

Reformation of Female Prison Inmates in Benin and Kirikiri Prisons: ODL to the Rescue

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INTRODUCTION

Recidivism is the relapse of an ex-offender into criminal behaviour, after undergoing punishment or sanction for a previous crime. A fundamental problem for criminal justice, recidivism indicates the incapacities of confinement as a deterrent for crime. In Nigeria as in most other parts of the world, research has proven that recidivism rates are on the increase. This is a major problem for public safety and crime control.

The focus of this paper is on the place of Open and Distance Education in reducing recidivism rates. Using Kirikiri and Benin Prisons as examples, we shall demonstrate the benefits vocational education as a means of reducing recidivism in Nigeria and the place of ODL in providing access to vocational education for the prisoner.

1. A CASE FOR GENDER SENSITIVE PRISONER EDUCATION

Statistics show that about 2% of the total prisoner population in Nigeria today is female. As a result, policies and programmes directed at the majority tend to put female prisoners at a disadvantage. A clear example is the structure of the typical prison cell – because male prisoners do not have the biological capacity to bear children, no provisions have been made to house pregnant prisoners separately or for child-care services where prisoners deliver in detention. As a result of this deficiency, we have ‘child-prisoners’ in Nigerian prisons. These children, though they have committed no crime, are forced to live with their mothers in their cells. Female prisoners also suffer the same disadvantage where vocational training is concerned. While some prisons have facilities for training in carpentry, welding and other male dominated jobs, there are no facilities for training in the more readily female dominated areas like baking, tie and dye and bead making.

Incarceration of female prisoners has direct effects on the development of their families. Ajinkya (2013) opined that female incarceration is tearing families apart and devastation their communities. She noted further that women’s incarceration also poses a significant risk factor in the incarceration of their children. Robertson (2007) describes such children as forgotten victims of imprisonment. Apart from the obvious society imposed disadvantaged of gender, the typical (female) prisoner is from largely uneducated, poor, unemployed or under employed. This would predispose them to recidivism if not properly rehabilitated.

2. THE HISTORY AND ROLE OF PRISONS

Prisons are known to have existed in history for various purposes. Biblical records make mention of prisons and/or prisoners in Hebrew and associated history. According to the Crime Museum, early European prisons served as places for confinement of offenders pending judgment and punishment. The modern idea of imprisonment as a means of incarceration was first suggested by Jeremy Bentham to prevent the death penalty, which he opposed. The earliest known operators of prisons were the United Kingdom with London being the first known place of construction of prisons for punishment. In the 19th Century, prisons were only meant to serve the purpose of punishment and confinement. Hence, prisoners were housed under very harsh conditions and forced to take part in hard labour with little or no care or treatment. Subsequent calls for some form of reformation to reduce recidivism, resulted in measures like basic education, mental treatment and prison therapy.

Prison terms serve 4 major roles:

- a. **Retribution:** This is the most widely accepted purpose of prisons. It is believed that incarceration in prison is a way of depriving offenders of their freedom as punishment for crimes committed. Accordingly confinement may be further compounded with other sentences such as ‘hard labour’. Section 4(1) of the Prisons Act 1972 recognises the sentence of imprisonment with hard labour under

which the prisoner will be required to work as such labour as may be directed during the period of his/her confinement.

- b. **Incapacitation:** This refers to the removal of a criminal from the society as a means of preventing harm to innocent persons in the society or confinement pending trial and sentencing. The incapacitative function is believed to be the original function of prisons.
- c. **Deterrence:** This role of prisons is based on the hope offenders' experiences whilst in confinement, will serve as a deterrent to would be offenders. Adamu (2004) states that it is generally assumed that those who commit offences should be penalized so that law and order can be maintained.
- d. **Rehabilitation:** Rehabilitation refers to the goal of reforming and/or rehabilitating an offender by equipping him/her with the necessary skills or training to enable him/her function as a law abiding citizen upon reintegration to the society. Elizabeth Fry noted that punishment is not for revenge but to lessen crime and reform the individual.

2.1 History and Role of Prisons in Nigeria

Oral tradition alludes to the presence of little 'prisons' in places like Bonny, Rivers State. However, the first modern prison in Nigeria was established in Broad Street, Lagos in 1872. With the introduction of British rule in the early 20th Century, other prisons were established. During the early colonial era, the main purpose of prison was for punishment and deterrence. Hence, prisoners were used as labourers for public works. Vocational training of prisoners was first introduced in 1917 but failed. By 1949, it was reintroduced together with moral and adult education classes for prisoners. Upon the attainment of independence, the Nigerian Prisons Service was established. In 1972, Decree No. 9 was promulgated and set out the functions and responsibilities of prisons in Nigeria. That Decree is in force today as Prisons Act.

Figures 1 and 2 provide statistical information on the population of prisoners (both convicted and awaiting trial) in Nigerian Prisons as at 30th April 2012 and Kirikiri Prisons as of March 2013.

	Male	Female	Total
Awaiting Trial Persons (ATPs)	36,540	889	37,429
Convicted Persons (CPs)	16,167	220	16,387
Inmate population	52,707	1109	53,816

Figure 1: Population of persons confined in the Nigerian Prisons as at 30th April 2013

	Awaiting Trial	Convicts	Total
Maximum Security Prison	418	334	752
Medium Security Prison	2248	147	2395
Female Prison	146	37	183
Inmate Population	2812	518	3330

Figure 2: Population of persons confined in Kirikiri Prisons as at March 2013

Nigerian prisons serve all of the aforementioned functions. According to Orakwe, the Nigerian Prisons Service is charged with taking custody of those legally detained, identifying causes of their behaviour and retraining them to become useful citizens in the society. While secure custody is the first role of the Nigerian Prisons Service, reform and rehabilitation are its ultimate aim.

Obiora (2011) notes that by its establishment philosophy, the Nigerian prison service is an institution meant to administer penal treatment to adult offenders. Concerning incapacitation (whether for convicted offenders or persons awaiting trial) the Prisons Act in Section 19 also defines a prisoner to mean anyone lawfully committed to custody. Pursuant to Section 6 of the Act, the officer in charge of prisons is responsible for the production of prisoners before courts for trial. The deterrent function of Nigerian prisons is closely connected to its retributive function. Obioha (2011) points out that deviants should be

punished to make them pay back for their actions and deter them and others from committing the crime in future. With regard to the rehabilitative function, Orakwe notes that the Nigerian Prisons Service today has 3 divisions – Technical, Inspectorate and Welfare Divisions. The Welfare Division which he refers to as the ‘pivot of the new prison order’ is charged with the responsibility for training, treatment and rehabilitation of prisoners.

3. REHABILITATION OF PRISONERS AND RECIDIVISM

Though reformation and rehabilitation have been said to be the ultimate aim of the Nigerian Prisons Service, evidence suggests that this goal has not been attained in Nigeria. Prisoner welfare and rehabilitation continues to receive low priority Omoni and Ijeh (2009) opined that provisions made for qualitative and vocational education of prisoners were inadequate. Obioha (2011) noted that the Nigerian prison system is more punitive and dehumanising than the supposed corrective assignment it should be focused on. The same conclusion was reached by Tanimu (2010) who opined that current facilities and programs of the prison are out dated, unsuitable, and irrelevant to the declared reformatory and rehabilitation ideals.

The problem of recidivism is a global one. The estimated rate of recidivism in the US is 66%. In Norway, it is estimated at 20% In Italy it is estimated at 68% for offenders who served time in prison and 19% for those who were assigned to the probation service. Callan and Gardner (2005) estimated Australian recidivism rates at 58%. In Nigeria, Abrifor et al (2010) estimated an upward trend from 35% in 2007 to 44% in 2008 and 52.4% in 2010. Similarly, Soyombo (2009) estimated 2005 recidivism rates at 37.3%.

Nigerian prisons have been described as ‘hell of the worst kind’. Considering the horrendous conditions under which Nigerian prisoners are confined, one would expect that the fear of returning would deter any ex-offender. Since this is not so, it therefore stands to reason that prisons have little deterrent value.

3.1 Reasons for Recidivism

One major reason for re-offending is unemployment. Research suggests that prisoners who are employed fairly quickly after they are released are less likely to reoffend. Moak et al (2007) opine that by remaining employed, it is more likely that ex-offenders will avoid criminal activities and thus will not reoffend. The premise that employed ex-offenders are less likely to re-offend forms the basis for various educational and vocational training programmes in prisons in developed countries. Tanimu (2010) notes that the typical Nigerian prisoner is a semi-literate male in the prime of his life, unemployed or self employed in the lowest occupational ladder. This is exacerbated by confinement after which they are rendered unemployed. In Nigeria with unemployment levels of 23%, a typical job-hunting ex-offender competes from a position of disadvantage having little or no education, lack of requisite skills, no family or external support and a criminal record.

Age and gender also affect recidivism rates. Callan and Gardner (2005) opined that older people are less likely to recidivate. This aligns with the study carried out by Moak et al (2007) on the causes of recidivism in Massachusetts. Research by Abrifor et al also showed that men are more likely to reoffend than women.

The nature of prisons has also been listed as another cause of recidivism. Prisons are said to be ‘criminal universities’ where first time offenders are exposed to hardened criminals. Gleissner calls this ‘prisonisation’, where prisoners imbibe negative values, are recruited into gangs and drugs. Obioha (1995) and Adetula et al (2010) both agree that less prisoners tend to become hardened in prison and more likely to reoffend upon release. Similarly, Callan and Gardner discovered that people with shorter initial sentences are more likely to recidivate than people with longer initial sentence. Inactivity also contributes to this problem. Tanimu (2010) opined that 65.2% of convicts were never assigned any work. The same is true, even in more developed societies. A Correction Officer interviewed by Moak et al opined that prisoners only ‘watch TV ... talk (and) fight’ in prison. Upon completion of their terms, prisoners are known to find adjustment to normal life difficult. The reason is not far-fetched - prisons have their own rules. In a ‘society’ where convicts sleep in shifts (Tanimu 2010) and hardly do anything productive during the day or exercise general freedoms on the basis of their place in the prison hierarchy, prisoners quickly become dehumanised. Obioha notes that Nigerian prisons are overly regimented with strict control of virtually all activities of inmates with the result that prisoners are mentally brutalized with broken bodies and spirits which leaves them destroyed and maladjusted upon release.

Again, ex-offenders have to deal with stigmatisation and negative societal perceptions of ex-offenders. Gleissner opines that post release, ex-offenders are perceived as poor marriage, employment and business prospects. Family connections do not also help as such connections are usually lost or broken especially where the ex-offender served a long prison term. Add to that the adage in Nigeria that 'the thief is never as ashamed as his family' – which effectively discourages family association with ex-convicts. The result post-conviction is that most ex-offenders go to those they knew as 'family' and find that they have moved on.

3.2 Vocational Education and Recidivism

Education has proven to have a positive effect in the reduction of recidivism. Warner (2005) notes that education can assist with efforts to rehabilitate prisoners. The effect of education on recidivism can be attributed to the fact that it provides an ex-offender with a ready means for earning a living through employment. Indirectly, employment aids reintegration into the society as the ex-offender is able to bypass negative attitudes and contribute meaningfully to the society.

Vocational education in particular has been proven to be very effective in reducing recidivism. Callan and Gardner (2005) established that, compared to 32% recidivism rates for prisoners who did not participate, the recidivism rate for prisoners who participated in vocational training was 23%. This is similar to findings in Australia where about 32% of ex-offenders who took place in vocational training less likely to recidivate compared to 42% of those who did not.

Vocational training is also more cost effective in comparison with other rehabilitation programmes. Research by the Washington Institute for Public Policy (2006) showed that vocational education resulted in about 12.5% reduction in recidivism as against cognitive behaviour treatment (8.5%), correctional industries (8%), In-prison drug treatment (6.5%) and academic education (4.5%). Similarly, vocational education was the most cost effective.

Vocational training has been a means of economic empowerment for most Nigerians so with the right support, it should work for prisoners. In recent times, it has become an alternative to tertiary education as a means of employment. With national unemployment rates estimated at 23.9% (National Bureau of Statistics 2013) and 80% of Nigerian graduates being currently unemployed (CIPM 2013), tertiary education is no longer an employment guarantee. Upon release from prison, the 'educated' ex-offender may have to compete with other unemployed persons without a criminal history. Considering the stigmatisation of ex-offenders, fractured personal relationships and absence of initial support, the ex-offender is disadvantaged and may not be employed as early as is required to prevent recidivism. Vocational education is a more viable alternative as it provides the prisoner with the ready means of employment.

In Nigeria today, vocational education is readily available through government initiatives, non-governmental organisations and individual entrepreneurial efforts. However, most of them are not available in prison. NGOs sometimes organise vocational training programmes for prisoners but they are limited and there is little opportunity for trainees to practise. Some vocational training programmes are also available in prison. They include hair weaving/barbing, tailoring, carpentry and welding. Qualitative training is however hampered by old, bad or obsolete equipment.

4. THE NATIONAL OPEN UNIVERSITY OF NIGERIA AND PRISON VOCATIONAL EDUCATION

Established vide the National Open University Act 1983, the National Open University of Nigeria (NOUN) has as one of its objectives the provision of courses of instruction and other faculties for the pursuit of learning, especially to those who may not, by nature of their circumstances, enrol for residential full time university education. NOUN is well suited to the educational needs of prisoners. At present, NOUN has special study centres in a number of prisons, including Kirikiri Prison in Lagos. The prison study programmes have been very successful with many prisoners achieving long held dreams of accessing tertiary education.

The NOUN Centre for Lifelong Learning and Workplace Training is responsible for training of vulnerable and/or economic disadvantaged persons who have been denied access to formal education. Its mandate is to provide open, distance and technology mediated learning to the vulnerable populace of Nigeria the less privileged, illiterate and semi-literate citizens, migrants, rural dwellers, out-of-school youths, etc., who are by nature of their environment denied access to formal and/or further education. Some of its

programmes include Legal Secretarial Studies, multimedia design and Production, Film and Television Production Techniques, Computer Literacy and Keyboarding, Call Centre and Telephone communication Skills, Mobile Phone repairs, principles of small Business Management, Medical Office Procedures, Business Communication and bead making.

The aforementioned courses will avail female prisoners the training required for post-release adjustment in the society. It provides a means for self employment where required or ready employment where such services are required. Furthermore, the courses are relevant and in high demand in the present day. From a study carried out in Lagos prisons by Oyakhiromen (2008), areas in which prison female prison inmates would prefer to receive training in order of preference are computer literacy, seed science and agro based food technology, beauty care/ modelling, marketing, cell phone repairs and small scale business management. Most of these are available in NOUN.

For prison inmates in Lagos, vocational training is readily available for female prison inmates through the NOUN, Kirikiri Prison Study Centre. Unfortunately, it is not available for those in Benin prisons as there is presently no NOUN Study centre within the premises of Benin Prisons. They are therefore disadvantaged where ongoing qualitative vocational education is concerned.

Conclusion

In the light of the above, vocational educational opportunities are readily available to female prisoners through ODL. NOUN's presence in Kirikiri provides access to relevant skills and training for prisoners. It also affords them the opportunity to practise skill learnt since the trainers are readily available and relevant study materials provided. Female prisoners in Benin City Prisons are, however, at a disadvantage since there is no ready access to vocational education through ODL.

The above notwithstanding, it must be noted that prisoners do not earn money and many of them have lost contact with outsiders. It is therefore imperative that such vocational courses be made available at no cost to the student or factored into the prison's budget for direct payment by the Nigerian Prisons Service.

REFERENCES

Abrifor, C. Atere, A. and Muoghalu, C. (2010) '*Gender Differences, Trend and Patter Recidivism among Inmates in Selected Nigerian Prisons*' *European Scientific Journal* 8(3) 25 – 44

Adamu, A. (2004) '*Challenges of Crime Management*' retrieved from <http://www.abdullahiadamu.net/speeches/10705085945.html>

Gleisner, J. (2010) '*Recidivism: Its Causes and Cure*' retrieved from <http://ezinearticles.com/?Recidivism---Its-Causes-and-Cure&id=5452590>

Ajinkya, J. (2013) '*Rethinking how to address the Growing Female Prison Population*' retrieved from <http://www.americanprogress.org/issues/women/news/2013/03/08/55787/rethinking-how-to-address-the-growing-female-prison-population/>

Callan, V. And Gardner, J. (2005) '*Vocational education and training provision and recidivism in Queensland correctional institutions*' National Centre for Vocational Education Research

Moak, R., Lowry, R. and Webber, B. (2005) '*A Study on the Causes of Recidivism in Massachusetts*' Bachelor of Science Research Project.

Obioha, E. (2010) '*Challenges and reforms in the Nigerian Prisons System*' *Journal of Social Science* 27(2) 95 – 109

Omoni G. and Ijeh, S. (2009) '*Qualitative Education for Prisoners: A Panacea to Effective Rehabilitation and Integration into the Society*' *Edo Journal of Counselling* 2 (1) 28 - 37

Oyakhiromen, I (2008) '*Capacity Building and Rehabilitation of Prison Inmates and Crime Control Through ODL*' Paper presented at the 2nd African Council For Distance Education (ACDE) Conference and General Assembly, Lagos, Nigeria, 8-11 July, 2008

Prison Act CAP P29, Laws of the Federation 2004

Taminu, B. (2010) '*Nigeria Convicts and Rehabilitation Ideals*' *Journal of Sustainable Development in Nigeria* 12(3) 140 – 152