

## Effective Public Policies and the Re-Integration of Ex-Convicts: The Nigerian Correctional System

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### Abstract

In a recent development, the Nigeria Prison Service was renamed, “the Nigeria Correction Service”, a move that is designed to reorient the department along the lines of emergent demands of justice dispensation on the global scene. This study examined the extent to which the new Nigeria Correction Service can adjust to the laudable objective of repositioning itself for purposes of reformation and re-integration of the nation's ex-convicts for a better Nigerian society. Data was obtained from secondary materials including books, periodicals, journals, newspapers, the internet, etc. Content analysis was adopted as the mode of analysis while the theory of social integration (Blau, 1960) was employed as the theoretical framework of the study. Findings revealed that the re-orientation of the “service” for purposes of reformation and re-integration of ex-convicts had long been taking place as many of such citizens had either acquired a good measure of education while in prison, learnt various vocations and even attained higher spiritual growths. The study suggested adequate funding to enhance the effort of the service in achieving its objectives.

**Keywords:** *Correction service, Re-integration, Reformation, Repositioning, Re-orientation.*

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### **Background to the Study**

In 1891, the city of Lagos was declared a colony. This marked the beginning of the establishment of a formal machinery of governance. Similarly, the Nigeria Prison Service brought about the origin of the contemporary prison service in Nigeria in 1861. As a paramilitary commission, some of its major functions included – taking into lawful custody, all those certified to be so kept by courts of competent jurisdiction; produce suspects in courts as and when due; identify the causes of their antisocial disposition, set in motion mechanisms for their treatment and training for eventual re-integration into society as normal law abiding citizens on discharge; and administer Prison Farms and industries for this purpose and in the process, generate revenue for the government. The foregoing explanation is an indication that the prisons is a vital organ in the process of justice dispensation. It is in this vein that Aboki (2007) believes that, “prison represents the third leg in the criminal justice system of a society”.

A person found guilty of a felony or misdemeanour may be required to serve a prison sentence. This is to say that a prison is an institution for the confinement of persons who have been remanded in custody by a judicial authority or who have been deprived of their liberty following conviction for a crime. It was common in the 16<sup>th</sup> century to find several houses of correction established in Europe for the rehabilitation of minor offenders and vagrants; they emphasized strict discipline and hard labour. Over time, imprisonment came to be accepted as an appropriate method of punishing convicted criminals. Poor sanitation in these institutions caused widespread diseases among prisoners who were generally held unsegregated, without any consideration for gender or legal status. As the use of capital punishment began to decline in the late 18<sup>th</sup> century, the prison was increasingly used by courts as a place of punishment, eventually becoming the chief means of punishing serious offenders. Thus, the use of imprisonment subsequently spread worldwide, often by means of colonial empires which brought the practice to countries with no indigenous concept of prisons. The modern prison developed in the late 18<sup>th</sup> century in part as a reaction to the conditions of the local jails of the time. By the early 21<sup>st</sup> century however, many countries had abolished the death penalty (in law and in practice), and imprisonment became the most severe form of punishment which courts could impose.

The above account reminds one that laws are meant for man, and not man for the laws. It also brings to the fore, that prisons in essence, were institutions originally designed for punitive measures against offenders. The correctional component was only a later-day development which is most appreciated by the contemporary civilised human society. The recent development in which the Federal Government in Nigeria changed the nomenclature of the former Nigeria Prison Service to the correctional service is not only well throughout, but also well timed. It marks a paradigm shift in the posture of government towards the welfare of ex-convicts in particular, and that of the entire Nigerian population. The extent to which the program will be realised depends on the effectiveness of the policy meant to drive it. The re-integration of persons who have been behind bars for any length of time is no mean feat to achieve. This paper is saddled with the responsibility of the advocacy for effective public policies to ensure the realization of the lofty objective of the reintegration of ex-convicts into the Nigerian civil society via the Nigerian correctional system.

### **Conceptual Clarification**

Correctional System: In approving a new public correctional policy in August 2010, the American Correctional Association declared in connection to criminal sentencing that:

*The length of a term of incarceration resulting from a criminal conviction should be only as long as necessary to accomplish the objectives of punishment. This will optimize the cost to the taxpayer... minimize any deleterious effects of imprisonment, and maximise the chances for the successful reintegration of offenders into the community after release and also ensure that the public interest in the long-term incarceration of habitual, violent and predatory sexual offenders is preserved.*

Correction is associated with those agencies which perform functions involving the implementation of sentencing orders of criminal courts. It is the last lap in the continuum of criminal justice activities of the criminal justice system. Corrections comprise – the probation authority, jails, the agencies that perform community correction functions, prisons and patrolling authorities.

**Ex-Convicts:** According to Muntingh (2008), it is estimated that close to 6,000 offenders are released from various correctional facilities each month, either through parole or expiry of their sentences” in South Africa. In the views of Albertus, (2010); Muntingh, (2008), “it is hoped that upon their release many will stop engaging in criminal activities”. It is observable that many ex-offenders re-offend and go back to prison. The above explanation shows that an ex-convict/ex-offender refers to someone who has been in prison but later released into liberty/freedom.

**Re-Integration:** The word recovery involves developing new meaning and purpose in a person's life as one grows beyond the catastrophic effects of mental illness, so to say. Harrison (1984) observes that, “recovery does not mean that the suffering has disappeared with all symptoms removed and/or that the functioning has been completely resolved. In the medical profession, practioners are fond of using rehabilitation as a process to ensure recovery. Reintegration is also an aspect of re-integration. Thus, re-integration is the part of the process that allows people to assimilate into daily life. This also means that re-integration is vital in the process of recovery.

Re-integration is widely viewed as a multi faced concept which must be measured along several dimensions, hence, its various definitions. Thus, while the UN (2014a), views the term as, “the process by which ex-combatants acquire civilian status and gain sustainable employment and income”, Kingma 2000, 28:2003 183) asserts that re-integration, “is a complex, long-term process through which ex-combatants and their dependants are assisted to (i.e.) settle in their postwar communities (social), become part of the decision-making process (political), engage in sustainable civilian employment and livelihoods (economic), as well as adjust attitudes and expectations and/or deal with their war related mental trauma (psychological)”

**Public Policy:** Often times, policies are associated with legislations and regulations. In reality, however, policies involve a wide range of activities. It refers to a distinct path of action suitable for the pursuit of desired goals within a particular content, directing the decision making of an organization or individual. Policy turns public when government comes into play and decides to either do or not do a particular thing. This is to say that public policy is the decision of a government to either act, or not in its question to solve a problem, public policy therefore, refers to a course of action which guides a range of related actions in a given field. It provides guidance to governments and accountability links to citizens. In the views of Goldwin (1980:29), “the concept of 'public policy analysis' can be viewed as an earnest attempt to measure the costs and benefits of various policy alternatives and to evaluate actual or proposed governmental activities. Considering public policy from the 'goal attainment' and power configuration perspective, Robert and Clark (1982) refer to the term as: “series of steps taken by a government to solve problems, make decisions, allocate resources or values, implement policies, and in general to do the things expected of them by their constituencies”. In the views of Sharkansky, (1978) “policy can refer to a proposal, an on-going programme, on the goals of a programme, major decisions or the refusal to make certain decision”.

**Empirical Literature:** Recent past studies on Policies on re-integration of ex-convicts in Nigeria and beyond.

**Table 1.**

Name of researcher, year, title of study	Scope of the study	Methodology
Nwune, Ajah, Egbegi and Onyejebu (2019). Across the wall: the perception of rehabilitation, reformation and re-integration programmes in Anambra State prison command.	Anambra state prison command: perception of rehabilitation, reformation and re-integration programmes.	This study examined the perception of rehabilitation, reformation and re-integration programmes across the wall of Anambra state prison command. Its theoretical framework was the Jean Hampton rehabilitation theory. It also employed primary data from a structured questionnaire and an indebt interview guide (IDI). SPSS software was used for analysis. Findings showed that there is a mixed perception about the functionality of programmes among the members of the prison community.
Brown (2016). Ex-convicts in a dilemma of re-integration: A study of Uyo, South South Nigeria	Nigeria (Uyo). Ex-convicts and dilemma of re-integration.	This study used secondary data to trace past and discharged inmates. Using primary data from structured interviews, a total of 63 ex-prisoners were contacted through random sampling. Emerging data showed that – (a) most ex-convicts did not take advantage of training programmes while in jail, (b) the facilities for corrections are grossly incapable of realizing the desired effects on ex-convicts and the society at large. Greater efforts towards corrections should be made as recommended in the study.
Ijeoma, Uche, Ezumah and Malachy (2015). Effectiveness of rehabilitation programmes in the Nigerian prisons.	Nigeria – Enugu Prisons: Effectiveness of rehabilitation programmes	The study aimed at finding out the perception of effectiveness of rehabilitation programmes by prison inmates in Enugu Prison. Questionnaires were administered on a total of 145 inmates of the prison. Using the SPSS for analysis, it was revealed that the rehabilitation programmes so far have not achieved much.
Ugwuoke and Ameh (2014). Rehabilitation of Ex-convicts in Nigeria prisons: A study of Federal Prisons in KogiState	Nigeria prisons – Kogi State: Ex-convicts in Kogi Federal prisons.	The study examined the rehabilitative roles of the Federal prisons in Kogi State. It revealed that the prisons are still more punitive than correctional inspite of claims from official sources. The study described the prison roles as being retributive.
Igbinovia and Omorogiwu (2019). The prison rehabilitation programmes and their effects on inmates in Benin City Prisons Nigeria.	Nigeria-Benin City. Prison rehabilitation programmes and their effects on inmates	The study assessed the effects of rehabilitation programmes on prison inmates in Benin City using descriptive survey design. Primary data were employed. It was found that the programmes of rehabilitation in the prisons are worthwhile and used as they tend to influence inmates' behaviours positively.
Ayuk, Owan and Ekok (2013) The impact of prison reforms on the welfare of inmates: A case study of Afokang prison, Calabar, Cross River State, Nigeria.	Nigeria: Calabar prisons and impact of reforms on welfare of inmates	The study examined the impact of prison reforms on welfare of the inmates. It adopted the ex-post facto design. Results showed that poor remuneration and absence of reformatory facilities, militate against the workability of reforms.
Awopetu (2014). An assessment of prison overcrowding in Nigeria: implication for rehabilitation, reformation and re-integration of inmates	Nigeria: Prisons overcrowding and its implications for the rehabilitation, reformation and re-integration of inmates	The study assessed the capacity of current lockup of prison population in six geo-political zones of Nigeria. It was discovered that most prisons were housing more inmates beyond their capacity. The study believes that this overcrowding affects adversely, the wellbeing and welfare of inmates and oven the rehabilitation programmes.

### Theoretical Framework

Macro structural Theory of Social Structure (Blau, 1960). For many, this theory is one of the biggest contributions of Blau (1960), to sociology. Blau believes that social structure consists of the networks of social relations that organize patterns of interaction across different social

positions. For him, social structure did not consist of natural persons, but social positions. This means that the “parts” of social structure were classes of people such as men, women, rich and poor. Blau believed that the root of social structure can be found whenever an undifferentiated group begins to separate itself along some socially relevant distinction. In Blau's eyes, one could not speak of social structure without speaking of the differentiation of people: He believes that it is these social distinctions along with some social characteristics (race, religion, age, gender, etc) which determine who interacts with whom. His theory gave a more structured idea of “homophily” which describes the observation that people are drawn to others like themselves. Individuals may seem to have other interests. However, such interests are also structurally produced. Blau coined the term “parameter of social structure” to refer to socially relevant positions which people could be classified as.

### **Methodology**

This is a qualitative study in which the technique of content analysis was employed to yield results in connection with the need for effective public policies for purposes of reformation of convicts and reintegration of ex-convicts into the Nigerian society. Data was sourced from secondary materials while Blau's (1974) Macro structural theory of social structure was adopted as the theoretical framework. Thus, the analysis runs in the following sequence:

**Research Question One (1):** What is the extent of success recorded in the programme of transformation of convicts while still serving their jail terms in Nigerian Prisons? Prisons is a place that houses people who are either convicted for various offences or are awaiting trial.

*A total institution or a place of residence and work, where a large number of like situated individuals are cut off from the wider society for an appreciable period of time together, lead and enforce formally administered round of life (Awake, 2005).*

The above definition and explanation shows that such a new environment is, “expected to provide the prisoner's inmates with particular opportunities of rethinking, stock taking and repentance from old ways” (Omorogiuwa, 2014). It is heart warming to underscore the assertion by Tanimu (2010) in which he stated, “the significant need for rehabilitation programmes in the transformation and restoration of prison inmates is recognized”. A study by Igbinovia and Omorogiuwa (2019), titled, “the prison rehabilitation programmes and their effects on inmates in Benin City Prisons, found that “rehabilitation programmes are worthwhile because they influence inmates' behaviours and inventiveness”. Interestingly, the Nigeria Prison Service (1989), revealed that;

*There are a number of prison rehabilitation programmes for inmates which provide specific skills crucial for preparing inmates for better living on release from the prison; while the main objectives of the prisons service, which are the reformation and rehabilitation of inmates can be actualized through programmes such as: social case and group work/intervention, recreational activities, educational programmes and skills acquisition programmes.*

In a related development, Ayuk, Owan and Ekok (2013), in a study titled, “the impact of prison reforms on the welfare of the inmates: A case study of Afokang Prison in Cross River State, Nigeria”, it was observed that the conditions of living in Nigeria's prisons are deplorable and not capable of guaranteeing the expected reformation of inmates. The ex-post facto design study found that: “poor remuneration and absence of reformatory facilities militate against workability of reforms”. Finally, in an assessment of prison overcrowding in Nigeria and its implications for rehabilitation, reformation and re-integration of inmates, the study by Awopetu (2014), found that, the clustering and crowding of prisoners together in a choky cell may arouse prison violence, aggressive behaviour and reduce the quality and sense of psychological wellbeing of inmates. This militates against the programme of reformation, rehabilitation and re-integration. Thus, while it is obvious that a programme of transformation is worthwhile in Nigeria's prisons, such a programme is not currently achieving the desired effects as the conditions of most prisons are un-conducive.

**Research Question Two (2):** How successful are the prisons in Nigeria achieving the re-integration of ex-offenders/ex-convicts?

Rhode (2004), perceives reintegration as, “engaging inmates in a useful programme like educational programme that would enable inmates leave the prison with more skills and be in a position to find meaningful and long-term employment”. A programme of re-integration should also include-vocational programme that will provide job training that prepares inmates with the know-how and training for today's workplace. Inmates may be schooled in trades like carpentry, computer programmes and repair; horticulture, painting, plumbing, etc.

A study by Ezumah and Malachy (2015) on the “Effectiveness of Rehabilitation Programmes in Nigerian Prisons”: A Perspective of Inmates in Enugu Prison, revealed that “rehabilitation programmes in the prisons have not achieved much”. This was partly due to lack/inadequate funding which constitutes a major hindrance to the programmes. This result is corroborated in the findings of a similar study titled, “Ex-convicts in a Dilemma of Re-integration: A study of Uyo, South South Nigeria” by Brown (2016). This study which employed primary data showed that most ex-convicts did not take advantage of training programmes while serving their jail terms. It also observes that the correctional facilities are grossly incapable of bettering the lots of ex-convicts. The study finally recommended that more correction-based legislations, improvement in penal facilities and personnel, and sensitization of the mainstream society towards positive disposition to the reintegration of ex-convicts. Results from the study by Ugwuoke and Ameh (2014), on Rehabilitation of convicts in Federal Prisons, Kogi State, Nigeria reveals that contrary to official claims that Nigerian prisons operate within the principles of rehabilitation and reformation, abundant evidence show that these institutions are still largely retributive in nature.

## **Findings**

This study revealed the following:

1. The reformation, rehabilitation programme of the current Nigerian correctional system is worthwhile as inmates' behaviour are influenced through these programmes. It is for this reason that the significant need for these programmes have been recognized by the Federal Government.

2. Many convicts do not avail themselves with the opportunities offered by various training programmes in the prisons. The result is that they leave the jail yards without adding value to their original states before and when in jail.
3. The re-integration programme has not achieved much. This is due to the fact that the rate of transformation is slow.
4. Factors which include – inadequate funding, inadequate qualified personnel, lack of facilities and equipment, contribute to the slow pace of re-integration.
5. The conditions in the prisons are not sufficient to support the wellbeing of inmates. The choking situations in the cells are enough to elicit aggression and apathy to rehabilitating programmes.

### **Conclusion**

The latest reform which saw the change of the Nigerian prisons to the Nigeria correctional system is well thought out as it is intended to enhance the quality of the Nigerian citizenry and society. Claims from official quarters notwithstanding, it has been the general belief that the Nigerian prisons have hitherto, functioned as punitive establishments. But while the service makes efforts which tend to conform with international standards, studies as discussed in this paper have shown that not much have been achieved in that regard. Many reasons have been given for this situation ranging from poor facilities, poor funding, to inadequate/unqualified staff. Nigerians would wish to see the Nigerian correctional system answer to its name as it is the entire society which benefits and not just the ex-convicts. Hence, some suggestions suffice.

### **Suggestions**

1. Nigerians should welcome the recent reforms which saw to the emergence of the Nigeria Correctional Service.
2. Government should learn to take prisons as a very vital component of the judicial System which must learn to be more correctional than punitive in posture.
3. Convicts in prisons must be made to realize the significant/benefits of being part of training/transformation programmes while in jail.
4. Factors which militate against the correctional programme of the service should be addressed by the government and the society at large and as a matter of agency. This will impact significantly on the effort at re-integrating these ex-convicts into the society.
5. The issue of congestion should be urgently tackled to avoid encouraging frequent jail breaks.
6. Government must learn to make polices with human faces. This is the only way to emplacing effective public policies.



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