NIGERIAN PRISONS AND HUMAN RIGHTS ABUSES: A CASE STUDY OF JOS AND PANKSHIN PRISONS (1999-2009)

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DECLARATION

I declare that the work in the thesis entitled "Nigerian Prisons and Human Rights Abuses: A Case Study of Jos and Pankshin Prisons", has been written by me in the Department of Political Science under the supervision of Prof. Paul Izah and Dr. Hudu Abdullahi. The information derived from the literature has been duly acknowledged in the text and a list of references provided. No part of this thesis was previously presented for another degree at any university.

.....	.....	28-6-2011
REGEH, JOHN MICHAEL	SIGNATURE	DATE

CERTIFICATION

This thesis, entitled "Nigerian Prisons and Human Rights Abuses: A Case Study of Jos and Pankshin Prisons," by Regeh, John Michael, meets the regulations governing the award of Master of Science (M.Sc) Degree in Political Science of the Ahmadu Bello University, Zaria, and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

Five persons deserve this dedication: To my Lord and Saviour Jesus Christ, my late Mum, Mrs Rahab Michael, my Dad, Mr Michael Regeh and to my Uncle and Wife Dr. and Mrs Ishaku Amapu, for reasons they all know.

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ABSTRACT

Prisons have always been considered as rehabilitative and reformation centers. However in reality as a result of abuses of prisoners' rights and other factors this may not be possible. It may become a breeding ground for future criminals. Though prisoners are incarcerated, but that does not mean that they should be open to abuse. They are human beings like any other, who are also protected by the constitution of Nigeria and other international instruments of the United Nations. Against this background, this study attempted to empirically examine the extent to which the prisoner's rights are being abused or violated with Jos and Pankshin prisons as case study. Prisoner's Rights theory became central in the discussion, of which the focus is the prisoner's status.A penal policy based on prisoners' rights theory is one which respects the prisoner's inherent dignity as a person. Quantitative and qualitative data were collected through the use of questionnaire; key informants interviewed and examination of some books and documents. Also the analysis of data was through the combination of quantitative and qualitative analysis. The result of the data analysis showed that the respondents varied in socio-demographic characteristics such as age, economic background, offence committed, etc. Further result of the substantive data showed that there is a serious human rights abuse of prisoners in both Jos and Pankshin due largely to lack of implementation of United Nations minimum standard rules for the protection of prisoners and other instruments. It has been established by this study that many prisoners were unfairly incarcerated due to the fact that they had no legal representation. Jos(57.5%) and Pankshin(76%)had no lawyer during trial. And many prisoners in Jos(57%) and Pankshin(40%) experienced torture and the common torture was beating. Finally, it was discovered that most respondents considered the condition in the prisons to be very terrible and there has not been any improvement in the facilities in the recent times. On the basis of the findings, the study recommended that the issue of prisoner's rights must be taken seriously by observing the UN Minimum Standard Rules for the protection of prisoners and other similar instruments in order to achieve the objective for which the prisoners were establish.

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CHAPTER ONE

1.0 INTRODUCTION

In the triangular relationship of the criminal justice system, the third leg carries the prison. The prison is responsible for the custody of the final product in the criminal justice process. Maintaining custody involves carrying out measures to prevent escapes, such as erecting high walls or chain-link fence, placing armed guards, constant checks of cells, providing a system of passes for movements within the prison, constant surveillance, and such stringent measures which may be applied from time to time to prevent escapes, riots and so on, (Dambazau,2007:197).

For this purpose, a prison is any building declared where convicted or suspected criminals are legally interned with the intent to transform them into responsible and law abiding citizens, Jarma (Danbazau, *et al*., 1996).

The period of incarceration can be conceptualized as a time in which a prisoner is re-oriented to the lawful ways, the prison can teach non-law abiders to be law-abiding is to treat them in lawful manner. The entire effort of the prison should be seen as influence attempt based upon operational zing justice. It begins by recognizing, not by moralizing, what the prison stay is about (Freeman, 1978).

Imprisonment does not involve the extinction of a prisoner's legal personality. It is clear that the abuses of prisoners' rights have not been seriously addressed and so makes rehabilitation of prisoners difficult. Though prisoners are incarcerated, but that does not mean that they should be open to abuse. They are human beings like any other, who are also protected by the constitution of Nigeria and other international instruments of the United Nations. The idea of this thesis came up when we visited a friend at the Pankshin

prison and saw how a prisoner was being beaten. The prisoner was profusely crying and blood was coming out of his nose and my mind wandered if the Warder has the right to beat the prisoner. This forms the nucleus of my statement of the problem.

1.1 STATEMENT OF THE PROBLEM

This study examines the extent, to which the prisoner's rights are being abused or violated, and examined persons or group of persons responsible for the violations. The prison Act 1972, cap 366, laws of the federation of Nigeria, 1990, for example, provides certain rights and privileges relating to feeding, clothing, bedding, visits, treatments and communication. Accordingly, every prisoner shall be allowed a sufficient quantity of plain and wholesome food, provided with suitable bedding, allowed to receive a visit from friends in the presence of prison officer, and to write and receive letters at the discretion of the superintendent (Dambazau, 2007).

The standard minimum Rules for the Treatment of prisoners adopted by the first United Nations Congress on the prevention of crime and the Treatment of the prisoners on 30th August 1955 and approved by the United Nations Economics and social Council on 31st July 1957 in Kyoto, Japan. Nigerian Constitution of 1999 clearly spelt out the Rights that a prisoner is supposed to enjoy.

However, to what extent are these Rights being granted to the prisoners? It is clear that the abuses of prisoners Rights have not been seriously addressed in Nigeria and so, makes rehabilitation of the prisoners difficult to be achieved. According to a report of a workshop held by the non-governmental Commonwealth Human Rights Initiative,

"Prisons were described as providing fertile ground for persistent and all pervasive violations of human rights" (Opinions This Day newspaper (Lagos) August 12, 2003).

Nevertheless, available body of literature on Nigerian prisons, hardly examines all abuses of prisoners Rights. Most literatures only talk about overcrowding in Nigerian Prisons. For example, This Day Newspaper of Wednesday August 18th 2004 reported a discovery in Mutun Biyu satellite prison in Taraba State, of 52 prisoners being accommodated in Cargo containers due to lack of space congestion in the available cells. Since other abuses of prisoners Rights are hardly reported, this constitutes my point of departure. The power of any society exercised over any individual must be subjected to limits. The questions then are where and how these limits should be set? Imprisonment does not involve the extinction of a prisoner's legal personality or his formal degradation (Freeman 1978; 106). This calls for the need to look more closely at the justification for the recognition of the prisoner's rights in order to see how penal policy should be shaped.

This study therefore be based on specific research questions, such as the following;

(i) Are the fundamental human rights of prisoners being granted in line with the Standard Minimum Rules for the protection of prisoners adopted by the United Nations to Jos and Pankshin prisoners?

(ii) Are prison staff well trained and understood the various instruments adopted by the United Nations for the protection of prisoners' fundamental human rights?

(iii) Are prisoners' rights abused in Jos and Pankshin prisons?

1.2 LITERATURE REVIEW

The following sub-topics are essentials as regard our topic. The discussion of the concept of human rights and imprisonment in Nigeria. The review of these topics would give a proper perspective on the topic under study.

1.2.1 ON THE CONCEPT OF HUMAN RIGHTS

As rightly noted by Chafe (1994:131),''The primary requirement of debating anything is to understand first and foremost the critical thing being talked about". No one is likely to flagrantly use (and miss-use), abused, as well as paraded under all sorts of interest and guises as "human rights" save the concept of "democracy". Certainly, the concept satisfies all the important necessary properties for qualifying as an "essentially contested" one, as Gallie defines them. To Gallie (1955-56:167-198), such concepts do not lend themselves to any universally accepted definition because of the ideological, cultural and historical contextualization under-pin them. Such concepts, necessarily generate unending debates about their exact meanings and applications because, "they may contain Ideological element which renders empirical evidence irrelevant as a means of resolving the dispute" (Little, 1981:35).

Therefore, in spite of the abundant literature it inspired, the term human rights, does not lend itself to a precise definition. Indeed, there has not been an acceptable definition of 'human rights' amongst the jurist too, talk less of scholars and commentators. It is a concept that can best be described rather than defined (Ajomo,1985).It should be noted that the concern with human rights in the world today stems from the perception widely shared with Rosseau, that man, though born free, is everywhere in chains (Domingnez,etal.,1979:25).Today, increasing awareness coupled with the preoccupation

on how best to safeguard them from rampant violation have made the term" human rights" a song sung by almost everybody, yet the contradiction,unclearity,inconsistency,confusion,mis-interpretation, absurdity and plain stupidity that pervade notions of human rights is quite telling. No wonder Julian Huxley wrote inter alia:

> *It is no longer possible for us, as it was for our ancestors in the Age of Reason to conceive of human rights as existing in the abstract merely waiting to be deduced from first principles by the human intellect (Strouse and Calude,1976:51).*

Thus, defining the concept of human rights in the narrow terms of civil liberties would not be acceptable to striving for social equality or the satisfaction of basic needs. By the same token, any definition of human rights of concern with political freedom will not be viewed as legitimate in the context of industrial western societies (Ojo, 2000).

Despite the controversy generated by attempts to define human rights, some scholars have attempted to conceptualize it without necessarily being definitional. For Humana, it is " laws and practices that have evolved over centuries to protect ordinary people, minorities, groups and races from oppressive rulers and governments"(Humana,1983).Vance, however, conceives it in three dimensions: first, there is the right to be from government violation of the integrity of the person. Second, there is the right to the fulfillment of such vital needs as food, shelter, health care education. Third, there is the vigor to enjoy civil and political liberties(Vance,1980:5-6). Thomas Jefferson put forward a definition of human rights when in 1887 he wrote from Paris to James Madison about the necessity to safeguard individual liberty and the need

for a bill of rights. He was of the notion that, "....bill of rights is what people are entitled to against every government on earth," (Calude,1976:21).

In an insightful piece, Irele (1983:123-137), made a clear distinction between legal and moral rights. The former type of right is clearly stated in the legal system while the latter rights are not. They are referred to as ideal rights. The most important class of ideal or moral rights is that of human rights. Human rights are rights that are held by all human beings unconditionally, unalterable and they are inalienable. Although, human rights are normally termed natural, it needs to be emphasized that not all natural rights are human rights.

Human rights are also held to be absolute. What this means is that, they are inalienable and universal. But, at times, absoluteness could be referring to the same additional features, which can be interpreted in three ways: Feinberg (1973) claims that, the interpretation could mean that all rights are "unconditionally incumbent within the limits of their well defined scope". The second interpretation of absoluteness means that, all those parties involved in the implementation of human rights should "do their best" for the values involved in human rights. They are "ideal directives" to the parties that would implement their rights, that they should be honored in all circumstances. The last of the absoluteness is the strongest, that human rights should be honored without exception. In this case, the limits of the rights would be in consonance with the limit of what is specified permissible conduct and no infringement of the right in any form would be permitted. We now flash back a little to the human rights concept and situation in pre-colonial Africa particularly Nigeria.

This idea that human rights are a concept that was invented or inspired by the west, is hotly contested by third world scholars (Houtondji,1986:319-332).While mankind universally opposed injustices, specific interpretations of the concept of human rights has been and continues to be a reaction to particularly experiences of injustice. Thus, a truly universal concept of human rights encompasses as shades of meaning and includes an African perspective (Hendrickson,1989:19-43).

In a perceptive essay entitled, "Human Rights in Africa", Baye (1982:583-602) argues that, the idea of rights to life existed generally in Africa because "African traditional beliefs scrupulously respect life, even of animals". This is reflected in the fact that it is wrong to kill except in cases of need. Even in certain wars, life wastage was not allowed, and weapons for wars were regulated. As Baiden (1986:260), inform us about the Igbo for example:

> *In a fight between relations, or people of the same town guns were forbidden, while machetes, spears, bows, and arrows, staves and such weapons were permitted.*

On the other hand, one could offer numerous examples of practices, which can only be understood as violation of human rights. Johns Mbiti (1969:158), informed us about customary practices which included the burial of "one's wife or wives (with the husband), so that they may 'accompany' the departed into the next world". He also documents the custom of killing either one twin or sometimes both along with the mother because the birth of twins was seen as a bad omen for the tribe. Schapera tells us that, "bush men freely thrush or kill a disobedient child or unfaithful wife"(Schapara,1963:87).These practices are clearly antithetical to the idea of a human rights to life.

As regards detention, in many of Nigerian traditional communities, there were traces of the use of imprisonment before the advent of Europeans. Among the Tiv, Berom and Kulere of the middle Belt, offenders were detained in the house of the headman. This practice also obtained among the Igbo of the south eastern Nigeria. This function was fulfilled by the Ogboni house among the Yoruba and the Ewedo among the Edo-speaking people of Nigeria (Ahmadu, 1979).The Ewedo was particularly popular a detention center for slaves awaiting transportation. And among the Hausa-Fulani in the North, some building were also used as prisons for offenders of various categories.

1.2.2. IMPRISONMENT IN NIGERIA

The prison according to Goffman, (cited in Dambazau, 2007) is a "total institution" to be looked up in a physical, psychological and social sense, a situation in which there is no escape and the prisoner has no control, to deny the individual the rudimentary choices of everyday life Goffman (Dambazau,2007: 198) further emphasized that:

> *Where he lives, what time he goes to bed and when he gets up ,the food he eats, the people with whom he eats, works, plays, and sleeps, the clothes he wears – all these are chosen for him. The definition of choice tends to be felt as attack on the inmates manhood*

The constant supervision and regimentation, and the elaborate system of rules and regulations characterizing the prisons, are said to represent moral condemnation and rejection by the society. The process of this rejection and moral condemnation is to begin:

> *With an inmate's arrival in prison, a new inmate…is introduced to prison life through a series of degeneration ceremonies designed to dramatise the moral condemnation being heaped on him and to create a sense of worthlessness and degeneration…his clothes and other personal possessions are*

> *taken away from him, his head shaved, he is stripped naked, forced to shower...subjected to a humiliating search of every orifice in his body(Dambazau,2oo7-199).*

Silverman, (cited in Dambazau,2007), identified the psychological consequences of all processes the inmate goes through in the prison. He presented this poem written by a prisoner in a US prison titled 'Caged Bird" which captures the feelings of imprisonment:

The days are so bleak.
The night's bitter cold
I age but one day
Yet I feel ten times as old
I gaze toward the mirror
To see the eyes of a stranger
Blank face staring back
Features distorted by anger
To contemplate death
Is to glimpse liberation
My soul heavy and weary
My bones weak with frustration
I fear the depths of lunacy
Have become shallow at last
I drown slowly in melancholy
The surface just beyond grasp (Danbazzau, 2007)

The prison, it is often said, is the darkest region in apparatus of the justice system. The prison operates on certain characteristics namely; the deprivation of liberty, discipline, transformation of the individual, isolation, segregation, and work. The prison is therefore, the main avenue for making individuals pay for their crimes against society. The prison, Foucault, (cited in Dambazau, 2007) further observed, is the clearest, simplest, most equitable of penalties, because it makes possible to quantify the penalty exactly according to the variable of time. The prison is supposed to transform the individual's attitude to work, his physical training, moral attitude, state of mind and moral conduct, among others. The prison is like the military barracks, and the prisoner upon his admission into

the prison is treated like the new recruit in the barracks. He is introduced into a type of discipline which completely separates him from his experiences outside the prison.

> *He must be in his cell within a particular period of time. He must be engaged in labour at a particular time, He must wake up at a particular time in the morning, He must observe certain behavioral rules in relation to other inmates He can only be allowed visitors on a designated day and time His outgoing and in coming must be censured and Virtually his movements are restricted (Danbazzau, 2007).*

In the words of Thomas and Peterson (1977), most of the laws guiding administration of prisons in Nigeria were entrenched by the British, Nigerian former colonial masters, whose philosophy on justice required a repressive legal system with oppressive penal institutions whose aim was to deter and punish offenders, as their disobedience to law was deemed detrimental to colonial interest. Reformation and rehabilitation of such offenders, was the least of the colonial masters concern, not to talk of respect of the fundamental human rights of prisoners. This was the legacy bequeathed to us by primitive penal legislations as captured properly by Amankwah (1979;42):

> *The prison, to say the least, is the dumping ground for those who intentionally or otherwise prove a menace to the society. They must be kept away in dark dungeons, never to see the sun again, they must eat the worst food and sleep in most decrepit cellars ,for it is their misfortune and or folly that has landed them in this misery. In either case they deserve condemnation rather than pity and sympathy. Why the primitive penologist would ask, should the society be expected to spend human and other invaluable resources to provide "comfort" for its out casts?*

Though this statement described the behavior of colonial masters towards prisoners, there is no much difference with what is happening now where those in authority still uphold the punitive policies of our old colonial masters.

What goes on in the prison as matter of policy depends on the ... :rest of the nation's president and his cabinet. Besides there is the considerable lethargy in Nigeria regarding the formation of comprehensive penal and correctional that will take the rights of prisoners into consideration, which would have clear objective for implementation (Alemika 1993).Most policy statements made by those in authority are just mere rhetorics with no action to back it up. For example, The federal government in the 1971 policy statement declared that:

> *The government will give serious consideration to introducing practicable alternatives to imprisonment. These will include extra moral labour, maximum use of fines, suspended sentence and extension of probation department to allow magistrates to make greater use of this service. This alternative when introduced would produce very desirable effects. In the first place ,the prison would be less congested that at present, secondly, first offenders would not be exposed to the bad influences of recidivists, and thirdly, the introduction of alternatives to imprisonment would reduce the cost to government of maintaining the prisons (Alemika,2000;66).*

The government has failed to introduce and implement any of these measures, more than three decades after the policy was stated. Because most prisons are still congested with no regard to the fundamental human rights of the inmates. Also, Seun Adeoye of Guardian Newspaper (in Dambazau,*et al*,1996) in a letter to the new controller of prisons then Malam M. Jumare observed that:

> *What awaits him is seriously battered Nigeria prisons.....from the mud walls of remote goals in Nsukka, Birnin Kebbi and Gembu to the iron gates of Gashua and Kirikiri, the over-riding picture seems to be that of grim and images of neglect, overcrowding, absence of basic sanitation and lack of Medicare.*

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On overcrowding, on the recent survey, Adeoye reveals that the 143 prisons in the country originally built for 33,348 inmates now house 55,000.

While I cannot completely divorce Adeoye's report from exaggeration, the fact remains that while crime waves in Nigeria increase in geometrical order, the prisons do not expand proportionately thus, whatever medical and sanitary facilities, i.e.bed, space, and correctional facilities installed are not only obsolete but far incapacitated. Thus, the impact is obviously minimally felt. In a similar vein, Bello (2004) noted that, congestion is a bane of prison system. He goes further to say that, excessive use of imprisonment by courts also frustrates efforts to decongest the prisons. Government in Nigeria has over the years acknowledged this problem of overcrowding as the main cause of the harsh conditions common in the prison system. What is more alarming, is the report by This Day Newspaper of Wednesday August 18th 2004 where a satellite prison in Mutun biyu accommodated 52 prisoners in a Cargo containers due to lack of available space in the cells.

Amnesty international in a press conference on 26 February 2008 in Abuja exposed the appalling state of the Nigerian prison system saying that:

> *Nigerian prisons, are filled with people whose human rights are being systematically violated ... the criminal justice system is utterly failing the Nigerian people, calling the system a "conveyor belt of injustice," from beginning .*

The organization reveals how at least 65 percent of Nigerian's inmates have never been convinced of any crime with some awaiting trial for up to ten years.

Penal sanctioning and custodial practices in Nigeria are geared towards retribution and deterrance (Adeyemi, 1977, Alemika and Obaseki, 1983).The working party on police

and prison Report (1966) noted, that "there had been incidents and evidence of Nigerian prisons and Lock-ups being ruthlessly utilized for purely political purposes" (part ii,.7). The report also observed that Nigerian prisons are generally 'overcrowded, some of them double their capacity"(p.27).

The public service Review commission of (1974) observed that;

> *Nearly every prison visited ... was overcrowded. In some prisons, persons awaiting trial were hoarded as many as 60 to 70, in abject conditions, in a single room intended for only 12 prisoners. Prisoners were lying on the floor skin to skin, and the combined effect of heat, sweat, and primitive bucket sanitation toilets can be too easily imagined (p.96).*

The commission attributes the " major cause of overcrowding" to the vast number of prisoners awaiting trial, many for years (p.96). In general, the goal of using the prisons as a vehicle of retribution and deterrence has been maintained since the colonial era by successive regimes (Bello; 2004).

The statistics reveal an upsurge of in the number of persons admitted into the country's prisons during these periods. In 1980, the prisons received 165, 506 inmates (convicts, suspects awaiting trials, detainees – political prisoners and the mentally ill) (Bello; 2004). In the figures for 1983, 1984, 1985 and 1986 representing 22%, 47%, and 39% increase over the total admission in 1980. Similar but a little less dramatic increase also appeared in the statistics on the population of convicted inmates received into the prison. The dramatic increase in the Nations prisons Population during the 1980s (Bello; 2004). was caused by several factors or forces (Alemika, 2007):

> *1. the increase in the rate of recorded criminality and arrests (table),*

2. *Serious economic crises and the succession of repressive military regimes in the nation.*
3. *High rate of criminal legislations enacted by military dictators in the 1980s.*
4. *A large number of suspects and political detainees held in custody for a very long period without trial of many citizens on account of their criticism of, and protest against, repressive policies of Buhari administration (1984-85) and Babangida's regime (1985-1993) (Alemika, 2007: 153, Bello, 2004).*

From 1984 to 1990, Nwabueze (1989) asserts that, large numbers of Nigerians were detained under military decrees that ousted the use of Writ of habeas corpus and prevented citizens from exercising their constitutional rights of due process.

Some other causes of prison overcrowding included, Alemika (2007; 49) stresses;

> *Inefficiency on the part of the police. Part of this inefficiency is due to their corruption and brutality, which deny them public assistance. The Nigerian police force suffers from gross lack of adequate manpower in terms of quality and quantity, as well as from poor conditions of service and inadequate communication and transportation facilities. Similar factors affect the performance of the courts. These problems combine to produce delays in trial, long pre-trial detention, and prison congestion*

The Country's jails, provided casualities in terms of high mortality and morbidity rates (Federal office of statistics,1981and1987). There have been prison riots spurred by inhuman custodial conditions. One such protest, was in Benin Prison on May 6 1987 which, led to the killing of at least 24 prisoners by security officials (by the anti riot police) deployed to quell the riot.

The Nigerian prisons service, over the years, has performed very well with respect to safe custodial incapacitation. Prison escapes are very low in the country, Less than 1% of prisoners attempt to or actually escape in any year and most of those who escaped were invariably recaptured (Nigerian Prison Service, 1980-86). The high performance was

achieved, through measures that strip away the last vestiges of inmate's dignity and self respect" (Colson, 1980; 167), for example visits by relatives are rare and strictly controlled, contact with the outside world is restricted, and mails are censured. But measures that facilitate custodial effectiveness are seldom compatible with those designed to facilitate reformational, vocational and educational training. The statistics on prisons admissions {Nigeria prison service, 1980-86s} reveals that about two of every three inmates in the Nigerian prisons were unconvicted and remanded pending trial. In 1980, the prison system accommodated 30% more inmates than its capacity. The figures for 1982- 86 were 51%, 55%, 90%, 100% and 94% respectively{Nigeria prison service, 1980-86s}. After seizure of power by the military on December 31, 1983, Nigeria withnessed a dramatic increase in prison population.Colson indicates that a very large number of executions were carried out under the military regimes of Buhari and Babangida. The composition of prison populations' long pretrial detention, and prison congestion in the country point to crystalfising serious penological crises (Colson, 1980: 167).

The imprisonment rates as presented in Prison Service Report(1980-86) showed significant increase after 1982.Incarceration rate (defined in terms of number of persons incarcerated per 10,000 person in the population who are older than 14 years) rose from 34.3 and 34.6 in 1980 and 1982respectively, to 45.7 in 1984, 43.5 in 1985 and 40.7 in 1986. The figure underestimates their representation on the prison population for the following reasons:

> *In Nigeria, there is no presentencing social case work and investigation. Consequently, reliable information on prior criminal records is hardly available to judges and prison officials, except for very serious crimes. But even in cases of serious crimes where such records exist, they are hardly presented and stored under conditions that afford quick retrieval for routine judicial decision-making*

The Criminal statistical system in the country has not been automated. Nonetheless, a very high reincarceration rate has been observed on previous survey and studies in Nigerian prisons (Alemika and Kayode, 1981, Kayhode and Alemika, 1984).

It is important for purposes of post incarceration rehabilitation and crime – desistance that Nigerian prisons offer, as part of services rendered to the inmates, a spectrum of opportunities from which they can choose a vocation in line with their aspirations and prospects for employment and dignifying life in society after their discharge. This is yet to be pursued seriously by the Nigerian government.

From all indications, the Nigerian prison system, as at present, is not geared towards the reformation of prisoners to enable them live a more useful life instead our prison system appears more primitive and retributive, and therefore is not in a position to help reform prisoners. Perhaps third and even fourth term of imprisonment continues to be on the increase (Nigeria Law Reform Commission, 1983:2).

The condition of service for the prison staff are very inadequate, as put forward by the Nigeria Law Reform commission (1983):

> *Due to the poor facilities for staff, poor conditions of service, lack of inadequate equipment and meaningful programmers', the workers have resulted to being aggressive toward the prisoner (p.3).*

At the level of rhetoric, the Nigeria Prison Service professes commitment to the reformation and rehabilitation of inmates; nonetheless, its practices are excessively punitive (Alemika, 1983).

From this review, it's obvious that most of the works concentrated mostly on overcrowding as an aspect of prisoners' rights abuses, which is gap that this work seeks to fill. The believe here is that there are other abuses being perpetuated in the prisons in Nigeria.

1.3 OBJECTIVES OF THE STUDY

From the literature reviewed, most of the work concentrated on congestion or overcrowding as part of the prisoners' rights abuses of good condition of prison. But this researcher is of the view that there are other abuses going on in our prisons apart from the congestion problem. So this research work seeks to achieve the following objectives:

I. To ascertain the extent of prisoners rights abuses and its effects on their lives both in Jos and Pankshin prisons.

II. To determine the persons or group of persons responsible for the abuses

III To examine the measures that need to be taken to incisively and concisely that address all problems of prisoners rights abuses.

1.4 THEORETICAL FRAMEWORK

The unique nature of the problem understudy requires the use of Prisoners' Rights theory. As a result of this, attempt is made to present prisons as an institution of human or prisoners' rights abuses.

1.4.1 PRISONERS' RIGHTS THEORY

Graham Zellick's theory of Prisoners' Rights was developed from the general Human Rights theory, which came up in the 70s as a challenge to the punitive theorists, where they looked at prisoners rights, "as a compendious or generic expression which usefully denotes a different dimension to penal policy, of which the focus is the prisoners' status". It has variously been termed the "justice model', "the due process model' or the legal approach, Zellick (Freeman, 1978). It deals with the fashioning up the requirements of penal policy and the overall treatment of prisoners in such a way that they conform to these precepts of 'Justice', 'due process' or the Rule of Law. A penal policy or regime based on prisoners' rights is one with the following principles:-

(i) respects the prisoner's inherent dignity as a person

(ii) recognizes that he or she does not surrender the law's protection on being imprisoned,

(iii) Records procedures and facilities for ensuring that his treatment is at all just, fair and humane.

(iv) Certainly, it rejects expediency, administrative convenience and especially benign paternalism as the dominant forces, and substitutes a regime which satisfies other criteria.

I start with two axioms. I take it as axiomatic that the powers of any authority exercised over individuals must be subject to limits. The only questions then are, where and how these limits should be set. It has been recognized for over a century and a half in England that the powers of the prison authorities must be explicitly controlled by legislation, but

even before that the common law set limits to the coercive powers of the authorities and protected the physical integrity of prisoners against unlawful action.

I also take it as axiom that, imprisonment no longer involves(as once it did) the extinction of a prisoner's legal personality or his formal degradation and that , accordingly, he should surrender only such rights and freedoms of action which the citizen ordinary enjoys as are necessarily and inevitably lost by virtue of the fact of imprisonment itself.

Firstly, there is a level below which we cannot go in the treatment of prisoners, or indeed of anyone else. This is the fundamental human rights argument, which outlaws torture and other cruel and degrading punishments, whether aimed at the body or the mind, and allows no distinction in respect of suspects, prisoners, or the mentally ill. The justification for prisoners' rights constrains the authorities to eschew torture in all its hideous forms, and to ensure that accommodation, food, medical attention, hygiene and safety all attain a satisfactory standard, and that punishment for disciplinary offences are likewise acceptable, and do not include deprivation of food, removal of clothes, use of dark or cold cells, corporal punishment, and techniques of sensory deprivation.

Secondly, it is necessary to equip prison administration with the best tools for the job. Chief among these tools are procedures designed to reach the best possible decisions.

1.5 ASSUMPTIONS

This study will be based on the following research assumptions:

(i) There are high level of human rights abuses in both Jos and Pankshin prisons.

(ii) The prison staff are not well trained enough to understand the Standard Minimum. Rules and other instruments adopted by the UN for the protection of prisoners' rights.

(iii) The poor state of infrastructures and poor motivation of staff contributes to the harsh conditions of prisoners.

1.6 SIGNIFICANCE OF THE STUDY

This work helps to sensitize people generally on the Rights of Prisoners and how they should be treated. Imprisonment does not involve the extinction of a prisoner's legal personality. This work exposes us that the period of incarceration is a time in which a prisoner is re-oriented to the lawful ways. To teach a prisoner to be law abiding is to treat them in lawful manner.

Also, this work is significant in various ways:

(i). Serves as a guide to prison administrators, policy makers and all those interested in studying the operation of prison system in Nigeria.

(ii). Will serve as a resource material to students of social sciences, Arts and other relevant disciplines.

(iii). This work will create awareness amongst prisoners about their Fundamental Human Rights.

1.7 SCOPE AND LIMITATION

It may be difficult to conduct this research in all the prisons in Nigeria (147 prisons). Neither will it be convenient to study all the prisoners' right abuses in Nigeria since the advent of modern prison.

The area of coverage (scope) of this study is therefore delimited to Human Rights abuses of prisoners in Jos and Pankshin prisons, of Plateau state from 2000-2009.

Jos prison is situated in Jos the capital of Plateau State, is found within the northern senatorial district, while Pankshin prison is located in the central senatorial district of Plateau State. The finding therein will be considered a reflection of human Rights abuses in Nigeria prisons, particularly, in Jos and Pankshin of Plateau State in the period under study. The reasons for this scope (Jos and Pankshin, 1999-2009) are due largely to the fact that, as scientific and objective investigation of the human Right abuses in Nigerian Prison has to focus within a specific scope itself. Most especially the protection of Human Rights is an index of measuring the effectiveness of democratic governance. The study equally chooses 1999 to 2009 because this period makes another phase in our democratic experience where the protection of Human Rights is within the democratic tenets.

Like in some other social sciences, some constraining issues envisaged in the course of this research include insufficiency of funds to travel far and wide, getting the relevant books or materials needed for the study, in order to effectively administer this study in the areas under study. Consequently, reliable information on prior criminal records is hardly available to judges and prison officials, except for very serious crimes. But even in cases of serious crimes where such record exist, they are hardly preserved and stored under conditions that afford quick retrieval for routine judicial decision-making. More so, most people contacted to offer useful information for this study were reluctant to do so for some reasons best known to them, and this affected the free flow of the requisite information for this research. Nevertheless the research handled these and many more constraints in such a way that the data needed for the research conclusion and recommendations are adequately obtained.

1.8 RESEACH METHODOLOGY

This explains for the justification and for method and the materials to be used in data collection, presentation, analyses and interpretation. Here, the researcher used both primary and secondary sources of data to gather the requisite information for this study.

1.8.1 METHOD AND INSTRUMENT OF DATA COLLECTION

The method of data collection for the study involved both quantitative and qualitative methods. Essentially the collection of quantitative data involved the use of questionnaire while the collection of qualitative data involved the use of key informants interview with the prison staff purposively selected for such. A six part questionnaire was designed, tested and administered. Ten prisoners were selected for the pre-test to ascertain the validity and reliability of the instrument. All prisoners were randomly selected in respective of offence categories. Moreover for key informant, it was used to cross check some of the information gathered through questionnaire method. This method involved selecting five respondents purposefully to give unbiased information on the prison system. The informants are considered very knowledgeable in prison affairs. The respondents were the prison welfare staff, medical department staff, records officer, the chief Clark and the inmate religious leaders were also interview. And many of prison staff (warders)and some head of units were interviewed to help give proper perspective on how things are done as it affects the rights of prisoners.

To complement primary data, secondary data was also collected. This involved the examination of some official records in which more than 10 forms and of prison books were examined. The records were considered very useful because of the following

reasons: first, they gave insights into past history of the prisons, prisoners and officials. And second, they allowed for critical examination of such events e.g riots, useful in providing of history of prisons involved, their establishments, past administrators, location and history of prisons in Nigeria.

1.8.2 SAMPLE SIZE AND SELECTION PROCEDURE

The sample population for the study area of Jos is made of 710 prisoners out of which only 200(28%) was selected for the study.And in Pankshin, the sample population for the study is made of 70 prisoners out of which only 25(35.7%) was selected for the study. In other words the sample size of both Jos and Pankshin constituted only 225(28.9%) prisoners. The sample size which was scattered in 50 different cells for Jos and 4 cells for Pankshin, were selected on the basis of simple random sampling using balloting or lottery method. Where by small papers were wrapped and given to the inmates, those that their papers indicated "yes' are the ones given the questionnaires to fill. While those that picked the "no' papers are exempted from filling the questionnaires.

As regard the interview, 15 prison staff were interviewed and two lawyers who helped a great deal in understanding the workings of the prison system. Of the 15 staff interviewed, 12 were from Jos prison while 3 are from Pankshin prison.

1.8.3 DATA PROCESSING AND ANALYSIS.

This is done in chapter four, where the researcher presents data by way of tabulation which is a method of transferring data from its gathering instruments to a tabular form, where they may be systematically examined for further analysis or interpretation.

At the end of the fieldwork, the questionnaires were collected in readiness for data processing. All the questionnaires, (225) were retrieved and edited to check for those that are not properly filled. At the end, all the 225 questionnaires' found to have filled appropriately, thus they were coded and analyzed.

Data analysis involved the combination of quantitative and qualitative analysis. As regards the former, information collected was coded and results presented using frequency distribution tables and simple percentages. While the latter involved the synthesis of the ideas from the records and key informant interview conducted. So conclusions are drawn based on the findings.

1.9 DEFINITION OF CONCEPTS

As rightly noted by Chafe (1994:131). The primary requirement of debating anything is to understand first and foremost the critical thing being talked about''. The following concepts become central in this work:

(i). PRISON: According to Jarma (Dambazau, *et al.*, 1996) a prison is any building declared by, where convicted or suspected criminals are legally interned with the intent to transform them into responsible and law abiding citizens.

(ii). HUMAN RIGHTS: It is a concept that can best be described rather than defined(Ajomo,1985).For, Humana, Human Rights are ''laws and practices that have evolved over centuries to protect ordinary people, minorities, groups and races from oppressive rulers and governments''(Humana,1983).

(iii). LEGAL RIGHTS: Legal Rights are Rights clearly stated in the legal system.

(iv). MORAL RIGHTS: They are referred to as ideal Rights. The most important class of ideal or moral Rights is that of Human Rights. Human Rights are Rights that are held by all human beings unconditionally, unalterable and they are inalienable.

(v). REHABILITATION: This is a combined French and Latin word, coming from the French re, which means 'return' or 'repetition' and the Latin habilis, which means 'competent'. Originally, the word denotes 'return to competence'. Today, the word denotes in a broad sense the process of bringing something back to functioning order (Mathesen,1990: 20).

CHAPTER TWO

HUMAN RIGHTS AND PRISONERS' RIGHTS: AN OVERVIEW

2.0. INTRODUCTION

This chapter looks at how human rights evolved over time and the various instruments used to protect prisoners. This is with the view to appreciate the fact that prisoners too are protected like any other free human being. So, the United Nations always encourage member nations to endeavor to carry out or ensure that these instruments are not only observed but are carrying out to the later.

2.1 HUMAN RIGHTS: AN OVERVIEW

The concept of human rights is one of the most important, innovative elements introduced into international law by the Charter of the United Nations and in a more elaborated manner, by the UDHR(Universal Declaration of Human Rights)adopted on 10th December 1948,set out the following:

> *Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, whereas the peoples of the UN have reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom (Kretzmer, D and Kliena,2002:111)*

The preamble to the UDHR records that, "disregard and contempt for human rights had resulted in barbarous acts which have outraged the conscience of mankind" that "the peoples of the UN have in the charter reaffirmed their faith in fundamental human rights, in the dignity and worth of human person and in the equal worth of men and women and have determined to promote social progress and better standards of life". It records also

the pledge made in the charter to promote "Universal respect for the observance of human rights and fundamental freedoms" and goes on to proclaim the UDHR as "a common standard for all persons and all nations" for the attainment of this goal (Ololade, 2004).

In a broad sense, respect for dignity implies respect for the autonomy of each person and the right of every one not to be devalued as a human being or treated in a degrading or humiliating manner. The notion of equal rights of man and woman does not apply to only freemen in the society. It implies equal enjoyment of rights by everyone irrespective of her position or condition in life at any given time.

The concern for human rights is as humanity itself. Though, the expression 'human rights' as a term or art, is of recent origin (Wild,1968:2).Human rights are often traced to Stoics. Zero, the founder of the Stoics school of thought propounded the theory of natural law under which human beings were supposed to have natural rights. The Greek City States also provided a glimpse of human rights in the form of isogoria, isotamia. The concept of just and unjust had always existed throughout the civilizations(Khan,1998:124-125).Thus, the idea of the inalienable rights of man postulated by Poets, Philosophers and even politicians as a normative ethical concept predates the very political system, which produce the law making institution, as we know them today. Sophocles (496-406BC), who lived through the great age of Athenian civilization and died before the fall of Athens at the end of the Peloponnesian war, in his play, ANTOGONE, says to the king Creon, "but all your strength is weakness itself, against the immortal unrecorded law of God" (Ajomo,1985:4).Here, Sophocles was talking about the higher rights, the law of nature, the natural rights of the human beings

and the sanctity of the human person. Hence, it can be observed that in the course of the development of the notion of human rights, the theory of natural law has always played a dominant role (Ajomo,1985:4).

To prevent the violation of these rights that here 'immortal', efforts were made to legislate against their violation with impunity. In 1188,which happened to be the earliest known effort to enhance human rights by king Alfonso IX,includes the rights of accused persons to a regular trial and the right of the inviolability of life, honour, home and property. But the snag with this earliest attempt was that it was limited to the nobles' alone (Ogundele,1985:5). King Andrew 11 of Hungary(1222 AD)in his Golden Bill ensured that no noble man arrested or brought to ruin without first being convicted in conformity with judicial procedure (Ogundele,1985:5).

At a glance, the evolution of human rights can be found in the following documents, as Taiwo (1994:21) states:

I, Magna Carta, 1215,

II, Petition of Rights, 1682,

III, Bill of Rights 1689,

IV, Virginia Declaration of Rights, 1776,

V, American Declaration of Independence, 1776,

VI. French Declaration of Rights of man and of the citizen, 1789,

VII. Universal Declaration of Human Rights, 1948,

VIII. European Convention of the protection of Human Rights and freedom, 1950

IX. American Convention for the protection of Human Rights and freedom, 1959,

X. Written Constitutions for several Independent modern states.

XI. African Charter on Human and peoples' Rights, 1986.

This new concern for the rights of man found further expression in the Covenant of the League of Nations. But the covenant was much more concerned with the obligations of states to respect the rights of other states than with the promotion of individual. That reservation reflected the traditional belief that the rights of citizens are a matter for the state and not the international community (Adeniran, 1983:91-95,Tamah,1995:5).

Be that as it may, it is on record that, it was Adolf Hitler and the remorseless attack that he launched against the rights of man in Germany with his objective of annihilating the Jews under the auspices of his 'Aryan' race superiority complex in the 1930s that brought home to the ordinary man the hard fact that the protection of human dignity cannot stop at national boundaries alone. When he plunged the whole world into war, people the world over soon saw that the struggle was crusade for basic rights and freedom. Before the war ended, the protection of human rights was placed alongside peace itself as the goal, and the objective of the new world organization that was already foreseen(Adeniran, 1983:91-95,Tamah,1995:5). It is against this historical antecedent that the United Nations charter adopted the Universal Declaration of Human Rights in 1948(see, Awake!1998:3-10).Commenting on this, the United Nations General Assembly during the session which saw the adoption of this text declared:

> *For the first time, an organized group of Nations was proclaiming the fundamental rights and liberties with the support of the whole UN and millions of men and women throughout the world(UNESCO,1987, Awake: 1998:3).*

Nevertheless, the declaration has inspired and given birth to the European Convention on Human Rights, which also inspired many of the post-war constitutions including those of Nigeria since independence in 1960 to that of 1999.

2.2. HUMAN RIGTHS STANDARDS

Nigeria as a country is a party to a number of international and regional Human Rights instruments which promote and protect the rights of nationals of a state. According to Bello (2004: 12), these include the following:

(i) Universal Declaration of Human Rights (UDHR 1948)

(ii) International Covenant on Civil and Political Rights (ICCPR) 1996.

(iii) International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966.

(iv) The Convention Against Torture and other Cruel, Inhuman, and Degrading Treatments or Punishments 1988.

(v) African Charter on Human and Peoples Rights (cap.10 LFN) 1986 as amended by CAP 10 laws of the Federation 1990.

Also, there are in addition, some international human Rights instruments in the form of standard, declarations, bodies of principles, codes of ethics, guidelines etc. which all UN members are expected to comply with. The rules and principles embodied within these documents should be observed by member states as they will be used to gauge their compliance with those expectations. In relation to prisons and detention centres, Bello (2004: 12) continues:

(vi)The UN standard minimum rules for the treatment of prisoners.

(vii) The UN Body of Principles for the protection of all Persons under any form of detention or imprisonment.

(viii) Guidelines on the role of prosecutors.

(ix) UN principles on the treatment of Prisoners.

Treating all persons deprived of their liberty with humanity and with respect for their dignity is therefore a fundamental and universally accepted rule.

2.3 HARMONISATION OF HUMAN RIGHTS INSTRUMENTS ON THE PROTECTION OF THE RIGHTS OF PRISONERS

Despite the fact that international standard are set to ensure that municipal laws do not fall below basic humanistic level, regulation of prison conditions is properly the province of domestic legislation. This is because familiarity with local customs, cultural traditions and standards of life will be an important factor in determining what conditions are acceptable to human society and what are not. There are some issues not susceptible to relevant interpretation, however, it is against these excesses that the international community has set its face, in particular, in the drawing up of the instruments below:

A. *Constitution*: *First, in all regions and states, the constitution is a major safeguard of* the rights of man. The constitutions normally do stipulate the catalogue of the fundamental rights of the citizens. The following civil and political rights are guaranteed by the 1999 Nigerian constitution: The right to life(section 33), the right to dignity of human person(section 24),the right to personal liberty(section 35),the right to fair hearing(section 36),the right of family life(section 37),the right to freedom of thought, conscience and religion(section 38),the right to freedom of expression and the press(section39),the right to peaceful assembly and association(section 40),the right to freedom of movement(section41), the right to freedom of discrimination(section42),and

the right to acquire and own immovable property anywhere in Nigeria(section43) (FRCN,1999).

B. Standard Minimum Rules for the Treatment of prisoners.

This instrument was adopted by the first UN congress on Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council (ECOSOC) by its resolution 663c (XXIV) of 31 July 1957 and 2076(LXII) of 13 may 1977.The SMR is not per se a legal instrument, since ECOSOC has no power to legislate. Even when the General Assembly urges the implementation of the SMR, it does not do so in such a way as to suggest that its pertinent resolutions are anything more than political or moral recommendations. But the SMR are more than that, since some of their specific rules also reflect legal obligations, Ololade (2004).Although, not every rule constitutes a legal obligation, it is reasonably clear that the SMR can provide guidance in interpreting the general rule against cruel, inhuman or degrading treatment or punishment. Thus serious non-compliance with the rules or widespread non-compliance with others may well result in a level of ill-treatment sufficient to constitute violation of the general rule. The SMR can provide similar guidance in interpreting the general requirement of covenant article 10(1) on humane treatment and respect for human dignity (Ololade, 2004). Some of these articles states that:

1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.

2. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political, or other opinion, national or social origin, property, birth or other status.

3. It is however, desirable to respect the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions so require.

4. The responsibility of prisons for the custody of prisoners and for the protection of the society against crime shall be discharged in keeping with a state's other social objectives and its fundamental responsibilities for promoting the well-being and development of all members of society.

5. All prisoners shall have the right to take part in cultural activities and education aimed at the full development of all human personality.

6. Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and that of their families.

7. Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal status.

8. With the participation and help of the community and social institutions, and with due regard to the interests of victims, favourable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions.

C. International Covenant on Civil and Political Rights(ICCPR)This covenant entered into force on 23 March 1976 in accordance with Article 49 of the present covenant. It spells out in more detail the civil and political rights enumerated earlier in the UDHR and is legally binding on those countries that have ratified it. Together, the ICCPR, ICESCR and UDHR are known as the International Bill of Rights. The ICCPR includes among other rights, the right to life, to be free from torture and slavery, to liberty

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and security. The covenant prohibits all forms of discrimination in the enjoyment of these rights. A preamble paragraph of this instrument provides that:

> *In accordance with the principles proclaimed in the charter of the UN, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, of justice and peace in the world (Ololade,2004:27).*

The concerns of the preamble are underscored in article 7 which provides that:

> *No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation (ibid).*

This article forbids all forms of degrading and inhuman treatment or punishment while article 10(1) of the covenant provides that:

> *All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person (ibid).*

From the wording of this article it can be deduced that it applies to all prisoners, and the state parties to the covenant must take necessary steps to ensure that the treatment takes into account their inherent dignity as human persons. Nigeria signed or entered into force on 29 October 1993.

D. The Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishments (CAT)

The preamble to this convention takes into account the recommendations and the rights set out in ICCPR, UDHR as well as the UN charter. Article 1 of this convention in defining "torture" provides that:

> *For the purposes of this convention, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a*

> *third person information or a confession, punishing him for an act he or the third person has committed or is suspected to having committed, or intimidating or coercing him or the third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions(Ololade,2004:52).*

From the above provision, it can be deduced that any act that serves to "punish" or "intimidate" or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity amounts to torture.

In article 2(2) of the convention, it is stated that no exceptional circumstances what so ever, not even war or a state of emergency or an order from a superior officer or a public authority, can be invoked as justification for torture. These provisions are indicative of the peremptory, non-derogable nature of the injunctions against torture which forms part not only of customary international human rights law but has probably also acquired a peremptory character of jus cogens.

E. In resolution 34/169 of December 1979, the General Assembly adopted the code of conduct for law enforcement officials and transmitted it to the governments with the recommendation that favorable consideration should be given to its use with the framework of a national legislation or practice as a body of principles for observance by law enforcement officials .Article 5 of the code reads as follows:

> *No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or*

> *any other public emergency as a justification of torture or other cruel, in human or degrading treatment or punishment(Ololade,2004).*

The phrase "law enforcement officials" must be interpreted to include prison officials. They should carry out their duties paying special attention to the fact that they should not, inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to the prisoners.

F. The Principles of Medical Ethics

The first principle relevant to the role of health personnel particularly physicians in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment, states that:

> *Health personnel, particularly physicians, charged with the medical care of prisoners and detainees, have a duty to provide them with protection of their physical and mental health and treatment of disease of the same quality and standard as is afforded to those who are not imprisoned or detained (Oladele, 2004:53)*

While principle 2 provides that:

> *It is a gross contravention of the medical ethics, as well as an offence under applicable international instruments, for health personnel, particularly physicians, to engage actively or passively, in acts which constitute participation in, complicity in, incitement to attempts to commit torture or other cruel inhuman or degrading treatment or punishment (Oladele, 2004:53)*

The essence of this law is to regulate the manner in which medical practitioners are to treat prisoners, to protect them against torture and other cruel, inhuman or degrading treatment or punishment.

G. The Prison Act 1972, CAP 366, Laws of the Federation of Nigeria, 1990, for example, provides certain rights and privileges relating to feeding, clothing, bedding, visits and communication. Accordingly, every prisoner shall be allowed a sufficient quantity of plain and wholesome food, provided with a complete prison dress, provided with suitable bedding, allowed to receive a visit from friends in the presence of a prison officer, and to write and receive letters at the discretion of the superintendent (Dambazau, 2007:206).

Having grasp how human rights started, it has given us idea of how to conceptualize the prison system in Nigeria. This is important because every human being is entitled to be protected by human rights instruments. This will take us to prison system in Nigeria in order to appreciate how the system is operated.

CHAPTER THREE

NIGERIA PRISON SYSTEM

3.0 INTRODUCTION

Prison establishment is dated as far back as human existence. Societies (with no exception) have acceptable norms and values which must be complied with by members or sanctions imposed on the deviants. These sanctions range from banishment, excommunication, incarceration to extermination. Before the advent of the Europeans, there had been institutions in Nigeria which used to enforce compliance of the societal norms and values. We had the Kpan among the Tiv, Ogboni house among the Yoruba, Ewodo among the Bini and Gidan Yari among the Hausa. These institutions were necessary hence scholars of social sciences contended that no society admires social disintegration, and all forms of criminality (Danbazau, *et. al.*, 1996:197).

3.1 EVOLUTION OF MODERN PRISONS

The evolution of an organized modern prison by Nigeria began with the advent of the British Colonial masters in 1916.The British government assumed responsibility of the administration of Lagos and an organized prison system along British model became one of earliest forms of administration of justice. As a result of this re-organization, Broad Street Prison was established in 1872 but the prison ordinance that gave it legal backing came into force in 1876(Igbo, 2007).

The first colonial prisons were designed essentially as places of 'punishment' for offenders who had fallen foul of the 'received' colonial laws as well as recalcitrant indigenous chiefs who were obstructing the colonial authority and the expansion of

'legitimate trade and commerce" in their territories (Obaseki,A.1987, Alemika,E.1988,and Igbo E. 2007).

Fredrick John Lugard, the then Colonial Governor, succeeded in amalgamating the Northern and Southern protectorates into present day Nigeria in 1914.Following the amalgamation, the Prison Ordinance of 1916 and the Prison Regulation of 1917 were promulgated to ensure uniformity of prison administration in Nigeria. The ordinance gave the Governor extensive powers for the establishment and regulation of prison administration. He was empowered to declare any building in any province a prison, and to make regulations for prison administration. He was empowered to appoint the Director of prisons and other officials, who were to be responsible for general management and superintendence of the prison system. The Director of prisons was in turn empowered to make Standing Orders for organization, discipline, control and general administration of staff and inmates of the Nigerian prisons (Ahmadu, 1979).

Overtime, a two-tier system of prison administration serving the colonial and Native Authorities emerged. The first was the "National Government Prisons", which housed mainly those offenders who were convicted by newly established (British) courts of law. These prisons consisted of the convicts, provincial and divisional prisons. The second group consisted of native authority prisons, which served native authorities under local chiefs and emirs. This dual system of federal and local prisons operated from 1914 to 1968 (Igbo, 2007).

However, in 1966, the nation's first military government, under General Aguyi Ironsi, set up a working party to examine the desirability of integrating local police forces and prisons with their federal counterparts. This was prompted by wide spread allegations of

corruption, oppression, and inefficiency in the two services. The working party recommended the integration of the local police forces with the federal police force and the local or native prisons lock ups with the federal prison service. The recommendations were accepted and the integration of local police forces and prisons services with their federal counterparts was implemented in phases between 1968 and 1972 (Alemika, 1993).

3.3 STRUCTURE OF NIGERIAN PRISON SERVICE (NPS)

ORGANIZATIONAL CHART
NIGERIAN PRISON SERVICE
PHQ ABUJA
CONTROLLER GENERAL OF PRISONS

(DCG)FINANCE AND ACCOUNTS	DCG MED.HEALTH WELFARE SERVICE	ADMINISTRATIO N AND SUPPLIES	(DCG)WORKS AND LOGISTICS	INMATES TRAININ G AND PRODUCT IVITY	OPERATIO NS

THE 8 ZONAL COMMAND HEADQUATERS AND ACGs

ZONE A-LAGOS	ZONE B-KADUNA	ZONE C-BAUCHI	ZONE D-MINNA	ZONE E-OWERRI	ZONE F-IBADAN	ZONE G-BENIN-CITY	ZONE H-MARKURDI

THE STATE COMMAND

CP LAGOS STATE OGUN STATE	**CP** KADUNA KASTINA JIGAWA KANO	**CP** BAUCHI GOMBE ADAMAWA BORNO YOBE TARABA	**CP** NIGER KWARA KEBBI ZAMFARA SOKOTO	**CP** ABIA AKWA-IBOM IMO CROSS-RIVER BAYELSA	**CP** OYO OSUN ONDO EKITI	**CP** ANAMBRA EDO DELTA EBONYI ENUGU	**CP** BENUE NASARAWA PLATEAU KOGI

The NPS is headed by the Controller General stationed at the prison headquarters in Abuja and has eight (8) zonal headquarters in some selected states. There are in addition 36 states prison headquarters and training institutions. There are 6 Deputy Controller

Generals responsible for the 6 directorates in charge of the administration of NPS and the most relevant of these directorates to this study is the medical and inmates welfare directors who are in charge of the welfare and health of inmates as well as the staff of the NPS. It formulates and implements health-care and treatment programmed such as primary health-care, identification of the causes of anti-social behavior and re-socialization methods, which include education, recreational and visits to ensure adequate care for the inmates (Bonny,2001).NPS has 174 prisons in the country with an average inmates population of about 45,000 (Bonny, 2001).

3.3. FUNCTIONS OF NIGERIAN PRISONS SERVICE

Today, the Nigeria prison service is assigned the onerous responsibility of ensuring the safe custody of offenders as well as heir reformation and rehabilitation functions. These responsibilities are discharged through:

> *Carefully designed and well articulated administrative, reformative and rehabilitative programmers' aimed at inculcating discipline, respect for law and order, and the dignity of honest labour. The offender in this wise is prepared to become not only law abiding but also useful to both himself and the society at the expiration of his or her sentence (NPS Annual Report,1986:5).*

An examination of the annual report of the Nigeria prison service, legislations on prisons, staff duties manual and statements by several past directors of prisons reveals the following formal objectives of prisons and imprisonment in Nigeria: (1) Custodial treatment and rehabilitation of offenders (3)Generation of revenue to the government through prison industries and farms: optimal harnessing and utilization of convicts labour and services(Alemika, 1993).

3.4. THE ROLE OF PRISON IN THE CORRECTIONAL AND REHABILITATION.

Time in prison is supposed to rehabilitate, we say, the word , 'Rehabilitation' is a combined French and Latin word, coming from the French re, which means 'return' or 'repetition' and the Latin habilis, which means 'competent'. Originally, the word denotes 'return to competence.' Today, the word denotes in a broad sense the process of bringing something back to functioning order (Mathesen, 1990; 20). The prisoner is to be restored to his or her old form, notably the form before the crime. The prisoner is to be reinstated to his or her old dignity and privileges, before the 'fall' (Mathesen, 1990). And the prisoner is supposed to have his or her honour returned. With the introduction of modern prison time became the core element:

> *People were placed in prison for a given period of time. Could presumably be used for rehabilitative purposes. The major objective of rehabilitation* (Bugge, 1969)

Also Bugge captured the major objective of the rehabilitative theory:

> *The paupers (prisoners) were to be educated, so that they could be released after a definite or indefinite period of time, and after release be able to support themselves and lease a farm or a house. Men and boys were to be thought a trade and to be supplied with a trade certificate. Women and girls were to be taught spinning, weaving, and knitting and the art of running a house, so, that they either could be employed in the service of decent people or get married. If married they were even supposed to be supplied with a dowry (Bugge, 1969; 127).*

The Reformation and Rehabilitation Theory may be summarized under four broad headings: Work, school, moral influence and discipline (Mathiesen, 1990).

(i) **Work,** the proponents stressed that prisoners should be put to work if they committed a crime. The treatment should aim to make the prisoner healthy, temperate eaters, used to labour, desirous of holiday a God fearing (Selling, 1944;27).

(ii) **Schooling;** was also an important component. The assumption that many of the inmates were young or could not read or write could be rehabilitated by learning how to read and write, and also learn some elementary subjects.(Selling, 1994).

(iii) **Moral Influence** The assumption that the time in the correctional house was to supply a moral rearmament. This was especially to take place through religious activity. Certainly, Selling (1944) comments "every efforts was to give a religious cast to the discipline in order to make the prisoners God- fearing people (Selling,1944).

(iv) **Discipline;** the fourth component, discipline in contrast to the former three components, has been the most practiced in modern time. Whether its implementation was actually followed by rehabilitation, a return to competence is another matter.

Life in prison should be filled with order and obedience. These components were given a distinctively reformation and rehabilitational goal. The proponents had designed the function in order that the inmates as they now come to be discharged may never depart from the road of virtue on which they have been directed (Selling, 1944: 64).

To the critics of the theory, many described the theory as the most complex and problematic. According to Alemika (2000: 62):

> *The causes of the difficulties associated with effective discharge of the components of treatment and rehabilitation are presently used with considerably conceptual justice, conceptual confusion, imprecision and for diverse political, economic and ideological purposes often, rhetoric about criminal justice, corrections, and law and order by politicians*

and sometimes by scholars and practitioners in criminology confuse rather than clarify the ideals of treatment, reform and rehabilitation of offenders.

Also another critique by Bandeson (1986;422), described the role that "the rehabilitative imagination has not reached beyond these four components and various concrete expressions of the components". To them prison does not rehabilitate. Most likely we can also say that it in fact rehabilitates (Banderson, 1986). The theory of reformation and rehabilitation if carefully followed, it will surely go a long way in rehabilitating prisoners to be better persons when they are out of their confinement.

3.5. TYPES OF PRISONS IN NIGERIA

In one of his works on penal institution in, Opara(Igbo,2007), discussed four types prisons in Nigeria:Divisional, Provincial, Convict and Open prisons.

A, Divisional prisons: These prisons are in the former divisional headquarters of the colonial and immediate post-colonial administrations in Nigeria.They are generally designed for offenders serving prison terms for not more than two years ,and with the a capacity of accommodation not more than 150 prisoners.These prisons existed at Nsuka, Abakaleki, Ado-Ekiti,Opodo, Kano ,Kwale etc.Many of these prisons have been upgraded to higher grades(Convicts) and have undergone a face-lift with brick and solid perimeters walls to enhance security.

B, Provincial prisons:These prisons were located at the former provincial headquarters at Owerri, Benin-city, Ogoja, Onitsha, and Markudi. The were designed to accommodate between 150 and 200 prisoners serving sentenced from two years and above. Like divisional prisons, many of these provisional prisons have been upgraded to convict prisons, particularly with the creation of more states in the country.

C, Convict prisons: These are the highest categories of prisons in Nigeria. They accommodate all types of prisoners, regardless of their length of sentence whether they are short or long term prisoners, including those serving life sentence. They also take custody of condemned criminals, suspected armed robbers, and other "dangerous" criminals. The most well known convict prisons in Nigeria are found at Apapa (Kirikiri), Abeokuta, Calabar, Enugu, Jos, Kaduna and Port Harcourt prisons.

D, Open prison: An open prison is one in which there is minimal security, it is there fore the direct opposite of a maximum security prison(convict).As the name implies, it is open, there are no perimeter walls to restrict the free movement of the prisoners. An open prison is usually meant for first offenders who have been adjudged to be responsible and not likely to engage in crime again. Before being sent to open, prisoners must have served at least six months in a convict prison where they are monitored closely by responsible prison staff who thereafter make recommendations on their behalf. There is only one open prison in Nigeria, is located in kakuri, kaduna state. Also, Igbo (1990) added two more type of prisons making 6 to include:Women and farm centers.

E, Women prison: Are designed to cater for women convicts. The major reason relates to gender differences and that women commit less serious or violent crimes than men, therefore require less stringent supervision. The women's prison at kirikiri in Lagos is the only prison in Nigeria that is exclusively reserved for female offenders. Most other prisons accommodate male convicts, with annexes for women within the same enclosure and under a single administration (NPS, 1986).

F, Prison farm centers: These are types of an open prisons which focus on mass production of agricultural produce, often time, prisoners who are at the tell end of their sentence are sent there.

3.6. CLASSIFICATION OF OFFENDERS IN PRISON

Field work carried out at Enugu prison in 1988 showed that the inmates' population consisted of Unconvicted, Convicted, Detained, Civil and Criminal lunatics. And those Convicted could be in categories as: Lifers, condemned, short term conviction, long term conviction, etc.

1. Unconvicted: These are suspects remanded in prison custody pending further investigation or trial on going for their alleged offences. In the end, some may be discharged and acquitted while those found guilty are left behind to serve their sentences as prescribed by the courts.

2. Detained persons: These are persons reasonably believed to have breached or are about to breach state security either politically or economically etc. They are mostly found in convict prisons and are usually detained at the instance of the State Governor or President. And more often than not, they are detained illegally.

3. Civil and Criminal Lunatics: These are persons believed to be mentally unstable. They are thought to constitute either a nuisance to public orders or potentials or actual danger to life and property. A good number of them are detained pending medical reports on the state of their health or for treatment.

4. Convicted persons: These are persons tried and convicted for various offences which range from relatively minor to more serious offences. Those convicted for minor offences like (theft or house breaking, fight, etc) are usually sentenced to short-term in

imprisonment, while the more serious offenders (armed robbery, rape, murder etc) get long-term sentenced(e.g. life imprisonment, condemned, long term imprisonment).There are two categories of convicted persons: first offenders and recidivists.

A. first offenders are persons who have been sentenced to prison for the first time in their lives, but may have been sentenced to prison for acts not likely to occur again or as a result of technical and procedural errors.

B. Recidivists are simply "repeaters". What they have in common is a record of previous imprisonment, with some having been to prison for as many as three or four times. The Nigeria prison service statistics for 1984 reveal that the total number of prisoners convicted for second or more offences was 66,337(NPS,1984:23-24).

Now, we know the inner workings of Nigeria prison system, because this will help us to understand the problem of the study, of which the study areas (Jos and Pankshin) are within that jurisdiction. This will now take us to the study areas.

CHAPTER FOUR

HUMAN RIGHTS ABUSES IN JOS AND PANKSHIN PRISONS

4.0. INTRODUCTION

This chapter seeks to examine data on Human Rights Abuses in Jos and Pankshin Prisons, with a particular focus on the compliance of prison authorities to the United Nations minimum standard of the protection of Prisoners Rights and other instruments. Thus, the chapter considers background to the study areas and data presentation and analysis.

4.1 STUDY AREAS

4.1.1 JOS PRISON.

Jos prison was built as a native authority prison in the year 1930 and was situated in front of the palace of the Gbom Gwom (chief) Jos. It was then directly under the superintendence of the district officer, while the palace guards (locally known as dogarai) performed the functions of warders of the prison. In 1945 when ex-services men return after the Second World War, many of them were employed by the Gbom Gwom Jos. And one Damagaram emerged as the first chief warder of the prison. The prison was then a group of mud huts surrounded with barbed wire fence (information unit, Jos prison, 2009).

As crime rate continued to increase, it became obvious that the hurts used, would no longer be safe. It became necessary to change it location and expand it, and so construction work on the present Jos prison at its present location started around 1944. The prison which was constructed by the public works department (now known as the ministry of works) took two years to complete also work on it was completed on 1946.

But since then so many building inside the prison were added with the general capacity for 999 prisoners initially, but is now increased to 1149 which makes it biggest in the state. The prison is situated along Joseph Gowmwark Road, in Jos. The prison shares the same land with the state's prison headquarters office. The headquarters become the seat of administration for the following prisons: Jos, Pankshin, Wase, Shandam, Lamingo and Lakushi farm centre.

4.1.2 PANKSHIN PRISON

Pankshin is a town situated in the central senatorial district of plateau state. Pankshin is also the name of the local government and capital, respectively. Pankshin prison which was then an open prison, is situated along Tazuk Road, was established in the year 1910 when one Mr. Lawrence was the Divisional Officer in charge of Pankshin Native Authority. The present day Pankshin prison was built in 1917 although it was built with mud. The mud building was changed into what is to day by a team of builders, and comprising late James Ojo, Shaibu Manman, Danladi Garkawa, and Emmanuel Dati. The first chief warder of the prison was mallam Magora, who headed the prison from 1910 to 1921. While the present assistant of prison heading Pankshin prison is Paul Gomarep.

Table 4.1 Records of intake in Jos and Pankshin Prisons from 1999 – 2009

	Lock up capacity	Long term		Short term		Lifers		Condemned		ATM		Robbery suspects		Detainees		Debitors		Lunatics		sub-total		G/total	Staff Disposition as at June sub/total		Total
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F				
Jos prison June 1999	1149	162	-	111	-	17	-	31	-	144	4	59	-	-	-	-	-	-	-	524	4	528	187	37	224
Pankshin	161	58	1	24	1	-	-	-	-	17	-	-	-	-	-	-	-	-	-	99	2	101	90	14	104
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F				
Jos, June 2000	1149	48	-	250	4	20	-	12	-	84	-	124	4	-	-	-	-	-	-	547	8	555	192	40	232
Pankshin June 2000	161	82	-	30	-	-	-	-	-	23	-	-	-	-	-	-	-	-	-	135	-	135	69	10	79
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F				
Jos, June 2001	1149	112	-	197	7	21	-	11	-	113	1	171	5	-	-	-	-	-	-	625	8	633	190	42	232
Pankshin, Junes 2001	161	39	-	54	-	-	-	-	-	10	-	-	-	-	-	-	-	-	-	103	-	103	67	10	77
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F				
Jos, June 2002	1149	64	-	163	-	22	-	14	-	130	-	192	6	-	-	-	-	-	-	585	6	591	226	45	271
Pankshin, June 2002	161	22	-	58	-	-	-	-	-	17	-	-	-	-	-	-	-	-	-	97	-	97	78	12	90
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
Jos, June 2003	1149	33	-	166	1	22	-	40	1	216	6	139	-	-	-	-	-	-	-	-	-	616	8	219	45
Pankshin June 2003	161	16	2	62	1	-	-	-	-	-	23	1	-	-	-	-	-	-	-	101	4	105	95	13	108

		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Jos June 2004	1149	67	-	106	2	23	-	63	1	159	8	175	-	-	-	-	-	-	-	593	11	604	185	45	230
Pankshin June 2004	161	17	-	55	-	-	-	-	-	20	1	-	-	-	-	-	-	-	-	92	1	93	93	17	110
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		M	F	
Jos, June 2004	1149	93	-	92	-	92	1	24	-	70	1	168	13	202	-	-	-	-	-	649	15	664	188	52	240
Pankshin, June 2005	161	30	1	48	-	-	-	-	-	-	-	25	-	-	-	-	-	-	-	103	1	104	80	13	93
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		M	F	
Jos, June 2006	1149	120	-	114	-	18	-	90	-	187	3	260	-	-	-	-	-	-	-	789	3	792	185	48	233
Pankshin, June 2006	161	35	-	37	1	-	-	-	-	22		-	-	-	-	-	-	-	-	94	1	95	81	14	95
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		M	F	
Jos,June 2007	1149	145	-	34	3	10	-	129	2	188	4	234	-	-	-	-	-	-	-	740	9	749	206	49	255
Pankshin, June 2007	161	41	-	36	1	-	-	-	-	165	-	-	-	-	-	-	-	-	-	93	1	94	74	16	90
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		M	F	
Jos, June 2008	1149	110	-	29	1	3	-	110	1	216	5	233	2		-	-	-	-	-	701	9	710	195	57	252
Pankshin June2008	161	18	-	36	-	-	-	-	-	17	1	-	-	-	-	-	-	-	-	71	1	72	68	15	83
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		M	F	
Jos June 2009	1149	64	-	34	1	3	3	120	1	159	3	161	2	4	-	-	-	-	-	542	7	549	221	29	280
Pankshin June 2009	161	4	-	31	-	-	-	-	-	14	-	2	-	-	-	-	-	-	-	51	-	51	75	17	92

Source: Information Unit, Jos Prison command

As indicated on the Table 4.1 above, the lock up capacity for Jos is 1,149 while that of Pankshin is 161.The short term inmates are mostly in majority compared to the long term inmates incarcerated in both Jos and Pankshin prisons. The short term inmates are mostly those convicted of minor offences like theft or house breaking, civil disturbances, etc.While the long term cases are those convicted of murder,armed robbery,etc.From 1999 to 2009,the number of offences witnessed in both Jos and Pankshin prisons are mostly those of Armed Robbery.Which indicated the level of insecurity in the country.

Majority of inmates in both Jos and Pankshin prisons are men, while the women are very few. As regards the staff strength, it could be said, to be fair, but majority of them lacked the basic techniques that would help them handle the prisoners properly. The awaiting trial cases are always more in number compared to those convicted under the years under review. This goes to show that majority of those in the two prisons are those on the awaiting trial lists.

4.3 DATA PRESENTATION AND ANALYSIS

Table 4.2 Procedure for data collection

S/N	Sites	Questionnaire distributed		Questionnaire returned		Questionnaire not returned	
1	Jos	200	100	200	100	0	0
2	Pankshin	25	100	25	100	0	0

Sources – field survey, 2009.

As showed on Table 4.2 the respondents to the questioners designed for this study were drawn from the two prisons which make up my study areas. The distribution cut across all categories of inmates from those convicted or unconvinced for Armed Robbery, Theft, Rape,

Murder, Debtor etc such categories respondents were selected using simple random sampling procedure.

Consequently, 200 respondents were given the questionnaire to fill in Jos prison. The distribution is done with the assistance of a warder and two prisoners called head masters. The headmasters are those prisoners representing their respective halls. The researcher was able to collect back the entire 200 questionnaires (which shows 100% success) given to the respondents in Jos prison with appreciable responded to the issues raised. The analysis of the findings from the questionnaire sources in this work are therefore based on the 200 questionnaire (100%) that were returned back to the researcher and the oral interview sources. This number, however, represents a 100% of the total number administered in Jos which were also properly filled and returned to the researcher.

In Pankshin prison, a total of 25 respondents were given the questionnaire to fill. The distribution was a little different from that of Jos, because in Pankshin due to their limited number, the researcher sat in the welfare office while the prisoners came one after the other and filled the questionnaires. The analysis of the findings in Pankshin prison was based on the 25 questionnaire returned and oral interview sources and observation. This number represents a 100% of the total number administered to Pankshin prison.

So, the overall total of the respondents that filled and returned the questionnaire in both Jos and Pankshin prisons were 225. More so, the researcher embarked on the unstructured oral interview technique of data collection so as to augment the findings from the questionnaire such that prison staff and other experts on prisons could add to the flair in the work in the two areas were conveniently studied, especially given the use also of the personal observation of the conditions of living of the respondents in the areas by the researcher.

Table 4.3. Distribution of respondents socio-demographic characteristics

1.**Age** distribution	Jos	0%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Less than 18	12	6	2	8	14	6.2	6.2	6.2
18 > 28	93	46.5	12	48	105	46.7	46.7	52.9
29>39	74	37	7	28	81	36.0	36.0	88.9
40 – 50	15	7.5	4	16	19	8.4	8.4	97.3
51 above	6	3	0	0	6	2.7	2.7	100.0
2 **Sex**	Jos	0%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Male	192	96	25	100	217	96.4	96.9	96.9
Female	7	3.5	0	0	7	3.1	3.1	100.00
					I missing			
Total	199	99.5	25	100	225	100.00	100.00	100.00
3. **Economic background**	Jos	0%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Nigerian	165	82.5	25	100	190	84.4	98.4	98.4
Non Nigerian	3	1.5	0	0	3	1.3	1.6	100.00
Total	168	84	25	100	225			
4. **Education**	Jos	0%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Sch. Cert.	38	19	3	12	38	16.9	17.0	17.0
S.S.C.E/TCII Cert	97	48.5	16	64	113	50.2	50.4	67.4
NCE/Diploma	46	23	1	4	47	20.9	21.0	88.4
Degree and above	8	4	0	0	8	3.6	3.6	92.0
Illiterates	13	6.5	5	20	18	8.0	8.0	100.00
					I missing	4		
Total	199	99.5	25	100	225			

Sources-Field Survey, 2009.

Table 4.3 above showed in both Jos and Pankshin the various aspects of respondents' personal characteristics. From the table it showed that most of them were within the age brackets of 18-28 and 29-39 years, while the least was from the age bracket of 50 and above years. The inference that could be drawn here is that most persons in the prisons were young

men and women who should be in productive age. This ugly situation is further reinforced by the facts available from the Federal Office of Statistics (1998:5) that individuals within the age range of 18 and 49 who are implicated in crime are actually more, (90.7%) than other age categories (Federal Office of Statistics (1998:5). It can be inferred therefore that the fact that they are of working age actually exposes them to crime commission or accusation of crime commission as the case may be. In addition this result is not unexpected especially in a society where there is mass unemployment and underemployment and in which poverty level has assumed unimaginable proportions.

As regards sex distribution, the data as presented in the table above, showed that 96% of the respondents were male in Jos prison. While in Pankshin, the respondents were all male constituting 100%. At the time the data was collected, there was no female inmate in Pankshin. But in Jos(only 8 females in all) 3.5% of the respondents were female. This may not be unconnected with the fact that relatively few women are found in the various prisons in the country. The inference here is that women are less inclined to crime, compared to their male counterparts. Or one would agree with the position of Igbo (2007:230), that: "women do not have equal illegitimate opportunities as their male counterparts, their crimes are generally under reported and they are shown more leniency by law enforcement officials than their male counterparts".

On economic background, the data as presented in the table above, showed that in Jos prison, 82.5% are poor, 1.5% are from rich background, while 32 (14.2%) refused to thick that column. But in Pankshin all (100%) the respondents are from poor family background.The explanation that could be given here is that people are more often than not driven to crime due to poverty. This is because of inequality in the distribution of resources

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among individuals in the society. In other words, the institutional means available for the achievement of cultural goal is not equally distributed. This is in line with what Eze and Okafo (2007) said, that about 70% of Nigerians are living below poverty line and Nigeria was rated the 25th poorest nation in the world in spite of abundant resources. And that poor people take to crime to make ends meet. Access to education, health, power and prestige is dependent upon available resources. No wander those involve in crime are from family of lower social background.

In respect to educational qualification, there is indication that most respondents in both Jos (48.5%) and Pankshin (64%) had secondary education. Making the sum total of 50.2% had secondary education. In Jos (6.5%) had no western education, Pankshin (20%) had no western education, making the sum total of only 8% of both Jos and Pankshin had no western education. It is important to note that in Jos (23%) had NCE/Diploma; and in Pankshin (4%) had, making the sum total of both area of 20.9% had NCE/Diploma. And 3.6% had Degree and above in Jos and Pankshin had none: with this high figure of the educated, it appears that education has become a strong factor in criminality. This may not be unrelated to a high level of unemployment of which the children of poor people (which is *mostly made up of secondary school leavers in Nigeria), in the period of economic hardship* or recession have fewer options available to them of which crime is one. As Eze .M, and Okafor E (2007:22) further argued that, if some of them resort more to crime than conformity and compromises their own fundamental rights, it is because they are at the sharp end of the unequal distribution of resources, which typified capitalist social and economic arrangement.

Table 4.4. Disrtibution of respondents by years incarcerated, status and categories of offence.

5.**Emplopment**	Jos	%	Pankshin	%	Total *frequency*	Overall *percentage*	Valid *percentage*	Cumulative *percentage*
Unemployed	60	30	2	8	62	27.6	27.7	27.7
Employed	52	26	4	16	56	24.9	25.0	52.7
Applicant	55	27.5	27	28	62	27.6	27.7	80.4
Self employed	32	16	12	48	44	19.6	19.6	100.0
					I missing	4		
Total	199	99.5	25	100	225			
6. **Status**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Convicted Short term	75	37.5	14	56	89	39.6	39.6	39.6
Awaiting Non convicted	101	50.5	9	36	110	48.9	48.9	88.4
Detained	1	0.5	0	0	1	.4	.4	88.9
Long term Convicted	18	9	2	8	20	8.9	8.9	97.8
Lifers	3	1.5	0	0	3	1.3	1.3	99.1
Condemned	2	1	0	0	2	.9	.9	1000
Total	200	100	25	100	225	100.0		
7. **Category of offence**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
House breaking (theft)	77	38.5	156	60	92	40.9	41.1	41.1
Fighting	39	19.5	2	8	41	6.2	6.3	65.6
Murder	14	7	0	0	14	6.2	6.3	65.6
Armed Robbery	40	20	3	12	43	19.1	19.2	84.6
Not aware of offence	4	2	0	0	4	1.8	1.8	86.6
Rape	11	5.5	2	8	13	5.8	5.8	92.4
Cheating	8	4	1	4	9	4.0	4.0	96.4
Debtors	6	3	2	8	8	3.6	3.6	100.0
					I missing			
	199	99.5	25	100	225			

Source: Field survey, 2009

Table 4.4. Presented employment status. It was shown that the unemployed and applicants constituted the majority. The unemployed in Jos (30%), Pankshni (8%). Jos had 27.5% applicants and Pankshin had 28%. In both Jos and Pankshin had the sum total of 27.6% unemployed, while the sum total of both Pankshin in Jos has 27.6% applicants. The inference that could be given here is that people are more often than not driven to crime due to poverty. As Eze, M and Okofor (2007.22) urged, that people are driven to crime because of the inequality on the distribution of resources among individuals in the society. In other words, *the institutional means available for the achievement of cultural goal is not equally* distributed.

On the status of conviction, the table above showed that, in both Jos (50.5) and Pankshin (36%), making the sum total of 48.9% are awaiting trials in both prisons. Those convicted short terms in Jos (37.5%) and Pankshin (56%). Those convicted for life's imprisonment in Jos (15%), while Pankshin had non. Those condemned to death in Jos were only 0.9% while Pankshin had no condemned. With those in awaiting trial in majority, this goes to indicate the extent to which Nigerians are vulnerable to being punished, confined even before they are found guilty. This is in total violation of the constitutional rights of most of those prisoners awaiting trial. This factor amongst others add up to default the constitutional required for a speedy trial provided for by section 35(4) of the 1999 constitution which provided that:

> *Any person who is arrested or detained in accordance with sub-section (i) (c) of this section shall be brought before a court of law within a reasonable time, and if he is not tried within a period of (a.) two months from the date of his arrest or detention in the case of person who is in custody or not entitled to bail, or (b). three months from the date of his arrest or detention in the case of a person who has been released on bail, he shall (without prejudice to any further*

> *preceding that may be brought against him) be released either unconditionally or upon such conditions are reasonably necessary to ensure that he appears for trial at a later date (Bello, 2004).*

The expression "reasonable time" has been defined in section 35 (5) to mean:

(a) in the case of an arrest or detention in any place where there is a court of competent jurisdiction within a radius of forty kilometers, a period of one day, and

(b) In any other case, a period of two days or such longer period as in the circumstance may be considered by the court to be reasonable.

It follows from the above provision that any person arrested or detained for an offence shall be released within 45 hours or such longer period as the court in the circumstances will determine. But the reality is different; citizens are imprisoned for years, months, without being brought before the courts.

As regards the categories of offence, house breaking (theft) constituted the majority (40.9%) in both Jos (58.5%) and Pankshin (60%). This is followed by Armed Robbery (19.1%) in total. Jos had 20% while Pankshin had 43% of armed Robbery cases. The least of the categories of offence are debtors (3.6%). The debtors in Jos (3%) while Pankshin had 8%. The inference that could be drawn here is that House Breaking (theft) and Armed Robbery are the major crimes in the prisons studied, in other words, they are the most important forms of crime in Nigeria. This prevalence may be linked to the general hopelessness and the inability of the political leadership to solve the nagging problem of unemployment and mass poverty in the land. Added to this, according to Eze, M and Okafor, E (2007), are the issues of corrupt practices of security men at various ports and boarders who allowed the smuggling of arms and ammunitions to the country. The result is general insecurity and increase in armed Robbery and assassinations

Table 4.5 Respondents Opinions on the various aspects of their experiences in prison.

8. Do prison officials respect U	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	111	55.5	19	76	130	57.8	57.8	57.8
No	51	25.5	5	20	56	24.9	24.9	82.7
Not aware	5	2.5	0	0	5	2.2	2.2	84.7
Not always	33	16.5	1	4	34	15.1	15.1	100.0
Total	200	100	25	100	225	100.0		
9. **Do you feel equal to other prisoners?**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	82	41	19	76	101	44.9	44.9	44.9
No	70	35	5	20	75	33.3	33.3	78.2
Not aware	6	3	0	0	6	2.7	2.7	80.9
Not always	42	21	1	4	43	19.1	19.1	100.0
Total	200	100	25	100	225	100.5		
10. **Is there discrimination against you?**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	70	35	8	32	78	34.7	34.7	34.7
No	96	48	15	60	111	49.3	49.3	84.0
Not really	29	14.5	2	8	31	13.8	13.8	97.8
Not aware	5	2.5	0	0	5	2.2	2.2	100.0
Total	200	100	25	100	225	100.0		
11 **If yes, what kind of discrimination?**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Religion	34	17	1	4	35	15.6	35.0	35.0
Social origin	22	11	5	20	27	12.0	27.0	62.0
Colour	3	1.5	0	0	3	1.3	3.0	65.0
Sex	6	3	0	0	6	2.7	6.0	71.0
Nationality	2	1	0	0	2	.9	2.0	73.0
Economic/property	17	8.5	3	12	20	8.9	20.0	93.0
Birth/Age	7	3.5	0	0	7	3.1	7.0	100.0
Total	91	45.5	9	36	100.0			
Do you have the services of a lawyer during trial?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	83	41.5	6	24	89	39.6	39.9	39.9
No	115	57.5	19	76	134	59.6	60.1	100.0
					1 missing	.9		
Total	198	99	25	100	225			

Sources-field survey, 2009

Table 4.5 above shows distribution on the Dignity of labour. On the question, do prison officials respect your human dignity? Majority of the respondents (57.8) agreed that prison

officials do respect their human dignity. In Jos (55.5) and Pankshin (76%) all agreed that their dignity is respected. While in Jos (25.5) and Pankshin (20%) said No their dignity is not being respected 2.5% in Jos said they are not aware while Pankshin known said they are not aware, while in Jos (16.5%) and Pankshin (4%) said not always. The inference that could be made here is that despite majority (57.8) agree that their human dignity are being respected by officials, those figures or percentage (24.9%) that said their human dignity is not respected cannot be neglected. This is serious 24.9% is a quite high number. This showed that some prisoner's human dignity is not being respected by officials. A preamble paragraph of International Covenant on Civil and Political Rights (ICCPR) provides that;

> *In accordance with the principles proclaimed in the charter of the UN, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. (Ololade 2004:29).*

And also article 10(1) of the covenant provides that: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person". Form the wording of this article it can be deduced that it applies to all prisoners, and the state parties to the covenant (Nigerian membership) must take all the necessary steps to ensure that the treatment of prisoners takes into account their inherent dignity as human persons. This soiled hand thus requires to be cleaned rather than be cut –off.

The question, if they feel equal to other prisoners. The figures showed that 44.9% said they felt equal with other prisoners in both Jos (41%) and Pankshin (76%). While 33 3% felt otherwise (No) in Jos (35%) and Pankshin (20%). In Jos (3%) said they were not aware and Pankshin (0%) had known. While 21% (Jos) and 4% (Pankshin) said not always with the overall total of 19.10%. The inferences that could be given here are that majority of those

that felt equal could be due to the category of offences. This is an indication that prisoners are supposed to be categorized according to offence committed. That percentage (33.3%) that felt unequal could be due to the seriousness of the offense they committed. As Dambazau (2007:203) rightly pointed out that prisons are categorized in accordance with the types of inmates, the structural features, and the extent of security arrangement.

On the question of discrimination, 34.7% had said there were discrimination against them in both Jos (35%) and Pankshin (32%). While 49.3% overall total said there were no discrimination against them in both Jos (48%) and pankshin (60%). In jos (14.5%) and Pankshin (8%) said not really, while 2 5% (Jos) and 0% (Pankshin) said they were not aware.

For those who said they were being discriminated 34.7%, those discriminated religiously in Jos (17%) and Pankshin (4%) overall 15.6% in both Jos and Panskhin. While those discriminated on grounds of social origin in Jos (11%) and Pankshin (20%). Discrimination on economic property grounds, for jos (8.5%) and Pankshin (12%). The least on the discrimination is nationality 0.9%. Despite the small number of those discriminated, it calls for concern especially with the highest percentage of those decimated on religious grounds, especially when one considers the sensitive nature of religion in our national polity, which in most cases turns to violence or crises, especially in Jos. Discrimination therefore, implies maltreatment of a person, which shows that the person is of a lesser value than others in the same category, according to Ololade (2004:36). In its preamble, the international covenant on civil and political Right (ICCPR) declared that:

> *All persons are equal before the law and are entitled without any discrimination to the equal protection of the law (Ololade 2004)*

Also, in both the universal declaration of Human Rights (UDHR), international covenant on civil and political rights and standard and minimum rules for the treatment of prisoners (SMR), the prohibited distinctions are defined as including race, color, sex, language, religion, political or other opinion, national or social origin, property, birth e.t.c (Ololade, 2004:36-37). Also, the 199 constitution in sections 38(1) clearly stipulates "Right to freedom of thought, conscience and religion". The implication is that, every Nigerian irrespective of whether in prison or free person in the society, has the right to practice his or her religion where ever that person is.

On the services of a lawyer during trial. 59.6% in both Jos (57.5%) and Pankshin (76%) said they did not have the services of the lawyer during trial. While 39.6% in both Jos (41.5%) and Pankshin (24%) said they had the services of lawyer. While 2 persons in Pankshin did not fill the column. The inference that could be made here is that many inmates in both Jos and Pankshin had no fair trial. This statement is collaborated by the opinion of justice Hugo Black (Dambazau 2007:193) that:

> *In our adversary system of criminal justice, any person handled into court or detained, who is too poor to hire a lawyer, cannot be assumed a fair trial unless counsel is provided for him.*

The legal Aid council which was established by legal Aid Act cap 205 laws of the Federal Republic of Nigerian of 2nd May 1997 to provide services to indigent citizens whose income is not enough to secure those services of a council to defend him in a criminal trial. The legal Aid council is grossly under – funded and it has not been able to effectively discharge its mandate. According to Bello, (2004:5) there are presently legal Aid council officers in each of the 36 states and the FCT. But the majority of the officers are manned by only one lawyer per state. This makes it impossible for one lawyer to attend to the numerous indigent citizers

who need the services of the council. In an interview with one legal aid council members in Jos, he complained of lack of functional offices, vehicles, telephone, adequate tables, chairs and computers to discharge their duties. Moreover section 46 (4) (b) of the 1999 constitution provides that:

> *The national Assembly shall make provisions (a) for the rendering of financial assistance to any indigent citizen of Nigeria where his right under this chapter has been infringed or with a view to enabling him to engage the services of a legal practitioner to prosecute his claim.*

All those are theoretical, without any concrete machinery put in place to assist those in need of lawyer, so many inmates in Jos and pankshin prisons rights of legal council is denied.

Table 4.6 Respondents Opinion on the Conditions of the Prisons

13. **Do you experience torture**?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	114	57	10	40	124	55.1	55.6	55.6
No	75	37.5	15	60	90	40.0	40.4	96.0
Not really	9	4.5	0	0	9	4.0	4.0	100.0
					2 missing	.9		
Total	198	99	25	100	225	100.0		
14. **If yes, what kind of torture?**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Beating	61	305	10	40	71	31.6	50.4	50.4
Chaining	18	9	0	0	18	8.0	12.8	63.1
Solitary confinement	5	2.5	0	0	5	2.2	3.5	66.7
All the above	14	7	0	0	14	6.2	9.9	76.6
Non of the above	11	55	0	0	11	4.9	7.8	84.4
Beating and chaining	22	11	0	0	22	9.8	9.8	
Total	132	66	10	40	142	63.1	100.0	
15 How frequent are you beating?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Daily	27	13.5	3	12	30	13.3	21.6	21.6
Once in a while	71	35.5	3	12	74	32.9	53.2	74.8
Always	8	4	4	16	12	5.3	8.6	83.5
Rarely	23	11.5	0	0	23	10.2	16.5	100.0
Total	129	64.5	10	40	139	61.8	100.0	
How many are you in a cell?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
1 -5	14	7	0	0	14	6.2	6.2	6.2
6 -10	19	9.5	2	8	21	9.3	9.3	15.6
11 – 15	20	10	4	16	24	10.7	10.7	26.2
16 -20	41	20.5	1	4	42	18.7	18.7	44.9
More than 20	106	53	18	72	124	55.1	100.0	
Total	200	25	225	100.0				
17. **How long have you been in prison?**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Less than a year	85	42.5	22	88	107	47.6	48.0	48.0
1 -3	72	36	0	0	72	32.0	32.3	80.3
4 -6	32	16	3	12	35	15.6	15.7	96.0
7 -10	5	2.5	0	0	5	2.2	2.2	98.2
More than 10	4	2	0	0	4	1.8	1.8	100.0
Total	198	25	225	100.0				

Sources-field survey, 2009

As regards Torture, many of the respondents in Jos (57%) said they experienced torture, while 37.5% said they did not experience torture. In Pankshin (40%) experience torture while 60% did not experience torture. And only 4% in Jos said they are not sure if they experience torture. The inference drawn here is that many up to (57%) inmates in Jos prison experienced torture compared to that of Pankshin (40%). This act is against the standard minimum rules for the treatment of prisoners (SMR), Article 31 state:

> *Corporal punishment, punishment by placing in a dark cell, and all cruel, in human or degrading punishments shall be completely prohibited as punishments for disciplinary offices (Amnesty international report, 1984).*

Torture is a fundamental violation of human rights, condemned by the general Assembly of the United Nations as an offence to human dignity and prohibited under national and international law. Yet torture persists, daily in both Jos (57%) and Pankshin (40%). The United Nations General Assembly adopted and December, 1975 condemning any act of torture. In article II of the declaration, it states:

> *Any act of torture or other cruel, in human or degrading and shall be condemned as a denial of the purposes of the charter of United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the universal declaration of Human Rights.*

And Article 4 of the declaration states:

> *Each state shall in accordance with the provisions of this declaration, take effective measures to prevent torture and other cruel, in human or degrading treatment of punishment from being practiced within its jurisdiction. (Amnesty international report, 1984)*

On the kind of torture meted on the inmates, many of the respondents agreed that beating is the most used. In Jos (30.5%) and Panskhin (40%) said beating was used on them.

The next kind of torture was beating and chaining of which 11% (Jos) and 0% (Pankshin). And the least used on the prisoners was solitary confinement with only 2.5% (Jos) and 0% (Pankshin). The inference that can be drawn here is that beating is the most common kind of torture used on prisoners in both Jos and Pankshin.

As regards the frequency of beating, 35.5% (Jos) and 12% (Pankshin) said its once in a while which means not frequent. While 13.5% (Jos) and 12% (Pankshin) said they experienced beating daily. And the least are those that claimed to experience beating always with overall percentage of 5.3%. Jos (4%) and Pankshin (16%).

The inference that could be drawn under torture is that the prisoners in Jos (57%) and Pankshin (40%) experienced torture and the most used kind of torture on the prisoners is beating, which is an abuse on the rights of the prisoners. Section 79 of the Prisons Act Cap 366 stressed that "No prison officer shall strike a prisoner, except in self-defense".

As regards the number of prisoners in a cell, majority of the prisoners (55.1%) live in a cell accommodating 20 and above. In Jos (53%) and Pankshin (72%) live in a cell that accommodates 20 and above inmates. In Jos (20.5%) and Pankshin (4%) live in a cell of 16 – 20 inmates. While those that stay in cell of 11 -15 in Jos (10%) and Pankshin (16%). The least of the cell with number of prisoners are the 1 -5, with Jos (7%) and Pankshin (0%). There is a high congestion in the cells of both Jos and Pankshin. As observed, the cells in Jos and Pankshin lacked the needed ventilation. Which is in line with the observation made by a report and draft bills for the reform of prisons in Nigeria compiled by the Nigerian law Reform Commission in 1983, that:

> *Nigerian prisons are too congested, and poor ventilation is one of their glaring features. Prisoners and detainees are cramped together in cells with no adequate accommodation facilities provided.*

The cells always stink with hot, uninviting air oozing out at intervals from the cells to the inmate environment. Its unfortunate, during my observation and corroborating it with the interview, in both Jos and Pankshin, hardened criminals are made to live together with first offenders especially in Pankshin prison.

As regards the length or period of incarceration, it was shown that those with less than a year in Jos (42.5%) and Pankshin (88%), constituted the majority. Followed by those incarcerated for 1 – 3 years, where Jos (36%) and Pankshin (0%). Those in incarceration for 4 – 6 years, Jos (16%) and Pankshin (12%). While the least of the respondents in incarceration are those of more than 10 years where Jos (2%) and Pankshin (0%). The reason for months or years of incarceration has been traced to the high number of awaiting trial. Some of whom are spending as long as 3 -7 years without any trial, which goes contrary to the provisions of the 1999 constitution as earlier noted in section 35 (4) of the 1999 constitution which provides for speedy trial for councils.

Table 4.7 Respondents Opinion On Beddings, Health and Food Matters.

17. **What do you sleep on?**	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Floor	18	9	2	8	20	8.9	8.9	8.9
Mat	96	48	17	68	113	50.2	50.4	59.4
Spring bed	12	6	0	0	12	5.3	5.4	64.7
Table	2	1	0	0	2	.9	.9	65.6
Spring bed not mattress	71	35.5	6	24	77	34.2	34.4	100.0
					I missing			
Total	199	99.5	25	100	225	100.0		
Have you fallen sick in prison?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	157	78.5	13	52	170	75.6	75.9	75.9
No	42	21	12	48	54	24.0	24.1	100.0
					Missing	0.4		
Do health personnel attend to you when you are sick?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	126	63	12	48	1.38	61.3	74.6	74.6
No	23	11.5	1	4	24	10.7	13.0	87.6
Not always	20	10	0	0	20	8.9	10.8	98.4
Rarely	3	1.5	0	0	3	1.3	1.6	100.0
Total	172	86	13	52	185			
When seriously ill, are you taken to the hospital?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	99	49.5	11	44	110	48.9	60.1	60.1
No	40	20	2	8	42	18.7	23.0	83.1
Not always	23	11.5	0	0	23	10.2	12.6	95.6
Rarely	8	4	0	0	8	3.6	4.4	100.0
Total	170	85	1.3	52	183			
How many times do you eat in aday?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Three times	198	99	25	100	223	99.1	99.6	99.6
Two times	1	0.5	0	0	1	0.4	0.4	100.0
Total	199	99.5	25	225	100.0			
Do you think your food is balanced?	Jos	%	Pankshin	%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
No	182	91	18	72	200	88.9	89.7	89.7
Yes	16	8	7	28	23	10.2	10.2	100.0
Total	198	99	25	100	225	100.0		

Sources-field survey, 2009

As regards what the prisoners sleep on, in both Jos (48%) and Pankshin (68%) majority of them sleep on mats. Some of them in Jos (35.5%) and Pankshin (24%) said that they are sleeping on spring beds with mattress. While some claimed to sleep on the bare floor, Jos (9%) and Pankshin (8%). While in Jos (6%) said they sleep on spring beds with no mattress. The inference that can be drawn here is that only few (34.2%) had the privilege to sleep on spring beds with mattresses. While majority (50.2%) sleep on mats, and collaborating the observation with interview, the blankets used are warned out and does not go round to every prisoner with the cold nature of Jos and Panskhin, it is unthinkable for prisoners to sleep on mats even without blankets. These findings are in line with what Bello (2004:8) said:

> *The beds, in the few prisons where they exist are old, fragile and in need of replacement. The mattresses are either worn thin form constant recycling or nonexistent in most of the prisons. Beddings and blankets are nonexistent and the clothing of the inmates are insufficient and not usually replaced, thereby resulting in some prisoners wearing their own personal clothes while being incarcerated.*

Also, law reforms report (1984) stressed that:

> *Prisoners sleep in double decked beds with no mattress and pillows provided. In these congested cells, not all prisoners are fortunate to be provided with beds. The unlucky ones made to sleep on the cold, dirty, bare floor.*

There is no doubt that this harsh treatment is part of torture, as Amankwah (1979) puts it, "we can not seek a moral end through an intrinsically evil means". For rehabilitation function to be achieved, humane treatment of prisoners must be the cardinal aim.

On the number of times the prisoners take their bath, overall 64.4% in both Jos (62) and Pankshin (84) agreed that they take their both daily. While 19.1% in both Jos (21.5%) and Pankshin (0%) agreed that they do take their bath once in two days. And the least are

those who take their bath (4.4%) weekly. Inference here is that majority of the inmates do take their bath daily, which goes a long way in keeping them neat.

On the number of those that have fallen sick in prison, majority (75.6%) in both Jos (78.5%) and Panskhin (52%) said they had fallen sick. While those that said they have not fallen sick in Jos (21%) and Panskhin (48%) a. The inference that can be made here is that the conditions of the cells are enough reasons to add to their ailments. In both Pankshin and Jos there are clinics that do take care of prisoners, but they are lacking in equipments. The Pankshin prison had few equipments and has only one health personnel. Jos has good clinic with few equipments and to corroborate what one of the health personal complaint, that even drugs, they run short off. In both the two prisons there are shortage of drugs, facilities and personnel.This is in line with the poor attitude those in authorities normally showed towards the prisoners, which is total disregard of the rights of prisoners of good medical care.

On whether they are taken to hospital if their sicknesses are serious, 49.5% (Jos) and 44% (Pankshin) said they are taken to hospital when their health condition is serious. While in Jos (20%) are Panskhin (8%) said they are not taken to hospital. And in Jos (11.5%) said it is not always that they are taken to hospital. The point here and in line with the interview conducted to some officials, some sickness could be defined not seriously by officials (health personal), while the prisoners see it as serious whatever the case and couple with the fact that the clinics in the prisons lacked some basic equipment and drugs. The condition of clinic in Pankshin prison run contrary to the principles of medical ethnics in the protection of prisoners adopted by the United Nations General Assembly on 18 December 1982. Article 1(1) which states:

> *Health personnel particularly physicians, charged with the medical care of prisoners and detainees have a duty to provide them with the protection of their physical and mental health and treatment of disease of the same quality and standard of it afforded to those who are not imprisoned or detained.*

The health condition of all prisoners is very important in their rehabilitation to ensure that after leaving prison that they will not only integrate properly in the society, but they should be strong enough to carry on with their life like any other persons. As regards food matters, majority said that they eat three times a day, which corroborated with what the officials said. But on whether the food is balanced or not, majority 88.9% in both Jos (91%) and Pankshin (72%) agreed that their food is not balance diet. While those that agreed that their food is balanced in Jos (8%) and Pankshin (28%). With the observation made and the interview conducted, it's obvious that that the food given to prisoners in both Jos and Pankshin is far below the standard required. The situation in both prisons is in line with what Bello (2004:8) said:

> *The food fed to the prisoners is nutritionally unbalanced, quantitatively insufficient and prepared under unhygienic conditions.*

According to CAP366 of the prison Act (1990) stressed that, "every prisoner shall be allowed a sufficient quantity of plain and wholesome food". The use of the word wholesome food here means balanced diet, but the food observed fall short of the "wholesome" as even the sanitary environment where the foods are prepared in both prisons are not healthy.

If prisoners are to be kept healthy to achieve their rehabilitation function, then their food needs to be well balanced.

Table 4.8 Respondents Opinion On School, Handwork, Exercise and Visitation.

Is there school in your prison?	Jos	0%	Pankshin	0%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	157	78.5	12	48	169	75.1	75.4	75.4
No	42	21	13	52	55	24.4	24.6	100.0
					I missing			
Total	199	99.5	25	100	225	100.0		
Do you learn handwork?	Jos	0%	Pankshin	0%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	116	58	16	64	132	58.7	58.9	58.9
No	74	37	9	36	83	36.9	37.1	96.0
Not always	9	45	0	0	9	4.0	4.0	100.0
					I missing			
Total	199	99.5	25	100	225	100.0		
Do you have time for exercise?	Jos	0%	Pankshin	0%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	115	57.5	5	20	120	53.3	53.3	53.3
No	85	42.5	20	80	105	46.7	46.7	100.0
Total	200	100	25	100	225	100.0		
Are family and friends allow to visit you?	Jos	0%	Pankshin	0%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	195	97.5	24	96	219	97.3	97.8	97.8
No	4	2	1	4	5	2.2	2.2	100.0
					I missing			
Total	199	99.5	25	100	225	100.0		
Are you engage in labour outside the prison?	Jos	0%	Pankshin	0%	Total frequency	Overall percentage	Valid percentage	Cumulative percentage
Yes	92	46	14	56	106	47.1	47.3	47.3
No	107	53.5	11	44	118	52.4	52.7	100.0
					I missing	0.4		
Total	199	995	25	100	225	100.0		

Sources-field survey, 2009

As regards schooling, majority in Jos (78.5%) agreed there is school. While in Pankshin only few (48%) agreed. While those that disagreed on the existence of school in Jos are (42%) and Pankshin (52%). The inference that can be made here is that in Jos there is functional school, though only few (2) two teachers on ground. And those number in Jos (42%) that disagreed are mostly those awaiting trial or those that claimed to be educated. The situation in Pankshin is quite different, because while majority (52%) disagreed of the existence of school was because there was no any functional school. The prison officials interviewed agreed to the fact that they used to have one female corper that was assisting in teaching the inmates, but since she left, there had not been anyone. In both Jos and Pankshin prisons the infrastructures and facilities are inadequate. Which is in line as enumerated by Law Reform Report (1983) that:

> *Training programmes for prison inmates are disorganized. Facilities including qualified teachers and relevant books in various subjects are mot inadequate, while prison libraries in the country are ill – equipped and dirty.*

The prisoners in both Pankshin and Jos are all entitled to better treatment, adequate function property after their incarceration.

On if they learn handwork, in Jos (58%) and Pankshin (64%) agreed they learn handwork. While in Jos (37%) and Pankshin (36%) said they don't learn anything. While in Jos (4.5%) they don't learn anything are those on awaiting trial, who are not mandated to go through the training. The interview conducted showed that most of the equipment /tools for the training of prisoners are in the state of despair. This made most of the prisoners to develop poor interest in learning the trade. Apparently, some of them are not happy being in the prison. Corroborating it with the interview, learning handwork appears to be compulsory

for the convicts; inmates on awaiting trial were completely excluded from almost all the vocational as well as recreational activities. A disturbing development here is the fact that since awaiting trial prisoners are not allowed to take part in vocational training and about 60% of the prisoners are on awaiting trials; this means that Nigerian prisons cannot adequately rehabilitate prisoners. Furthermore, this is against the United Nations Declaration of Human Rights which specifies that untried prisoners shall always be offered opportunity to work, but shall not be required to work, if he chooses to work, he shall be paid for it (Eze and Okafor, 2007).

Also, in my interview with some of the staff and my observation showed that on the tailoring, welding and carpentry sections in both Jos and Pankshin had no equipments to work with. Sewing machines could not go round while other essential facilities provided on other sections were inadequate.

As regards exercise, in Jos (57.5%) and Pankshin (20%) agreed to the fact that they have time for exercise. While in Jos (42.5) and Pankshin (80%) said they don't have time for exercise. The inference that can be made here is that Jos had more time for exercises than Pankshin prisoners. A tour of the two prisons clearly showed that Jos has a small football field that prisoners used for their exercises, while Pankshin had nothing. The 20% that agreed to be exercising are referring to local game called in Hausa "dara". It is unfortunate especially in Pankshin that authorities concerned are not interested in the prisoners fitness. This is contrary to the fact that the exercise is part of the rehabilitation function of prison system.

On visitation, majority (97.3%) of the prisoners in both Jos (97.5) and Pankshin (96%) agreed that friends and family members are allowed to visit them. Those that claimed

that they are not allowed are mostly those that their relations or friends don't even know that they are in prison. The inference drawn here is a healthy development, those prisoners' relations and friends visit them which encouraged them to feel belonging.

As regards those engaged in labour outside the prison? Only convicts are allowed to go out for labour outside the presion. In Jos (46%) and Pankshin (56%). While those that said No, in Jos (53.5) and Pankshin (44%) are those on awaiting trial,of which they are not allowed. One discovery here is that some awaiting trials in Pankshin are also involved in engaging in labour outside, which goes contrary to prison rules. Collaborating this with the interview conducted most of the prisoners' complaint that after doing the work, the money is paid to the officers in charge of the wok. And most of the times they don't give them anything, and even when they are given them something, is far cry from the labour they worked for. It's unfortunately that most of the prison officials don't respect the dignity of prisoners; they look at them as people to be used in whatever way. This goes contrary to the Prisons Act Cap 366, which says:

> *No prison officer shall receive any fee or gratuity from, or have any business dealings with, prisoners or with the friends of the prisoners, or with visitors to prisoners.*

4.3 DISCUSSION

The unique nature of the problem understudy requires the use of Prisoners Rights theory. As a result, attempt is made to present prisons as an institution of prisoners' rights abuses.

Prisoners' Rights theory of justice model becomes relevant of which the focus is the prisoner's status. The ultimate concern is the overall treatment of prisoners in such a way that conform to the precepts of 'justice' or rule of law or Standard Minimum Requirement for the protection and treatment of prisoners and other instruments of the United Nations of which

Nigeria is a signatory. A penal policy based on prisoners' rights is one which respects the prisoner's inherent dignity as a person, recognizes that he or she does not surrender the law's protection on being imprisoned, and accords procedures and facilities for ensuring that his treatment is at all times just, fair and humane.

But, haven't analysed few of the examples that have been given indicated that the treatment of prisoners in both Jos and Pankshin are not just, fair and humane as summarized thus:

- Those awaiting trial in Jos(50.5) and Pankshin(36%)
- Those that had the services of lawyer in Jos(57.5) and Pankshin(76)
- Those that experience torture in Jos(57%) and Pankshin(40%)
- A cell that is supposed to accommodate 8 inmates is accommodating 20 and above in Jos(53.1%) and Pankshin(72%) (Field survey, 2009).

These are some of the gross violation of prisoners rights which also agree with the assumption that there are serious human rights abuses in both Jos and Pankshin prisons. My mind wanders, for those awaiting trials, what happens if later on they are found not guilty? How would they be compensated for the years or time spent in prison? Though they can seek redress in court for defamation, but it is not enough because the damage has already been done for spoiling somebody's name and family. Also a situation whereby majority of those in both Jos and Pankshin prison had no lawyers, there can never be fair trial in such a situation because the accused will just be at the mercy of what the persecuting officer or council tells the Judge. On the issue of beating as one of the torture experienced in both Jos and Pankshin prisons, it is clear that prison warders do the beating, which goes to confirm or agree with the second assumption that prison staff abused prisoners. The recognition that most of the prison staff (warders) doesn't even know most of the Standard Minimum Requirements for the

protection and treatment of prisoners and other instruments provided by the United Nations Conventions, is grossly inappropriate given the status of Nigeria in the world. There remains a long way to travel before we can feel that a true appreciation of prisoners' rights has arrived in our prisons especially now that we are in democracy which upholds human rights as one of its cardinal objectives.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.0 INTRODUCTION

This chapter captures essentially the summary of the major findings on the Nigerian Prisons and Human Rights Abuses, Conclusion and a set of Recommendations.

5:2 SUMMARY

This study investigates Nigerian prisons and human rights abuses with a focus on how prisoners' rights are being abused. The problematic aspect of this study focused on the designed objectives of the prison that has cast serious doubts in their logical and practical implementation especially as regards their reformation and rehabilitation of prisoners in line with United Nations Minimum Standard Rules for the protection of prisoners .This becomes particularly worrisome given the high level of prisoners population in the country.

The researcher therefore sought to ascertain the extent of prisoners' rights abuses and its effects in both Jos and Pankshin prisons during the period under study, to determine the persons or group of persons responsible for the abuses and to examine the measures that need to be taken to incisively and concisely to addressing all problems of prisoners rights abuses.

To effectively appreciate the findings of this study, the researcher examined some works (literature) and evaluated the theoretical framework on which the study was based. A thematic review had been considered in this work on the concept of human rights and imprisonment in Nigeria. And it has been found out in the literature reviewed that overcrowding in prison especially in cells are the common prisoner's rights abuses in Nigerian prisons. Thus, strict observation and respect of prisoners' rights are expected to achieve the reformation and rehabilitation functions of prison. However, available body of

works in the existing literature hardly examined other prisoners' rights abuses apart from overcrowding in Nigeria. This constituted a wide gap in the literature which this study tried to fill by examining other abuses of prisoners' rights.

On the basis of the findings from questionnaire, oral interview, observation and content analysis, this study carefully examined data(chapter four) on prisons and human rights abuses in Nigeria, aimed at alleviating the sufferings or abuses of prisoners rights in the country, particularly, on the prisoners in Jos and Pankshin prisons(between 1999-2009).

The major findings of this study revealed that there are a serious human rights or prisoners rights abuses in both Jos and Pankshin prisons and may be Nigeria at large, due largely to the poor implementation of United Nations Minimum Standard Rules for the protection of prisoners and other instruments. This consequently leads to fewer achievements in reformation and rehabilitation of prisoners.

As regards the categories of offence, house breaking (theft) constituted the majority, where Jos (58.5%) and Pankshin (60%). It was followed by armed robbery, where Jos (20%) and Pankshin (43%).This prevalence may be linked to the general hopelessness and the inability of the political leadership to solve the nagging problem of unemployment and mass poverty in the land.

It has been established by this study that many prisoners were unfairly incarcerated due to the fact that they had no legal representation. In Jos 57.5% and Pankshin 76% had no lawyer during trial. As Hugo Black (Dambazau, 2007), said, "....person detained, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him".

Many prisoners in both Jos(57%) and Pankshin(40%) experienced torture. Torture is a fundamental violation of human rights, condemned by many of UN instruments. The kind of

torture common in these prisons is beating, where in Jos(30.5%) and Pankshin(40%) all complain of beating.

Another abuse is on the number of prisoners in a cell. A cell that is suppose to accommodate 8 persons or prisoners, is accommodating 20 and above. The general conditions of the two prisons go contrary to the requirement of the United Nations Minimum Standard Rules for the protection of prisoners. Especially when one look at the training equipments at the prisoners disposal, beddings, general lack of teaching materials, poor sanitary environment, poor infrastructures, etc.

The foregoing findings imply that the government and prison authorities failed to perform their roles in respecting the fundamental rights of prisoners, which could be largely due to poor funding, negligence and lack of proper training of staff.

5.2 CONCLUSION

The findings of this study provided evident grounds for empirical conclusion at this juncture, that the government and prison authorities have a central role to play in the protection of prisoners' rights which are capable of improving the standard of reformation and rehabilitation of prisoners. However, the reformation and rehabilitation functions was not being achieved due to the fact that prisoners' rights are being abused, as Amankwah (1979) puts it "we cannot seek a moral end through an intrinsically evil means,....humane treatment of prisoners must be the cardinal aim".

Nevertheless, it could also be found that the high level of prisoners' rights abuses in both Jos and Pankshin was due to the fact that most of the prison staff (especially warders), are not even aware United Nations Minimum Standard Rules for the protection of prisoners. It is also believed that the rate of crime will continue to be high as long as nothing is done to

address the issue of unemployment, poverty, corruption and social injustice. Prisoners who have been kept in awaiting trial for a long time especially the innocent among them would not be reformed; rather they will show disloyalty to the system that punished them unjustly.

In short, as equally noted by Bello (2004), given the fatal flaws in government and the authorities concerned in handling prisoners, it is necessary to now turn to the last segment of this work to provide how best prisoners rights can be protected and the ultimate eradication of prisoners abuses not only in Jos and Pankshin, but also in all the prisons in Nigeria in the quest to achieve a humane prison system.

5.4 RECOMMENDATIONS

Based on the above conclusion the following recommendations are thus offered:

Firstly, government should ensure that prison services are adequately funded. This will translate to adequate improvement on the existing rehabilitative as well as other facilities in prison. This will make prisoners to be useful to themselves when they had completed their jail terms. And also ensures that more legal aid members are employed to assist those unable to secure the services of lawyers.

Secondly, government should keep procedures for detention and interrogation under regular review. All prisoners should be promptly told of their rights, including the right to lodge complaint about their treatment.

Thirdly, there should be independent investigation of reports on prisoners' rights abuses. And government should ensure that all complaints and reports of prisoners' rights abuses are impartially and effectively investigated .The methods and findings of such investigation should be made public.

Fourthly, those responsible for prisoners' rights abuses should be brought to justice. There should be no "safe haven" for abusers.

Fifthly, government should ensure that acts of prisoners' rights abuses are punishable offences under criminal law.

Sixthly, it should be made clear during training of prison officials involved in the custody, or treatment of prisoners, that torture in what ever form is a criminal act. And they should be taught all the United Nations instruments that protect the rights of prisoners. The training schools and colleges for the training of those selected staff should be equipped with necessary materials needed for the training of handlers of these reformative and rehabilitative tasks. It may be expensive, but as mentioned earlier, every country in the world gets the prison system it is prepared to pay for.

Seventhly, the cases of awaiting trial persons should be reviewed with a view to ensuring speedy trial at courts. This will also helps to decongest the prisons as the study has shown that most inmates were persons awaiting trial.

Eighthly, more spacious prisons should be built with appropriate vocational/educational workshops, adequate beddings, clothing, and enough sanitary facilities with adequate floor space. And provide nutritious balanced, qualitative and hygienic food for all inmates.

And government should provide Clinics stocked with drugs and good facilities with at least a registered Nurse and a Doctor in all prisons, and provide sufficient recreational facilities.

Finally, the researcher recommended that prospective researchers on prisons should take a relatively comprehensive study of the Nigerian prisons, taking into consideration how prison services have become a highly neglected sector, yet a very vital social control sector deserving every attention both financially and administratively.

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APPENDIX I

Department Of Political Science, Ahmadu Bello University, Zaria

Dear respondent,

The bearer Regeh John Michael is a post graduate (M.sc) student of the above named department conducting a research on **"Nigerian Prisons and Human Rights Abuses: A case study of Jos and Pankshin Prisons".** Kindly give him all the support he needs as all information obtained will be used for academic purpose and will be treated with strict confidentiality.

SECTION B: BIO DATA

2. Age: Less than 18 [ ] 18-28 [ ] 29-39 [ ] 40-50 [ ] 51 and above [ ]

3. Gender: Male [ ] Female [ ] 4. Economic Background: Poor [ ] Rich [ ]

5. Educational Level: School Living Certificate [ ] Secondary or TCII Certificate [ ]

NCE/Diploma [ ] Degree and above [ ] Illiterate [ ]

6. Employment: Unemployed [ ] Employed [ ] Applicant [ ] Self Employed [ ]

7. Status: Convicted [ ] Not Convicted (Awaiting trial) [ ] Detained [ ]

8. Categories of Offence: House Breaking (Theft) [ ] Fighting [ ] Murder [ ] Armed Robbery [ ] Not Aware of Offence [ ] Rape [ ]

SECTION C: DIGNITY OF THE PRISONER

9. Do the prison officials respect your human dignity? Yes [ ] No [ ] Not aware [ ] Not always []

10. Do you feel equal to the other prisoners? Yes [ ] No [ ] Not aware [ ] Not always [ ]

11. Is there any discrimination against you? Yes [ ] No [ ] Not really [ ] Not aware [ ]

12. If yes, what kind of discrimination? Religion [ ] Social Origin [ ] Colour [ ] Sex [ ] Nationality [ ] Economic/property [ ] Birth [ ]

Did you have the services of a lawyer during trial? Yes [ ] No [ ]

SECTION D: TORTURE

13. Do you experience torture? Yes [ ] No [ ] Not really [ ] Not aware [ ]

14. If yes, what kind of torture? Beating [ ] Chaining [ ] Solitary Confinement [ ] All of the above [ ] Non of the above [ ]

15. How frequent are you beaten? Daily [ ] Once in a while [ ] Always [ ] Rarely [ ]

16. How many are you in a Cell? 1-5 [ ] 6-10 [ ] 11-15 [ ] 16-20 [ ] More than 20 [ ]

17. How long have you been in prison? Less than a year [ ] 1-3[ ] 4-6 [ ] 7-10 [ ] More than 10 [ ] I don't know [ ]

SECTION E: BEDDINGS/HEALTH MATTERS

18. What do you sleep on? Floor [ ] Mat [ ] Spring bed [ ] Table [ ] Spring bed with mattress [ ]

19. If you use bed, how many of you sleep on a bed? One [ ] Two [ ] Three [ ] Four [ ]

20. How often do you take your bath? Daily [ ] Once in two days [ ] Twice a week [ ] Weekly [ ] Not at all [ ]

21. Have you fallen sick in prison? Yes [ ] No [ ]

22. Do Doctors or Health personnel attend to you when you are sick? Yes [ ] No [ ] Not always [ ] Rarely [ ]

23. When seriously ill, are you taken to the hospital? , Yes [ ] No [ ] Not always [ ] Rarely [ ]

24. Do you have good sanitary Toilets and Bathrooms? Yes [ ] No [ ] Fairly good [ ]

SECTION F: FOOD MATTERS

25. How many times do you eat in a day? Three times [ ] Two times [ ] One time in a day [ ]

26. Do you eat meat? Yes [ ] No [ ]

27. If yes, how many times? Daily [ ] Once a week [ ] Twice a week [ ] Once a *month [ ]*

28. Do you think your food is always balanced? No [ ] Yes [ ]

SECTION G: VOCATIONAL

29. Is there school in your prison? Yes [ ] No [ ]

30. Do you learn handwork? Yes [ ] No [ ] Not always [ ]

31. What kind of Trade do you learn? Tailoring [ ] Carpentry [ ] Building [ ] All of the above [ ] Non of the above [ ]

32. Do you have time for sports? Yes [ ] No [ ]

33. Are family members and friends allowed to visit you? Yes [ ] No [ ]

34. Are you engage in labour outside the prisons? Yes [ ] No [ ]

35. If yes what type? Farming [ ] Domestic work [ ] Carpentry [ ] Others [ ]

NPS/HQ.113/VOL.VI/[illegible]

Nigerian Prisons Service,
State Headquarters Office,
P. M. B. 2047,
Jos.

13th October, 2009.

The Deputy Controller of Prisons,
Nigerian Prisons Service,
P. M. B. 2024,
Jos.

REGEH JOHN MICHAEL - M.SC/SOC.SCIE/12492/2007-2009
RE: APPLICATION TO ADMINISTER SOME QUESTIONAIRES TO INMATES AND TO INTERVIEW THE CONTROLLER OF PRISONS JOS - APPROVAL OF:

I am directed to convey the Controller of Prisons' approval to the above named Post Graduate Student of Ahmadu Bello University Zaria of the Department of Political Science.

He intends to administer some questionaire to the inmates. Attached are samples of the questionaire to be administered and authority letter from his department.

This is for your information and necessary action, plesse.

(AHMAD HABIBA)
ASST. CONTROLLER OF PRISONS (WELFARE)
FOR: CONTROLLER OF PRISONS
PLATEAU STATE COMMAND.

/LFC/