

**THE NIGERIA PRISON SYSTEM AND THE FAILURE OF
REFORMATION AND REHABILITATION: A STUDY OF
OWERRI PRISON**

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ABSTRACT: This study set out to evaluate the prison services and recidivism in Owerri prison, Imo State, Nigeria. The statement of problem is that despite variety of reformation and rehabilitation programs designed to change the pattern of criminal or antisocial behaviour of criminals, recidivism is still high. The objective of this study is to examine the roles of reformers that cause the high rate of recidivism in Owerri Prison. Eight research questions and three hypotheses were formulated to guide the study. A survey research design was used to study a population of 276 respondents which include questionnaire, interview schedule, focus group discussions. With the imitation theory of Gabriel Tard as central, the study was built on a multi-stage sampling technique. The study also adopted the simple percentage of describe data raised from the field, and the chi-square statistical test for the testing of relationships in the hypotheses. Emerging data revealed that significant relationship exist between reformers role and recidivism, availability of training facilities and roles of reformers; as well as government policy on reformers and correction of convicts. This leads to high rate of recidivism in the prison. Among others, the study recommends that a holistic reformation programme be carried out on the reformers to enable them reform the convicts in Nigeria. This will enhance a positive trickledown effect on the convicts.

Keywords: *Prisons, Reformation, Rehabilitation, Reformers, Recidivism, Inmates*

INTRODUCTION

A prison is a place delimited and declared as such by the law of the state and created to ensure restraint and custody of individuals accused or convicted of violating the criminal laws of the state (Rupert 1971 in Opara 1998). Most civilized countries of the world, especially those that think of themselves as having progressive and advanced modern penal procedures, have abandoned corporal punishment as a measure of prison discipline and have adopted measures aimed at reformation and rehabilitation of prisoners. The purpose is to turn them out of the prison better men and women, both physically and morally, than when they were institutionalized.

In line with this, the Nigeria penal system is said to be aimed at the reformation and rehabilitation of the convicted persons so that they would come out of the penitentiary as useful citizens who would not take to crime again. These professed aims and objectives of imprisonment are said to be achieved through:

- a. Discipline
- b. Treatment and Staff Attitude
- c. Education
- d. Industrial Training

Reformation implies converting the criminal into a useful social being and rehabilitation involves encouraging the prisoner to abstain from criminal behaviour by providing him with social educational or vocational facilities to such an extent as to enable him to conform to the social pattern of life outside the prison wall. Closely connected with this principle is the idea of rehabilitation within the prison, better known as re-socialization within prison and recidivism is the act of repeating imprisonment after undergoing reformation in the prison.

The problem then is that in spite of these professed new ideas and methods of correction; there has been an alarming increase of recidivism in the country. The prison population is burgeoning and there has been an increase in recidivism or repeaters. (Steven & John, 1989).

Table 1: Number of Repeaters at Owerri Prison in the Year 2015

Sex	1 st Admission & Crime	2 nd Admission & Crime	No. of Times
Male	Stealing & Assault	Jan. 05 – Conspiracy, Stealing	2 times
Male	Stealing	Jan. 05 – Stealing	2 times
Male	Stealing	Feb. 05 – Robbery	2 times
Male	Stealing	Mar. 05 – Arson	2 times
Male	Assault	Mar. 05 – Rape	2 times
Male	Assault	Oct. 05 – Breaking & Entry	3 times

Source: *Owerri prison daily admission book for all classes of prisoners for the year 2015.*

This table shows the number of discharged prisoners who repeated crime and were re-arrested and sent back to prison in the year 2015. Six (6) prisoners were sent back to prison in the same year for different charges. This also did not show that they all saved their first imprisonment at Owerri prison.

The problem of measuring recidivism is complex, but if we are to improve our performance in the area of rehabilitation, accurate measures of recidivism for different types of programmes must be developed. What we have learnt is that a number of obstacles to rehabilitation exist in the prison setting, and it is to these obstacles that we now turn attention. (Steven & John, 1989).

In the light of this treatment, staff attitude and behaviour become very paramount to look into, hence the prisoners are left in the hands of staff (reformers) rehabilitation can be achieved (Reid, 1976).

Reformers behaviour can as well determine the aim of training the convicts, and also what they do after discharge. In line with this, the out gone Comptroller General of prisons, Olusola Ogundipe .A. said that training and retraining of reformers (staff) is the cornerstone of the new Nigerian Prison Service under his administration, he also considered it wise to set up a committee to stream line prison course content in order to emphasize corrections, humane containment and a positive professional understanding of the dynamic nature of prison mandate. (Murphy, Daily Sun, Monday, August 7, 2006, p. 211).

The Comptroller General of prisons, Mr. Ogundipe, lamented on the situations in the Nigerian Prisons where the reformer (staffers) do no longer control convicts and that convicts now dictate how the prisons are run and in fact what they (prisoners) do. (Murphy, Daily Sun, Monday, August 7, 2006, p. 21).

For a meaningful achievement to be made in the prison system, especially in the area of reformation (correction) of convicts, the system has to look into some of the reformers behaviours. The Federal Government policy on prison as contained in its white paper on the re-organization of the prison department and the integration of Native Authority Prison, says, the department should identify the reason for the anti-social behaviour of offenders, teach and train them to become useful citizens in a free society.

In line with the above policy therefore the objective of the department are as follows:

- a. To keep safe custody of prisoners who are legally interned
- b. To identify the causes of this anti-social behaviour, treat and reform them to become disciplined and law abiding citizens of a free society.
- c. To train them towards their eventual rehabilitation on discharge
- d. To generate funds for government through prisons farms and industries (Ahmadu, 1985).

Statement of the Problem

Prisons provide services to inmates by implementing a variety of reformation and rehabilitation programmes designed to change their pattern of criminal or anti-social behaviour (Nkwocha 2017).

Despite all the claims made by prison authorities and the staffers (reformers), for the facilities they have put in place, both training and retaining of staff to actualize the objectives of imprisonment, which is the rehabilitation and reformation of offenders so that they will not go

back to crime after discharge. The statistics all over the world has shown that the rate of recidivism is still on the high side (Lionel and Fox 1952).

This research will examine the reformers behaviour in the actualization of reformation and rehabilitation of convicts in Owerri prison. And will recommend solutions where necessary.

Objectives of the Study

The objective of the study is to identify those reformers' roles that enhance or militate against the reformation and rehabilitation of convicts, under various policies of government and administrations in Owerri prison.

1. To identify the role of reformers which enhance the positive reformation and rehabilitation of convicts;
2. To identify the role of reformers which militate against the positive reformation and rehabilitation of convicts;
3. To evaluate the policies of government with regards to the role of reformers who engage in the reformation process of convicts;
4. To appraise the administrative realities in relation to reformation of convicts' correction relations.

Research Questions

1. Does officers' involvement in trafficking with inmates affect correction?
2. Can government through recruitment process engage officers of good roles that can enhance correction?
3. Are reformers doing well in the area of correcting convicts?
4. During training of officers, do emphasis on custody instead of reformation hinder the correction of convicts?
5. Are convicts favourably disposed to correction?

Hypotheses

H₀1: There is no relationship between the role of reformers and the correction of convicts.

H₀2: There is relationship between the available training facilities and the role of reformers.

H₀₃: There is no relationship between government policy on reformers and the correction of convicts.

SUPPORTING LITERATURE

Denial of Prison's Right

The corrections departments including the remand homes and prisons in Nigeria have also been blamed for violating the inmates' rights. Inmates, whether as detainees or prisoners have accused it of being a hell on earth; the rooms or cells are small and dark, and infested with disease; there is the denial of proper medical attention; letters are censored, and the number of letters an inmate receivers are restricted.

When a person is convicted and imprisoned, he or she loses some his or her rights. Such rights include 'Contract with everything including his or her personality as a person' (Iwarimie, 1995). Even his or her contacts with his or her relations are denied; his or her contacts with the police to collect items left in their custody during investigations are also denied. Even to contact the court to file an appeal, the banks to make withdrawals, including the governor or head of government to submit a petition for clemency or to request for reprieve of sentence etc. (Iwarimie, 1995) are denied to avoid free movement of prisoner and to make them uncomfortable. To this extent, prisoners are frustrated because they feel alienated, degraded and repressed by the system. As a counter result, many of them refuse to participate in decisions that could bring about change in the Nigeria society. In so doing, the prisoner is frustrated to a point where he cannot attain his or her intention in life. This is also the obvious reason why there are increased recidivism rates in virtually all crimes in Nigeria.

Recidivism and Rehabilitation

To determine whether or not prison rehabilitation programs are successful, most commonly, we look at recidivism rate, which are based upon the proportion of offenders released from prison who are involved in reported criminal behaviour after their release.

Many law enforcement officials believe that recidivism rate range from 50 – 70 percent: that is, that one half to three fourths of all offenders released from prison commit additional offences (Core & Wade, 1989).

Recidivism is the act of a person repeating an undesirable behaviour after he has either experienced negative consequences of that behaviour, or has been treated or trained to extinguish that behaviour. (Malts, 1994 online publication).

A Dutch Professor Franken, Gave a recidivism rate of 90% or more, he said for this reason, compulsory treatment seen as necessary for every convicted offender. Evidence from 61 follow up studies was examined to identify the factors most strongly related to recidivism among sexual offenders on average, the sexual offence recidivism rate was low (13.4%; n = 23.393). There

were, however, subgroups of offenders who recidivated at high rates. Sexual offense recidivism was best predicated by measures of sexual deviance (e.g. deviant sexual preferences, prior sexual offences) and, to a lesser extent, by general criminological factors (e.g. age, total prior offences). Those offenders who failed to complete treatment were at higher risk for re-offending than those who completed treatment. (Gieles 1998).

Prisoners also know recidivism is a way of knowing how rehabilitation programs work, this they conclude after prisoners were convinced that treatment programs did not work (by the appearance of persons who had participated fully in the treatment of programs streaming back to prison with new criminals or violations of parole), hope shaded to cynicism and then turned to bitterness. (Irwin,1980).

Overcrowding in Prison and Other Prison Conditions

The problem here is related to the difficulty of distinguishing in principle between the confinement of an offender as a measure of security and as a punishment, and a study of international practice in this matter published by the international penal and penitentiary commission confirms the statement of Dr. Grunhant that no existing system has succeeded in differentiating between ordinary prison routine and the regime applicable to preventive detention. The loss of liberty in itself, the discipline, and the maintenance of order entail the essential restrictions.

While therefore, it is possible to maintain the conditions of sufficient food, adequate clothing, warmth and shelter which all convicts enjoy, and to allow further relaxations in the way of recreation, the essential fact remains that, after every possible mitigation has been allowed the convict is completely deprived of his liberty and is subjected to constant supervision, control and compulsion in all that he does. The standard minimum rules for the treatment of prisoners adopted by the first United Nations Congress on the prevention of crime and the treatment of offenders held at Geneva in 1955 approved that a prisoner shall occupy a room or cell alone.

Theoretical Framework

This paper considers the Gabriel Tarde theory of imitation as a guide.

This theory was popularized by Gabriel Tarde born in Southern France (1843). He argues that man is not born a criminal he becomes one. He saw criminal behaviour as primarily the result of social factors. Tarde essentially rejected the biological and physical theories of criminal behaviour but did not become a social determinist. He also thought man had some choice in his behaviour, though he did believe that when that choice is impaired, man should not be responsible for his criminal acts.

The second outstanding contribution of Tarde, which has had great influence on subsequent criminologist, is his analysis of the professional criminal. He saw murderers, pick-pockets, swindlers and thieves as individuals who had gone through a long period of apprenticeship, just as doctors, lawyers, farmers or skilled workmen. It was that accident of birth placed them in an atmosphere of crime.

Tarde's Law of imitation. He formulated his first law of imitation, that men imitate one another in proportion as they are in close contact; Tarde's second law of imitation is that the inferior imitates the superior. Peasants imitate royalty, small town and rural residents imitate the acts of city residents.

The third law of imitation is the law of insertion: when two mutually exclusive fashions come together, one can be substituted for the other. When this happens, there is a decline in the older method and an increase in the newer method. He gives the example of using the gun rather than the knife for murder. (Reid, 1976).

In view of these three laws of imitation theory, it is appropriate to use this theory for this research; hence the inferiors (prisoners) can imitate the officials (superiors). So the behaviour of the officers are imitated by the prisoners. This will have effect if the prisoners imitate the right thing from the reformers, and will affect the prisoners if they imitate the wrong thing.

This also made possible by the close contact of the prisoners and the prison officials.

METHODOLOGY

A multi-stage sampling technique was adopted for this work. First, the purposive sampling technique was adopted to purposely focus on the major stakeholders in the correctional institutions in the state. Thereafter, cluster sampling technique adopted to create areas for the enhancement of spread across the whole state; thus, the stratified random sampling device was adopted in order to reach the stakeholders in the system with subtly to gender sensitivity, the systematic random sampling device was used to create alternative possibilities, and finally, the simple random sampling method.

This study was carried out with the application of the stratified sampling technique. Here, emphasis was placed on the categories of people within the prison, both staff and inmates. In Owerri prison, they are 9 buildings with 70 cells and out of the 70 cells, 9 cells, one from each building were chosen for the study. The cells are numbered:

- A building (A line) - Cell 1 = 84
- Cell 2 = 83
- Cell 3 = 83
- B building (B line) - Cell 1 = 84
- Cell 2 = 83
- Cell 3 = 82

	-	Cell 4 = 84
C building (C line)	-	Cell 1 to 22 = 428
E building (E line)	-	Cell 1 = 11
F building (F line)	-	Cell 1 to 30 = 129
G building (G line)	-	Cell 1 = 24
	-	Cell 2 = 24
H building (H line)	-	Cell 1 = 82
	-	Cell 2 = 83
	-	Cell 3 = 82
	-	Cell 4 = 84
I building (I line)	-	Cell 1 = 87
	-	Cell 2 = 89
Female	-	Cell 1 = 15
	-	Cell 2 = 15

GRAND TOTAL: - **1,735 Inmates**

Owerri Prison Lock-up as at 4th September, 2015.

(Source: Owerri Prison Lock-up Book, September 2015)

DATA PRESENTATION AND ANALYSIS

Research question 1: Can government through recruitment process engage officers of good quality that can enhance correction?

Table 2: Percentage distribution of Respondents showing Impact of Recruitment Process on Reformers Roles

Item	SA	A	D	SD	N	Total
Government can through recruitment process engage officers of good qualities that can enhance correction	31.5%	46.7%	7.6%	5.4%	8.7%	100%
	87	129	21	15	24	276

Source: Field Survey, 2015

Research question 2: Are Reformer doing well in the Area of correcting convicts?

Table 3: Percentage distribution showing the productivity level of reformers

Item	SA	A	D	SD	N	Total
Reforms are doing well	2.51%	29%	9.4%	6.9%	2.2%	100%
	145	80	26	19	6	276

Source: Field survey, 2015

Research question 3: Are convicts favourably disposed correction?

Table 3: Percentage distribution of Respondents showing convicts response level to correction

Item	SA	A	D	SD	N	Total
Are convicts favourably disposed to correction?	15.9%	19.2%	35.5%	27.9%	1.4%	100%
	44	53	98	77	4	276

Source: Field survey, 2015

Research question 4: During training of Officers, do Emphasis on custody instead of reformation hinder the correction of convicts?

Table 5: Percentage distribution of Respondents showing points of emphasis during training of officers

Item	SA	A	D	SD	N	Total
Are convicts favourably disposed to correction?	15.9%	19.2%	35.5%	27.9%	1.4%	100%
	44	53	98	77	4	276

Source: Field survey, 2015

Research question 5: Does officers involvement in trafficking with inmates affect correction?

Table 6: Percentage distribution of respondents showing the relationship between officers involvement in trafficking and the correction of Inmates

Item	SA	A	D	SD	N	Total
Officers involvement in trafficking with inmates affect correction	52.5%	43.5%	1.0%	2.2%	0.7%	100%
	145	120	3	6	2	276

Source: Field survey, 2015

Hypotheses 1

H₀: There is no relationship between the roles of reformer and the correction of convicts.

Table 7: Chi-square analysis of the relationship between the roles of reformers and the correction of convicts

POSITION	SA	A	D	SD	N	Total
There is relationship	4.3	86	17	9	29	184
There is no relationship	11	38	22	12	9	92
Total	54	124	39	21	38	276

This hypothesis was analyzed using Chi-square

$$(X^2) = \sum \frac{(O-E)^2}{E}$$

$X^2 = 23.94$; $df = 4$; $P = 0.05$; and Table value = 9.49

Hypothesis II

H₀: There is no relationship between the available training facilities and the behaviour of reformers.

Table 8: Chi-square analysis of the relationship between availability of training facilities and the roles of reformers

ASSERTION	SA	A	D	SD	N	Total
There is relationship	54	71	22	34	6	187
There is no relationship	10	17	30	29	3	89
Total	64	88	52	63	9	276

$$(X^2) = \sum \frac{(O-E)^2}{E}$$

Where \sum = summation

O = observed values

E = expected values

$X^2 = 35.61$; $df = 4$; $P = 0.05$, and Table of value = 9.49

Hypothesis III

H₀: There is no relationship between government policy on reformer and the correction of convicts.

Table 9: Chi-square analysis showing government policy on reformers and the correction of convicts

POSITION	SA	A	D	SD	N	Total
There is relationship	74	66	38	17	4	199
There is no relationship	13	21	26	14	3	77
Total	87	87	64	31	7	276

$$(X^2) = \sum \frac{(O-E)^2}{E}$$

$$X^2 = 18.34; df = 4; P = 0.05 \text{ and Table value} = 9.49$$

Findings and Discussion

Base on the analysis of the data, it was revealed that reformers services have a lot to do with the extent of reformation which is in line with Iwarimie (1995) who reported high relationship between reformers services and failure of reformation and rehabilitation in the prisons system. A similar finding re-echoed in x (1952) who pointed out set back to reformation and rehabilitation, that is, the inability of the reformers to provide adequate accommodation for prison inmates.

This study reveals that there is a high positive relationship between the roles of reformers and the correction of convicts. This is because the roles of the reformers include provisions of training facilities, workshops, food medicine, recreational facilities including enough accommodation.

The study also reveals that there exist a significant relationship between the available training facility and the roles of reformers. Where there is inadequate facility for the reformers to work with, the reformation is hampered.

Again, the study reveals that there exists a significant relationship between government policy on reformers and correction of convicts when government policies are not favourable, it will hamper the reformation and rehabilitation.

Conclusion

Reformation and rehabilitation are the key words that form major objectives of prison confinement in modern Nigeria. Government has invested much to achieve this, but the reformers, both at the top and at the lower level are not working towards achieving these objectives.

The reformers at the head are not providing better policies and programmes for the reformers (officials) at the prisons for use to effect correction while the reformers also do not adhere to the dictate of the policies and the code of conduct in discharging their duties. Also the reformers at the head are not providing better recruitment policies that will enable good behaved members of the society to join the prison job.

The available and existing facilities in the prison yards are not properly used especially in the direction of correction of the convicts, government no longer achieve positive changes within the system.

The emphasis of the reformers have shifted to only safe custody of inmates in recent times which boils down to only security; in recent times, researchers on prison matters came out with positive changes in the prison system, and these changes are all on papers.

In conclusion, therefore, reformers roles affect the correction of convicts. The result and reflection of the reformers roles in the prison is observed on the convicts. High rate of recidivism is an evidence of poor level of correction in the prison. See tables in appendix 5 of the study for recidivism rate at Owerri prison for both convicts and awaiting trials.

Recommendations

Based on the above observation (findings) the following recommendations are hereby put forward:

1. A target should set for every prison in-charge, on the number of convicts to be trained on the different types of trades in the prison. Also, subordinate staff should be made up of more of the tradesmen than those with ordinary WASSCE or SSCE.
2. Cells for accommodation should be made for only four (4) or at most five (5) inmates. Again, more, more and new equipments for workshops should be procured to update the existing workshops to enhance learning of trades.
3. As a matter of policy the Nigerian government should make it compulsory for prison authority to start looking into the past records of people before they are given employment hence the job involves reformation or correction of convicts.
4. The authority of Nigerian prison service should look into the welfare of officials; this is to encourage them to achieve the prison objective.
5. The prison authority should allow all convicts to participate in the correctional programmes. Also the authority should establish convicts on discharge, so that they will settle down and will not go back to crime.
6. Prison authority should try to discourage the sale of prisoners ration either by the officials or prisoners themselves, hence it affects the ration of the less privileged prisoners and it makes money available to prisoners who may want to escape.
7. The prison authority should evolve a more effective after-care department whose duty shall be to monitor and supervise discharged prisoners to know how well or bad they are doing.

8. Enough cells should be provided to avoiding mixing up all classes of prisoners in the same cell. And medical section of every prison should be adequately equipped with drugs and qualified staff.
9. Prisoners of the same class should be given equal treatment.
10. Above all, reformers should be reformed first.
11. Finally, staff who introduces their relations for employment should be meant to face disciplinary action where the person employed is not working according to the dictate of the prison system especially when he is involved in the roles that hinder correction of convicts.

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