

# THE ROLE OF NIGERIAN CORRECTIONAL SERVICE IN REHABILITATING INMATES AND EMPOWERING THEM TO NEGATE RECIDIVISM

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**Abstract:** Correctional programmes are aimed at equipping offenders with survival life skills to enable them to be reintegrated into society upon release. However, a majority of released offenders continue to reoffend, questioning the efficacy of the Nigerian Prisons Correctional programmes. This study, sought to investigate the effectiveness of correctional programmes implemented by NCS in rehabilitating inmates and empowering them to negate recidivism. Recidivism cuts across in most nations in the world with its negative consequences on individuals, social and economic spheres of life. Despite various intervention strategies, the rate of recidivism has been on the increase. The present study was designed to determine social factors contributing to recidivism among discharged prisoners at Correctional Facilities. The core function of the prison is to reform and rehabilitate prisoners. This is requisite for the prison to achieve its mandates. Rehabilitation entails the act and process of changing and improving the behaviour of the legally interned. The major aim of imprisonment is for rehabilitation and also empowering them by engaging them in most of the rehabilitation programs while serving their jail term. We recommend that prison authorities should facilitate their skill acquisition on inmates also the aftercare services should be maintained in order to help avert relapse and recidivism among the inmates after jail term.

**Key Words:** Rehabilitation, Recidivism, Prison, Relapse and Inmate Empowerment.

## 1. INTRODUCTION:

A prison can be sociologically defined as a confinement where socially and legally interned people who have wronged the society are kept for reformation, rehabilitation and possible reintegration. In light of the growing body of scientific evidence showing the limitations of a punitive approach to crime around the globe, many countries began to move towards a more holistic approach in dealing with offenders which mainly incorporates the need to rehabilitate and reintegrate offenders into mainstream society in a manner that reduces the likelihood of reoffending. Padayachee, (2008) notes that offender reintegration as opposed to retributive punishment and imprisonment is aimed at protecting both offenders and society. While offender reintegration and rehabilitation is not to be seen as crime prevention strategy on its own, it is seen as part of a restorative justice approach to crime. Crime, as well as recidivism, pervades all the societies of the world. Recidivism remains a considerable problem which faces societies and governments throughout the world (United Nations Office on Drugs and Crime, 2012). It has been controversies on the definition and measurement of recidivism, the Congressional Research Service defines recidivism as “the re-arrest, reconviction, or re-incarceration of an ex-offender within a given time frame”. Because of systemic legal and societal barriers, once ex-offenders are released, it is more difficult for them compared to the general populace to find gainful employment, secure a consistent source of housing, and generally function in society. Often viewed as sub-citizens, ex-offenders are perpetually punished for crimes. The causes of these restrictions are systemic and affect ex-offenders at all levels of society.

The issue crime in general and recidivism in particular has attracted the interest of some researchers in Ethiopia. These studies were basically focused on criminal behavior; juvenile delinquency and the criminal justice system i.e. have tried to point out from legal perspectives. Yet the amount of researches and the knowledge obtained from those researches do not suffice to explain the extent and depth of the problem related to recidivism rather they try to highlight the issue from criminal behavior. Andargachew in his book “The Crime Problem and Its Correction” found that Ethiopian prisons are suffered from over crowdedness, lack of sanitation, and insufficient amount and quality of food service. He has also focused the history of Ethiopian police force as well as the history of judicial system in Ethiopia. However, Andargachew failed address the issue of recidivism and lack of rehabilitation on repeat offenders. Daniel also studied Crime incidences in Addis Ababa with an emphasis on the nature, spatial pattern, causes, consequences and possible remedies and showed different variables causing criminal behavior. But he too failed to identify the major causes of recidivism.

In Nigerian prisons, it is a common sight to see the remand, convicted, the young and older inmates indiscriminately confined together. This development is against the United Nations Standard Minimum Rules (UNSMR) specifications for prisons the world over. According to the UNSMR, prisoners should be locked up according to their

various categories: sex, nature of offence, mental condition; it must have correctional, educational and religious facilities; a health care centre or hospital; industrial or agricultural plant; among others. Chukwudi (2012) espoused that reforms in the Nigerian system are needed in the areas of overcrowding, poor staff moral, inadequate funding, need for new rights for prisoners, rights to good food, right to clean environment, right to human dignity, need for other alternatives to (outright) imprisonment (such as suspended sentence, parole, probation, etc. Bholoa (2011) expound that the Standard Minimum Rules which emphasized that the purpose and justification of a sentence of imprisonment is ultimately to protect society against crime, and that this end can only be achieved if the period of imprisonment is to ensure, so far as possible, that upon returning to society the offender is not only willing but also able to lead a law-abiding and self-supporting life. Recidivism is caused by a multiplicity of factors within and outside individual offenders and prison institution. Societal reaction to imprisonment also accounts for the rise in recidivism in Nigeria. The attitude of the people or the people's attitude of mind towards prisoners and even the released ones is discriminatory; they are labeled and stigmatized in the society and thereby making it difficult for (re)integration into the society. Again, the prison system is a place where people of different ethnic/cultural backgrounds, behavioral pattern and personality traits are confined. That is, prison is a specially designed environment where inmates give and take both negative and positive ideologies through criminal subculture. No wonder some scholars like Giddens (2006) and Obioha (1995) argued that a prison is a school of crime and breeding ground for criminal socialization. It was listed both the societal and prison factors that make certain individuals to get into prison and consequently predict their eventual re-entry into prison as follows: situational, personal, interpersonal, familial, structural, cultural, and economic, etc. The Nigerian prison system lacks resources for the procurement and establishment of the state-of-the-art correctional programmes such as vocational skills and qualitative formal education system for both male and female inmates. Even the few available facilities such as industrial or agricultural plant, trade and vocational trade are moribund or so obsolete that they are incapable of motivating, reforming, mobilising and empowering released inmates to live a crime-free life. It makes sense to argue here that the nature or manner at which Pre and Post-release/follow-up programmes in Nigeria, if any, are carried out within and outside the prison system determines whether an inmate will return to crime and criminal activities after release or to recluse over time. It amounts to no rehabilitation or reformation when released inmates are not gainfully employed in the free world resulting from lack of vocational tools and acceptable academic qualifications or skill acquisition certificates. This development has profound implications for future reoffending, recidivism. The general implication is that unstable employment and low earnings, poor prison education and skills acquisition programmes, post-release deviant neighborhoods, dearth of post-release job training and educational programmes, and social stigmatization in the mainstream society, are major causes of recidivism in the Nigerian society.

## 2. WHAT ARE THE CAUSES OF RECIDIVISM?

- **Inadequate rehabilitation Programs** A program, whether in a prison or as part of parole or probation, will only be effective if offenders participate in it fully. Without a commitment to the goals of the program, people may reoffend. For example, if an individual convicted of drinking and driving is sentenced to a 12-step program as a condition of parole, this program can only aid in reducing recidivism if he or she is a willing participant. Similarly, if a program is not effective in meeting the needs of offenders, then it may not prevent reoffending. Also, problems that tend 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.
- **Failure of the Sanction** Others believe that individuals will commit further crimes if their original punishment was inappropriate and did not act as a deterrent. Sentences may be too lenient and fail to make people recognize their wrongdoing. They may also be too harsh, which can cause offenders to disassociate from societal norms and react criminally. Some sanctions may not be an appropriate match for the type of offense or offender, such as a long term of imprisonment for a first-time, minor offender instead of an alternative measure.
- 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. Even if offenders are given appropriate sanctions, are willing to change their behavior, and are active in a sound rehabilitative program, they may still return to criminal activity due to outside social influences such as peer pressure. For example, even if a young offender is placed in a drug rehabilitation program and wants to remain drug free, he or she may still reengage in drug use if pressured to by friends. In this case recidivism is directly related to social stimulus outside the control of the criminal justice system.

- **Mental Health** Some believe that the mental health of an offender can be one of the most important predictors of recidivism. The mentally ill may not respond to any punishment, including imprisonment, rehabilitative programs, or any other measure taken in response to their crime. As such, their tendency to reoffend may continue until their mental health problems are addressed.
- **Social infrastructural facilities** are other important requirements for effective rehabilitation in prison system are most often non-existence. Where 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.

### 3. The impact of economic problems and its contribution to recidivism :

Economic or material deprivation is one among the factors that threw in to crime. This also considered as factors for re-offending. The economic problems of the participants were manifested in the form of unemployment, poverty and lack of income which leads people to engage in criminal activities repeatedly. This shows that a great deal of recidivists were unemployed. Besides, some people believed that unemployment was the causes of re-offending. In line with this, the qualitative data from participants also revealed that economic problems like poverty, lack of income and unemployment were the main causes of re offending. Almost all of the prisoners have been frequently portrayed as economically poor and unemployed. They have not got any job in the post-release periods. In supporting this idea, one of the respondent said that "I was released from prison but it is difficult to find employment because of my criminal background". Hence, the recidivist criminal history is one of the deterring factors to find a job. The suspicion and fear of employers to hire those with a criminal record are the causes of unemployment for most recidivists. The absence of jobs in the post release periods compelled for the majority offenders to involve in a certain criminal activities as alternatives mechanism to secure their financial gains. The other contributing factors to recidivism were the negative attitude of the community in general and the state administrators in particular towards recidivists. Inmates in the post release period were segregated from every economic opportunity. They were prohibited from getting any financial assistance/loans to work in group/association. The social environment is not suitable to engage in any income generating activities. No one was volunteered to give start-up business. In general, inmates in the post release periods were not trusted by the community even though they rehabilitated and changed their behaviors. This condition compelled them to enter into criminal activities. Besides, the recidivists were asked if they have enough income after imprisonment to fulfill their basic necessities.

Sometime ago, I came across inmates that testified the reasons he was back to prison again. (Here are his reasons: *I have taken vocational training on metal works inside the prison; however, I did not get any work upon release. The government could not provide any job opportunities. There is no any financial support given for us upon release to establish new business. I do not have any money to sustain my life so I have repeatedly engaged in theft crimes. Due to this, I have been imprisoned many times and I become hopeless. This forced me to engage again in crime.*).

### 4. Consequences of Recidivism :

Most prisons especially Nigerian Correctional Services are witnessing an enormous increase in people relapsing into antisocial behaviour, recidivists. Thus, Senator Uche Chukwumerije, in his 2012 Prison Act Bill titled *Explanatory Memorandum on Amendment of Prison Act* argued that the crime rate in the country continues to rise with continual increase in prison population, resulting in heavier burden on tax payers. This Honorable Senator affirmed that little fund, little reformation and self-reinforcing spiral criminality and recidivism. The result is a vicious cycle of double *R*: little reformation/rehabilitation of prisoners (*R*) and recycling of recidivists (*R*), as well as increase in prison population, higher cost to tax payer, higher budgetary demand and budgetary cuts. Recidivism's toll on local, state and federal government is enormous. Part of the economic loss resulting from criminal recidivism is the cost to Nigerian taxpayers of maintaining the criminal justice system. Chukwumerije (2012) contended that the tax payers bear the cost of our prison system. Consequently, the whole sum of money is an enormous burden on the Nigerian taxpayers, though ironically, it is too small to meet the full objectives of imprisonment. To Solomon, Waul, Ness and Travis (2004), crimes by released inmates require ongoing expenditures on law enforcement and prisons, and reduce the public monies (funds) available for other important services such as education and community development. They also impose a tremendous cost on individuals, families and communities. The success of efforts to rehabilitate inmates is undermined because offenders often return to the same communities where they can easily become involved again in criminal activities. Studies have shown that recidivism was more constant among inmates who returned to their former neighborhoods than inmates who relocated to new communities (Vozzella, 2004). Although the high crime rate of neighborhoods where released inmates reside clearly affect recidivism – and vice versa – these conditions should not be seen as inevitably causing rehabilitation efforts to fail. However, McKean and Ransford suggested that although the measurement of recidivism may lack clarity, it is clear that the incidence of recidivism jeopardizes public safety and escalates expenditure

on law enforcement and criminal justice (McKean & Ransford, 2004). Obviously, the spate of criminal recidivism in Nigeria is inimical to national plan and development. It also has adverse social and economic consequences not only on offenders' families and communities, but also on public safety and cohesion.

**Prevention and Control of Recidivism in the Nigerian Prison System** The prison system is expected not only to shelter offenders pending when they will be released but also contribute meaningfully in transforming them into law-abiding citizens, thereby facilitating their easy reintegration and to guard against relapsing. These expectations have led to a number of incisive and forward-looking approaches capable of transforming the objects and subjects (prisons and prisoners) to be better citizens in the real world. Therefore, a careful appraisal of prison programmes is necessary to identify those ones that are laudable for widespread adoption. On that note, if the outcomes of the Postsecondary education programme that is established in the Kirikiri, Port Harcourt and Enugu prisons are positive, then the Federal Government should consider establishing it, in at least, one prison in each State in the Federation. Owing to the low level of educational attainment among prisoners in Nigeria, the dire need for (higher) educational and vocational programmes is desirable. To guard against recidivism in the Nigerian prison system, educational and vocational programmes should be made more accessible to inmates by increasing the capacity and removing barriers, inhibitions and restrictions in enrollment as this will go a long way to reduce the high rate of recidivism in the society. The implication is that high enrollment into these programmes would improve the employability of participants upon release. The effect of education on inmates' rehabilitation is, to a large extent, a catalyst for reducing recidivism both in the short and long-runs. Qualitative educational programmes are among the leading recidivism-control strategies prison management ought to implement to the fullest in the onerous task of curbing this egregious social problem. The use of academic and vocational training by prison reformers is a leeway to reform inmates and therefore guard released inmates against relapsing into antisocial and morally reprehensible conducts by equipping and empowering them with necessary resources.

#### **5. EMPOWERING THE INMATES TO REDUCE HIGH RATES OF RECIDIVISM :**

Studies would suggest the follow-up the aftercare service by the NCS rehabilitation program and engaging them in self-employment which represents a very practical way for some prisoners to re-enter the labour market. Indeed, Sauers (2009) identifies a 'prisoner entrepreneurship program' (PEP) that has achieved a recidivism rate as low as 8% and an employment rate that is more than 80% within 30 days of release. However, what is not known from this study (or any other study) is the percentage of prisoners that might realistically benefit from entrepreneurial support, although anecdotal evidence would intimate that it is just a modest proportion of the prison population. Such programmes are not a panacea for the elimination of recidivism as not every prisoner wishes to pursue such a route (as with the general population). However, what is known is that some prisoners react positively to such a programme, and this paper discusses the approach taken to a 'Start Your Own Business' programme that was delivered in a prison and examines the results that were achieved. Through these discussions, the paper contributes to existing literature on enterprise support programmes for prisoners as it extends the limited body of knowledge that currently exists on this topic. Of the offender respondents, (100%) suggested that community based projects, if formal employment is not possible, should be initiated for ex-convicts to make ends meet as a means of improving motivation. Participants concurred that employment or a source of income that helps meet their basic needs without which life becomes difficult. With an income, participants stated that ex-offenders are likely to gain their self-esteem back and become productive members of the society. One key informant from the institution highlighted the importance of partnership by pointing out that "if we continue to work in isolation, we may not attain the bigger goal". These stakeholders according to the key-informants should work hand in glove and play a central role in educating communities about the importance of supporting ex-offenders as well as their initiatives. To enhance the employment of ex-offenders in the society, there need for stakeholders to liaise with employers and union representatives suggest that the following strategies could help alleviate some employer concerns and foster better connections between employers seeking to hire and ex-offenders seeking to work (Holzer, 2003):

Provide structured transitional employment opportunities so that ex-offenders can build positive work experience and references upon release from prison; Increase and strengthen training in both □ soft and hard skills, and create more partnerships with employers to match technical training with their industry needs; and Create a marketing campaign to educate □ employers about how and where to hire qualified ex-offenders, available government incentives, and successes experienced by employers that have hired ex-offenders.

#### **6. RECOMMENDATIONS:**

Government and correctional authorities should implement coordinated community programs that could enable inmates and ex-offenders benefit from employment, treatment for their trauma histories and drug abuse problems, and

help in preparing them for a productive life when they return to their families and communities. Capacitating ex-offenders through linkage to some form of capital or production inputs is key to enable them start earning a living without much problems that could influence them to resort to criminal activities. There must be models for coordinated, multi-disciplinary, multi-systemic efforts to provide ex-offenders with opportunities to financially and emotionally support their families. Additionally, gender, class difference of inmates, ex-offenders, their families and communities must be considered in the design of programs and research. Provide structured transitional employment opportunities so that ex-offenders can build positive work experience and references upon release from prison.

## 7. CONCLUSION:

Recidivism as a theoretical construct is a fairly simple idea: Some people will reoffend after they have been convicted, treated, and/or punished for a crime. Numerous quantitative studies have documented the extent of reoffending throughout the country, while various theoretical perspectives have demonstrated that it is a vital component to understanding criminal justice. However, determining why people reoffend and measuring how often they do so proves to be much more difficult. It can be concluded that offending behavior can be attributed to a myriad of factors which include but are not limited to, peer pressure, poverty, inequality, unemployment, inferiority and struggle with the adjustment. Most criminals are re-offenders who fail to rehabilitate or reform and reintegrate completely into mainstream society. Responses to offender rehabilitation and reintegration are inadequate due to a lack of holistic services being provided as a result of stakeholders working in isolation.

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