



APPRAISAL OF THE LEGAL FRAMEWORK OF THE NIGERIAN CORRECTIONAL SERVICE

Obaje Enemaku[□] Samuel I. Ikutanwa^{□□}

Abstract

This paper appraised the legal framework of the Nigerian Correctional Service as an important stakeholder in the Nigerian criminal justice sector. It was driven by the need to draw attention to some of the loopholes in the existing legal framework with a view to bolstering the capacity of the Nigerian Correctional Service for a more robust and efficient service delivery that meets international best practices. Consequently, the paper surveyed some of the major laws and institutions which impact the performance of this Institution. In this direction, the paper analysed laws such as the Nigerian Constitution, the Administration of Criminal Justice Act 2015, the Nigerian Correctional Service Act 2019, the Criminal Code, the Penal Code, amongst others. It also discussed the Correctional Service as an institution, along with the Borstal Institution, which is its appendage. The paper highlighted some of the challenges of the Nigerian Correctional Service to include over-crowding, jail break, poor medication, finance and logistic challenges, poor administration, amongst others. In conclusion, the paper recommended, among things, the resort to plea-bargain in order to address the challenge of over-crowding, proper rehabilitation and reintegration of inmates, adequate funding of the Correctional Service, and amendment of some provisions of the law in order to place the Nigerian Correctional Service on a better footing.

Keywords: Appraisal, legal framework, correctional service, Borstal institution.

[□] Professor of Law, Faculty of Law, Prince Abubakar Audu University, Ayingba, Kogi State
Phone: 08064534343.

^{□□} Department of Public and Private Law, Kogi State Polytechnic, Email:
idowusamuelikutunwa@gmail.com Phone:08037638268

Introduction

The prisons form an integral part of the criminal justice system of any nation. Apart from serving as a place for the detention of convicts and other persons awaiting trial, prisons also serve as reformation and rehabilitation centres where such convicts are trained and reformed to become better persons in society. In Nigeria, the utility of prisons (now Correctional Service), cannot be over-emphasised. But the history of modern Nigeria Prisons Service could be traced to 1861, when the colonial concept of prison was established. Coincidentally, it was the beginning of formal colonial machinery of governance. It was in 1872, that the Broad Street prison was established with an initial inmate capacity of 300. By 1910, the British colonial government had established prisons in Calabar, Onitsha, Benin, Ibadan, Jebba, Lokoja and Degema. It is, however, instructive to note that colonial prisons were not designed for reform, but rather prisoners were used mainly for public works and other jobs for the colonial administration.¹

This article consequently assesses the legal framework of the Nigerian Correctional Service in terms of the laws and institutions which govern this very critical component of the criminal justice sector.

Laws Governing The Nigerian Correctional Service

In this segment of the paper, we examine the relevant laws which govern the operation of the Nigerian Correctional Service. The essence of this exercise is to identify the loopholes, if any, in this regulatory framework with a view to proffering solutions that will hopefully catapult the Correctional Service into a more effective criminal justice institution.

(a) The Constitution of the Federal Republic of Nigeria, 1999 (as amended)

The current Constitution of the Federal Republic of Nigeria, which came into force on the 29th May 1999, is the supreme law of the land whose provisions shall have binding force on the authorities and persons throughout the Federal Republic of Nigeria. If any other law is inconsistent with the provisions of this Constitution, the Constitution prevails and that other law shall, to the extent of the inconsistency, be void.²

The centrality of the Constitution as a regulatory framework of the Nigerian Correctional Service derives mainly from the fact that it defines the fundamental rights of citizens of Nigeria, including persons who are in detention by the prison authorities. For instance, fundamental rights such as the right to life, freedom from torture, freedom from discrimination, right to freedom of thought, conscience and religion, etc are all outlined in the Constitution. Correctional Service authorities are, consequently appropriately guided as to the treatment of inmates and the general condition expected of detention centres.

Similarly, the Constitution regulates the grant of pardon to person concerned with or convicted of any offence(including offences with punishment of terms of imprisonment) created by an

¹ AB Dambazau, *Criminology and Criminal Justice*, (1st edn, Spectrum Books Limited, 2011), 170.

² CFRN, section 1(1) and (3).

³ Ibid, Section 175(1)(a).

Act of the National Assembly a pardon, either free or subject to lawful conditions. This too impacts the work of the Nigerian Correctional Service.³

(b) The Criminal Code Act

This Act³ is the substantive law applicable to the Southern part of Nigeria. The Act defines various offences and prescribes punishments therefor.⁴In the specific context of the correctional service, the Act provides as follows:

Any person who by force rescues or attempts to rescue from lawful custody any other person:

(a) is, if the last named person is under a sentence of death or penal servitude or imprisonment for life, or charged with an offence punishable with death, or penal servitude or imprisonment for life, guilty of a felony and is liable to imprisonment for life; and

(b) is, in any other case, guilty of a felony and is liable to imprisonment for seven years.⁵

Any person who, being in lawful custody, escapes from such custody-

a) is, if he is charged with, or has been convicted of a felony or misdemeanour, guilty of a felony and is liable to imprisonment for seven years, with or without whipping; and

65

b) is, in any other case, guilty of a misdemeanor and is liable to imprisonment for two years.⁵

c) Any person who:

aids a prisoner in escaping or attempting to escape from lawful custody; or conveys anything or causes anything to be conveyed into a prison with intent to facilitate the escape of a prisoner is guilty of a felony and is liable to imprisonment for seven years.⁶Any person who, being an officer of a prison, or a member of a police force, willfully permits any other person within his lawful custody to escape..

a. is, if such last named person is charged with an offence punishable by death, or penal servitude or imprisonment for life, guilty of a felony and is liable to imprisonment for seven years; and

b. is, in any other case, guilty of a felony and is liable to imprisonment for three years.⁶ Any person who commits the offence of manslaughter, aiding

³ Criminal Code Act Cap C38, Law of the Federation of Nigeria 2004 (CC), section 1. ⁵See section 17 thereof ⁶ Ibid,Section 134(1).

⁴ Ibid, Section 135.

⁵ Ibid, Section 136.

⁶ Criminal Code, section 137.

suicide, infanticide, or killing of an unborn child is liable to imprisonment for life.⁷

Sections 364 and 365 deal with unlawful imprisonment and deprivation of liberty and prescribe 7 years imprisonment for unlawful imprisonment of any person and taking him out of Nigeria without their consent. In the same vein, any person who unlawfully confines or detains another in any place against his will, or otherwise unlawfully deprives another of his personal liberty, is guilty of a misdemeanor and is liable to imprisonment for two years.⁸

(c) Penal Code Law

The Penal Code Laws of Northern Nigeria 1963, even though a regional legislation now reenacted by many states in Northern Nigeria, also contains certain provisions which prescribe punishments to which offenders are liable such which also impact the functions of the Nigerian Correctional Service. For example, section 73 provides that whenever an offender is sentenced to a fine whether with or without imprisonment under the Code, the court which sentences the offender may direct by the sentence that, in default of payment of the fine, the offender shall be committed to prison for a certain term, which term shall not be in excess of any other term of imprisonment to which he may have been sentenced or to which he may be liable under a commutation of a sentence.

The Code also criminalises wrongful confinement of a person, knowing that a warrant or order for the production or liberation of that person has been duly issued⁹ and punishes whoever negligently or unlawfully permits the escape of any prisoner.¹⁰

(d) **The Administration of Criminal Justice Act, 2015 (ACJA)** The principal legislation governing criminal justice system in Nigeria now, is Administration of Criminal Justice Act,

2015.¹¹ Prior to the enactment of ACJA, 2015 the principal legislation were the Criminal Procedure Act¹² and the Criminal Procedure Code¹⁶ applicable to the Southern and Northern parts of Nigeria respectively. The ACJA, 2015 repealed the Criminal Procedure Act (CPC) and Criminal Procedure Code (CPC) and the Administration of Criminal Justice Act 2004.¹³ However the provisions of the Act preserve the existing criminal procedure systems substantially, but it introduces innovative provisions that could enhance the efficiency of the justice system.¹⁴ The objectives of the Act are to, among other things, ensure that the system of administration of criminal Justice System in Nigeria promotes efficient management

⁷ Ibid, sections 325, 326, 327 and 328 respectively.

⁸ Ibid, section 390.

⁹ Penal Code Law of Northern Nigeria 1963 as Revised in 1990 (PC) *Section 258*.

¹⁰ Ibid, section 415.

¹¹ ACJA

¹² CPA (applied to Southern States) CAP C41, LFN 2004

¹³ ACJA (applicable to FCT) CAP A3 LFN 2004

¹⁴ Y Akinseye-George, 'An Overview of the Administration of Criminal Justice Act, 2015'

of criminal justice institutions, speedy dispensation of Justices, protection of the society from crime and protection of the rights and interests of the suspect, the defendant, and the victims.¹⁵

The ACJA, in an effort to control Correctional Service congestion, restricts the police power of arrest, since remand follows arrest. It provides that a person shall not be arrested in place of suspect¹⁶ and that a suspect shall not be arrested merely on a civil wrong or breach of contract¹⁷ or without warrant¹⁸ like CPA. It is significant to state that it omits the provision relating to the power of the police to arrest ‘any person who has no ostensible means of substance and who could not give a satisfactory account of himself’.¹⁹ The ACJA, unlike the CPA and CPC, overhauled the procedure for remand proceedings which were hitherto perfunctory and a mere ritual leaving the magistrate with no statutory power to refuse request for remand under any circumstance, as there were no provisions for formal application before the court upon which the magistrate could exercise any discretion.²⁰ Now, arrest and remand must be only for probable cause.²¹ It is no longer automatic unlike under the CPA and CPC.

Similarly, under the ACJA, there is a time limit for the detention of the suspect vide the remand order.²² This is aimed at commencing criminal prosecution almost immediately after remand since under CPA and CPC remand proceedings or what is called holding charges were portent instruments in the hand of complainants to perpetually detain their opponents by conniving with police officers to frame charges which were beyond the jurisdiction of the Magistrate Court.²³ Currently, it is now an error and breach of the right to personal liberty for any suspect to continue to remain in correction service (prison) detention awaiting trial for more than 42 days or 25 days depending on the location.²⁴ Although this is not an entirely new provision, we hope that the courts will rise to the occasion in giving effect to this provision in order to safeguard the rights of citizens.

Administration of Criminal Justice Monitoring Committee, charged with responsibility of ensuring effective and efficient application of the ACJA, is another way of decongesting correctional centres. The Committee has the responsibility to ensure that congestion in Correctional centres is reduced to the barest minimum and cases in courts are drastically reduced.²⁵ The National Human Rights

¹⁵ ACJA, 2015, Section 1

¹⁶ Ibid., section 7

¹⁷ Ibid, section 8 (2)

¹⁸ Ibid, section 14(1)

¹⁹ Ibid. See also CPA section 10

²⁰ E Umukoro and ET Kore-Okiti, ‘Legal Imperative for Decongestion Correctional Centres in Nigeria: A review of Recent Legislative Measures’ *2023+ (14) *Beijing Law Review*, 233 – 252

²¹ Ibid, Section 293 (2) (States that application for remand shall be made *ex parte*)

²² Umukoro and Kore-Okiti (n 25)

²³ ACJA, section 6; CFRN, section 34

²⁴ Ibid, Section 469 (1)

²⁵ Ibid, Section 110 (7)

Commission has access to the returns on request to the Chief Judge.²⁶ The Controller of Correctional Service is under obligation to make returns every 90 days to the heads of the courts.²⁷ As part of the measures to monitor the pace of criminal trials and check delays, it is obligatory to make quarterly returns to the Chief Judge of the Federal High Court or State High Court for their review and action.²⁸

The ACJA empowers the Chief Magistrate, or any Magistrate designated by the Chief Judge, to visit the police stations or other places of detention within their jurisdiction to inspect Records of Arrest, and direct for arraignment or grant bail, where the police have failed to grant bail to a suspect.²⁹ ACJA places a responsibility on the police to report all cases of arrest without warrant to the magistrate on the last day of every month.³⁰ It is submitted that the role of the magistrate is very important in the programme for decongestion of correctional centres.

It is significant to note that the provision for visitation to detention centres, is the major check and balance resigned under the ACJA to place the police under watch and address the challenge of illegal detention and arbitrary arrest whether on the basis that the suspect has spent more time than the period prescribed by law or that the suspect was not supposed to have been arrested in the first place. This enables the visiting Magistrates to grant bail immediately, direct immediate release or immediate arraignment, in appropriate occasion.

Furthermore the ACJA, mindful of the purpose of correctional centres decongestion, makes provisions for several circumstances in which the court may make probation order or other noncustodial punishment. Probation order is defined as an order of court containing a condition that the defendant be under the supervision of such person or persons of the same sex, called a probation officer, as may, with the consent of the probation officer, be named in the order during the period specified in the order;³¹ ACJA provides that where a defendant is charged before a court with an offence punishable by law and the court thinks that the charge is proved but is of opinion that having regard to:

- (1) the character, antecedent, age, health, or mental condition of the defendant charged; or
- (2) the trivial nature of the offence; or
- (3) the extenuating circumstances under which the offence was continued, it is inexpedient to inflict a punishment other than a nominal punishment, or that it is expedient to release the defendant on probation, the court may, with or without sureties, release the

²⁶ Ibid, Section 111

²⁷ Ibid, Section 110 (5)

²⁸ Ibid, Section 34

²⁹ Ibid, Section 33

³⁰ ACJA, section 453

³¹ Ibid, Section 453

defendant to appear at any time during such period not exceeding 3 years as may be specified in the order.³²

Probation order, is rarely granted in Nigeria by most Magistrates and Judges once a charge is proved. They would proceed to not only convict, but to sentence the defendant to a time of imprisonment or payment of fines.³³ Another alternative to imprisonment under the ACJA is community service. The ACJA introduces the practice of community service as an alternative to imprisonment for minor offences.³⁸ The court, in exercising its

power to order community service, shall have regard to the need to:

1. Reduce congestion in correctional centres;
2. Rehabilitate prisoners by making them to undertake productive work; and
3. Prevent convicts who commit simple offences from mixing with hardened criminals.³⁴

The ACJA prescribes time limit within which to calculate criminal trials. This is intended for speedy trials and it is yielding results even if compliance is not totally hundred percent the ACJA in order to discourage frivolous adjournment has introduced cost, which shall be awarded against a defaulting party.

In sum, the law of arrest, remand and awaiting trials may have contributed greatly to the congested state of Nigerian Correctional Services under the CPA and CPC, but with the growing awareness on the need to overhaul the Criminal Justice System in Nigeria and enactment of the ACJA, NCSA and Police Act 2020, challenges of congestion in Correctional centres is going to be reduced to a barest minimum.

(e) Nigerian Correctional Service Act (NCSA) 2019

The primary legal framework, in contemporary times, for the administration of the Nigerian Correction Service is the Nigerian Correctional Service Act of 2019. The Nigerian Correctional Service Act was signed into law on the 4th of August, 2019 which effectively repealed the Nigerian Prisons Service Act, cap. P29, Laws of the Federation of Nigeria 2004.³⁵ The new Act address issues that were not covered under the repealed Act, and improves on prison administration in the country, providing clear rules and setting out obligations of the Nigerian Correctional Service and the rights of inmates.

The Act contains a plethora of progressive provisions as it moves from the perception of prisons being a center for retribution to a ‘correctional’ facility with specific attention on reformation, rehabilitation, reintegration and better treatment of prisoners.

³² Ibid., Section 454

³³ Umukoro and Kore-Okiti (n 234) ³⁸ ACJA, Section 461.

³⁴ Ibid, Section 460 (4)

³⁵ See section 45 of the NCSA 2019

Section 1(1) of Act established, for the Federation, the Nigerian Correctional Service to provide custodial services. The objectives of the Act are to:

- a. ensure compliance with the international human rights standards and good correctional practices;
- b. provide enabling platforms for implementation of noncustodial measures;
- c. enhance the focus on corrections and promotion of reformation, rehabilitation and reintegration of offenders; and
- d. establish institutional systemic and sustainable mechanisms to address the high number of persons awaiting trial.³⁶

The functions of the Custodial Service include:

- a. taking custody of all persons legally interned;
- b. providing safe, secure and humane custody for inmates;
- c. conveying remand persons to and from courts in motorized formations;
- d. identifying the existence and causes of anti-social behaviours of inmates;
- e. conducting risk and needs assessment aimed at developing appropriate correctional treatment methods for reformation, rehabilitation and reintegration;
- f. implementing reformation and rehabilitation programmes to enhance the reintegration of inmates back into the society;
- g. initiating behavior modification in inmates through the provision of medical, psychological, spiritual and counseling services for all offenders including violent extremists;
- h. empowering inmates through the deployment of educational and vocational skills training programmes, and facilitating incentives and income generation through Custodial Centres, farms and industries;
- i. administering borstal and related institutions;
- j. providing support to facilitate the speedy disposal of cases of persons awaiting trial; and
- k. performing other functions as may be required to further the general goals of the Service.³⁹

The Act further provides that the Correctional Service shall provide opportunities for education training, vocational training as well as training in modern farming techniques and animal husbandry for inmates.³⁷ In addition, it provides that the Correctional Service shall take adequate steps to ensure:

³⁶ NCSA, section 2(1).

³⁹ Ibid., section 10.

³⁷ Ibid, section 14(1).

- a. the prevention of torture;³⁸
- b. prevention of inhumane and degrading treatment against inmates; and
- c. prevention of sexual and non-sexual violence and bullying and effective procedure for prevention, identification, of early warning signs, early detection of occurrence, and punishment of perpetrators and protection and treatment of affected victims.

Section 15 of the NCSA provides that an inmate shall not be held in slavery or servitude, and labour carried out by inmates, shall neither be of an afflictive nature or for the personal benefit of any correctional officer.

Worthy of note is the provision of section 18,⁴² which states that the Correctional Service, in compliance with the requirements for efficient management of the criminal justice system, shall undertake to:

- a. liaise with heads of justice institutions and relevant agencies to review and eradicate causes of high numbers of pre-trial detainees and develop effective mechanisms to enhance speedy trial and resolutions of such cases;
 - b. provide returns and other necessary information to relevant bodies regarding persons awaiting trial in the Correctional Centre;
 - c. provide necessary support towards the provision of a national database of all persons in all places of detention; and
 - d. issue early notification in respect of the Custodial Centre exceeding its capacity to the head of:
 - i. judiciary;
 - ii. law enforcement and prosecuting agencies,
 - iii. Administration of Criminal Justice Monitoring Committee,
- 75
- iv. Prerogative of Mercy Committee, and
 - v. Relevant bodies and institutions.

Where it appears that it is in the interest of public or inmate that upon discharge, he is to be assisted towards effective reintegration, the Correctional Service shall provide:

- a. funds for transportation of the discharged inmates to their place of abode;
- b. aftercare support service; and
- c. any other support as may be deemed appropriate by the Correctional Service.³⁹

There shall be official visitors of Custodial Centres in Nigeria which shall consist of:

- a. ex-officio who shall be appointed by the President of the country;

³⁸ Ibid, section 14(8)

⁴² Ibid.

³⁹ Ibid., section 19(1). ⁴⁷Ibid., section 21(1).

- b. legislative oversight visitors;
- c. Custodial Centre Visiting Committee; and
- d. voluntary visitors who shall be appointed by the ControllerGeneral.⁴⁷

It is, however, doubtful if the Nigerian Correctional Service discharges the responsibilities outlined above. On the contrary, the general perception of the Service is that of an institution created solely for the purpose of incarcerating offenders. Secondly, the general public is even hardly aware that part of the obligation of the Service extends to the above responsibilities.

By the provisions of section 21(2) of the NCSA 2019, information relating to all places of detention and all persons in detention shall be kept by the Ministry of Interior, and steps shall be taken by the Ministry to enhance the process, capacities, human rights compliance and security of all facilities holding detainees and inmates including those in pre-trial detention. The Correctional Service shall put in place healthcare services for the promotion and protection of physical and mental health, prevention and treatment of diseases.⁴⁰

The NCSA provides for the establishment of training institutions, commands and schools and colleges for the Correctional Service. Every staff, on recruitment, shall be trained for a minimum of six months before deployment.⁴¹ Every staff shall attend and complete, with satisfactory performance, all mandatory courses stipulated for career progression in the Correctional Service.⁴² Training programmes shall be conducted regularly to enhance staff performance and efficiency.⁵¹ The entire provision of section 28⁴³ covers security measures necessary for the protection of the prison.

With respect to the welfare of inmates, there shall be for the correctional service funds appropriated for inmates' feeding as provided by the Government.⁴⁴ There shall be the provision of basic needs to meet the minimum standards for the treatment of inmates which includes accommodation, feeding, potable water, hygiene, sewage disposal, clothing and toiletries.⁴⁵ Section 33(1)(a) of the NCSA, 2019 empowers the Controller-General of Nigerian Correctional Service to make regulations with respect to the organization and administration of correctional facilities for the purpose of carrying into effect the provisions of the Act.

⁴⁰ Ibid., section 23(1).

⁴¹ Ibid., section 27(2).

⁴² Ibid., section 27(4). ⁵¹ Ibid, section 27(5).

⁴³ Ibid.

⁴⁴ Ibid, Section 30 (1).

⁴⁵ Ibid Section 30 (3).

Section 36⁴⁶ provides the duration of three months for all actions or proceedings against any person who fails to perform, act, or neglect or default in the execution of the Act, law, duty or authority after which the action become statute-barred.

Sections 37 – 44 of the NCSA 2019 deals with Non-Custodial Service including community service, probation, parole restorative justice measures, and any other non-custodial measures assigned to the Correctional Service by a court of competent jurisdiction.

(f) United Nations Standard Minimum Rules for the Treatment of Prisoners (The Mandela Rules)

The United Nations Standard Minimum Rules for the Treatment of Prisoners as adopted in Geneva in 1955 by the United Nations First Congress on the Prevention and the Treatment of Offenders, include other definite efforts to ensure that prisoners have equal access to justice as any other person.⁴⁷

Rule 31 of the United Nation Standard Minimum Rules for the Treatment of prisoners, provides as follows: ‘Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman and degrading punishments shall be completely prohibited as punishment for disciplinary offences’.⁴⁸

Article 33 of the Rules provides as follows:

Instruments of restraint, such as handcuffs, chains, irons and straitjackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances: (a) as a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority; (b) on medical grounds by direction of the medical officer; (c) by order of the director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property; in such instances the director shall at once consult the medical officer and report to the higher administrative authority.⁴⁹

With respect to the medical care of prisoners and detainees, Rule 24⁵³ provides that the medical officer, shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for

⁴⁶ 49 Ibid.

⁴⁷ UN Standard Minimum Rules, Rule 26 (1).

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵³ Ibid.

work. *Rule 25* of the same law further provides that the medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.

79

Rule 8,⁵⁰ provides that the different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Rule 8 also provides for the following:

- a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate;
- b) Untried prisoners shall be kept separate from convicted prisoners;
- c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offence;
- d) Young prisoners shall be kept separate from adults.

The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institutions depends. The prison administration shall constantly seek to awaken and maintain in the minds of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.⁵¹

Rule 57⁵² provides that „Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking from the person the right of self-determination by depriving him of his liberty. Therefore, the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation. This is in consonance with the Nelson Mandela Rules⁵³ which stipulates that deprivation of liberty is a punishment in itself and should not be aggravated by the prison system.

Despite the beautiful provisions of the Standard Minimum Rules for the Treatment of Prisoners provided by the United Nations, it has been observed that Nigeria Correctional Service is operating far below this standard either as a result of poor management of the prison or lack of financial and technical resources.

⁵⁰ UN Standard Minimum Rules, Rule 26 (1).

⁵¹ Ibid, Rule 46(1) and (2).

⁵² Ibid.

⁵³ Revised Standard Minimum Rules for the Treatment of Prisoners, adopted as the Nelson Mandela Rules in 2015, *rule 3* ⁶⁴Ahire (n 222).

III. Institutional Framework Of The Correctional Service In Nigeria

(a) The Nigerian Correctional Service

The Nigerian Correctional Service, formerly known as Nigerian Prisons Service (NPS), is a Federal Government agency which operates the prisons, and has its headquarters in Abuja. It is under the supervision of the Ministry of Interior.⁶⁴ The Correctional Service in Nigeria falls within the exclusive legislative list, which means that no State in Nigeria has power to operate or maintain prisons. The role of the Service is tripartite in nature: safe custody of persons legally detained; provision of treatment to them; and rehabilitation of those detained.

The following are further functions of the Nigeria Correctional Service:

81

1. To isolate an offender from society, because he has proved to be a threat to its organization.
2. To keep an offender in an isolated place where he could ponder over the consequences of his wrong deeds.
3. To inflict some pain and suffering, on an offender (i.e. some punishment) for violating legal norms.
4. Protecting community from criminals by marking out persons who violate laws and stigmatizing them so that others are warned against them.
5. To change offender's values, motivations, attitudes and perceptions and to re-socialize him and restore him to community.

From an administrative point of view, the Nigerian Correctional Service consists of custodial and not custodial services.⁵⁴ The

Controller-General is the head in the administration of Nigerian Correctional Service, and is assisted by a minimum of eight Deputy

Controller-Generals, one of whom is responsible for the NonCustodial Service, and such other subordinates as may be necessary for the administration of the Prisons Service.⁵⁵

The Controller-General is charged with the responsibility for the general superintendence of the Correctional Service, exercising all powers, duties and functions necessary to enable the Nigerian Correctional Service in the carrying out of its function under the Nigerian Correctional Service Act, administer the Non-Custodial

Service, creating platform for interface with other criminal justice institutions, and deploying officers and materials to custodial and non-custodial institutions and centres.⁵⁶

⁵⁴ NCSA, section 1(2).

⁵⁵ Ibid., section 1(3).

⁵⁶ Ibid, Section 4(1). The Controller-General is expected to hold office for a single term of 5 years or upon reaching the age of retirement. If the office of the Control-General becomes vacant, the most senior Deputy ControllerGeneral will assume the office in acting capacity pending the appointment of a substantive Control-General.

For easy administration and convenience, the Nigerian Correctional Service, is arranged in a hierarchical structure. There is a national headquarters at the top, followed by zonal offices, and then State commands, custodial and non-custodial centres and training institutions.⁵⁷ In order to enhance prison staff performance and efficiency, there is established for the prison service, training institutions, command schools and colleges. It is a mandatory requirement that all staff on recruitment, shall be trained for a minimum of six months before deployment.⁵⁸ By the provision of the Nigerian Correctional Service Act 2019, section 27(4), every staff shall attend and complete with satisfactory performance, all mandatory courses stipulated for career progression in the Correctional Service.

It is important to note that international instruments also have elaborate provisions for the administration and staffing of prison system. Thus, the UN Standard Minimum Rules for the Treatment of Prisoners in its Rule 46 obligates the prison administration to do everything to enhance the capacity, integrity and professionalism of the institution.⁵⁹ It is essential for the prison administration, to constantly conscientise both its personnel and the public that their work is a social service of great importance, and, to this end, all appropriate means of informing the public should be used.⁷¹ This is

83

to the effect that prison staff should be fully aware that the nature of their job is of great social importance not only to the prisoners or detainees alone, but also to the general public.

In a bid to achieve the foregoing, personnel shall be appointed on a full-time basis as professional prison officers and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favourable in view of the exacting nature of the work. The personnel shall possess adequate standard of education and intelligence. Before entering on duty, the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests. After entering on duty and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending courses of in-service training to be organized at suitable intervals. All members of the personnel shall, at all times, conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.

So far as possible, the personnel shall include a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors. Despite these elaborate provisions, the Nigerian Prison is still plagued with a plethora of deficiencies in administration, unskilled and semi-skilled staff and little or no programme for education, training and retraining of prison staff.

⁵⁷ Ibid, Section 8(1).

⁵⁸ Ibid, Section 27(1)(2).

⁵⁹ UN Standard Minimum Rules, Rule 26 (1) and Rule 46(1) ⁷¹ ibid, Rule 46

(b) The Borstal Institution

Borstal institutions are an extension of the Correctional Service, vested with the responsibility to house juvenile delinquents for the purpose of reformation.⁶⁰ It is as a place in which offenders who were not less than sixteen but under twenty-one years of age on the day of conviction may be detained and given such training and instruction as will be conducive to their reformation and the prevention of crime.

There are currently only three Borstal institutions in Nigeria, which are situated at Kaduna, Abeokuta and Ilorin, and it is believed that only the one in Kaduna is effectively functional at the moment.⁶¹ Juvenile delinquents are admitted into the institution with a warrant from the court, committing them to a sentence of Borstal training. The young offenders are moved to the observation centre where they are kept for three months on admission.⁶²

Psychologists interact with them on daily basis to discover the causes of their anti-social behaviours and create insightful thoughts in them to realize the good intent of being committed to the institution⁶³. Borstal institutions are managed by the Nigerian Correctional Service.

The Borstal institutions offer education in number of subjects including science and social sciences courses, with the students participating in the JSSCE, SSCE, NECO and JAMB examinations. Under the vocational programmes, the Borstal Institutions have tailoring, dress making, bricklaying/masonry, construction, electrical installation, welding and fabrication, carpentry,

85

photography/video coverage, plumbing/pipe-fitting, painting/sign writing
and air conditioning/refrigeration.⁶⁴

The Borstal institution in Nigeria is a uniformed establishment with strict discipline which runs both academic and vocational trainings with demanding physical training content. Delinquents have the option to choose between academic and vocational training.⁶⁵ In sum, Borstal Institutions were basically established to serve as reformation centres for young offenders.⁶⁶ Their main purpose is modification of social behavior of the juvenile offenders through guidance and counseling, assessment of circumstances leading to delinquent behavior,

⁶⁰ Borstal Institutions and Remand Centres Act 1962

<http://lawnigeria.com/lawsofthefederation>> accessed on 10 April 2023

⁶¹ DA Saaka and J Doka, 'Perceived Influence of Reformation on Juvenile Delinquents in Borstal Training Institution, Kaduna State, Nigeria' *2021+(6)(4) *KIU Journal of Humanities*, 103-114

⁶² Ibid

⁶³ F Moneke, 'Juvenile Justice in Nigeria: Dilemma of a Criminal Justice System', *The Nation Newspaper* 2008.

⁶⁴ Saaka and Doka (n 75)

⁶⁵ A Saad, 'Juvenile Justice', in S A Abdullahi and others, *Studies in Cultural Sociology*(Foludex Printers, 2009)

⁶⁶ Saaka and Doka (n 75)

vocational training, academic training, medical services, chaplaincy services, and preventive health services, amongst others.

iv. *Challenges Of The Nigerian Correctional Service*

The Nigeria Correctional Service is, apparently, wallowing in decadence in most aspects of its operations.⁷¹ On this, Yongo states:

It is evident among others that the prisons lack uniform for both staff and inmates; they lack accommodation for staff, they lack vehicles to convey prisoners to court, or sick prisoners to hospital even in emergencies. The prison lacks good source of water and even drugs for inmates, often sick prisoners taken to the hospital are returned untreated. These and many more of such conditions daily plague the lives of prisoners and warders and so make it difficult for our prisons to reform and rehabilitate their inmates.⁷²

Some of the challenges bedeviling the Nigerian Correctional Service include; living in unwholesome cells, delayed trial of inmates, lack of voting rights by prisoners, access to information, lack of conjugal facilities for married prisoners, poor and inadequate nutrition, poor medical care, torture, inhumane treatment, inadequate security, poor administration system, inadequate finance and logistics, jailbreak, prevalence of recidivism and so on.

(a) Over-Crowding

Prison overcrowding, is a social phenomenon occurring when the demand for space in prisons in a jurisdiction exceeds the capacity for prisoners.⁷³ Overcrowding in Nigeria prisons occurs where the numbers of prisoners exceeds prison capacity to an extent inmates cannot be housed in a 'humane, healthy and psychological manner'.⁷⁴

87

Lugard, commenting on the overcrowded nature of the Kano Prisons as far back as 1903, noted that 'the Kano prisons in Nigeria prior to colonial rule were highly congested to the extent that inmates have trodden on one another'.⁷⁵

⁷¹ E O Emeka, 'Challenges and Reform in the Nigerian Prisons System' *2011+(27)(2) *Journal of Social Science University of Technology*, Pretoria. 99 <JSS-27-2-095-11-1116Obioha-E-E-Tt%20> accessed 13 June 2020, 99.

⁷² T Yongo 'Prisons Await Obasanjo's Attention' *The Punch*, (21 November, 2000), 33.

⁷³ H Mike, A Rob and S Enver 'Tackling Prison Overcrowding: Build More Prisons, Sentence Fewer Offenders' (2007-08-28) – *Google Books* ISBN 97814721102, accessed 13 August 2020.

⁷⁴ C T Graffiths, D Murdoch, and M Phil, *Strategies and Best Practices Against Overcrowding in Correctional Institutions*, Vancouver B.C V6T 1z1 M South African Law Commission, Simplification of Criminal Procedure 'Sentence Agreements' Discussion Paper 94, (January 31 2001), 1-50 (available at http://www.justice.gov.za/salrc/dpapers/dp94_prj73_sentaagree_2000.pdf) accessed on 26th August, 2020; 1 – 50. A Bill to insert chapter 16A into Act 51 of 1977 which 'provide for prosecution and accused to enter into plea and sentence agreement' drawing lessons from America and Canada.

⁷⁵ C K Meek, *The Northern Tribes of Nigeria: An Ethnographical Account of the Northern Provinces of Nigeria together with a Report on the 1921 Decennial Census* (Oxford University Press, 1969).

Corroborating this fact, the Nigerian Law Reform Commission reported that: Nigerian Prisons are too congested, and poor ventilation is one of their glaring features. Prisoners and detainees are cramped together in cells with no adequate accommodation facilities *...+ hardened criminals are made to live together with first offenders *....+ Prisoners sleep in double decker beds with no mattresses and pillows provided. In these congested cells, not all prisoners are fortunate to be provided with beds. The unlucky ones are made to sleep on the dirty, bare floor.⁶⁷

It is noteworthy that most of the persons in prison custody who are primarily the cause of the overcrowding are not convicts but persons awaiting trial. A sampling of about 30 prisons across the country in 1998, revealed that in some of the prisons as much as 98% of the populations of those in prison custody were awaiting trial.⁶⁸ Overcrowding of the Nigerian Correctional Service flows from factors such as poor attitude of the Police to arrest and prosecution of offenders, inadequate number of courts and their manpower, criminalization of what are essentially moral behaviours.⁶⁹

(b) Jail Break

Jailbreak can be defined as gaining illegal freedom from lawful custody. It could also be seen as the ability of an inmate to beat the security.⁸⁷ Jailbreak can occur inside the prison or outside the prison, for instance during labour. Jailbreak is one of the challenges bedeviling the Nigeria prison. In recent times, riots and jailbreaks in the Nigerian Prisons have become recurrent phenomena. So rampant, that they pose security concerns and serious threats not only to the prison authority, but also to both the government and the people of Nigeria.⁷⁰

Jailbreak in Nigeria has resulted in the escape of over 2000 prisoners across Nigerian prisons.⁷¹ Some of these jailbreaks were facilitated by criminal elements in an attempt to free their members, such as the Boko Haram terrorists reported to have facilitated the jailbreak in some custodial centres in the country. In order to curtail the challenge of jailbreak in Nigeria Prisons, the challenge of overcrowding, poor administration and inadequate funding and logistics, must first all be addressed. There is need for prison officers to be security conscious

⁶⁷ O I Audu, A. Joshua, and O P Enokela, 'Knowledge and Practice of Injection Safety among Workers of Nigerian Prison Service Health Facilities in Kaduna State' *2013+(1)(7)

American Journal of Public Health Research, 171-

⁶⁸ M C Eze, 'Institutional reforms and the development of Nigeria Prisons Service 1999 – 2007' *2010+(2)(5) *Journal of African Studies and Development*< <http://www.academicjournals.org/jasd>> accessed 05 September, 2020, 115.

⁶⁹ See, for instance, Anselm Chidi Odinkalu and Osaze Lanre Ehonwa, *Behind the Wall: A Report on Prison Conditions in Nigeria and the Nigerian Prison System* (Civil Liberties Organisation 1991). ⁸⁷M. C. Eze, at 105.

⁷⁰ D J O Omale, 'Riots/Jail Breaks in Nigeria Prisons: An Aetiological Study', *2013+ (9)(1) *Canadian Social Science*<www.cscanada.net www.cscanada.org> accessed 29th August 2020, 158-164; 1558.

⁷¹ P Osifodunrin, Special Research Institutfrançais de recherche en Afrique. 57– 77.Retrieved 4 June 2018 – via *Open Edition Books*, accessed 30th August 2020.

at all times. There is also need for proper monitoring of prisoners especially outside the prison vicinity. Qualified prison staffs should be employed and

89

empowered in the administration of prison centres. Prisoners should be disallowed from having unauthorized access to uncensored information and communication gadgets such as cellphones. Most importantly, inmates must be precluded from having access to all forms weapons that can be used for jailbreak.

(c) Poor Medication

Meeting comprehensive health needs of prisoners is important. However, a study conducted in 2007 in Kaduna State, found out that a prisoner died of Tuberculosis (Tb) which would have been prevented with treatment. The deceased could not be started on anti-Tb drugs because he could not pay N600 (\$4), the cost of plain chest x-ray necessary before the commencement of the drugs.⁷² The aforementioned case is one of the countless cases buttressing the fact that inmates in Nigerian prisons suffer from poor medical care.

(d) Challenges of Finance and Logistics

Lack of proper funding of prison has had many deleterious effects on correction of inmates in the Nigerian prison.⁷³ According to Olawale, “Prison workshops are grossly neglected with only obsolete and non-functional machines and equipment. The prison is also incapacitated as a result of non-availability of the basic logistics the workers require for carrying out their professional assignments.”⁷⁴

(e) Poor Feeding

It is a matter of common knowledge in Nigeria that inmates suffer from lack of food and malnutrition. If prisoners are not well fed, the reformatory and rehabilitative activities are jeopardized. As the saying goes, ‘A hungry man is an angry man’. In such a situation, nothing works well. If prisoners are not well fed, a high death rate is always recorded as they easily contract diseases. According to Omu⁷⁵ the issue of low food administered to the inmates is a critical challenge in prison administration. On his part, Senator Adams Oshiomhole recently alleged that dogs fed better than inmates in Nigerian prisons.⁷⁶ it must be noted that even

⁷² I A Joshua, ‘The Unmet needs of Inmates in Convict Prison, Kaduna, Nigeria’ *2007+(2)(1 & 2) *Nigerian Journal of Political Science*, 1-14.

⁷³ D Nkwocha and Others, *Prisons and Correctional Institutions in Nigeria* (National Open University of Nigeria, 2010), 107.

⁷⁴ O Wole, *Revisional Digest for Prison Worker* (Alphabet Nigeria Publishers 2005), 18.

⁷⁵ L Omu, *Basic Principles of Penology in Nigeria* (Anyifovy Complex Press 2008), 54.

⁷⁶ See Nosakahale Akhimien, ‘Dogs Better Fed than Inmates In Nigeria, says

Oshiomhole’ *Channels TV* (7 December, 2023) available at

though the type of food items needed in a particular prison depend on the locality; it is still important that what is available should be distributed amongst inmates in sufficient rations.

(f) Poor Administration

Investigations revealed that the Correctional Service has been neglected more than any other criminal justice agency in Nigeria and most of the prisons were built during the colonial era for accommodation of a small number of inmates.⁷⁷ The Controller General of the Nigerian Correctional Service, Mr. Olusola Ogundipe discovered that between January and June 2008, not fewer than 600 officers of the Nigerian Prisons Service resigned their appointments from the service due to poor conditions of service. He further stated that:

Between 2000 and 2005 and to some extent even until this day, the staff of the Nigerian Correctional

91

Service went through a process of inadequate and irregular payment of salaries and allowances known as shortfall. Within this period many Prison officers did not receive their full salaries and allowances. Government embarked upon the renovation of Armed Forces and Police Barracks all over the country. Compared to the Prison Barracks, the Military and Police Barracks slated for refurbishment were angelic and utopian.⁷⁸

The prisons as a result of poor administration and neglect are congested and overcrowded with inadequate prison staff. All these made accommodating cells overcrowded, with prisons becoming breeding grounds for diseases such as HIV/AIDS, viral Hepatitis, scabies and tuberculosis among others. There have been reports of prisoners dying in custody from preventable diseases and also women giving birth in prison.⁹⁷

Flowing from this nature of neglect of the Nigerian Correctional Service, the prison personnel lack the necessary competence required to manage prisoners, hence have grossly failed in their responsibilities. The criminal justice system lacks commitment to develop and sustain programs which will assist offenders re-enter the community and live a worthwhile and selfreliance life free from crime. There is no effective 'after care' programme, the society is hostile to released prisoners; above all, stigmatization had led to re-offending and re-arrest.⁷⁹

⁷⁷ ANwapa, 'Building and Sustaining Change: Pre-trial detention reform in Nigeria in Justice Initiatives: Pre-trial Detention', *New York Open Justice Initiative* (2008), 86-102.

⁷⁸ M C Eze, 'Institutional reforms and the development of Nigeria Prisons Service 1999 – 2007' *2010+(2)(5) *Journal of African Studies and Development*< <http://www.academicjournals.org/jasd>> accessed 05 September, 2020, 115. ⁹⁷ K Sabitu, Z Iliyasu, & I.A. Joshua, 'An Assessment of Knowledge of HIV/AIDS and Associated Risk Behavior among Inmates of Kaduna Convict Prison: The Implications for Prevention Programs in Nigerian Prisons' *2009+ (18) (1) *Nigerian Journal of Medicine*, 52-58.

⁷⁹ Y J Dandurand, & Others, 'Conditional Release Violations, Suspensions and Revocations: A Comparative Analysis' *The International Centre for Criminal Law Reform Justice Policy*.

www.channelstv.com/2023/12/07/dogs-better-fed-than-inmates-in-nigerian-prisonssays-oshiomhole/, accessed 31 July, 2024.

(g) Prevalence of Recidivism

The etymology of recidivism is derived from the Latin word *recidere*, which means ‘to fall back’.⁸⁰ Recidivism is the repeated or habitual relapse, as into crime. In the opinion of Maltz in 1981, recidivism is a criminal justice context which can be defined as the reversion of an individual to criminal behavior after he or she has been convicted of a prior offence, sentenced and presumably corrected.⁸¹ The California Department of Corrections and Rehabilitation views a recidivist as an individual convicted of a felony and incarcerated in a correctional facility who was released after being reformed or directly discharged during a defined period and subsequently returned to prison during a specified follow up period. Abrifor, Atere, & Muoghalu estimated the prevalence of recidivism in Nigerian prison at 52.4% in 2010. Since then, there has not been any indication that the trend has declined.⁸²

Petersilia, describes the challenges faced by prisoners being released during the period of high rates of incarceration thus: The average inmate coming home will have served a longer prison sentence than in the past, be more disconnected from family and friends, have a higher

93

prevalence of substance abuse and mental illness, and be less educated and less employable than those in prior prison release cohorts. Each of these factors is known to predict *recidivism*, yet few of these needs are addressed while the inmate is in prison or on parole.⁸³

It was also discovered that; unemployment, poverty, peer group influence, low educational qualification, length of first sentence, weakness of rehabilitation and reformation programmes, lack of proper reintegration, stigmatization, lack of visits by loved ones and devils doing are the main causes of recidivism.⁹³ One especially promising model of prison rehabilitation, known as riskneed-responsivity (RNR) has been successful in reducing recidivism when (1) prisoners at medium to high risk of recidivating are targeted, (2) they are assessed to determine their “criminogenic needs” (individual issues known to be associated with future criminal behavior), and (3) they are placed in rehabilitative programs designed to address those needs in a manner consistent with their learning styles to ensure their responsivity.⁸⁴

⁸⁰ O M Soroichi, *Analysis of the Causes And Effects of Recidivism In The Nigerian Prison System* (Ebonyi State University Press),136.

⁸¹ M D Maltz, *Recidivism*. (Academic Press, 1981).

⁸² C Abrifor, A Atere and C O Muoghalu, ‘Gender Differences, Trend and Pattern of Recidivism among Inmates in Selected Nigerian Prison’ [2012] *European Scientific Journal*, 120-126.

⁸³ Wilson and J. Petersilia, *Crime and Public Policy* (1st edn, Oxford University Press, 1986) 53.

⁹³ Ibid.

⁸⁴ D Andrews and J Bonta, *The Psychology of Criminal Conduct*(4th edn, Anderson Publishing 2006).

The age-long retributive philosophy in sentencing, instead of alternative measures which has dominated the global criminal justice system, is currently a worrisome trend. This development brings about undue prison congestion and increasing recidivism rate in the penal institution. It is therefore high time in the annals of Nigerian penology we realized the imperative of using noncustodian procedures to decongest the ever increasing prison population. Both extant and current studies, as reflected in Wilson and Herrnstein,⁸⁵ as well as Yekini and Salisu,⁸⁶ suggest that quite a number of States (Countries), have now realized that it is imperative to devise noncustodial measures in dealing with offenders as most legal systems are now faced with the problem of recidivism and consequent prison congestion. This is as a result of the failure of the retributive and deterrence sentencing philosophies that have dominated the global criminal justice sector.⁸⁷

The fundamental cause of post-release problem of maladjustment and recidivism could be traced to the lock up pattern and content of the prisons. In most prisons in Nigeria, the remand and convict populations; the younger and older inmates, are not systematically sorted out in different cells according to the Standard Minimum Rules (SMR) for imprisonment which demands that prisoners should be locked up according to their various categories.

In order to reduce the challenge of recidivism in Nigerian prison centers, there is need for the provision of employment for released inmates and proper reintegration programmes. Stigmatizing against these released inmates is contributing hugely to the increase in recidivism. Therefore the society needs to be accommodating to released inmates. Affordable education will help to reduce the rate of crime in Nigeria and if this in turn will reduce the frequency of recidivism.

95 v.

Conclusion

This paper has appraised the laws and institutions governing the Nigerian Correctional Service, identifying the efficacy and otherwise of these laws and institutions. In view of the obvious gaps/lacunae identified in this paper, we propose the following recommendations for stakeholders in the correctional service subsector in particular and the criminal justice sector in general:

1. The use of plea-bargain, should be encouraged in the administration of criminal justice of this country. This will go a long way in helping the Nigerian Correctional Service to overcome the perennial challenge of overcrowding in the Correctional Centres.

⁸⁵ J Q Wilson and R.J Herrnstein, *Crime and Human Nature* (Simon and Schuster, 1986).

⁸⁶ A O Yekini and M. Salisu, 'Probation as a non-custodial Measure in Nigeria: Making a Case for Adult Probation Service' *2013+ (7) (1) (2) *African Journal of Criminology and Justice Studies*, 101-11.

⁸⁷ M U Nnam, 'Responding to the Problem of Prison Overcrowding in Nigeria through Restorative Justice: A Challenge to the Traditional Criminal Justice System' [2016](11)(2) *International Journal of Criminal Justice*.

Facilities in Nigeria Correctional Service should be expanded to mitigate overcrowding.

2. There should be adequate provision for rehabilitation and reintegration of inmates. In this regard, we recommend that the Nigerian Correctional Service should liaise with NonGovernmental Organizations (NGOs) for effective rehabilitation and reintegration of inmates.
3. Inmates should be placed in correctional services nearer to friends and relations in conformity with international best practices. Consequently, a situation where inmates and detainees are kept in correctional centres which are far and detached from their friends and relations, leaves much to be desired and should be discouraged.
4. Visitors should be allowed to visit without strict supervision of such visitors by the staff of Nigeria Correctional Services as strict supervision is against international best practices.
5. The extant law should be amended to conform to the international best practices. Personnel of the Nigeria Correctional Service should be motivated for optimum performance. In this connection, it is recommended that government should provide adequate training and retraining for personnel of the Nigeria Correctional Service for optimum service delivery.
6. Government should adequately fund the Nigerian Correctional Service. This will enable the Service surmount the challenges of inadequate facilities and poor sanitary conditions identified in this study. Government should also provide adequate infrastructural facilities for rehabilitation and reintegration of inmates, such as provision of educational and vocational facilities.