

Full Length Research Paper

Institutional reforms and the development of Nigeria Prisons Service, 1999 - 2007

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Nigeria as a country experienced over twenty nine years of military rule. Consequently, the Nigeria Prisons were nothing less than a concentration camp where democrats, civil rights activists and some social deviants suffered. The emergence of civilian rule in 1999 with promises both to restore human rights and the rule of law and to reform the justice system of which the prisons are part of, led to the appropriation of billions of naira. This paper provides an overview of the reformation of Nigerian Prisons service and its reforms using documentary and primary sources of information with a view to assessing the extent of its consistency with international standard and its impact on both prison inmates and the institution itself. The paper discovered that the reforms centred on administrative and logistic conveniences with complete disregard for structural changes, inmates conditions and international standards. The reforms failed because of the class character of the prison inmates and the objectives for the establishment of prisons in Nigeria. It is therefore recommended that Nigerian Prisons should pursue a structured pro-inmates' international standard reforms as a negation to the interest of the ruling class. In this lies the genuine development of Nigerian prisons.

Key words: Prisons, reforms, democracy, development, institutions.

INTRODUCTION

The Nigerian Prisons Service (NPS) was founded as an institution to correct social deviants, punish and reform criminals and to complement the processes of legal adjudication and law enforcement (FGN, 1990:3-5). However, the Nigerian Prisons Service was in the period leading up to 1999, a study in chaos. The Prisons were in a terrible shambles, while the congestion rate among the inmates especially those awaiting Trial was so high that the population capacity of 30, 000 inmates is hosting over 58,000 inmates. Its infrastructures and logistics have experienced centuries of neglect that have made the Prisons at this time to be a moral equivalent of hell (Ogundipe, 2006).

This state of the NPS was equally exacerbated by the dominant military leadership that Nigeria has experienced since independence. The military in its 29 years of political leadership saw the prisons as a punitive institution and thus did not give it any attention as to develop its infrastructures and conditions. Ogundipe (2006: 29) notes that the military did periodically visit the prisons but only to make sure that those they had detained were not allowed any measure of 'comfort'. The

population of inmates under them became elastic in that the capacity of each prisons did not matter, all detainees had to be held in custody. And if the prisons became tortuous, it served the purpose of the military regime very well (Ogundipe, 2006: 29-30). Most of the detainees were held in squalid and congested cells without adequate medical care, food supplies or water and often with no stores at all, thus leading to an outbreak of diseases, environmental degradation, and an increased mortality rate among inmates. The condition of Prisons staff was not different. Their salary structure was one of the worst in Africa. Many people outside the system looked at them and regarded them as prisoners also. Most of the prison branches or sections around the country did not have a single official moving vehicle while the very few that had, found it difficult to maintain them due to poor revenue allocations. The institution had no befitting independent corporate headquarters prior to 1999.

The Prisons system in Nigeria is one of the most under developed institutions in the criminal justice sector. No new prison has been constructed in more than forty years and the prison population continues to grow (Ojukwu and

Briggs, 2005). The Prison Act of 1945 and accompanying regulations has not been reviewed in over 50 years. 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 population of those in prison custody were awaiting trial (Oloyede, 1998:5, Ojukwu and Briggs, 2005:2). The situation is not very much different today. The plight of juvenile offenders and female prisoners is much worse than already described. Most of these prisons were not built with females in mind; however, they do host female inmates. Cases of rape, pregnancies and extra-judicial killings abound in Nigeria's Prisons.

However, hope grew in 1999 when the country was returned to civilian rule with a promise to up-hold fundamental human rights, the rule of law; pursue a nation wide decongestion of the prisons and the reformation of the prisons institution. This paper studies and assesses the implementation of these promises by the civilian regime of Chief Olusegun Obasanjo between 1999 and 2007. Precisely, the paper seeks to understand if the reforms have changed the state of infrastructures and logistics, have introduced Prisons Service best practices and have positively altered the conditions of prison inmates and workers.

DATA COLLECTION AND ANALYSIS

This paper explored the avalanche of materials existing in the areas of reforms and prisons services, most especially on the prisons in Europe and American continent for purposes of establishing prisons best practices. Literature on reforms and prisons in Africa are also reviewed. However it must be noted that they are few and orthodox in nature. These materials were drawn from conference and workshop papers, journal articles, textbooks, magazines, government publications and gazettes, newspapers and internet materials. These sources enabled the paper to explore the various theoretical explanations and or justifications for prisons reforms. From these theories, the paper developed the template upon which Nigerian Prisons Reform was evaluated.

In addition to the above, some prison settlements in Nigeria were chosen for direct interaction with Prison inmates and workers, to enable the paper validate or invalidate any of the official claims in the reform process. 500 questionnaires were distributed to prisons staff and inmates in four prisons service settlements located in two out of the six Nigeria geographical zones namely; South East and the South-South. These prisons settlements include the Onitsha, Enugu, Ogwash-Uku and Benin prisons. These settlements were chosen specifically because they have experienced jail breaks, though at different periods. The 500 questionnaires were proportionately distributed as follows: 20 questionnaires to the officers and 105 questionnaires to the inmates of each of the prisons. Gender was considered while distributing the questionnaires to the inmates as 40 out of the 105 were given to females (where they exist). These questionnaires were distributed and collected with the assistance of Anambra State Civil Society Forum (ASCSF). The data collected from the stated methods were analysed using mathematical tables with the aid of simple percentage mechanism; and content analysis.

Review of literature

The relevance of literature review lies in its potency to guide the researcher into existing discoveries, problem areas, current trends, debates and/or discussions in the field, and the neglected aspect of the discourse. Thus, for this inquiry, works on International Prisons Best Practices, Prisons Service in other parts of the world, and Prisons Service and the trend of its reforms in Nigeria are reviewed. This helped in the structuring of both the research and paper.

Nigeria was under civilian regime within the period 1999 to 2007 that this paper is focused and it is an unsettled debate among political scientists, economists, and sociologists on the precise effect of regime type on development. It is not clear whether democracies produce better policies and policy results than autocracies. As a result of the East Asian New Industrialized Countries (NICs) experiences, some scholars argued that authoritarian rule orchestrates growth more than civilian rule (Englebert, 2002; Kohli, 1986). Democracy is often criticised and associated with policy sclerosis (Olson, 1982), prebendal politics, skewed political representation that ensure the monopolisation of state resources and anti- resource redistributive measures to the rural poor, and amenable to ethnic conflict and social disorder. Thus, democracy does not stimulate positive development outcomes (Leftwich, 1997).

Democracies do spend more on social policies, but there is no evidence that there is a strong relationship between spending levels and policy achievements in the developing world. The social policy profile in developing countries is very deformed. It is sufficient to observe that the scholarly view of these matters is ambivalent. While democracies may prevent certain domestic policy disasters, such as widespread famine, their positive accomplishments appear to be quite thin. Democracy has not proven to be associated with development, as that term is commonly understood. It is important to note that countries build their political institutions over long periods of time irrespective of regime. Available evidence in the literature shows that democracy and authoritarianism construct deep legacies that outlive decades (Mahoney, 2002).

Nevertheless, there will always be a character or profile in each regime that makes a difference in the area of public policy. On this lies the difference in the quality of the lives of the people, and in the present circumstance, of the Nigeria Prisons and its inmates. Prisons began all over the world not as ultimate institutions for punishment and correction but initially as institutions for the custody of persons caught up in the criminal justice systems awaiting trial or the execution of their punishment such as whipping, banishment and death (Rothman cited in Alemika, 1987). However, in the mid-nineteenth century, the function of the prison as short-term custodial facility changed in Europe and North America to institutions for

ensuring punishment, penitence and correction of the offender. By the time the first prison was built in Nigeria in 1872, the prison had assumed this new role.

The establishment and growth of the prisons in Nigeria is backed by various statutes from the colonial period to the present. Among these statutes are the Prisons Ordinance of 1916; Laws of Nigeria (1948 and 1958) and the Prison Decree No. 9 of 1972. A Government White Paper in 1971 outlined the functions of the prison service to include: custody, diagnosis, correction, training and rehabilitation of incarcerated offenders. The Nigerian Prison Service Staff Duties Manual listed an additional function, generation of funds for the government through prison farm and industries. Similarly, the colonial ordinance of 1916 and the Laws of Nigeria 1948 and 1958 identified the function of the prison to include the safe custody of a prisoner. A close study of colonial and post colonial laws seem to emphasize the custodial functions of the prison while silent on correctional functions of the modern prison.

The NPS reform is part of the Nigerian criminal justice system's reform policies (Odekunle, 2007) that is in line with the global trend to shift prisons service from a punitive and retributive penal system, to a reformatory and rehabilitative system whereby the welfare of offenders is given a pride of place. A major issue that affects offenders' welfare is the respect for the rights of inmates despite their incarceration (King, 2001). Some of these violations include; provision or insufficient treatment for serious medical conditions; lack of adequate health education on disease control; and denial of conjugal visits, denial of access to education just to mention but a few. Thus, the employment of specialists like psychologists, social workers, and medical doctors as prison officers (Thomas, 1972; Hill, 1988; O'Brien, 1998, Enuke, 2001) was a significant symbolic step in many countries towards the provision of inmate balanced needs.

The emphasis on custodial functions coupled with rising prison population has led to overcrowding in the prisons. Enuke (2001) pointed out that most of the prisons currently contain twice the number of inmates they were intended for, especially Awaiting Trial Persons (ATPs). Enuke noted that between June and July 1998, following the sudden death of General Sanni Abacha, Nigeria's Military Ruler for five years (1993-1998), the prisons attracted considerable media and public attention when political and other detainees were released from the prisons. The experience of those released from various prisons spoke of grim conditions and the absence of a humane policy for the treatment and education of prison inmates.

In a recent survey of the prisons, it was observed that paucity of fund has made the upkeep of the inmates and provision of facilities a near impossible feat while facilities for rehabilitation of prisoners, which is a major reason for imprisonment, are virtually lacking or grossly inadequate

(Enuke, 2001). This and its associated problems together with overcrowding, and inhuman conditions in the prisons have led to the prisons being variously described as "human cages" (Kayode, 1987) and human zoos (Enuke, 2001). Currently, education is a marginal activity in Nigerian prisons. At the best it takes the form of unorganized apprenticeship for a small number of prison inmates which is a means of maintaining the prison system (Enuke, 1987). Available evidence revealed that there is no known official policy on education throughout the prisons in Nigeria. Education in its present form may not be able to serve as an antidote to the most harmful effects of the prison environment (Parkinson, 1983: 67). Enuke's (1987, 1991) conclusion that educational provision varies from prison to prison is supported by recent reports by Mbah and Ajibade from Biu and Makurdi prisons respectively (Tell, 1998). Mbah, a journalist who was convicted of involvement in a military coup and served three years in Biu prison before he was released in July 1998, observed that:

Throughout the three years, we had no access to books. When I arrived there in 1995, they said I could only read the bible... They would bring books from the library, they would not give me. They would give all their prisoners... They said I had not come here to read.

Kunle Ajibade, another journalist convicted for the same offence - like Mbah but was in Makurdi prison - said that; After screaming and a lot of hassles some of my books were sent to me. In prison, I learnt that people could be so cruel. There is no reformation going on in our prison. Confirming the grim conditions in Nigerian prisons another journalist, Charles Obi (Tell, 1998) who was also convicted of involvement in the same military coup because they reported the story, observed that:

It was a four-by-four room, completely dark and without ventilation. We were not allowed to see sunlight. We were in solitary confinement for about two months.

Thus, there is a wide gap between the ideal and real situation, despite government declarations. While the educational approach to inmates reformation has not been tried in Nigerian prisons (Enuke, 1998), it has been tried with considerable success in Europe and North America (Parkinson, 1983; Duguid, 1981, 1989). The approach is based on the theories of Dewey and Piaget, through Kohlberg's linking of the stages involved in levels of moral reasoning ability. It is referred to as cognitive because it recognizes that moral education, like intellectual education, has its basis in simulating the active thinking of the child about moral issues and decisions (Collins, 1988).

Placement of inmates in prisons is another factor in

prisoner's treatment. Prisons in Europe improved the conditions of visiting situation and the placement of inmates in prisons settlements. This was to satisfy the greatest concern among prison inmates, which is the need for consistent family contact. To facilitate family visits, prisoners are placed in the prison that is closest to his/her home in Denmark and to strengthen the ties to the outside world, the inmates are entitled to receive visits in the prison at least one hour every week (Prison in Denmark, 1990). In most prisons there are special visiting rooms where prison inmates may be along with visitors in their privacy. In fact visits are only supervised in very rare cases. This means that it is possible to have sexual intercourse with visitors (conjugal visits) in all prisons. Where there are no visitors' rooms, visitors can spend time in the inmate's room undisturbed. In closed prison, visits may be allowed every day which last a couple of hours, while in open prison, visitors are allowed on Saturdays and Sundays and holidays and normally for longer than two hours. The objectives of the visits are twofold; to maintain family ties and secondly as a means of providing opportunities to practise parenting and other social skills taught in correctional education programs in prison (Enuke, 2001: 5-6).

The Nigerian prison policy is different in every respect. Firstly, the government for political vendetta deliberately transfer some prisoners farthest from their home. Ajibade and Mbah already mentioned are typical examples. Makurdi and Biu prisons where they were kept are at least 800 kilometres away from Lagos where they both have their families. Choice of prison in these instances is meant to isolate them completely from their families, their friends and familiar environment. Charles-Obi although he was in Ibadan prison which is about 100 kilometres about an hour's journey by car from Lagos, was not allowed frequent family visits. In his own words:

Initially members of my family were not allowed to see me... but later, the rule was relaxed. I had access to two people, each of them once in a month. Even at that, I was not allowed to freely discuss with them. It was more of a 10 - 15 minutes affair (Tell, 1998:10).

The two people who were allowed to see him were his mother and elder sister. Although he was planning to get married, his fiancée was not allowed to visit him.

RESULTS AND DISCUSSIONS

The conditions of NPS in the face of reforms

Most of the present prisons settlements in Nigeria were built about 70 to 80 years ago and lack functional basic facilities such as potable pipe born water, churches and

Mosques, schools and technical workshops among others. These prisons additionally host two or three times more than the number of prisoners originally projected. Its infrastructure is outdated, overstretched and overcrowded. No new prison has been constructed in more than forty years and the prison population continues to grow (Briggs and Ojukwu, 2005). The Prison Act of 1945 and accompanying regulations have not been reviewed in over 50 years of their enactment. This can only be explained by the fact that the ruling class in Nigeria since independence has been comprador bourgeoisie and imperial stooge that uses the instrumentalities of the state to effect private capital formation and safeguard same against opposition while playing the role of Western surrogate. The state in Nigeria has never been promasses. It has been exploitative and repressive against opposition.

Consequently, most of the prisons inmates are not convicts but persons awaiting trial due to one false allegation or the other. Characteristically, Nigerian prisons inmates are made up of the poor and defenceless, social activists, agitators of ethnic marginalization particularly from the minority tribes, dissident elements in the various authoritarian regimes that have rule Nigeria, strong political opponents and critics, and social crusaders. Thus, the Nigerian prisons service is a repressive instrument in the hands of the dominant ruling class against others in the process of inter- and intra-class struggle for state power and public resources. A sampling of about 30 prisons across the country in 1998 revealed that in some of the prisons as much as 98% of the population of those in prison custody were awaiting trial. 63% of them are political prisoners, 30% are social and human rights activists, while the remaining falls into different other categories (Oloyede, 1998:13; Briggs and Ojukwu, 2005:22). The situation has remained the same till date. In addition, the prisons are generally underfunded and lack the capacity for effective management of prisoners including the capacity to reform inmates or offenders.

The annual report of the National Human Right Commission (2005) exposes the decaying condition of Nigeria Prisons Service and its inmates even after six years of Obasanjo's regime. Yejide Gbenga-Ogundare in his work in the *Sunday Tribune* of 19th October 2008 summarized the state of Nigerian Prisons Service in the following words:

Poor funding, sexual assaults, corruption and fraud are parts of the decay which has turned Nigerian prisons to breeding ground for criminals. underfeeding, slashing of feeding fee of individual inmates from N150 to N70 daily which led to reduction in food rations, low quality of food, overcrowding and poor medical services have made prisoners especially female ones become very vulnerable and open to sexual assaults because of promises of favour and special treatments. It was

revealed that in spite of skin diseases which scourge many of the female prisoners due to the unkempt and unhealthy state of the prison and the inmates themselves, prison officials still make time to assault them sexually in return for a promise of favour of amnesty not caring for the consequences.

This act has led to another crisis in the prisons as many of the female inmates get pregnant without concrete explanations on how it happened. Many inmates deliver babies in prison custody and these children also live with them, despite the terrible situation of the prison and are forced to feed on the insufficient ration allotted to their mothers.

Prison inmates are terribly treated and because of the terrible treatment meted out to prisoners, attempts of jailbreaks are rampant in Nigeria. It happened on September 11, 2007 at Agodi prison in Ibadan, September 2008 at the Oko prison in Benin City during which 23 hardened criminals escaped. It has happened in Ogwash-Uku, Onitsha and Enugu. The panel that investigated these incidences at the end of their investigations identified poor illumination, underfeeding and poor healthcare services, dilapidated infrastructure, lack of a functional close circuit television and poor condition of the only functional watch tower as the factors responsible for the jail break. The Minister of the Interior, Godwin Abbe in the aftermath of investigations into the incidents, accused senior prison officials of colluding with food contractors to shortchange the inmates and junior officers of high handedness in the treatment of prisoners (*Sunday Tribune*, Oct. 19th, 2008).

The Uje prison was built in 1989 with a capacity of 320 inmates with staff strength of 160 but as at 2006, it has 599 inmates, made up of 561 Awaiting Trial Inmates and 38 convicts. Facilities were over stretched, especially toilets, beds, and mattresses, among others.

Similarly, Port Harcourt Central Prison was built in 1918 with a capacity of 804, however as at November 19, 2006, the prison housed 2,525 inmates, comprising 2,496 males and 29 females. Awaiting trial inmates (ATM) were 2273 made up of 2248 males and 25 females. Convicted inmates were 252 made up of 248 males and 4 females. Out of these, 17 were lifers while 127 were condemned convicts (CC). The large number of condemned prisoners was as a result of the fact that Port Harcourt Central Prison is a reception centre for condemned criminal from zone E of the Nigerian Prisons, comprising Rivers state, Bayelsa, Akwa -Ibom, Cross Rivers, Imo and Abia States. The male inmates were separated based on their status, that is, the ATM, CC, mentally ill inmates and Lifers. On the other hand, all the female inmates were in one cell, irrespective of their age, status and offences. Inmates were not separated on the basis of their age.

The Maiduguri New Prison was built in 1954 by the then Regional Government of Northern prison capacity is 680 but as at November 9, 2006, the lock up was 375

inmates. This number comprises 237 convicts, 138 awaiting trial inmates out of whom there were 134 males and 4 females. The prison has staff strength of 153 officers. The 1961 with a capacity of 800. The lock up as at November 10, 2006 was 1,846 made up of 1,759 awaiting trial inmates and 87 convicts. The staff strength of the prison is 181. The walls and the general structure of the prison was built with blocks and cement. Some of the infrastructure is dilapidated and in need of urgent repairs and facelift due to neglect and overuse.

Between January and June 2008, not fewer than 600 officers of the Nigerian Prisons Service (NPS) resigned their appointments from the service due to poor conditions of service. This was disclosed by the Comptroller General of Prisons, Mr Olusola Ogundipe. He further stated that:

Despite the President's tacit acknowledgement of the rot in the Prisons Service and other institutions of Justice, it may interest you to know that between July 2000 and April 2004, Government did not release any capital allocations to the NPS.

He added:

Between 2000 and 2005 and to some extent even until this day, the staff of the NPS 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. Compare to the Prison Barracks, the Military and Police Barracks slated for refurbishment were angelic and utopian.

However, he noted that government in pursuance of prisons reforms had approved the completion of six new prison projects. It is very pertinent at this point to evaluate the acclaimed modernization and or reformation of the Nigeria Prisons Service by the Obasanjo's regime between 1999-2007, particularly with regards to infrastructure and logistics.

REFORMS AND INSTITUTIONAL DEVELOPMENT IN NIGERIA PRISONS SERVICE, 1999-2007

The indices of Prisons Best Practices as enumerated by Eneku (2001: 5-6), Parkinson (1983: 67), which include; short detention without trial, humane principles for the treatment of offenders, education/Skill acquisition programmes for inmates, placement of inmates in prisons nearer to friends and relations, visitation hours without supervision of visitors by authority, regularity of visits to inmates, particularly on Saturdays and Sundays and holidays, defined number of inmates in a cell of a

particular measurement, provision of modern sanitary infrastructures and lavatory, provision of water, provision of electricity, good Feeding, provision of charity legal aid to inmates who can not afford the high cost of the judicial process and staff welfare form the yard stick for our assessment.

Fasan (2007) notes that by their very nature, reforms are supposed to be forward-looking and beneficial. Thus, the reform pursued staff promotion especially from the junior non-commissioned officer (NCO) cadre to the commissioned staff status. Hitherto persons on the NCO level, invariably without a university degree, could rise to the senior level by going through training and taking requisite make-up courses at the Nigeria Prison Staff College. Successful graduates of the Staff College could then move or be upgraded to the senior level. That facility for growth on the job has now been scrapped.

Other reforms in the Nigeria Prisons Service can be found in *The Reformer- Setting Agenda for Prisons Reforms*. This is a quarterly magazine being produced by the Nigeria Prisons Service. This research made use of these magazines as produced by the Nigeria Prisons for the period of the study. These magazines reveal that Obasanjo's administration set the tone of its Prisons' policy when within six months of his swearing in 1999, he ordered the decongestion of the prisons nation wide (The Reformer, 2006: 29). Those that benefited from this order according to Mr. O.A. Ogundipe (the Controller-General of Nigeria Prisons) include:

1. The long standing awaiting trial persons (ATPs). Altogether, 1,403 persons in this category were released in 1999.
2. Juveniles: Many of the under aged persons, 380 in all, were released as a result of the order.
3. Condemned Convicts: All condemned convicts who have stayed 20 years and above were released out rightly while those who have stayed between 10 years and 19 years had their death sentences commute to life imprisonment. On these, 254 condemned convicts were released and 654 others had their sentences commuted to life imprisonment (Ogundipe in The Reformer, 2006: 29).

It is arguable that Obasanjo's prisons decongestion policy was purely an exercise to legitimize the new civilian regime as against the past military dictatorships, and to satisfy the interests of strong party supporters whose relations and or friends were held in the prison. This argument is justified by Obasanjo's later actions that re-congested, with higher numbers, the Nigerian prisons when opposition and activism grew against his government and presidential candidature in subsequent elections.

In July 3, 2000, Obasanjo's regime granted the Nigeria Prisons administrative autonomy and directed the Nigeria Police Force to hand over the functions of all court escort duty to the Prisons with effect from June 2001 to ensure

speedy dispensation of justice (The Reformer, 2006: 30). Following this, on September 28, 2006, the administration of Chief Obasanjo approved a new Five Directorate Structure for Nigerian Prisons with the Controller General as the Chief Executive Officer aimed at revolutionizing the institution in the 21st Century. Other reforms include; the Salary structure of the NPS staff was increased by 15% in January 2007, the introduction in January 2007 of the NPS After Care Component of the Prisons Reforms and Rehabilitation programme (this programme takes care of inmate's welfare after release from the prisons; The Reformer, 2007: 12). In addition, the administration commissioned for the first time in one hundred and fifty years of the existence of Nigerian Prisons a medical centre in Abuja Central Prisons in December 22, 2006. In 2006 also, NPS headquarter in Abuja was refurbished and expanded at the cost of N1.7billion naira only. Prior to these, in 2004, one hundred and twenty seven vehicles (127) were approved to be purchased by the NPS. The breakdown of these vehicles is as follows:

- i. 71 Toyota Mini Black Maria.
- ii. 9 Toyota Hiace Buses.
- iii. 15 Peugeot 504 Station Wagon.
- iv. 11 Peugeot 504 Salon.
- v. 12 Mercedes Benz 1418 Black Maria.
- vi. 6 Mercedes Benz 1418 Troop Carriers.
- vii. 3 Toyota Coaster (3) Seater Buses.

The 2008 recruitment exercise witnessed a shift as graduates and professionals were recruited as prison personnel. Consequently, the role of the prison officers is to change from being a guard or "strict disciplinarian" to being a reformer, physician, teacher and a change agent. Nevertheless, the impact of this change in the prison's recruitment exercise on the general treatment of the inmates and their needs has not been seen.

In Nigeria, sixty five percent of prison inmates have never been convicted of any crime, with some awaiting trial for up to ten years (Amnesty International, 2008). The report observed that the country's prisons are filled with people whose human rights are being systematically violated. People with mental illness are imprisoned alongside convicted criminals because their families are unable or unwilling to take care of them. The report equally highlighted the plight of prison staff, who work long and stressful hours for low wages that are often paid late. Staff shortages due to voluntary retirement created security risks in NPS for both staff and inmates. Most people in Nigerian prisons are too poor to afford a lawyer and the Legal Aid Council only has 91 lawyers in the whole country to provide legal representation. The result is that only one in seven awaiting trial inmates has access to legal representation (Amnesty International, 2008).

It is therefore innocuous to affirm that Nigeria Prisons Service Reforms are practically anti-best practices. For example;

- i. Short detention without trial. Though expressed on paper that no body should be detained more than 48 hours without trial, none of the Nigerian Prisons has released inmates awaiting trial within 7 days in pursuance of the inmate's right. In fact, some have been detained for over two years without trial.
- ii. Humane principles for the treatment of offenders. In Nigeria, those that are yet to be convicted are treated inhumanely like criminals while all the inmates (as shown by Amnesty International) are systematically abused.
- iii. Education/Skill acquisition programmes for inmates. No literacy institute has been established for inmates; rather NPS has pursued farming and industrial programmes for the main purpose of feeding and generating fund for the establishment but not for the purpose of impacting skills and knowledge to inmates. Survey reveals that 286 (57.1%) of our respondents admitted that there is no education and or skill acquisition programme for inmates. While 322 (64.4%) revealed that the introduction of education and or skill acquisition programme is not part of the NPS reforms.
- iv. Placement of inmates in prisons nearer to friends and relations. This particular point was observed by NPS within the period covered by this paper. All the respondents confirmed that inmates are held in locations close their relatives, though, 322 (64.4%) of them later argued that this is because of their trial location.
- v. Visitation hours without supervision of visitors by authority. All visitations by relatives and friends of inmates are either supervised or done in the open within such a restricted short time. From the survey, 357 representing 71.4% said that inmates do not enjoy private times/hours with their visitors, while other abstained from the question.
- vi. Regular visits to inmates, particularly on Saturdays and Sundays and holidays are not equally allowed because most prisons formation has a scheduled visiting hour and day for each month.
- vii. Defined number of inmates in a cell of a particular measurement. No change was made with regards to this matter. Most of the prison cells are over crowded to the point that inmates sleep in turn on a bare dirty layered floor. From our survey result, 430 (85.7%) maintained that there is no official number of inmates per cell, though, 322 (64.3%) admitted that the number of inmates per cell decreased within the period of Obasanjo's rule (1999 – 2007).
- viii. Provision of modern sanitary infrastructures and lavatory. This can only be found in the first class rated prisons for high political officer holders. They are absent in most of the Nigeria Prisons.
- ix. Provision of water, good feeding, provision of charity legal aid to inmates who can not afford the high cost of the judicial process and electricity are not priorities in the NPS reforms, however, infrastructure, logistics, staff welfare and good health delivery are. The survey reveals that 395 respondents representing 78.6% and 430

(85.7%) noted a positive change brought about by the reforms in the areas of the conditions of service for NPS personnel and infrastructures/logistics. 322 (64.3%) however admitted that no new inmate structure was built or renovated within 1999 and 2007. 465 (92.9%) of the respondents admitted that their prisons have good health delivery service with Doctors and other health personnel attached to them. While 465 (92.9%) admitted that the conditions of service of NPS staff have been positively affected by the reforms.

Conclusion

Summarising the NPS practices in relation to Prison best practices, the Amnesty International (2008:4) stated;

“The Nigerian government is simply not complying with its national and international obligations when it comes to the criminal justice system in Nigeria and must begin to do so seriously and urgently,” said van Kregten. “The conditions we saw and the stories we heard from inmates are a national scandal.

286 (57.1%) of our respondents maintained that this has not helped to improve the image of the para-military institution, that is, the NPS.

Thus, the NPS reforms recorded success in modernizing its recruitment processes, impacted positively on the conditions of service of its staff and administrative conveniences but have failed to reform the conditions and needs of prisons inmates. The reforms were focused on two pertinent elitist issues; that is: economic and security issues. Economically, the reform focussed on issues that sustain the life and strength of inmates to enable them to participate in Prison's farming and industrial labour policies. The success of these policies enhances the capital base of prison personnel who sell their products and labour for money. From the security perspective, the reforms addressed the problem of mass exodus of NPS personnel, which constitute a security risk for both the serving officers and the ruling class. By so doing the reforms has not only consolidated the services of serving officers, stopped the exodus of prison personnel but has equally attracted graduates and professionals to the institution. This gives security to the ruling elites as it ensures the confinement of different element within the social classes that threaten the security of the affluent and top political office holders in the state.

Consequently, it is therefore the position of this paper that NPS reforms in its effort to safeguard the comfort and security of the elites have partially undermined the development of the institution by its neglect of the conditions and needs of the inmates. It is therefore strongly recommended that NPS should embark on generally accepted structured reform process using international reform template as a yard stick. This alternative is efficacious in the current drive to

development the Nigerian prisons specifically because prison's best practices are born out of the moral, social, political, and human rights activism across the five continents of the world irrespective of ideological and political divides. They emerged to provide succour to the various dehumanizing carceral policies found among authoritarian regimes particularly in Communist bloc and military dictatorships. On this lies the development of NPS as an institution in Nigeria.

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