Sapientia Global Journal of Arts, Humanities and Development Studies (SGOJAHDS), Vol.4 No.1 March, 2021; p.g. 147 – 154; ISSN: 2695-2319 (Print); ISSN: 2695-2327 (Online)

EVALUATING REHABILITATION PROGRAMES AND CRIME RELAPSE AMONG INMATES IN TWO SELECTED MAXIMUM SECURITY PRISONS IN NIGERIA

EZEAJUGHU MARY C. (PhD)
Department of Political Science
Faculty of Social Sciences
Tansian University, Umunya, Anambra State

ABSTRACT

This work focuses on evaluating crime control and rehabilitation programs in two Nigerian prisons (KiriKiri Prisons in Lagos and Kuje Prisons in Abuja). The narrative started with a background that while society agrees that offenders and criminals should be punished, the punishment should generally not be punitive but rather to serve the purposes of correcting, rehabilitating and reforming the offender while at the same time deterring both the offender and would-be-future offenders from doing or committing similar offence. The population consisted of both youth and married, majority of which have been to prison more than once, thereby showing a high level of recidivism and hence suggests the failure of the rehabilitation programs in the Nigerian Prison System.. Both the prison's officials and majority of the prisoners agreed that these factors, among many others, are responsible for the present high state of relapse and recidivism. The study, therefore, concluded that there are both 'push and pull' factors that aid and even encouraged recidivism. Part of these factors are societal stigmatization, the availability of a ready pool of former criminal elements to offer assistance to the inmate to ensure his survival and pull him back in to crime. This implies that government will have to revisit its operational method if the level of relapse is to be minimized and the rehabilitation programs are to have positive effect in reducing relapse of inmates into crime.

Keywords: Crime, Crime Control, Punishment, Rehabilitation, Relapse, Recidivism.

Introduction

Generally, news of crime and criminal acts elicit different reactions from the people. Sometimes people are intrigued, attracted or repelled, amused or frightened. While interest in crime has usually been high, understanding why it occurs and what to do about it has always been a problem. The reality is that crime is inevitable and has both positive and negative roles to play in human society. In traditional societies, criminal activities manifested in petty crime such as stealing, burglary, rape among others. However, with increase in the level of unemployment and education, Nigeria has now witnessed high level of criminal activities.

With the rise in the number of urban areas and the depletion of the rural areas, crime has also become intensified. While majority of the states in Nigeria are rapidly urbanising due to modernisation and technological advancement, ironically, attendant to this affluence is also a rise in the level of criminality experienced in those states. The level of criminality experienced

has moved from petty crime to highly sophisticated and intellectual crimes such as kidnapping, vandalisation of oil pipelines, daylight bank robberies with a high level of sophistication and armaments that surpassed even those of the police who are supposed to assured the society of its safety.

State response to this development has not been encouraging even to the extent that it has been opined that the state has no answer to these crimes. The sophistication and intensity of crime appears to have overwhelmed state response and agencies ability to curb or control it. It would seem that while the criminals are developing with time in terms of sophistication of weapons and gallantry, the state institutions seem to have remained static and stagnant, often times bereft of ideas and innovation on how to combat crime. The crisis is also a reflection of the state's inability to provide and also give an assurance of the provision of the basic necessity of food, shelter, clothing and security of life and property for the citizenry.

This underscores the use of prison services as institutions for the control and reform of criminals. The underlying principle of modern prisons system therefore, is to improve, rehabilitate, deter the offender and others, and prepare him to play a fit and proper part in society once released. Prison therefore provides a confinement where socially and legally interned people who wronged the society are kept for reformation, rehabilitation and possible reintegration (Ugwuoke, Utido & Nura, 2015).

Although McCorkle and Korn (1954) have defined prison as a physical structure in a geographical location where a number of people live under highly specialized conditions that is different from the larger society, the idea behind imprisonment is to separate for transformation, those that society considers unfit or as threat to cohabit with due to their criminal behavior. Generally, imprisonment becomes an aspect of punishment, just as the reattribute and the deterrent philosophers have stressed. Thus, a deviant is punished in order to pay him back for his actions and to deter him/her or others from committing similar offence or crime (Obioha, 2011). As crime control measure, imprisonment is most appropriately conceived as a formal perspective of inflicting pain on the individuals, which has been an aspect of the traditional criminal justice system in various societies including Nigeria.

Background to the Nigerian Prison Services

Imprisonment serves specific functions in the society and for the offender. According to Ugwuoke (2013), these functions include protection of the society, deterrence, retribution and rehabilitation. Just punishment of the offender will, in addition, counts as part of the functions imprisonment serves. To achieve these noble objectives to both the society and the individual offender, the Nigerian Prisons Services (NPS) was established as a service provider for prison inmates in order to restore them to fullest physical, mental, psychological, social vocational and economic usefulness which they are capable of (NPS Manual, 2011). The NPS Manual (2011) posited that the realization of reformation and rehabilitation of convicts are to be done through a complex set of mechanism such as conscientization, group work, case work session, recreational activities, religious services adult and remedial education programmes, educational development project, skills acquisition programmes, mid-range industrial production, agricultural service and after-care service programme.

The prison system is divided into six Zones manned by Controller of Prisons who are respectively responsible to the Controller General of prisons acting as coordination. It seems to operate a unitary system, one single chain of command. Each prison unit is under the control of officer in charge not below the rank of superintendent. There are different classes of prisons. This classification determined the prisoners to be intern in such a facility, condemned prisoners and persons serving life sentences would only be held in maximum security prison while persons sentenced to terms not less than 2 years are kept in convict/medium security prison. While Borstal institutions are to serve as a training institution for children. District prison/lock ups are prisons for first offenders or minor offenders. And prison farms are mechanized farm for prisoners. Nigerian prisons consist of 232 prisons, 9 prisons farm with five poultry farm, 4 training schools, 3 Borstal institutions, one prison Staff College.

Majority of prisons in Nigeria where built by the "Colonial administration" and "Native authority" predating the era Nigeria gain independence in 1960 (See Table 1 below). The conditions of these prisons are in an "alarming state of disrepair with no sense of "Maintenance culture or renovation reflection of long neglect by the Nigeria government. In fact most of the prisons constructed at this period are old fashion, in bad shape and at the brinks of collapse. However, few prisons have been constructed with most substandard materials, which are a far cry from modern prisons. Examples of such new prisons include, Funtua (2003) Gusua Medium Security Prison Kirikiri (1993), Kebbi New Prison (1991), Oyo and Eket Prisons (2007) respectively.

The NPS was established in accordance with three forms of penal legislation which operate alongside each other in the country; the Penal Code and the accompanying Criminal Procedure Code Cap 81 Laws of the Federation 1990 (CPC); the Criminal Code and the accompanying Criminal Procedure Act Cap 80 Laws of the Federation 1990 (CPA) and the Sharia penal legislation in 12 northern states (which applies to only Muslim members of these states). By its establishment philosophy, the Nigerian prison service is an institution meant to administer penal treatment to adult offenders. Its importance is in the bid to reduce crime in the society. On the basis of imprisonment policy, the prison service was established to manage criminals in prison yards. This constitutional function empowers the Nigerian prison operatives to:

1. keep convicted offenders (prisoners) for safe custody,
2. keep awaiting trial inmates in custody, until law courts ask for their production
3. punish offenders as instructed by the law courts
4. reform the convicted prisoners
5. rehabilitate and to re-integrate prisoners who have completed the sentences in the prison (extract from prison training manual) (cited in Adetula et al. 2010)

Statement of the Problem

Controlling crime and criminality through prison rehabilitation programmes have been of great concern to many citizens and the Nigerian government in general. This is not only because many inmates come out worse-off than they came-in but also because Nigerian prisons have been enormously characterized by some problems which several studies have indicated to be the reasons for the inadequacy of the system as a corrective institution. For instance, Nigerian prisons are overly regimented to the extent that there is strict control in

virtually all activities of the inmates. This often leaves the prisoners in a mentally brutalized manner with broken body and spirit, which destroys the individuals. Thus we could insinuate that Nigeria prison system tend to destroy the individual members of the community as against its essence of rehabilitation.

Obioha (1995) and Adetula, Adetula & Fatusan (2010) have asserted that contact with the prison institutions in Nigeria makes the less hardened individuals to be more hardened in criminality activities upon release with more tendencies than not to relapse to criminal activities, which generates high frequency of recidivism. In the same vein, the penal institutions sub-systems; the justice, the police, prison yard and the operatives ways of administering and enhancing criminal behaviour and recidivists than serving deterrence, repentance, reformatory and reconciliatory attitudes between reconvicts and people in free society to enhance confidence in physical and conceptual security (Adetula et al, 2010). A cursory look at the lock-up pattern and content of most Nigerian prisons leaves much to be desired. For instance, the remand and convicts populations, the minor and serious offenders, the younger and older inmates are not systematically sorted out in different cells according to the Standard Minimum Rule (SMR) for imprisonment, which prescribes that prisoners should be locked up according to their various categories.

Another problem that tends to characterize most Nigerian prisons is human resources wastages and idleness among the inmate as most old time trade ideas and occupations have almost disappeared. The SMR prescribed the establishment of trade and skills acquisition centres within the prison yards, where these are found in Nigerian prisons, they are either not functioning or unsuitable for some of the inmates who prefer other trades and educational learning processes that are not existence in the prisons rehabilitation curriculum. Thus, most Nigerian prisons may be described as a home of idle minds due to lack of what to do, lack of workshop facilities and lack of good skills which the prisoners would like to learn.

Social infrastructural facilities are other important requirements for effective rehabilitation in prison system are most often non-existence. However, where they are in existence, these facilities which include social and recreational facilities have been reported to be in bad shapes. Some ex-convicts have reported poor infrastructures and housing facilities of some Nigerian prisons. Many prisons still parade the structure built over fifty years ago with the rooms and cells not good for human habitation while the bedding are absent in most cases. These poor living conditions could be partly responsible for most jailbreaks and maladjustment behaviour witnessed among most inmates. Studies have also shown that the correlation between population of inmates and the outcome of rehabilitation. As such, overcrowding of prison inmates was found to be positively correlated with maladjusted problems after release (Ifiomu, 1987; Obioha, 1995). A cursory observation of most Nigerian prisons showed that they hold more population of inmates than they were originally planned to accommodate. Painfully, there are no readily designated hospital and enough health personnel and drugs to heal the sick inmates. These problems of overcrowding seem to be an age-long problem of Nigerian prisons system which successive administration have been contending with.

However, the extent to which this maxim is true in practice has been a subject of controversy. Instances abound where the prisons have become a training ground for criminals instead of

rehabilitation home in Nigeria (Obioha, 1995). A casual observation of the population that goes in and out of the prisons in Nigeria presupposes that there are some problems in the system, hence the prisons system has not been able to live up to its expected role in Nigeria. The worry about the manifestation that Nigerian prisons has not lived up to expectations in terms of impacting positively on lives and vocations of inmates has raised several questions that have not yet been completely addressed on the system's functions and existence. Against this background of the existing gap arising from the questions of functionality of the prisons in Nigeria, this study articulates the problems that exist in the Nigeria prisons and the reform processes that have been put in place by successive governments to address them. The extent to which these reform agendas have been implemented and the impacts they have had on the overall prison system in Nigeria will also be discussed.

Objectives of the Study

The main objective of this study is to assess the effectiveness of crime control and rehabilitation programmes in Nigerian prisons. Specifically, this study focuses on achieving these objectives;

1. To determine the extent to which NPS have performed its mandate of controlling crime through its rehabilitation and programs.
2. To assess the functionality of the Nigerian Prison Systems in rehabilitating inmates.
3. To determine the factors hindering the performance of NPS in crime control
4. To examine the efficiency of the present programmes in controlling crime.
5. To recommend ways through which NPS can be repositioned for effective crime control.

Significance of the Study

The conduct of this research is apt at this time when the federal government of Nigeria, has just changed the Nigeria Prison Service (NPS) to Nigeria Correctional Services (NCS) through legislation of the National Assembly in his quest to reposition the agency. Over the years, the Prison services has been under the attack of the civil society organization, legal practitioners, and other professional bodies on the poor state of prison facilities and rehabilitation services offered. However, the change of name of the agency from NPS to NCS is not enough as details study like this would provide far reaching data about the state of affairs in the NPS with a view to setting the pace for comprehensive reform.

In addition, the outcomes of this research will be a veritable tool for legislative review of the existing laws establishing the agency as well as the mandate of the organization. Members of National Assembly will be in position to have firsthand information on the various aspects of the NPS Act that was repelled that are not consistent with global best practices in the world. This will not only douse the tension of civil society on human right but also reposition Nigeria in the comity of nations. This study will enable professionals such social workers, psychologists, medical doctors, psychiatrics and other health practitioners update their records and develop manuals for intervention programmes for inmates and ex-convicts in Nigeria.

The findings of this study will also enrich literature on correctional services and new conceptual framework that would be produced by this study would challenge the existing

theoretical paradigm on correctional services and create a new paradigm for scholars and researcher to adopt in their research endeavour.

Literature Review

A number of concepts implicated in this study were reviewed to avoid ambiguity. These concepts, which have been studied by various scholars in some details, will be reviewed briefly here. However, a more detailed review will be done in the later course of the work. These concepts are crime and crime control, punishment, rehabilitation, prison and prison services

Crime and Crime control

Because of the absence of a utopian society, crimes are committed at one time or another in spite of various preventive methods by the police. Those crimes that escape prevention are detected through professional techniques. Crime detection is thus the next biggest policing methodology after patrols and the most effective. Detectives are able to stake out criminal hideouts and arrest them before or after their criminal acts. Crime detection is an exclusive field of police professionalism. Thus, the police are capable of smashing criminal syndicates by the application of various investigative techniques (Onyeozili, 2008).

Coleman (1984) defines "crime as a violation of the criminal law". Furthermore, "a crime is defined as an act or omission prohibited by law for the protection of the public and punishable by the state in a judicial proceeding in its own name". To commit a crime is to face the risk of official punishment.

Punishment

What then is Punishment? According to Barlow (1984, p. 476), punishment is defined as any action designed to deprive a person or persons of things of value because of something that person has done or is thought to have done. Turk (1969, p. 19) has expatiated on the concept of 'things of value' as "liberty, civil rights, skills, opportunities, material objects, less tangible forms of wealth, health, identity, life and - perhaps most crucial – significant personal relationships." On the other hand, the term 'designed' in the definition above implies that who punish do so knowingly and intentionally. Hence, punishment is a reaction intended to deprive the punished of something the punisher assumes is valued.

Prisons and Prison Service

Prisons are designed to keep custody of the legally interned, and by doing so, it helps to make the society safe from misdemeanants and lawbreakers who disturbs the peace of the society. Many are oblivious of this fact. When criminals and other dangerous elements are locked up in the prison, the society is insulated from their nefarious activities, thereby making the society safe for habitation and cohabitation. Hence, the prison is a vital part of the security set up of every society (Ugwuoke, 2015).

Not only does prison keep custody of the legally interned, they go further to identify the causes of their anti-social behaviour. The prison is like a hospital where psychopathic deviates and people who are in conflict with the law are treated. Before treating a sick person, the doctor would first of all identify the cause(s) of the ill-health; in other words, there must be a diagnosis to know the causative factor before administering treatment. Ideally, every prison

must have behavioural scientists like the psychologists, social workers, occupational therapists, guidance and counselors, and so on. These professionals are very important and necessary in the operation of every prison, goal, correctional facility or penitentiary. The core function of the prison is to reform and rehabilitate prisoners. This is requisite for the prison to achieve its mandates.

Rehabilitation in Prison Services

Rehabilitation is derived from the Latin word rehabilitate which literally means 'making fit again' (Wikipedia, 2015). In the prison context, it means readying prisoners to rejoin society after serving their jail terms, as useful, productive and law-abiding members of the wider community. Rehabilitation is of the assumption that crime is a behaviour, which is causal. This means that crime is not as a result of the person's freewill, but some factors which are as a result of nurture. The decision to commit a crime is determined, or at least heavily influenced, by the environment, psychological development, or biological makeup. People are not all the same—and thus free to express their will—but rather are different. These individual differences shape how people behave, including whether they are likely or not to commit crime.

Conclusion

It is the tendency in society to perceive criminals as social deviants in as much as deviance refers to a breach of social order. This notwithstanding the criminal as a social deviance must be seen and understood within the context of his relationship to specific forms of socioeconomic organizations. This becomes more pertinent especially in a capitalist society, which is ultimately defined by "the process that transforms on one hand, the social means of subsistence and of production into capital, on the other hand the immediate producers into wage labourers" (Marx, 1967, p. 714). The post-colonial state of Nigeria is experiencing a rapid rate of urbanization with all its attendant social, political and economic problems. It is within these contradictions of capitalism that urban crimes and deviance emerge.

Recommendations

Our recommendations are derived primarily from what we noticed when we visited the two prisons for fact-findings and majorly from the interview conducted with the officials of the two prisons. We perceived the six (6) officials interview as authorities because between them have put in a total of 64 years in the service of the Prison system in Nigeria, hence we took their suggestions seriously. Among the facts that we could gleaned from their responses and which we took as part of our recommendation are that;

1. Proper funding of the prisons, to help revive their ailing workshop and industries for proper rehabilitation.
2. Qualified professionals should be recruited for adequate rehabilitation of inmates.
3. Government should attempt to provide jobs for inmate after their serving jail term in order to discourage joblessness which serves as one of the reasons for relapse.
4. Government should build rehabilitation villages for discharge persons before final reintegration back into the society.
5. Public enlightenment has to be done to educate the public that prison is not the best place for their wards.
6. Ex-Convicted should be politically accommodated, that is, have the right to vote and be voted for

References

Adetula, G.A; Adetula, A., and Fatusin, A. F. (2010). *The Prison Subsystem Culture: Its Attitudinal Effects on Operatives, Convicts and the Free Society*. *Ife Psychologia*. 18(1): 232-251

Agara, Tunde, Chizea, Bonaventure and Oarhe, Osumah (2016). When Works Disappear, Crime Appears: A Political Economy Analysis of Urban Crime in Edo State, Nigeria. *Journal of Studies in Social Sciences and Humanities,* vol. 2, no. 4, 2016.

Farkas A, M. (1999) *Correctional Officer Attitudes toward Inmates and working with Inmates in a "get*a. tough" *Era Journal of Criminal Justice* Volume 27, Issue 6, November-December.

Lariviere, M. (2001) Antecedents and Outcomes of Correctional Officer Attitudes towards Federal Inmates: An exploration of Person-Organization Fit. (Unpublished doctoral thesis).Ottawa,On:Carleton University

Lipton, D., Martinson, R., and Wilks, J.(1975). *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Strategies*. New York: Praeger.

Lynch, M. J., Groves, W.B. and Lizotte, A. (1994); The Rate of Surplus Value and Crime: A Theoretical and Empirical Examination of Marxian Economic Theory and Criminology. *Crime, Law and Social Change* 21. Andenaes, J. (1974). *Punishment and Deterrence.* Ann Arbor, Univ. of Michigan Press.

Andenaes, J. (1974). *Punishment and Deterrence.* Ann Arbor, Univ. of Michigan Press.

Davidson, R. (1965). The Promiscuous Fine. *Criminal Law Quarterly,* 8 Gatotoh, A. M., Omulema, P. E., and Dankitt, N. (2011) Correctional Attitudes: An Impetus for a Paradigm Shift in Inmate Rehabilitation. *International Journal of Humanities and Social Science,* Vol. 1 (4):

Greenberg, D. F. (1993);*Crime and Capitalism: Readings in Marxist Criminology*. Philadelphia: Temple University Press.

Hagan, J. (1994). *Crime and Disrepute*. Thousand Oaks: Pine Forge Press.