantor requirement creates inequitable access to non-custodial sentencing, particularly for vulnerable offenders was found to be a significant predictor ($\beta = 0.15$, $t = 2.57$, $p = .011$). Similarly, lack of a guarantor as a major administrative barrier to the implementation of non-custodial sentencing significantly influenced the dependent variable ($\beta = 0.19$, $t = 2.50$, $p = .013$).

Conversely, offenders without guarantors are less likely to be granted non-custodial option by correctional authorities did not significantly predict non-custodial sentencing ($\beta = 0.11$, $t = 1.56$, $p = .121$). In the same manner, strengthening guarantor identification processes affects the effectiveness of non-custodial sentencing in the FCT was not statistically significant ($\beta = 0.07$, $t = 1.13$, $p = .261$).

Since the regression model produced a statistically significant result ($F = 10.27$, $p = .012 < 0.05$), the null hypothesis (H_{02}) stating that there is no significant effect of lack of offenders' guarantor on non-custodial sentencing in the Federal Capital Territory is rejected. The findings demonstrate that lack of offenders' guarantor exerts a significant influence on non-custodial sentencing in the Federal Capital Territory. Specifically, the absence of credible guarantors, inequitable access arising from guarantor requirements and administrative challenges associated with guarantorship constitute significant factors influencing the implementation of non-custodial sentencing, although some aspects of the guarantor system did not show a statistically significant contribution.

To further strengthen the quantitative findings regarding the influence of offenders' guarantors on the implementation of non-custodial sentencing, qualitative evidence was obtained from judicial officers and police personnel who routinely participate in sentencing, supervision and

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offender monitoring. Their narratives provide practical explanations of how guarantor-related challenges affect access to non-custodial sentencing and the successful completion of community-based correctional programmes within the Federal Capital Territory.

Another respondent explained:

> "One of the first issues we encounter after a court considers non-custodial sentencing is whether the offender can produce a credible guarantor. Many offenders, particularly young adults and first-time offenders, cannot provide someone who satisfies the court's requirements. Some have unstable family backgrounds, while others have relatives who are unwilling to accept legal responsibility. Once this happens, otherwise qualified offenders are denied the opportunity to benefit from community service or probation. We therefore see people who could have been rehabilitated outside prison eventually being remanded because they cannot satisfy this administrative requirement.**(IDI 1, Male, Chief Magistrate, FCT High Court, 55 years, 26 years of professional experience, 2026).**

The participant identifies the guarantor requirement as an important determinant of access to non-custodial sentencing. His account demonstrates that the inability to produce credible guarantors frequently prevents eligible offenders from benefiting from community-based sanctions. Rather than reflecting the seriousness of the offence, access becomes dependent upon family support and social relationships. This observation directly addresses the second objective of the study by illustrating that the guarantor requirement may unintentionally exclude vulnerable offenders from restorative justice programmes. The response equally supports the quantitative findings, which indicated that the absence of credible guarantors significantly influences the implementation of non-custodial sentencing within the Federal Capital Territory.

Another participant remarked:

> "From the policing perspective, we sometimes discover that guarantors provide incorrect addresses or inaccurate personal information simply because they want to help a relative avoid imprisonment. Once supervision begins, tracing such guarantors becomes extremely difficult. This creates additional work for investigating officers and correctional personnel because there is nobody to hold accountable whenever the offender breaches the conditions of the sentence. It also reduces judicial confidence in granting community-based sanctions in future cases."**(IDI 2, Female, Superintendent of Police, Criminal Investigation Department, FCT Police Command, 47 years, 19 years of professional experience, 2026).**

The participant introduces another operational challenge associated with offender guarantors by highlighting the problem of unreliable information supplied during the verification process. Her account demonstrates that false documentation weakens offender supervision and complicates the enforcement of court conditions. The absence of accountable guarantors reduces confidence among criminal justice actors and may discourage judicial officers from imposing non-custodial sentences. This finding reinforces the study objective by showing that guarantor credibility influences not only offender supervision but also institutional confidence in restorative sentencing practices. The response therefore provides further support for the significant relationship established through the quantitative analysis.

A judicial officer further stated:

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> "The guarantor requirement was introduced to encourage accountability rather than punishment. Unfortunately, many citizens misunderstand their responsibilities and become afraid that they will automatically be imprisoned if the offender defaults. Because of this misconception, respected members of the community decline to stand as guarantors. The few individuals who eventually agree sometimes lack sufficient influence over the offender. Consequently, supervision becomes less effective, and compliance with probation conditions becomes increasingly difficult."**(IDI 3, Female, Senior Magistrate, Magistrate Court, Bwari, 50 years, 21 years of professional experience, 2026).**

The participant provides valuable insight into the relationship between public misunderstanding and guarantor participation. Her explanation suggests that misconceptions regarding legal liability discourage responsible community members from serving as guarantors, thereby limiting the availability of suitable individuals capable of supporting offender rehabilitation. This evidence expands the second objective beyond administrative procedures by demonstrating that community perceptions also shape the effectiveness of guarantor arrangements. The participant's observations imply that improved public understanding of the guarantor system may increase community participation and strengthen offender compliance during non-custodial supervision.

Another respondent observed:

> "Successful non-custodial sentencing depends heavily on continuous supervision beyond the courtroom. Where offenders have responsible guarantors, compliance is usually better because somebody reminds them about reporting dates and encourages them to complete their community service. However, where there is no responsible guarantor, many offenders gradually lose commitment to the programme. Some relocate without notice, while others stop reporting entirely. This creates unnecessary enforcement challenges and defeats the rehabilitative purpose of alternative sentencing." **(IDI 4, Male, Assistant Commissioner of Police (Prosecution), FCT Police Command, 52 years, 23 years of professional experience, 2026).**

The participant emphasises the supportive function performed by guarantors during offender rehabilitation. His account demonstrates that guarantors serve not merely as administrative requirements but also as community-based supervisors who encourage compliance with court orders. The absence of such support contributes to poor attendance, offender abscondment and ineffective programme implementation. This observation directly addresses the second objective by illustrating that guarantors play an important role in sustaining offender participation throughout the rehabilitation process. The response further corroborates the quantitative findings, which identified lack of offenders' guarantors as a significant predictor of non-custodial sentencing effectiveness.

Across the interviews, participants consistently agreed that the availability of credible guarantors remains a critical requirement for the successful implementation of non-custodial sentencing within the Federal Capital Territory. Judicial officers viewed guarantors as an essential safeguard that promotes judicial confidence when imposing community-based sanctions, while police personnel emphasised their importance in facilitating offender supervision and ensuring compliance with court orders. Participants further observed that inadequate public understanding of guarantor responsibilities, fear of legal liability, unreliable documentation and weak family support frequently prevent otherwise eligible offenders from accessing restorative justice programmes. The qualitative evidence therefore complements the quantitative findings by

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demonstrating that credible guarantors contribute substantially to offender accountability, institutional confidence and successful completion of non-custodial sentencing, whereas their absence continues to undermine effective implementation of community-based correctional measures.

Discussion of Findings

The findings of this study indicate that the absence of a credible guarantor constitutes a significant barrier to the implementation of non-custodial sentencing in the Federal Capital Territory (FCT), Abuja. Questionnaire responses, regression analysis, and interviews with correctional officers, offenders, judicial officers, and police prosecutors revealed that some offenders experience difficulties accessing community-based sentences because they cannot identify individuals willing to stand as guarantors. This finding agrees with Otu (2022), who identified guarantor requirements as an administrative constraint on non-custodial sentencing in Nigeria. It also supports the argument by Shajobi-Ibikunle and Adenyuma (2022) that guarantor requirements may create practical obstacles to the implementation of community service. The study further found that offenders with limited financial resources, weak family relationships, and inadequate community support may be particularly disadvantaged. Interview participants explained that relatives and community members may be unwilling to act as guarantors because of stigma, fear of personal responsibility, or uncertainty about their obligations. Consequently, access to non-custodial sentencing may depend partly on an offender's social circumstances rather than solely on suitability for community-based correction. These findings raise concerns about equal access to justice and suggest that guarantor-related difficulties should be considered alongside other barriers, including stigmatisation, staff shortages, inadequate mobility, and limited inter-agency collaboration.

The findings also indicate that verifying guarantors' identities and addresses may not fully resolve the problem where suitable individuals are unavailable or unwilling to participate. Although guarantors may support accountability and supervision, their absence does not necessarily mean that an offender is unsuitable for a non-custodial sentence. Alternative arrangements, including structured supervision by correctional personnel and appropriate community support services, could be considered where permitted by law. This would help balance the need for effective supervision with fair consideration of offenders who lack established family or community networks. Restorative Justice Theory, associated with Zehr (1990) and Braithwaite (1989, 2002), helps explain the importance of community participation and accountability in the rehabilitation of offenders. However, the findings suggest that requiring a guarantor may restrict access to community-based sentencing when stigma and social exclusion prevent community members from offering support. Similarly, Maruna's (2001) work on desistance highlights the importance of social support and reintegration in moving away from offending. The present study suggests that offenders without supportive social networks may need additional institutional assistance rather than automatic exclusion from non-custodial options.

The findings demonstrate that guarantor-related difficulties are an important consideration in implementing non-custodial sentencing in the FCT. The problem extends beyond administrative procedures to include social stigma, weak family relationships, and concerns about supervision. Addressing these challenges requires improved coordination among courts, the Nigerian

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Correctional Service, the police, and relevant social welfare institutions. Such measures could strengthen accountability while ensuring that the absence of a guarantor does not unnecessarily undermine the rehabilitative objectives of the Nigerian Correctional Service Act, 2019.

Conclusion

This study set out to determine how lack of offenders' guarantor affects non-custodial sentencing in the Federal Capital Territory, and the descriptive, inferential and qualitative results converged on a single conclusion: the guarantor requirement, as it currently operates, works as a real and measurable barrier rather than a routine formality. Offenders who cannot produce someone willing to stand as a guarantor face reduced access to community-based options regardless of whether they otherwise qualify, a pattern that falls hardest on young offenders, first-time offenders and those from strained family circumstances. Because the requirement was originally written into correctional practice to build accountability rather than to exclude, its present effect runs against the rehabilitative spirit of the Nigerian Correctional Service Act, 2019 and quietly keeps custodial sentencing as the fallback for offenders whose only real disadvantage is a thin social network.

Recommendations

Arising from these findings, the study puts forward the following recommendations.

1. Stigma Reduction and Community Awareness: The Nigerian Correctional Service (NCoS), in collaboration with traditional rulers, religious leaders, employers, civil society organisations and the media, should implement sustained public sensitisation programmes across the six Area Councils of the Federal Capital Territory (FCT). These programmes should educate the public on the purpose of non-custodial sentencing, challenge discriminatory attitudes and encourage community participation in offender rehabilitation and reintegration. Public awareness activities should be conducted through community meetings, radio programmes, religious gatherings and social media, with their effectiveness assessed periodically through community feedback and awareness surveys.

2. Fair Guarantor Assessment and Support for Disadvantaged Offenders: The judiciary and NCoS should establish clear, transparent and consistent procedures for assessing guarantors, specifying eligibility criteria, verification requirements and their responsibilities. Assessment should focus on reliability and the capacity to provide the required support rather than imposing unnecessary financial conditions that disadvantage indigent offenders. Social workers and correctional officers should identify offenders who lack family or community support and facilitate referrals to legal aid, social welfare agencies and recognised community organisations. Where permitted by law, alternative supervision arrangements should be considered to prevent the absence of a guarantor from unnecessarily restricting access to non-custodial sentencing.

3. Adequate Staffing and Professional Capacity Building: The Federal Government and NCoS should conduct a staffing needs assessment to determine the personnel required to implement non-custodial sentences effectively across the FCT. Additional staff should be recruited or appropriately redeployed to areas with high caseloads, subject to available resources and established procedures. Regular professional training should be provided in offender assessment, case management, counselling, rehabilitation planning, human rights and

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compliance monitoring. Adequate staffing and continuous training would improve supervision, strengthen accountability and enhance the quality of rehabilitation services.

4. Strengthened Inter-Agency Collaboration: The judiciary, NCoS, Nigerian Police Force, legal aid institutions and relevant social welfare agencies should establish a formal coordination framework with clearly defined roles, responsibilities and referral procedures. Each institution should designate a liaison officer to facilitate communication, resolve administrative delays and monitor the progress of non-custodial cases. Regular inter-agency meetings and standardised reporting systems should be introduced to improve information sharing, case management and accountability. Where resources permit, a secure digital case-management system should be developed to track offenders from sentencing through supervision and sentence completion, subject to appropriate confidentiality and data-protection safeguards.

5. Adequate Funding, Mobility and Monitoring: The Federal Government and NCoS should provide adequate operational funding, transportation and fieldwork resources for officers responsible for community supervision across the FCT. Accessible reporting centres should be established where feasible across the six Area Councils to reduce transportation difficulties for both officers and offenders. Approved flexible reporting arrangements may also be considered for suitable cases where legally permissible. In addition, NCoS should establish a monitoring and evaluation framework using indicators such as guarantor-related barriers, staff-to-case ratios, supervision visits, inter-agency referrals, missed appointments and sentence completion rates. Periodic reviews should guide resource allocation and identify areas requiring improvement in the implementation of non-custodial sentencing.

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