



# Prisons Highlights

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Summary of Research Findings on A TETFUND funded Project titled:  
Ex-convicts and reintegration experiences: an exploratory study of 'life after prison' in Nigeria'

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## Introduction

This Policy Brief, Prisons Highlights, addresses several cross-cutting issues associated with the Nigerian Prison services. It is the outcome of a one year TETFund funded study on 'Ex-convicts and reintegration experiences: an exploratory study of 'life after prison' in Nigeria' led by Dr Ebere James Okorie (Department of Sociology and Anthropology, University of Uyo). Other team members in the project include Dr Aniekan S. Brown (Department of Sociology and Anthropology, University of Uyo) and Dr Emmanuel M. Akpabio (Department of Geography and Natural Resources Management, University of Uyo). The project involved a one-on-one interview, focus group discussion, personal observation, and narratives from the sample population etc., to specifically analyze and compare experiences of ex-convicts [and others] and the general societal and institutional challenges that are likely to affect their capacity for re-integration. Several issues were identified, and which seem to challenge possible efforts at turning ex-convicts into useable manpower to fill and complement existing skill gap in Nigeria's manpower landscape. These issues are encapsulated in regimes of cultural worldviews, which hardly support any possible plan for incorporating ex-convicts into Nigeria's mainstream labour market. Institutional challenges also featured as major impediment to preparing ex-convicts for eventual re-integration. Issues of stigmatization were commonly discussed. With sufficient narratives and records, this Policy Brief evolves some recommendations to encourage reforms. This study however focused on the Nigerian Prison system-the last in the criminal justice chain. Others in the chain including the legislative, the court and the law enforcement agencies, were not covered. It is also important to state that all the inmates were interviewed in the presence of the prison staff, implying that freedom to freely and frankly express oneself was highly supervised.

## Crime and Society

Modern societies commit much of their resources to addressing several facets of negative externalities induced by modernization. One of such negative consequences of modernization is crime. A society's crime level is likely to generate much concern across every sphere given the impact of crime on peoples' daily lives. The concept of 'risk society' of Ulrich Beck and Anthony Giddens gives much insights on how modern societies are increasingly preoccupied with the future (and also with safety), which generates the notion of risk. Crime is an integral part of every society. According to David Canter and Donna Young (2016), '...rather than being an outlawed subset of social activity, crime is an integrated aspect of societal processes...therefore, consideration of all the direct and indirect social impacts of criminality is worthwhile, not just in terms of understanding crime but also because of how it elucidates more general social considerations' (p.284-284). Crime, in every society, is largely determined by structural factors, which could be related to unemployment, poverty, social inequality, economic marginalization and other cultural problems induced by religion, ethnicity and tradition. Of course these structural factors give room for different categories of crimes, either pushed by the desire for survival (existence) or to defend some values and beliefs. Psychological theories of crime attempts to associate criminal behaviours on intelligence, personality and learning. An individual's early upbringing experience may explain much about his or her propensity and likelihood to commit crimes in future. As he or she grows up, the complexes of social perception and how it is translated can influence his or her likelihood to commit crime. The totality of individual's personality, self-perception and the perception of the world is the key factor to consider on why crime is prevalent in our society. Psychological explanation of crimes suggest that criminal offenders may have been influenced by sets of factors including negligent, unhappy or miserable conditions, stress related problems including depression, neglect, a lack of self-contentment. Cultural globalization contributes critical psychological settings and resources for all forms of criminal experiments. Children are exposed to all forms of violent films in the comfort of their rooms, providing the necessary social contexts for crimes. Crime and criminality in the developing countries are shaped by customs, traditions, folklores, mores and beliefs. These social attributes are the basis for the bonds that make up social control. Similarly, with modernization these bonds that knit societies, families and institutions together have been disrupted. Absence of social controls mechanisms opens channels for new forms of cultural constructions of realities and behaviours with implications on traditional social order. Crime manifest in many forms and are shaped by the psychological, social, cultural, economic, legal and political processes. These documents shed lights on Nigeria's crime scene and the performance of the penal institutions.



## Crime and Penal Institutions

The penal institution, according to Foucault, has historically evolved in four categories as, 'torture', 'punishment', 'discipline' and 'prison'. Public torture proceeds through the ritual of investigation and ceremony of execution which, according to Foucault, is a method of extending the omnipotence of sovereign's body power. But the political cost of intention to induce fear and submission through torture could be higher if the victim turns out to be celebrated. To minimize that, the 'punishment method' came as a replacement. Such replacement was necessary to check the 'uncontrolled' and 'undue' concentration of disciplinary power on the sovereign, in favour of more and evenly distributed [public] power. Under this circumstance, a more controlled form of punishment served to force prisoners to do work that reflected their crime, and repaying society for their infractions- *'this would have allowed the public to see the convicts' bodies enacting their punishment, and thus to reflect on the crime'*. The disciplinary aspect of the prison emerged out of the conviction that 'bodies' must be subjected to all forms of necessary training, observation and control for the new economics, politics and welfare of the modern society. The idea is to subject the body to some forms of docility to be able to function in factories, ordered military requirements and school classrooms, etc. Giving new forms of individuality for bodies requires modern institutions and technologies of disciplines. But the peak of prison as a centralized institution of criminal punishment, according to Foucault, means that it is part of a larger network of a system of sovereign institution (schools, military institutions, hospitals and factories) in modern society (with diverse disciplinary careers, and under the scientific authority of medicine, psychology and criminology). Prisons serve three fundamental functions namely: restraining the commission of crime by putting offenders behind bars. Two, deterrence-the prospect of being incarcerated makes potential offenders moderate behaviours. Third- reformation, which aims at teaching better habits and improved behaviours. Locking up offenders destabilizes families and truncate future progress. However, this approach hardly addresses the original intention and aim of incarceration-correction of behaviour; it only worsens. Studies have even shown that keeping individuals idle in prison walls make them more likely to reoffend especially when they are kept idly with the more criminally minded individuals. The treatment of prisoners in developing countries is also an important issue for consideration in criminal justice systems reforms or behaviour change improvement programmes. Much attention tends to shift to the situation in Iraq, Afghanistan, Guantanamo Bay, etc. African prisons have been largely overlooked by the international community. Although some international organizations including the

Human Rights Watch (2004) and Amnesty International (2003) have thrown some lights on African prisons, research attention remain surprisingly low. The need to learn more about African prisons is reinforced by the Ouagadougou Declaration on Accelerating Prison and Penal Reform in Africa, and the Kampala Declaration on Prison Conditions (Penal Reform et al. 2003), which all attempted to promote strategies and standards that do not currently exist. The Nigerian prison could work on this framework by opening up the prisons for research and supporting collaborative efforts aimed at reforming the prisons, which currently are chronically underfunded, with dilapidated infrastructure.

## The Nigerian crime scene

The most commonly reported forms of crime in Nigeria include pickpocketing, armed robbery, rape, murder, burglary, kidnapping, arson and other financial and economic crimes including the popular '419' scam. Poverty, hunger, unemployment, peer pressure, idleness and materialistic urge are some of the popular drivers and causes of crime. Drug addiction, poor parenting and the general absence or poor mechanism of social controls exacerbate individual propensity for crime. Rural-urban migration draws mostly young people to cities in search of white collar opportunities, which, in most cases, are hard to come by. The consequent frustrations of urban unemployment open different attractive and informal avenues for survival, mostly outside the realm of lawful boundaries of livelihoods. The rise in crime correspondingly implies a rise in the rate of incarceration. While crime level has been high, the Nigerian criminal justice system remains highly inefficient and ill-equipped to cope with the enormity of their demand in terms of prosecution, trial and sentencing. Detail of the challenges confronting the Nigerian criminal justice system is discussed in the next section.

## Nigeria's Criminal Justice System

Generally, criminal justice system involves the totality of practices and governmental institutions responsible for directing social control, deterring and mitigating crime, or sanctioning those who violate laws with criminal penalties and rehabilitation efforts. The criminal justice system consists of the law-making organ of government (the legislature); the courts (for adjudication-settling disputes and administering justice); and the prisons, jails and other investigatory/probationary agencies. The prison remains last in the line of the criminal justice system with the mandate for punishment, correction and rehabilitation. The tasks of investigating and enforcing criminal law resides in the police authorities, which serve as the first entry point into the criminal justice chain. Nigeria's criminal justice system has, for several decades, been managed within the framework of the British



colonial administration-the Criminal Procedure Act (CPA) 1 and the Criminal Procedure Code (CPC) 2. The aim of the colonial justice system was to protect the Europeans from the exploited natives. For several decades, it has dictated the pulse of the Nigerian criminal justice system until the enactment of the Administration of Justice Act (ACJA) in 2015. The ACJA replaced the obsolete colonial criminal legal heritage with the goal of improving the efficiency in the administration of criminal justice, heavily challenged by excessive use of technicalities, long period of adjournment of cases, prisons and court congestion, corruption, excessive delays in adjudicatory process, poor capacity of staff, poor infrastructures and poor plans for rehabilitating and re-integrating ex-convicts into the society. The ACJA is supposed to represent a significant shift from punishment to restorative justice with interest in restoring victims, safeguarding their rights and advancing the emergence of an orderly society. The reality in today's prisons shows not much has changed in the criminal justice chain. The prisons still serve to accommodate all manners of offenders (civil and criminal). 'Awaiting trials' still constitute the highest among the detainees, with average of over 70%. *'All cases of offences are sent to the prisons'*, argued one respondent (a staff). He went on: *'it is so bad that at one point we had to reject some categories of individuals...but we were still forced to accept them by the authorities...the prison is not meant for people who have violated sanitation laws or several other civil cases...'*. There are several punishment options used in conjunction with or in place of prison terms including 'fines', 'community service', 'probation/house arrests', 'execution', 'electronic tagging' and 'prisons'. Our findings show these options are hardly utilized in the criminal justice system in Nigeria. The pressure is heavily on the prisons. Despite the hopes presented by the ACJA, the Nigerian criminal justice system still faces several other challenges bordering on the lack of independence of the judiciary, gross underfunding, corruption and human capacity challenges. The Nigerian criminal justice system has fundamental problem that resonates in the prison condition.

### **The Nigerian Prisons system and crime management strategies**

Nigeria's prison system is one of the British colonial legacies in principles, institutional architecture and management practices. Literature has it that the Broad street prisons (Lagos) was the earliest prison in 1872, which was later followed in 1909 with the establishment of other prisons in Calabar, Onitsha, Degama, Benin city and Sapele. The colonial prison arrangement was decentralized to reflect the diversities of the geopolitical and ethnic structures of society. Consequently, the management of the system was delegated to different

forms of administration including the District Commissioner and the native authorities. This arrangement later gave way to a uniform prison system following the amalgamation of Nigeria in 1994. Reformation and correctional interests still remain the main principles behind the Nigerian prisons service. In this context, the Nigerian prisons have served to cater for all categories of offenders including criminal and civil inmates, debtors, detainees, recidivists, etc. The prisons equally cater for adult males and females, young persons, children, pregnant women, nursing mothers, long and short term prisoners, condemned prisoners and inmates awaiting trial or being held for safe custody. It is speculated that over 60% (some locations could record as high as 80% or more) of the total prison inmates is awaiting trial for diverse offences. Some could wait between 1 and 8 years for their trials, but the wait can take even longer. Compared to the larger Africa, Nigeria has the lowest prison population rate of any country, at 34 prisoners per 100,000 population (Penal Reform International, 2003). While numbers are relatively low, the reality is that conditions are deplorable complicated by over-congestion/overcrowding, decrepit infrastructures (of the colonial era), poor or nonexistent plumbing, insufficient medical care, poor waste management, gross underfunding and ill motivated workforce, with potential for physical abuse, disease, and deaths in custody. As one of the penal institutions of the State, the prison is meant to be responsible for securely housing people who have been convicted or on 'awaiting trial'. Prisons maintain custody through measures aimed at preventing escape including erecting high walls or chain link, fence, placing guards, constant checks on cell perimeter walls and regular surveillance. Therefore, imprisonment has emerged as a form of humanitarian system of punishment for different categories of offenders in many societies. A notable feature of the Nigerian prison is its tendency to parade an unusually large inmate's population mostly dominated by those in the 'awaiting trial'. The Uyo prison, for instance (4<sup>th</sup> August 2017 statistics) parades a total inmate population of 938 dominated by 755 (80.5%) in the 'awaiting trial' (Male=697; Female=58); 150 (15%) convicts (Male=139; Female=11); 13 (1.4%) lifers (all males); 19 (2%) condemned criminals (all males); and one male detainee. By gender, the inmate population is dominated by 92.6% male and 7.4% female populations. Some 'awaiting trial' inmates were still in detention for over 4 years, with no prospect and plans for compensation on proof of innocence. A disproportionately high male inmate population probably gives an indication relating to the challenge of existential struggles. Perhaps the burden of personal and family responsibilities in a patriarchal society as Nigeria tends to weigh highly against men, pushing them into illicit and illegal means of sustaining livelihoods. A female respondents (in her 60s) argued: *'you can see only few females...in fact they do not have*



*much problem except minor offences...the problem is located in men...and they populate this Prison most!*. The Nigerian prisons play host to people with offences that ordinarily should not warrant imprisonment (e.g., sanitation offences, prostitution, driving, land struggles etc). Lesser offences could better be handled through several other options including fines, community service, electronic tagging and monitoring, etc, while worst offenders could go to prisons. Viewing prisons as a place for all manners of offences is costly on many fronts. It implies much money has to be budgeted for building and maintaining more cells, hiring staff, and feeding more inmates (even of lesser offence), and keeping them idle/disconnecting them from the labour scene. More costly is the prospect of making inmates of lesser offences more dangerous by locking them up along with hardened ones. It is possible the cost of incarceration could be reduced, and money channeled to funding improved policing and educational/schooling programmes.

### **The Prison inmates and preparation for reintegration**

One of the core responsibilities of the Nigerian prison service is re-integration and re-socialization. Research into ex-convicts' reintegration strategies in developed countries might not be applicable in different sociocultural contexts. Imprisonment poses a range of social, economic and personal challenges, which later affect the prisoner capacity for re-integration into the larger society. Some of the challenges have been highlighted to be associated with the ex-prisoner past experiences of social, economic and psychological isolation and or marginalization. Literatures have variously asserted that imprisonment might have produced some collateral effect on many ex-prisoners, including a loss of livelihood, social network and other personal belongings as well as some mental-psychological defects. In essence, the period of transition from prison to society can be very challenging for ex-prisoners especially when additional social perceptual problems of stigmatization and discrimination are envisaged. Reintegrating ex-convicts into the larger society is particularly difficult in Nigeria. In the first instance, the Nigerian prison system is very ill equipped to perform its critical task of reforming citizens convicted of crime. The poor state of the Nigerian prison system and facilities can hardly prepare convicts for 'life-after-imprisonment' through some forms of mental, intellectual, physical and psychological supports as well as equipping them with new skills and competences for future opportunities (UN, 2006). Our findings from the Uyo prison show that the Nigeria prison is very ill-equipped and insufficiently funded to execute this important aspect of their core mandates. There are very few low-skilled manpower

training workshop centres including tailoring, carpentry, welding, barbing, information and communication technology (ICT) and fibre, devoted to preparing longterm (convicted) inmates of two years and above for a life after prison terms. We also learnt the National Open University has approved one Centre for the Uyo Prison). The prison equally caters for the intellectual needs of inmates through schools and library programmes. For the technical skills, inmates' enrollment is voluntary, while their products are consumed within the Prison, and this is where opportunities for expansion are limited. One of the respondents lamented thus: *'...these inmates take their time and produce good quality materials...I bought one shelf years back from here, and till today it is still strong...'*. As a close organization, the skills, products and manpower potentials of the inmates can hardly be showcased to the general public and this does not give room for adequate preparation for re-integration and rebuilding of their lives after prison terms. The economy is also deprived of the opportunity of gaining from the services and productivities offered by the inmates.

### **Findings on inmates experiences, challenges and plans for reintegration**

By the current condition in which Nigerian prison inmates pass through, it is apposite to infer that prisoners in Nigeria negotiate plans for re-integration into the larger society from a position of weakness. Poor infrastructures and limited but ill equipped skill acquisition centres hardly provide the necessary incentives for engaging in self-development training and activities. Again, most of the inmates' socio-economic and family backgrounds hold little or no prospect of supporting the future development of inmates on release from incarceration. Even if some prospects were possible, the society-wide attitude of stigmatization barriers ex-convicts from availing themselves of available opportunities for rebuilding their lives. However, individual specific coping strategies may be helpful. All the respondents interviewed had no clear plans and hopes of being re-absorbed or re-building of their lives after their jail terms. Most of the respondents depend on *'God's plans for their lives after prison'*. 'one prisoner (in his late early 40s) who was serving six months conviction replied to our questions as follows: *'...well, although I have my plans and my wife has her's for me, I depend on God's direction as I will be concluding my stay tomorrow...'* Another who has spent over 4 years awaiting trial observed as follows: *'...I have learnt my lessons, but life is difficult...I have three kids and the burden is on my wife...it is now I know those who are my real friends and relatives...if I finally get out of here, I will relocate to start a new life in Akwa Ibom...I do not have anything, everything is gone...I only depend on God...'*. But



another male inmate (in his early 30s) currently serving a ten year term for robbery stated as follows: *'...I am a fisher man, but occasionally engaged in robbery, which led to my arrest, conviction and jail...I have learnt my lessons...I don't think anything will take me back to such business again...here in the prison I am doing farming and I hope to continue in farming after my jail term...I would not need money, all I will need will be farm tools and I can work and survive with my family...'* extremely few inmates enroll in few training workshop with grossly inadequate facilities. When asked why he does not take advantage of some training workshops provided for the inmates to build skill and prepare for future after jail term, a male convict (late 20s) said he cannot do anything because facilities are not available. We equally interviewed an inmate in his late 20s (serving 5 years term) who was coming from the ICT class, and he had this to say, *'...I take advantage of this ICT to improve myself and today we were learning Microsoft...when am through with my jail term, I hope to set up a business and may want to further my education...'*. Although the Uyo prisons run some training workshops including tailoring, carpentry, barbing saloon, welding, fibre making and ICT, these workshops are highly underequipped. Facilities are virtually non-functional. The tailoring workshop had only one functional tailoring machine, which cannot support an average of 10 trainees projected per day. The ICT section had less than 20 plastic seats and 6 computers (5 of which is claimed to have been donated by the State Government while one was donated by the NGO running the place). Farming activities are not strongly supported as would be expected. Very small portion of lands were used for vegetables and that cannot be said to adequately cater for the interest of the inmates. Generally, the prison facilities do not have clear plans for rehabilitation or preparation of inmates on 'awaiting trial' for re-integration into the larger society (should they be found innocent), notwithstanding the number of years served. One Senior staff interviewee told our team the following: *'the prisons are meant for convicts...they are the real landlords entitled to every facilities and services...inmates on 'awaiting trial' take advantage of existing facilities if they desire...you cannot force them...'*. The inability of the Nigerian prison to adequately provide the needed infrastructures for skill acquisition and training for the inmates is the main factor that works against successful rehabilitation and re-integration of inmates. Inmates' interests for acquiring some training skills and building capacity for future use are highly circumscribed by grossly inadequate infrastructures of skills acquisition and rehabilitation. One cannot learn where there is no opportunity. As one inmate interviewee noted: *'I would be interested in learning some skills but there are no facilities, virtually nothing to engage me...I would appeal to government to help equip some of the training centres...'*

## **Problems and challenges of reintegration of ex-convicts in Nigeria**

### **1. Recidivism:**

The rate at which prisoners get recycled in Nigerian prison remains very high. A male respondents in his early 50s had this to say: *'I know of one boy who served here, and when he was freed without appropriate resettlement, he went and stole a fowl from...and was brought back...when asked why he did that, his response was he was better off staying in the prison than outside...'* Macro-societal, socio-economic and cultural factors contribute to recidivist tendencies of ex-convicts. The argument is that the prison system mirrors the dynamics and conditions of the larger society. If the larger society commands weak value culture, social norms and poor attitude to entrepreneurship, every other associated institutions in the society is more likely to be affected. The rise of petroleum oil as the basis of the Nigerian economy in the 70s equally led to the rise in poor attitude to work and the mentality of 'get rich quick' among the people. This challenge got complicated by the problem of elite corruption that leaves all institutions of discipline, education and morals weak and incapable of citizenship building. Young people get increasingly lazy and would not want to work. Others would not want to go to school especially given the ease they can secure livelihoods through dishonest means of accessing 'quick money'. This same attitude is reproduced in the prisons. Inmates prefer food to training and self-development. *'It is very serious'*, argued one male correspondent in his late thirties: *'...if you have to attract their attention, cook food, provide biscuit and other eatables or wearables...without that you are wasting your time...they would not come...I think most of them are lazy...and it is affecting their future'*, he noted. Poor attitude to self-development among the inmates is one of the greatest impediments to rehabilitation and re-integration of ex-convicts. The attitude to work may be there among some, but the prison system has no structured plans for rehabilitation and re-integration of ex-convicts upon release. The extremely few training workshops are highly underequipped and cannot provide incentives for self-development activities for the inmates. Having wasted several years or months in confinement without anything to show, it is difficult to get such inmates, on release, on a path to rehabilitation and improved living, hence the tendency for recidivism.

### **2. Stigmatization**

The challenges of re-integration common to ex-convicts are due largely to the internalized view held by communities along with the larger society, which make it difficult for ex-prisoners to gain employment upon release from prison. Ex-convicts, in most cases often have to deal with the stereotypes and stigma of being perceived as violent, uneducated and lazy, among several others. This



problem is compounded by the inability of the relevant State and social institutions to support the full re-integration of ex-convicts through some enabling processes and platforms. For instance, it passes as standard practice that many employers of labour in Nigeria discriminate against applicants who had suffered some criminal convictions. A frustration arising from job discrimination is more likely to encourage recidivism. Stigmatization goes beyond the general perception of the personality of the ex-convicts, it affects their businesses and business interests- *'...yes you are talking about a situation where even the skill you acquired does not have meaning...the society does not patronize you...'*. Stigmatization problem traverses every facet of our societal institutions including the family, church and academic institution. One staff who runs some support programmes for the inmates painted the scenario when he said: *'...it is very serious that the church that is supposed to help does not help...we have experiences of launching an appeal for support in the church for prison inmates...the response has always been negative...people do not see why they must support prisoners...it is serious that in one occasion some members of a certain church organization were querying the need for renovating and building a befitting place for prisoners...'* For most people and organizations, prisoners are paying for their sins and should not be supported. A prison official corroborated this position with an experience he had in an academic institution, where a professor had to speak against supporting prisoners and ex-convicts on religious grounds, citing the Biblical portion which emphasizes that *'the soul that sinneth shall die'* (Ezekiel 18: 20). To most in the Nigerian society, the Prison is a 'trash can' that should be dumped all forms of 'rubbish'. Irrespective of the category of offence, once you had been in prison, you are not likely to be accepted at every layer of the society and its institutions, as one female inmate in her late 40s noted: *'...sir! It would be difficult, but with God, I will try to cope...'* Asked about their prior attitudes towards ex-convicts, all the inmates (males and females) were unanimous in their attitudes of seeing prisoners as the worst offenders on earth who should not be associated with. One female inmate in her early 40s said, *'...now my attitude has changed...people have different problems that bring them to the prison and so we should not generalize...I have learnt my lessons...being in the prison is much more than going to school...you learn a lot practically...nothing would bring me here again...'* The negative image held of prisoners from the outside gets reinforced at every layer of the society (including the family, church, public institutions and the general society) and poses the greatest challenge toward achieving successful reintegration for ex-convicts.

### 3. The Prison Governance

The Nigerian prison functions as an organization that is

influenced by a range of political, social, economic and administrative arrangements. By this, it finances, services, operational efficiency and management practices are directly influenced by the macro institutional interests and practices across the executive, legislative and judiciary spheres. In the first instance, the Nigerian prison system is a security formation directly under the Ministry of Internal Affairs. The functioning of its daily bureaucratic and administrative practices is directly and centrally supervised through structured and networked systems of regional and State commands. The governing principles, laws and regulatory framework for its daily operations and practices are supplied by the legislative arm of government, while the judiciary is responsible for matters of justice. In this context, the performance of the Nigerian Prison system is a function of the effectiveness and performance of the three arms of government-the legislature, executive and the judiciary. From the perspective of the laws and regulations, the Nigerian prison had been built around colonial legislative framework of custodianship and punishment for several decades until 2015. But the Administration of Criminal Justice Act (ACJA) of 2015 made some provisions in the direction of restorative justice with interest in improving efficiency, checking prison congestion, etc. In the light of global experiences and practices in prison reforms and management, the ACJA cannot be said to be comprehensive as it fails to embrace best practices in open prisons and diverse sentencing options, as well as the use of modern technology in the management of inmates. Inadequate reforms in the legislative sector equally affect the activities and practices in the criminal justice chains especially the Court and the Police. The Uyo prison, for instance, hosts inmates of all categories of offences, including sanitation offences (which could easily be handled through fines or community services). Although our scope of research did not directly focus on profiling available staff capacity, our regular interactions and interviews show the Uyo prison lacks adequate supply of manpower at many levels. Critical manpower areas including psychology, psychiatry and medical science are not manned by specialists. In short, no psychologist, no psychiatrist and no medical doctor in the Uyo prison's employ. Most of the staff are hardly in tune with modern practices associated with the Prison system. They see the prison from the prism of custodianship. Important and specialized service units including counselling, aftercare, etc., are either none existent or grossly undermanned and underequipped. Poor human capacity hardly opens up the Nigerian prison to ideas and innovative practices, and this affect the performance and efficiency of the system. A highly centralized and slow bureaucratic arrangement equally poses a great challenge against securing some best practices for improved prison and inmate's management through critical partnership. Corruption happens to be the greatest problem in the



Nigerian prison system. Our focus here never extended beyond the experiences in the Uyo prison. Our team had opportunity to interact with some ex-convicts who gave their diverse narratives of hijacking of food and material donations for inmates, poor utilization of funds meant for inmates' care and outright exploitation of inmates. Corruption in the prisons implies that the prospect of partnership for improvement in infrastructures and services within the system may not succeed on grounds of poor accountability. One of the main reasons why the prison remains less open to research and public scrutiny is the fear of exposing some shady practices within the formation. One ex-convict in his early 50s noted: *'...if you see what happens in the prison, you shed tears...the system is rotten...inmates will never see or have a taste of any food item donated from the public...whether cow or goat...'*. Another respondent (in his late 30s) argued: *'...the prison authority can never allow you interview the inmates freely...they must have coached them before they were invited for interview...no staff wants those inmates to expose the system and say out their real experiences...they can never...'* Our research team was surprised to witness that only one sewing machine is functioning (though at sub-optimal level) for 938 inmates. Similar situations prevail in other skill acquisition centres, but the authority would not, at any level, hesitate to boast of well-equipped and functional skill training and acquisition centres.

#### 4. The Nigerian Prison and After care services

The Nigerian prisons claims to run after-care service charged with the responsibility of resettlement, follow-up, re-integration and re-socialization of ex-convicts. Our field experience shows that the 'after care' departments revolves around extremely few and highly under-equipped manpower and relevant other resources. The Department runs no independent budget plans. The Department exists in name. By our interaction with some staff, extremely very few inmates receive follow-up services, and this probably has to do with some external facilitations. Inmates who have concluded their terms depend on families and voluntary support from the prisons staff on small matters as transport fees back to their destination. One staff respondent observed: *'...nothing is available even for transport on discharge...they depend on their families...and where support is not forthcoming, voluntary donations from staff may be possible depending on availability or how kind and good the inmate was...yes, most inmates get stranded...there is nothing we can do if it is not possible...'* One of our team members had an occasion to mobilize transport support to one inmate who finished his jail term and was about to head to the Middle Belt of Nigeria. *'...the man had nothing to pay back home...I had to arrange some transport money...I would have asked him to sleep in my place, but you know it is difficult to trust some people especially an ex-convict...if something happens, people would mock you for daring to put your hands in fire...'* Our effort to locate an ex-convict who was successfully re-integrated could not yield fruit as one staff interviewee argued: *'...would you use your personal money to fuel your car and finance such visit...not possible...the budget is not there...and there is nothing we do about that...'* Poor follow-up service implies possible success stories and challenges of ex-convicts cannot be tracked to

improve on the system. In the first instance, the Nigerian prison system is very ill equipped to perform its critical task of after-care. From all indication, its function is only narrowed to custodianship; every other statutory responsibilities exist on paper. More so, the poor state of the Nigerian prison system and facilities can hardly prepare convicts for 'life-after-imprisonment' through some forms of mental, intellectual, physical and psychological supports as well as equipping them with new skills and competences for future opportunities. Running after-care requires heavy logistics, which are not possible under current circumstances of gross underfunding and improper documentation of the inmates' home addresses.

#### The future of the Nigerian prisons

**a. Open Prison:** An open prison (open jail) is an innovative approach that allows prisoners of low risk to the society (an on trust) to serve their sentences with minimal supervision and perimeter security. An open prison does not support confinement or lock-up prisoners in cells. Various plans are utilized in open prisons depending on goals of incarceration. Some countries see an open prison as a training opportunity to rehabilitate prisoners, while in some context, prisoners are permitted to take up employment while serving their sentences. One insider view of open Prisons argued thus:

'Open prisons have been used since 1936, because they are the most effective means of ensuring that prisoners are suitably risk-assessed before they are released into the community under appropriate licence conditions. When a prisoner moves to the less rigid structure of open conditions an assessment can be made in a relatively safe environment of how the prisoner will adapt to increasing responsibility. For many prisoners, in particular those such as life sentence prisoners, who have spent a considerable amount of time in custody; these are essential components for successful reintegration in the community and therefore an important factor in protecting the public' (<http://prisonuk.blogspot.com.ng/2014/12/why-we-need-our-open-prisons.html>).

The open prison system has potential for solving decongestion and reintegration challenges. Open prisons could decentralize prisons operation by facilitating extensive and in-depth engagement of prison inmates in many productive sectors of the economy including agriculture, manufacturing, low-skilled services (e.g., urban wastes disposal and management). Engaging prisoners in agricultural activities, either in government or private farms, for instance could bridge the manpower gap in the sector or contribute to improved food supplies and sufficiency. As a federal formation, the prisons operate under one core mandate of correction, reformation, re-integration and re-socialization. It is also a potential source of manpower for the country, but this has not been effectively harnessed across the country. Prisons in the north may be exceptions given their antecedent of using inmates for all forms of productive engagements as one respondent stated: *'...prisons in the north are still effectively utilized for business opportunity by their respective State governments...since the prisons were originally owned by the Emirs...'* There are options for open prisons. In some countries, there is high level of private sector



partnership in prisons services management, where inmates are catered for in private formations with strict public monitoring and regulatory controls, e.g., USA. Technology could also facilitate open prison system, where inmates with lesser offences and criminal bent are electronically tagged and monitored, but the capacity challenge may not give way.

**b. Prisons and the use of technology:** As a form of surveillance method, electronic tagging involves the use of an electronic device fitted to a person for the purpose of tracking his or her location wherever there is satellite signal. Electronic tagging mostly uses the Geographical Information System (GPS) technology, and can use various devices including ankle monitor for people who have been sentenced to electronic monitoring by a court. In this case, a wearable device is attached to a person by a probation officer, law enforcement or private monitoring services company personnel. Electronic monitoring provides opportunities for prisons decongestions, cost saving due to reduced incidence of confinement and improved/easy rehabilitation and reintegration of ex-convicts. Electronic monitoring has other advantages such as allowing prisoners to maintain their regular employment and contact with families as well as leading to reduced negative psychological effects of imprisonment. Although electronic monitoring attracts some criticisms as an alternative to incarceration, developing countries particularly Nigeria could reap huge win-win benefits of prison decongestion, savings on public resources as well as minimizing the challenges of re-integrating and re-socializing ex-convicts into the larger society. Our interaction suggests that implementing electronic monitoring system in the Nigerian justice system faces a great challenge of poor capacity.

**c. Partnership with NGOs, religious groups and CBOs** for resettlement through well-developed private skill development and business centres could also be a possible option to fully engage prisoners and ex-convicts in productive and development activities.

In conclusion, the Nigerian criminal justice system needs tremendous legislative, legal, administrative and policy reforms in

the direction of decongestion, improving the efficiency in the management of the criminal justice process, taking advantage of innovative and best practices, encouraging partnership with the private and non-governmental bodies, minimizing administrative corruption and re-directing the energies of the prison inmates to productive engagement for the overall benefit of the economy. The criminal justice chain is a problem which affects every elements and practices at the prosecution, pre-trial and sentencing levels. Some levels of education and awareness are also necessary to create sensitivities around specific issues. For instance the judges could be sensitive to the congestion challenge by embracing alternative custodial sentencing options (e.g., community service, more liberal bail terms, etc) for minor offences. It is also important for policy makers to realize the potential of the prison industry in economic transformation and evolve some institutional arrangements to take advantage of this prospect.

The study equally found out that prisonization (a process whereby newly institutionalized offenders come to accept prison lifestyles and criminal values) has been another source of concern in Nigeria. As virtually all infrastructures of rehabilitation and reintegration are not functioning, the temptation to be internalized into the mores, customs and values of inmates' subcultures remain of potential threat to the goals of rehabilitating inmates and preparing them to life-after-prison terms.

Our major observation during a follow-up interview seems to align with the view that the cost of incarceration in Nigeria is higher than the supposed benefits. Imprisonment seems not to be correcting behaviours in the desirable direction; it rather reinforces criminal tendencies of inmates. A case of an inmate we interviewed, one day to his release, was an interesting case in recidivism. By all indication, the inmate had shown remorse and promised to be of good conduct on release. One of our team members got his contact details and proceeded to help him rebuild his life. In less than one month, the ex-convict was already involved in multiple cases of swindling, forgery and extortion, and other criminal behaviours. At the time of going to the press, the young man was already in the Police custody. This, and related ones, are interesting areas for more research.

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