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## **ASSESSMENT OF WELFARE EMOLUMENTS OF AWAITING TRIAL PERSONS IN OWERRI AND AWKA CITIES CORRECTIONAL CENTERS IN SOUTH-EAST NIGERIA**

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## **ABSTRACT**

The study generally assessed the welfare of Awaiting Trial Persons (ATPs) in Owerri and Awka Prisons. It aimed at investigating five research questions and three hypotheses, which were used in assessing the welfare of ATPs in Owerri and Awka Prisons in South-East, Nigeria. Three theories were reviewed in this study. These theories were Marxian Theory of Crime, Social Bond Theory and Social Structure-Based Theory. All these theories gave insight and were used to explain the social problem in this discourse. Marxian Theory of Crime and Social Structure-Based Theory of Functionalism formed the Theoretical Framework, which were used to explain the problem of the study. Quota Sampling and Systematic Random Sampling procedure were used to select 384 respondents for the study. The study groups covered male and female ATPs in Owerri and Awka prisons who were 18 years and above. Data collection from the field was done using



qualitative and quantitative instruments, which were Focused Group Discussion (FGD) and Questionnaire respectively. Responses generated through the FGD were analysed using content analysis, while the Questionnaire was analysed using Frequency Distribution Table and Simple Percentage. Three Hypotheses were tested in this study using Chi-square ( $\chi^2$ ) statistical method. The research found among other things that, improper treatments are given to ATPs in Owerri and Awka Prison custody. Hence, this study among other things, recommends the need for adequate treatments for persons awaiting trial in Nigerian Prisons custody.

**Keywords:** Congestion, Crime, Criminal Justice System, Parole, Plea bargain, Probation, Reformation.

## 1.1 Introduction

The criminal justice system which comprises of the police, the court and the prison plays vital role in the arrest, trial and incarceration of individuals found guilty to have breached the criminal code of the state. Thus, when convicted by the law, these individuals are tagged criminals by the law and therefore remanded in prison custody to serve a given period of jail sentences as stipulated by the law. However, Igbo (2007) posits that the prison system is designed to serve as a reformatory, rehabilitation and reintegration home. But unfortunately, the prison system in Nigeria is more of punitive than a Correctional Institution.

The fundamental essence of criminal justice system is to maintain justice, law and order in human society. Criminal justice system also, ensures effective management of law offenders, to the end of making them amenable to the law and order. According to Muoneke (2008), criminal justice administration is measured by appraising the status quo ante of the interacting units in the system, and how far they have discharged their respective duties towards realizing the goals of criminal justice administration in the society. He further argues that, the Nigeria Prison Service (NPS) is a vital unit of the criminal justice system, because of its strategic responsibility of ensuring that deviants are securely separated from society, while ultimately attempting to reunite such persons with the community as better and law-abiding persons.

The welfare of such individuals as they await trials in the court forms the subject of this discourse. It is however underscored by Ayade (2010) that, the maltreating conditions meted out to these individuals by the prison officials while in detention are nothing to write home about. Although the prison authority and the government make some level of efforts on improving the living conditions of these individuals while in detention, but much more stones are left unturned in arresting the marauding scourge of the poor treatment meted out to these individuals while in detention. Ayade (2010), in his study on Nigeria and South Africa prisons, compared the prison conditions and treatments given to ATPs in both countries and found that, the ATPs in Nigeria prisons are subjected to inhuman treatments more than their counterparts in South Africa and those of other countries across the western hemisphere. Thus, there are various levels of maltreatments given to these individuals while awaiting trial. These range from physical assault, battery, poor housing, feeding and health service provisions, etc. which in converse contravene their



fundamental human rights as enshrined in the United Nations Organisation's (UNO) treaty of 1948, which is premised on universal declaration of human rights.

Taminu (2010) also maintains that, Nigeria prison is a place of torture and punishment, rather than reformatory and rehabilitation centres. This situation was traced by Egu (1990) to the historical formation of prison system in Nigeria by the British colonial masters. The term "Crime" is then defined by Igbo (2007) as, any act or conduct of an individual or group that violates the criminal law of a state. He further argues that, criminal behavior could be as a result of inner conflict, emotional problem, unconscious feeling of insecurity, inadequacy and inferiority. Therefore, these people violate the criminal laws of the state as a result of the underlying emotional inner conflicts; out of which frustration aggression could make them act out. Nevertheless, when caught in conflict with the law by the police which; is the arm of the criminal justice system, they are arrested and subsequently made to face the law.

It is then against this background that, this study seeks to assess the welfare of the Awaiting Trial Persons in Owerri and Awka prisons.

## **1.2 Statement of the Problem**

Anikpo (2006) posits that; since the turn of new century, human society has come under new social forces, which either re-enforced old social problems or generated new ones. Thus, despite efforts by successive governments in Nigeria to improve on the national security and enforcement of laws and order in the country, there are still a lot left as grey areas especially in respect to Awaiting Trial Persons in the country. This is unlike the situations observed in prisons in the United States of America, United Kingdom, France, Australia, New Zealand, China, Japan, and other Asian tigers beyond the Pacific Ocean. In the United States for instance, Amnesty International (2008) noted that though the prisons in the States are made up of adult criminal suspects standing trial and those already convicted, serving various degrees of prison sentences that, there has been a historical preferential treatment for those awaiting trial.

In Nigeria, the treatment of the ATPs is nothing to write home about. This is evident in the report made available in the Nigerian Prison Service (NPS) Report of 2018, where it is stated that Kaduna, Lagos, Jos and Abuja have the highest record of persons awaiting trial in their remand facilities. While in the South-East are Owerri and Awka prisons have about 1, 433 and 470 inmates awaiting trial respectively. This is against the designed accommodation capacity of 548 for Owerri, and 238 for Awka(NPS, 2018). This suggests that, Nigeria prisons are over-crowded with population explosions between 200% and 1000%, out of which the Awaiting Trial Suspects make up the huge chunk of it. Obioha (2011) argues that the Ikoyi prison in Lagos for instance, is overstretched by the influx of inmates admitted from all parts of the country. This gave rise to a population growth of over 1000% of the institution's originally designed capacity. The inability of the prisons managements to cushion the effects of this population crisis is however, concomitant to the corresponding needs to improve on the qualitative infrastructural and manpower needs of these institutions.

Olajide (2014) also observed that, out of the total inmates' population of about 100,000 in the southern part of the country that, about 56,866 of them are ATPs, most of who are children, under aged, sundry abandoned and untried inmates. Thus the major reformatory role of the nation's



prison service is defeated due to the emergence of this ugly trend. According to the NPS Report (2016), out of total inmates' population 200,336 inmates, 124,921 are ATPs which implies over 64% of the entire prison population. The report indicates further that majority of them (78%) are males while; about (32%) are females on ATPs rolls. Hence, the dilapidated facilities such as buildings, sleeping materials, and latrine make Nigerian prisons unsanitary for living. Thus, there are various health hazards inherent among these inmates due to the fetid nature of their living conditions and poor hygiene evident in their social milieu.

Furthermore, Ayade (2010) in his own study observed that, medical facilities in most prisons in Nigeria are already dilapidated and almost nonfunctional. According to his study, most of the clinics in Nigeria prisons lack sufficient drugs supply for the inmates. This has led to the situation where inmates with complicated health issues are hospitalized outside the prison walls, due to inadequacy of the clinic facilities to provide treatments services to such inmates.

The above highlighted problems however, are the various challenges facing inmates remanded in prison custody which include the Awaiting Trial Inmates in the Nigeria prison sector, with a focused attention on Owerri and Awka prisons.

### **1.3 Research Questions**

1. What are the major consequences of the mode of treatment of Awaiting Trial Persons in Owerri and Awka Prisons?
2. What are the efforts in place towards improving the welfare of Awaiting Trials Persons in Owerri and Awka Prisons?

### **1.4 Objectives of the Study**

1. To investigate the major consequences of the mode of treatment of Awaiting Trial Persons in Owerri and Awka Prisons.
2. To find out the efforts in place towards improving the welfare of Awaiting Trials Persons in Owerri and Awka Prisons.

### **1.5 Significance of the Study**

This study has both theoretical and practical significance. Theoretically, the study will enhance understanding of the nature of upkeep and Welfare of Awaiting Trial Persons in Nigerian Prisons. This will help in filling knowledge gaps identifiable in the study of Awaiting Trial Persons under the Criminal Justice System, and the challenges facing the institution in proper management of Awaiting Trial Persons remanded in prison custody. The study will also review the existing sociological and criminological theories relating to the treatment of Awaiting Trial Persons remanded in prison custody. This will as well stimulate more empirical studies on the welfare provided by the Criminal Justice System in Nigeria towards Awaiting Trial Persons in custody hence; enhance adequate understanding of the theoretical relevance of the topic under discourse. Practically, among other things; this study will be relevant to the Nigerian Criminal Justice System as it pertains to the treatment of apprehended criminal suspects who are awaiting trial. The recommendations of this study will constitute a new blueprint to government at all levels, policy-makers, and stake-holders on modalities to employ towards the improvement of the treatment Awaiting Trial criminal suspects nationwide. Hence, the government and policy-makers will form



a synergy towards an end of providing adequate materials, personnel, and logistics for the welfare of Awaiting Trial Persons in custody.

## **2.1 Review of Conceptual Issues/Theoretical Literature**

### **2.1.2 Concept of Criminal Justice System.**

The criminal justice system is seen as the body of the law saddled with the responsibilities of arresting, investigating and prosecuting criminal law offender (Black's Law Dictionary, 2004). This body of the law includes the Police, the Court and the Prison, with the police serving as the arm of the law. In the case concerning persons awaiting trial in the prison, the police under the criminal justice system is exclusively reserved with the responsibility under the Department of Public Prosecution (DPP) to investigate, and charge to court persons suspected to have committed violent crimes such as rape, culpable homicide, armed robbery, arson, kidnapping, etc. Thus, such individuals are remanded in custody pending the completion of investigation by the DPP, who thereafter charge them to court. But the delay experienced in these processes ranging from, investigation and arraignment has led to relocation of most serious criminal suspects to the prisons as recommended by the state's judiciary rather than keeping them in lock-up cells. Thus this conduct over time has led to an influx of criminal suspects awaiting trial in several prisons across the country (Amnesty International, 2008).

Thus, in the case of Nigeria criminal justice system this method is not duly followed. According to Oyakhromen, Atere, and Adegoke (2017), there are laid down procedure for handling cases involving criminal suspects whose cases are yet to be decided by the court under the Nigeria's criminal code. These procedures among other things include assigning of young criminal suspect to the DPP under the police prosecution officer in-charge of the case, and remanding the awaiting trial criminal suspect in custody under the law enforcement agent. Subsequently, the Awaiting Trial suspect is placed in prison custody under the watch of the prison guards depending on the gravity of crime committed. In most cases, violent criminal suspects are referred to maximum prison facilities where there are higher surveillance techniques more than what is obtainable in medium prisons. They are expected to remain there until the completion of their trial, and subsequent sentencing is given.

On the contrary however, it has been argued by scholars of criminology that access to criminal justice varies among countries of the world. For instance, the juveniles in western hemisphere of Europe, America and Oceania have been argued by scholars like Obioha (2011), Ayade (2010) Ajayi (2012), to have more unfettered access to justice than their counterparts in Africa, Asia and Middle-Eastern countries. In their various submissions, they agree that the ways through which persons awaiting trial and even the convicted persons serving jail terms in Nigeria are being treated runs counter to the global standard or the global *locus standi* stipulated by the United Nations Organisation's (U.N.O) approved legal framework for the treatments of criminal offenders in custody.

In Nigeria, there is a strong limitation to the access to justice provided to persons awaiting trial, standing trial or convicted offenders. To Oyakhromen, et.al (2017), the Awaiting trial inmates are not duly provided with those treatments as enshrined in the international standard for management





of criminal suspects as provided by the UNO. However, this situation they believe is part of the failure on the side of the criminal justice system in Nigeria and that of the federal government of Nigeria, who statutorily has the Nigeria Prison Service reserved in her exclusive list of administration. But, the remanding of Awaiting Trial Inmates in maximum prison is deemed necessary by the law if the suspect is suspected to attempt jailbreak, dangerous to the fellow inmates, or charged for homicide or other grave crimes.

#### **2.1.4 Factors Affecting the Welfare of the Awaiting Trial Persons in Nigeria Prisons.**

There are several factors militating against the welfare of Awaiting Trial Persons in Nigeria Prisons. These factors according to Obioha (2011) are social, economic, political and cultural factors. To him, the criminal justice system in Nigeria faces a lot of role strain in quick dispensation of their duties due to circumstances bothering on loss of case files of juvenile offenders awaiting trial, delay in investigation of criminal activities involving persons under detention, bribery and corruption among the officers and men of the police force within the criminal investigation department. Among some of these other factors as enumerated by Osayi (2013) include administrative corruption, lack of government's genuine interest in the affairs of the NPS, which have led to dilapidations in prisons' infrastructural facilities, over-crowding with its antecedent of lumping together of male and female offenders in same prison.

Olajide (2012) also identified vested interest and social inequalities perpetrated by some of the prison staff as another daunting challenge facing the proper welfare of ATPs in Nigeria prisons. These factors could be associated to the get-rich-quick syndrome or rather avarice and crave for self-enrichment and personal aggrandizement among the senior prison staff. He further pointed out instances whereby, food items, drugs and medical logistics made for the use of prison inmates are being diverted by the senior prison officers in some quarters.

In relation to the above factors raised by scholars, Muoneke (2008) earlier maintained that, since the colonial period till date, Nigeria has never had enough prison infrastructural facilities, with the existing ones almost in shamble. He further postulated that, the prison staff are not adequately trained and retrained as a way to educate them on how to confront difficult challenges they could be facing in the line of their duties. These institutional facilities, he listed that are located in all the 36 states of the federation, noted that each of them is filled beyond its carrying capacity, with those awaiting trial topping the chat. He however suggested urgent needs for the government to as a matter of urgency to wield into the challenges facing the prison sector also noted that if nothing is done to salvage the situation that, the goals of the prison could be far-fetched.

In line with the above arguments by scholars, Dambazau (2018) provided instances of population explosion observed in major prisons South-East and South-South geo-political zones like the Enugu, Port Harcourt, Owerri, Awka, and Onitsha as having the highest number of inmates remanded in them; who are far beyond their carrying capacity, he enumerated them to be currently housing 1800, 4204, 2000, 374, and 887 respectively. He therefore added that, majority of these inmates are on awaiting trial and hence, placed the statistics of persons awaiting trial in prisons across the country at 65% of the entire population of prison inmates. He therefore maintains that,



such situation has negatively impacted on the living conditions, welfare of persons awaiting trial in Nigeria prisons (Dambazau, 2018).

However, Ihedioha (2011) also maintained that, poor sanitary condition of the prison institutions in the country has remained one of the topical issues at the front burner of the national discourse. It is generally held by scholars that, congestion and over-crowding in our detention facilities, which is already in decadent and fetid conditions accounts to be one of the major causes of widespread infections, poor health conditions and possible deaths of prison inmates remanded in custody.

In line with the above argument, Opafunso and Adepoju (2016) also posit that the dilapidated nature of the Nigeria prison facilities has been responsible for the widespread of diseases due to poor ventilation and poor medical care delivery. These they believed are characterized by the high level of corruption and inadequate funding of the prison department in Nigeria orchestrated by negligence of duties, bureaucratic bottle-necks, and the inability of the criminal justice system to implement the recommended institutional reforms. Thus Olaolu (2015) posits that, the Nigerian prisons are in dehumanizing state. While Ugwuoke (2010) submits that, the detention facilities in Nigeria cannot guarantee effective rehabilitation of remanded law offenders.

From the above postulations by scholars, it is however evident that the miserable conditions under which the government and the prison management in the country subject persons awaiting trial during detention in prison is not just inhumane, but cruel and barbaric. Hence it is penitent that these unwholesome practices noticed within the prison institution should be treated as a matter of urgent importance.

## **2.2 Review of Empirical Literature**

### **2.2.3 Consequences of Mode of Treatment Given to Awaiting Trial Persons in Nigeria.**

There are various consequences inherent in the manners through which Awaiting Trial Persons are being treated in Nigerian prisons. These consequences have accounted for the reason why many people ATPs are not given justice as and when due. According to the Trend Survey conducted by Amnesty International (2010) across the selected prisons in Nigeria, they found that in most Nigeria prisons that, persons awaiting trial are locked up in the same facilities designed to house only persons standing trial or the convicted offenders who are already serving their prison sentences. Thus, the lurid states of Nigeria prisons and detention facilities are quite unsuitable for the well-being and protection of fundamental human rights of those awaiting trial. This is due to the fact that, persons awaiting trial in the Nigeria prisons imply over 70% of the entire prison population nationwide (Dambazau, 2009).

Although the Nigeria Prisons have a joint capacity of about 30,000 but, currently accommodate close to 100,000 inmates who are squeezed in a very close proximity; with ATPs representing over 70% of the entire prisons' populace (Obioha, 2011). Thus Obioha (2011) further saw that, the aberration of admitting persons awaiting trial into same prison cells with convicted and standing trial offenders contributes to the increase in assaults and battery of the former by the latter due to the fact that they are still newcomers. In most cases, when these persons awaiting trial are acquitted



and discharged, they come out with bruises sustained as a result of beatings and harassments they encountered while in detention. This is as a result of monumental neglect and corruption that have bedeviled the Nigeria Prison Service, which has desensitized them to the plight of persons awaiting trial across the nation's prisons.

Olajide (2014) also observed that, out of the total inmates' population of about 100,000 in the southern part of the country that, about 56,866 of them are on the roll of ATPs, most of whom are persons awaiting trial or untried inmates. Thus the major reformatory role of the nation's prison service is defeated due to the emergence of this ugly trend.

According to the NPS Report (2006), out of a total inmates' population 40,336 inmates, 24, 921 are Awaiting Trial Persons which implies over 64% of the entire prison population whom, the report indicates that majority of them are on the ATPs rolls. Hence, there are various health hazards inherent among these inmates due to the fetid nature of their living conditions and poor hygiene evident in their social milieu. These conditions accounts for the causes for the spread of communicable diseases, non-communicable diseases, sexually-transmitted diseases, high rates of moral decadence in the prison; a situation whereby the safety of persons awaiting trial are at the mercy of the prison officers. Muoneke (2008) maintains that these ATPs are always at the receiving end; consequently, they are vulnerable to major psychological and health challenges associated with their volatile conditions. These conditions which they are being subjected to, when gotten to their malignant stage have contributed to the deaths of persons awaiting trial in Nigeria Prisons.

It is also observed by Ajayi (2018) that, persons awaiting trial in Nigeria prisons are victims of sexual and physical abuses by the older randy inmates. These randy older inmates achieve such by applying force to subject the newcomers to sexual molestations, just to satisfy his sexual libido. In some cases also, the newcomers are subjected to servitudes, tortures, and other forms of maltreatments which leave them psychologically traumatized even before verdict will come to their doorstep.

Furthermore, in the case of Owerri and Awka Prisons, the Prisons have the carrying capacity of 548 inmates and 238 inmates respectively but, they are currently housing over 1,433 and 470 inmates respectively with persons awaiting trial representing 45% and 38% respectively (Nigeria Prison Service Report, 2010). As at February 2018 however, Owerri and Awka Prisons statistics have increased to 1827 and 650 inmates respectively, with persons awaiting trial representing 78% and 64% in both prisons respectively (NPS Report, 2018). This implies lack of expertise and professionalism or an act of negligence on the side of the Nigeria prison management, because reformatory or rehabilitative efforts of criminal suspects of various categories under this overcrowded and clumsy condition will be counter-productive.

Additionally, paucity of fund as a result of corruption in the system remains a serious challenge towards the effective management of persons awaiting trial in Nigeria Prisons. Also the lumping together of persons awaiting trial with the convicted offenders without putting their socio-demographic variables into consideration is a daunting challenge to human rights of persons awaiting trial in Nigeria prisons.





#### **2.2.4 Efforts in Improving the Welfare of Awaiting Trial Persons.**

Nigerian governments of several regimes, past and present have made severally efforts towards curbing the myriads of challenges facing persons in custody. These efforts according to investigation conducted by Obioha (2011) in Nigeria on the treatments of persons remanded in custody which, he titled “Challenges and Reforms in the Nigeria Prisons System” also found that, a National Working Group on Prison Reform and Decongestion was set up by the federal government. This committee is made up of stakeholders in prison sector and human rights issues; who reviewed 144 prisons in the country, and summed the population of the entire prison inmates in the country to be over 45, 000 as at 2005. Although Ayade (2010) earlier observed that, between the 2005 and 2010, this figure has snowballed to 83, 024 inmates nationwide with Owerri and Awka facilities found to be 3,156 and 357 inmates respectively.

Then in a bid to decongest the overcrowded population of the inmates in these facilities, and to facilitate justice on the inmates, Ebiri (2014) in his study conducted in Port Harcourt facilities in his work titled “The Living Condition of Persons Awaiting Trial in Port Harcourt Prison” found that, out of over 4,204 inmates in Port Harcourt prison that about 3,700 ATPs are lavishing in the prison. These are people suspected to have committed crimes ranging from kidnapping, armed robbery, child trafficking, drug peddling, sexual assaults, murder, homicide, pipeline vandalism, oil bunkering, etc. The study further revealed, that over eighty-five (85%) percent of the inmates are ATPs who are still on pre-trial roll, a situation he noted to be more punitive than corrective to the innocent ones among them who are illegally arrested and remanded in custody.

Obioha (2011) further found that, the federal government voted about six hundred and ninety million naira, for the review and decongestion of six pilot prisons. These prisons were drawn from the six geo-political zones of the country namely:-Dutse, Kuje, Maiduguri, Oji-River, and Port Harcourt prisons. However, in that order and for the purpose of decongestion the federal government also allocated six million and six hundred thousand to the Ministry of Interior for the decongestion of Kirikiri, Ikoyi and Enugu Prisons. It is then noteworthy to state that, despite all these funds allocated to the nation’s prisons, little or no impacts have been felt in this sense; hence the challenges facing the Nigeria prison system remain a recurring decimal.

#### **2.3.1 Marxian Theory of Crime.**

The proponent of this theory was a German scholar named Karl Marx in 1857 (Ritzer & Stepnisky, 2014). The theory has its major thrust on the argument that deviance could be traced to real structure of capitalism. The structure of capitalism believes that the economy is the superstructure upon which the rest of the infrastructures are built. This superstructure Marx refers to as the economic institution, while the infrastructures are other institutions like health, education, legal, political, religious institutions, etc. which forms the building blocks upon which human society is formed. This theory strongly believes that, the posture of the economy of every society determines the workability and continuous existence of other institutions as a component whole (Marx, 1857; Ritzer & Stepnisky, 2014).



This theory further postulated that the existence of capitalist socio-economic and socio-political system which encourages individuals' concentration of wealth and ownership of property will encourage perpetration of unimaginable social inequality in the society. Hence, this situation which also encourages concentration and amassment of wealth in the hands of few powerful individuals will at long run create a yawning gap between individuals in the society, thus classes will begin to emerge. According to Giddens and Sutton (2010), the Marxian school of criminology believes that, in a bid to amass this wealth or remain relevant in the society, deviant behaviours and financial crime are inevitable. This is because, individuals located at the upper ladder which Marx refers to as the *Bourgeoisies*, tend to struggle to maintain their privileged position; which has a way of enforcing their ruling hegemony in keeping their own numbers small and their power and income high. Then, those at the middle and lower echelon of the social ladder which, he refers to as the *Lumpenproletariat* and the *Proletariats* tend to struggle to get to the top of the ladder (Ritzer, 2008:101). Thus, in their bid to get to the top they tend to engage in criminal activities system. Marxism therefore, stood in a stark opposition against capitalism that the system encourages crime and social inequality in the society. This theory however suggests that, the panacea to this problem is the overturning of the structure through a collective action by the members of the society (Marx, 1857; Ritzer & Stepnisky, 2014).

In line with the above highlighted theoretical thrust, the new criminologists rejected the idea that deviance is determined by factors such as biology, personality, anomie, etc. Rather people choose to engage in deviant behaviours in response to the social inequality in the society orchestrated by the capitalist economy (Giddens & Sutton, 2010). Hence, other criminologists also see the laws in the society as tools used by the powerful to secure and maintain their privileged positions. Thus, they rejected the idea that the law is neutral, and apply evenly to all members of the society irrespective of class and status. Instead they see the law as an important instrument used by the powerful (ruling class) in maintenance of order to their interest, and instill their ruling hegemony on the subordinate class. Giddens and Sutton (2010) further explain that this dynamic can be seen in the workings of the criminal justice system, which has become increasingly oppressive towards the middle and lower classes in the society.

In relation with the above proposition, this theory also tries to explain the reason why criminal activities is on the high side in our society, which has been attributed to individuals' quest to amass wealth amidst the limited economic resources in the society (Ritzer, 2008). This theory further enhances understanding on the rationale behind the high level of negligence towards reformation and rehabilitation of Prisoners in Nigeria. It further explains the motives behind the high level of corruption observed in the discharge of duties by the government, criminal justice administrators, prison management, and prison staff in Nigeria prisons.

This theory has been brought under strong criticisms by non-Marxian scholars like Lewis Coser (1971) in Ritzer (2008), who believes that economic factor should not be seen as the only causative factor that encourages people in the society to engage in criminal activities. He argues that, other factors such as sociological and ecological factors can also make an individual to engage in crime. This argument could be used in the explanation of the reasons why criminal activities are not only limited to the countries practicing capitalist economy, because crime is believed to be as old as



criminal law which cuts across every human society regardless of their socio-political and socio-economic system.

#### **2.3.4 Social Structure-Based Theory of Functionalism.**

Some sociological theories propounded by notable scholars are adopted as models for understanding the prisons as both structural and functional entity in the society. The structural-functionalist approach of the system theory for the study of human society and culture was proposed by Radcliff-Brown (1952) of the British School of social anthropology and later developed by South African born anthropologists, Meyer Fortes (1906-1983) and Max Gluckman (1911-1975).

The crux of this theory is that social structure is an abstraction based on social relationship with which the society can be analysed into three main levels, namely: - individuals, institutions, and sub-systems. Like the society, in applying this assumption to the prison, the prison system is seen as a structural and functional whole with different parts. This implies that aspects of the prison's ways of life such as the norms, values, folkways, mores which forms the integral parts of the institutional systems of social control, and other behavioural patterns. Similar to the structural-functionalist theory of social system is the Merton's Social Structure perspective. In the approach of Merton (1949), he identified and distinguished the manifest and the latent functions of institutions and cultural traits. This perspective is an appropriate model towards understanding the intended and unintended functions of the prisons system. Incarceration, social control, regimented culture, and seclusion are designed to produce positive results in the lives of individual prisoner upon release. The whole resocialization processes in the prison system are actually intended to mold the cultural behavior of individual inmates. Thus, the prison culture is perceived from Merton's social structure perspectives as capable of producing both well-adjusted and mal-adjusted individuals in the society.

In the Nigerian situation however, the essence of sending offenders to the prisons are not yet met because offenders are likely to be more hardened than they were before imprisonment. This is due to the breakdown in the functional parts of the prison systems in the country, which are ought to be preserved. Thus, this challenge has contributed immensely to the negative impacts for a successful management of the prisons system in the country; most especially, as it pertains to the welfare of the prison inmates.

Hence, there are a lot of criticism against this theory as leveled by some scholars among those criticisms the substantive criticism that argues that structural-functionalism has a narrow view of social problems and solutions to address them. This narrow focus has prevented it from addressing a number of important issues and aspects of the social world. Secondly, its focus tends to give a conservative flavour to emerging social problems in the society (Huaco, 1986; Ritzer, 2008).

#### **2.4 Theoretical Framework**



Social Structure theoretical paradigm, the crux of this theory is that social structure is an abstraction based on social relationship with which the society can be analysed into three main levels of individuals, institutions, and sub-systems. Like the society, in applying this assumption to the prison, the prison system is seen as a structural and functional whole with different parts. This implies that aspects of the prison's ways of life such as the norms, values, folkways, mores which forms the integral parts of the institutional systems of social control, and other behavioural patterns. Similar to the structural-functionalist theory of social system is the Merton's Social Structure perspective. In the approach of Merton (1949), he identified and distinguished the manifest and the latent functions of institutions and cultural traits. This perspective is an appropriate model towards understanding the intended and unintended functions of the prisons system.

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## **2.5 Study Hypotheses**

1. Awaiting Trial Inmates from high income homes at Owerri and Awka prisons are more likely to assess their prison treatments as poor than their counterparts from low income homes.

## **Method**

### **3.1 Research Design**

The study adopted a Mix Method Research Design. This research design is considered the most appropriate for this study because, it enables the researcher to collect data relevant to the study at a particular point in time.

### **3.2 Areas of Study**

The study locations were Owerri and Awka prisons. Owerri prison was established by the colonial government as a maximum security prison in 1920; it is located in Owerri municipal L.G.A, Imo state. While, Awka prison was established in 1904 by the colonial government as a medium security prison; it is located in Amawbia, Awka South Local Government Area of Anambra state (Ayade, 2010). Owerri prison is bordered by Owerri North, Owerri West, Otamiri River to the east and Nworie River to the south, which comprise of several communities like Umuagwo, Nekede, Ofor-Ola, Obike, Obinze, etc. While, Awka prison is bordered by communities like Awka, Nibo, Nise, Isiagu, Umuawulu, and Enugwu-Ukwu (NPC, 2016). The two prisons (Owerri and Awka



prisons) were randomly selected due to their geographic locations, which is the heartland of South-East geo-political zone of the country. Thus, all the prisons within the geo-political zone were sampled using drawing of paper slip without replacement, and Owerri and Awka prisons were selected, which forms the focus of this study.

The populations of ATPs in Owerri and Awka prisons' as at 2010 were found to be 1,433 and 470 inmates respectively (Ayade, 2010). However, these statistics have increased to 1,663 in Owerri prison and reduced to 274 inmates in Awka prison, which imply a total population of 1,937 inmates (Ajayi, 2018). The major occupants of the Owerri and Awka prisons are indigenes and non-indigenes.

### **3.3 Population of the Study**

According to the 2016 National Population Commission's estimation, Owerri and Awka have the population of 1,001,873 and 1,865,000 residents respectively (NPC, 2016). While according to the Nigeria Prison Service Report (2018), the population of Awaiting Trial Inmates in Owerri and Awka prisons stood at 1,663 and 274 inmates, respectively. This implies a total population of 1,937 inmates who are the population of this study. The two prisons are in states of South-East geo-political zone of the country, which is the focus of this study.

### **3.4 Scope of the Study**

This study is limited to the Assessment of the Welfare of Awaiting Trial Persons in Owerri and Awka prisons. In the context of this study, the Welfare of ATPs forms the subject of this study. ATPs are persons suspected to have committed criminal act, arrested and remanded in prison custody by the police. This category of persons remains in custody pending the period they will be charged to court; hence they are classified as ATPs. Thus, this study focuses on the ATPs whose trials are still pending or who are still waiting to be arraigned in the court, but are remanded in Owerri and Awka prisons custody.

### **3.5 Sample Size**

The sample size for this study was determined using Fisher, Laing, Stockel, and Townsend (1998) formula for generating sample size, when the population under study is unknown at the time of the study. This is because scholars like Ayade (2010), Bella, et.al (2010), Ebiri (2014), Ajayi (2018), among others who had earlier conducted studies in prisons found that there are instabilities in prisons' populations nationwide, owing to consistent remanding and discharging of inmates in custody. Sample size was used because of time and financial constraints expected for the completion of this study, which is a period of six months. Aniekwe (2005) further argued that, sample size is a proportion of the population of the study with the view of generalizing the findings to the entire population. Thus, the sample size for this study will be 384. This is statistically generated using Fishers, et. al (1998) statistical operation, when the sample size is unknown.

The statistical formula is stated below: -

$$n = \frac{Z^2Pq}{\quad}$$





$$d^2$$

Where:

n = the desired sample size (when the population is unknown)

Z= the standard normal deviation usually set at 1.96, which carries ponds to the 95% confidence level.

P= the proportion in the target population estimated to have a particular characteristic. If there is no reasonable estimate, we use 50% (.5).

q = 1.0-p (i.e., compliment of 'p').

d<sup>2</sup>= degree of accuracy desired, usually set at .05

Thus, using the above formula

$$n = \frac{1.96^2(.5 \times .5)}{.05}$$

$$n = \frac{3.84(0.25)}{0.0025}$$

$$n = \frac{0.96}{0.0025}$$

$$n = 384.$$

### **3.6 Sampling Technique**

In this study, Quota and Simple Random Sampling Technique were employed. The choice of the two prisons is due to the geographic locations of the two prisons, which are both in the South-East geo-political zone of the country. Thus, all the prisons within the geo-political zone were sampled using drawing of paper slip without replacement; hence, Owerri and Awka prisons were selected. Thus, using an updated sampling frame, which is the comprehensive list of persons Awaiting Trial in Owerri and Awka prison facilities, quota was assigned to each prison based on its ATPs' population. The total number of ATPs in both prisons which is 1,937 cannot be administered with the questionnaire, thus the researcher selected 300 inmates from Owerri prison and 84 inmates from Awka prison. This proportion is generated using a ratio of 5:1, which is necessary for equitable distribution of the population since both prisons do not have equal number of persons awaiting trial. This therefore brought the total number of the sample size to 384, who are to be



administered with the questionnaire. In Owerri prison, the researcher made a random selection of respondents using an interval scale of 6. This he did by selection of every 6<sup>th</sup> person in the prison's register of those awaiting trial. This method is employed due to the population of 1,663 persons awaiting trial in the prison, but only 300 are needed to be administered with the questionnaire. Thus, the researcher devised the means of dividing the population of the study by the sample size i.e.,  $300 \div 1,663 = 6$ . In the same vein, Awka prison which has the population size of 274 and the sample size of 84 underwent similar procedure whereby, the researcher made a random selection of respondents using an interval scale of 3. This means the act of selection of every 3<sup>rd</sup> person in the prison's register for those awaiting trial. This method is employed due to the population of 274 persons awaiting trial in the prison, but only 84 inmates are needed to be administered with the questionnaire. Thus, the researcher devised the means of dividing the population of the study by the sample size i.e.;  $84 \div 274 = 3$ . These selected inmates automatically become the respondents that the researcher administered with his questionnaires. This, he successfully carried out with the aid of two (male and female) research assistants and prison officers.

Then on Focused Group Discussion (FGD), the researcher purposively selected 12 inmates from each of the two prisons, who are administered with the questionnaire schedule. Thus, the researcher employed a purposive selection of 12 inmates from each of the prisons whom he perceived to be interested to participate in the study, as well as those whom he perceived to have useful piece of information that would improve the findings of his research. These he selected for the conduct of the FGD in both prisons.

### **3.7 Instruments of Data Collection**

The researcher used the mixed method for data collection in this study, which includes the Questionnaire Schedule and Focused Group Discussion Guide; which are quantitative and qualitative methods of data collections, respectively. Structured questionnaire was used to gather information from randomly selected awaiting trial respondents. The questionnaire was structured in such a way that it is divided into Section: A and Section: B. Section: A was used to capture the socio-demographic characteristics of the ATPs, while Section B was used to capture the substantive issues framed in the research questions.

However, Focused Group Discussion (FGD) Guide was afterwards used to gather more information from some of the inmates using purposive sampling method. This non-probability sampling method was deployed by the researcher in a bid to capture some of those, who were not captured under the probability sampling technique for the harvest of more information on the subject of the research under investigation.

### **3.8 Administration of the Instrument**

The questionnaire was administered by the researcher with the help of two research assistants, who were trained for three days on the objectives of the study, and the mode of questionnaires administration. These research assistants comprise of male and female adult; who were undergraduate students within the field of social sciences discipline. This is to facilitate free



discussion with the respondents since; they are made up of prisoners of both genders. Also, the administration of the questionnaire was done in the language understood by the inmates, such as Pidgin English and vernacular. The illiterate inmates were assisted by the research assistants through explanation of the questions in the questionnaire, to enhance understanding before they would be able to complete the questionnaire items. This procedure also involved the assistance of the prison warders, by assisting in convergence of the respondents, and to ensure maximum co-operation throughout the session. Thus, the process involved face to face discussion between the researcher and the inmates throughout the period of the FGD.

### **3.9 Methods of Data Analysis**

The questionnaire data was computer-processed and analysed using the statistical package for social sciences (SPSS) software. This involved the use of simple percentage, frequency distribution tables, and graphical illustrations to describe the main characteristics of the study participants. The stated hypotheses were tested using Chi-Square ( $X^2$ ) statistical tool. Also data collected from the FGD using field notebooks and tape recorder, were transcribed; first in vernacular or pidgin English which some of the respondents might have used at the collection point. Thereafter, the transcriptions were translated in English language, followed by data cleaning process and editing. After data cleaning, the qualitative and quantitative data were analysed using Content analysis. This involves a systematic interpretation and coding of responses given by the respondents on the social problem under investigation.

### **4.1 Socio-Demographic Characteristics of the Respondents**

**Table 1: Distribution of Respondents by Socio-Demographic Characteristics (n = 358)**

<b>Sex</b>	<b>Frequency</b>	<b>Percentage</b>
Male	219	61.17
Female	139	38.83
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Age</b>	<b>Frequency</b>	<b>Percentage</b>
18-22	27	7.54
23-27	63	17.60
28-32	94	26.26
33-37	40	11.17
36-42	50	13.97
43-47	45	12.57
48-52	21	5.87
53-57	7	1.96
58 & above	11	3.07
<b>Total</b>	<b>358</b>	<b>100.0</b>
<b>Marital Status</b>	<b>Frequency</b>	<b>Percentage</b>



Single	165	46.08
Married	65	18.16
Divorced	41	11.45
Separated	53	14.80
Widowed	34	9.50
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Religious Affiliation</b>	<b>Frequency</b>	<b>Percentage</b>
Christianity	335	93.58
Islam	10	2.79
ATR	5	1.40
None	8	2.23
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Place of Residence</b>	<b>Frequency</b>	<b>Percentage</b>
Urban	292	81.56
Rural	51	14.25
I don't know	15	4.19
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Academic Qualification</b>	<b>Frequency</b>	<b>Percentage</b>
None	44	12.29
Low	186	51.96
High	42	11.73
I don't know	86	24.02
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Occupation</b>	<b>Frequency</b>	<b>Percentage</b>
Unemployed	122	34.08
Student	66	18.44
Self-employed/Artisan	124	34.64
Apprentice	20	5.59
Others	0	0.00
I don't know	26	7.26
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Occupation Frequency</b>		<b>Percentage</b>



Unemployed	77	21.51
Civil servant	42	11.73
Public servant	58	16.20
Artisan/Trading	127	35.47
Others, please specify	54	15.08
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Monthly income range of parents/guardians</b>		<b>Frequency</b>
<b>Percentage</b>		
Below N20,000	114	31.84
N20,000 – N39000	56	15.64
N40,000 – N59,000	9	2.51
N60,000 – 79,000	13	3.63
N80,000 – N99,000	12	3.35
N100,000 and above	10	2.79
I don't know	144	40.22
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Monthly income range of respondents</b>		<b>Frequency</b>
		<b>Percentage</b>
Below N20,000	141	39.39
N20,000 – N39000	27	7.54
N40,000 – N59,000	35	9.78
N60,000 – 79,000	16	4.47
N80,000 – N99,000	7	1.96
N100,000 and above	11	3.07
I don't know	121	33.80
<b>Total</b>	<b>358</b>	<b>100</b>
<b>Duration in prison</b>		<b>Frequency</b>
		<b>Percentage</b>
Less than six months	130	36.31
6-12 months	49	13.69
1-2 years	32	8.94
2-3 years	67	18.72
More than 3 years	80	22.35
<b>Total</b>	<b>358</b>	<b>100</b>

**Field Survey, 2019**

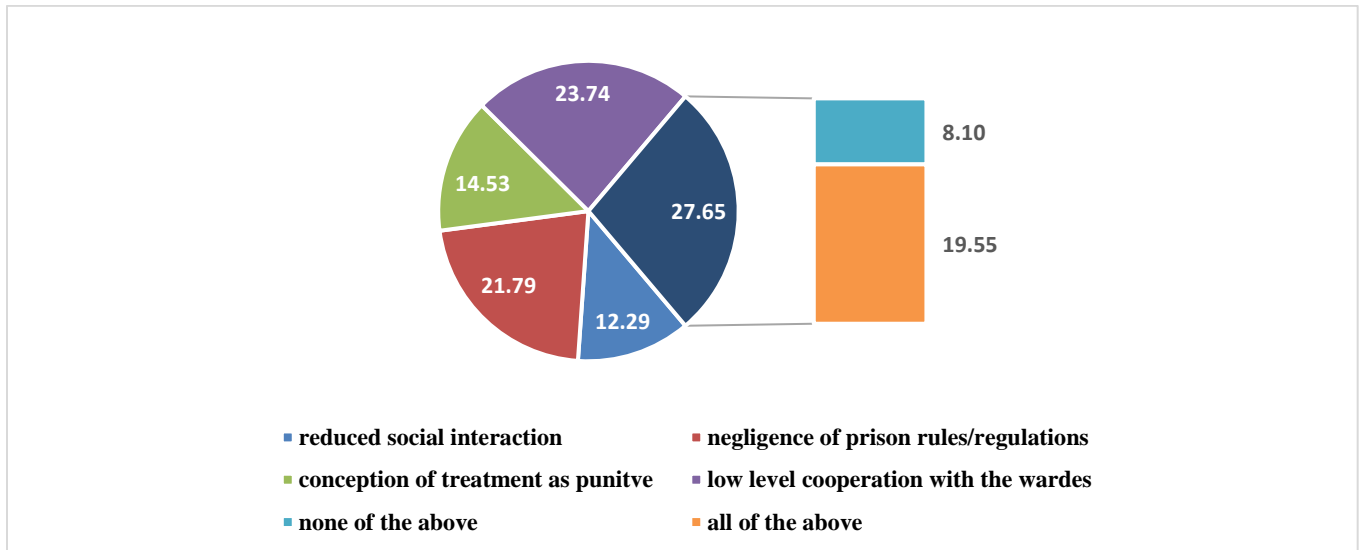
Table 1 shows that out of the returned questionnaires, 219 were males and 139 were females. Majority (26.26%) of the respondents fall within the age bracket of 28-32 years, while the minority (1.96%) of the respondents was within the age bracket of 53-57 years. The mean age of





respondents was 38 years old. Most of the respondents of about (34.21%) were single, while the minority (12.11%) of the respondents is separated. Majority of the respondents which represent (93.58%) of the sample were Christians, while (1.40%) minority of the respondents responded to belong to African Traditional Religion (ATR). Majority of the respondents which represent (81.56%) live in urban areas, while (14.25%) minority of the respondents live in rural areas, with (4.19%) of the respondents gave no response to the question. Most of the respondents (51.96%) of the respondents have low level formal education, while the minority (11.73%) of the respondents possesses high level formal education. Most of them (34.64%) were artisans, while the minority (5.59%) of them was apprentice. Most of the respondents' parents (35.47%) were artisans, while (11.73%) of the respondents were civil servants. Majority of the respondents (40.22%) did not respond to their parental monthly income range, while (1.96%) of the respondents said its N80,000-N99,000. The majority of the respondents (33.80%) said their monthly income is below N20,000; while (1.96%) of the respondents said its within N80,000-N99,000. Majority of the respondents (36.31%) said they have been in prison for less than 6 months, while (8.94%) of them said 1-2 years.

**4.2.3 Research Question Three:** which of these are The Major Consequences of the Mode of Treatment of ATPs in Owerri and Awka Prison? Questionnaire items 22, 23, 24, and 25 were designed to answer Research Question Three.



**Figure 3: Major Consequences of the Mode of Treatment of ATPs in Owerri and Awka Prison**

Figure 3 shows that the major consequences of the mode of treatment facing ATPs in Owerri and Awka prisons is low level cooperation between ATPs and the prison warders, while the least of the consequences as shown in the table above was reduced social interaction among the inmates.

**Table 7: Distribution of Respondents views on if there are Consequences they face as a result of Government's Policies Towards their Welfare**



<b>Are there Consequences you face due to Government’s Policies</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	140	39.11
No	40	11.17
I do not know	178	49.72
<b>Total</b>	<b>358</b>	<b>100</b>

**Field Survey, 2019**

Table 7 shows the frequency distribution of respondents on the consequences ATPs face as a result of government policies towards their welfare. It could be observed from the above table that, majority (49.72%) of the respondents said they are do not know of any policy, while the minority (11.17%) of the respondents said there are no such policy by the government. It is therefore found that, ATPs in Nigeria prisons are not aware of any government policies that seek to protect their welfare as they await trial.

**4.2.4 Research Question Four:** what are efforts in place towards improving the ATPs in Owerri and Awka Prisons? Questionnaire items 26, 27, and 33 were designed to answer research question four.

**Table 10: Distribution of Respondents view on whether there are efforts made by the Police (DPP) to charge their Case to Court**

<b>Are there efforts made by the Police (DPP) to charge you to court?</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	43	12.01
No	193	53.91
I don’t know	122	34.08
<b>Total</b>	<b>358</b>	<b>100</b>

**Field Survey, 2019**

Table 10: shows the frequency distribution of respondents on efforts made by the police department of public prosecution towards the alignment of ATPs in court. It could be observed that majority (53.91%) of the respondents responded “No” to the question, while minority (12.01%) of them who said “Yes” to the question. It is therefore found that, majority of the respondents admitted that there are no much efforts by the police department to charge their matter to court.

**Table 11: Distribution of Respondents view on efforts made by the Government towards improving their welfare**

<b>Several Governmental Efforts towards the ATPs</b>	<b>Frequency</b>	<b>Percentage</b>
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Preferential treatments	44	12.29
Healthy feeding programme	78	21.79
Adequate Health-care service	52	14.53
Adequate accommodation	29	8.10
Access to family and friends	85	23.74
All of the above	70	19.55
<b>Total</b>	<b>358</b>	<b>100</b>

Table 11: shows the frequency distribution of the respondents on Government's efforts towards the welfare of inmates remanded in Owerri and Awka prisons' custody. It could be observed that majority (23.74%) of the respondents pointed out access to family members and friends, while the minority (12.29%) of the respondents identified adequate accommodation for the inmates as the least effort made by the government towards their welfare. It is therefore found that the major consequences facing ATPs in Owerri and Awka prison is low level cooperation with the prison warders.

**Table 12: Distribution of Respondents view on efforts made by the Court towards improving their Welfare**

<b>Are there efforts made by the Court towards improving their Welfare</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	65	18.16
No	293	81.84
<b>Total</b>	<b>358</b>	<b>100</b>

**Field Survey, 2019**

Table 12: shows the frequency distribution of respondents on efforts made by the court of law towards improving the welfare of ATPs in Owerri and Awka Prison. It could be observed that, majority (81.84%) of the respondents said there are no efforts by the court towards the betterment of their welfare, while the minority (18.16%) of the respondents gave no response to the question item. It is therefore followed that, little or no efforts are made by the court of law towards improving the welfare of ATPs in custody.

**4.3 Test of Hypotheses**

**Hypothesis Three:** Awaiting Trial Persons from high income homes at Owerri and Awka Prisons are more likely to assess their prison treatments as poorer than their counterparts from low income homes. Data in **tables 1 and 4** form the basis for hypothesis 3. The Respondents' Family Income Level was Cross Tabulated with their Assessment of their Treatments in Custody.

**Table 17: Cross Tabulation between Treatment Ratings by Prisoners and their Individual Family's Level of Income.**

	Treatment in Ratings		
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	V er y g o o d	G o o d	P o o r	V e r y p o o r	I d o n ' t k n o w	T o t a l	$\chi^2$
Parent. guardian income	Below N20,00 0	2 4	1 9	1 9	1 9	19	D f = 2 8  P = 0 . 0 0  N = 3 5 8  3 7 7 . 4 4 2
	N20,00 0 – N39000	3	5 3	0	0	0	
	N40,00 0 – N59,00 0	0	8	1	0	0	
	N60,00 0 – 79,000	0	0	1 3	0	0	
	N80,00 0 – N99,00 0	0	0	1 2	0	0	
	N100,0 00 and above	0	0	1 0	0	0	
	No Respon se	0	0	1 4	0	0	
	I don't know	0	0	8 1	2 6	37	
<b>Total</b>		<b>2 7</b>	<b>8 0</b>	<b>1 5 0</b>	<b>4 5</b>	<b>56</b>	

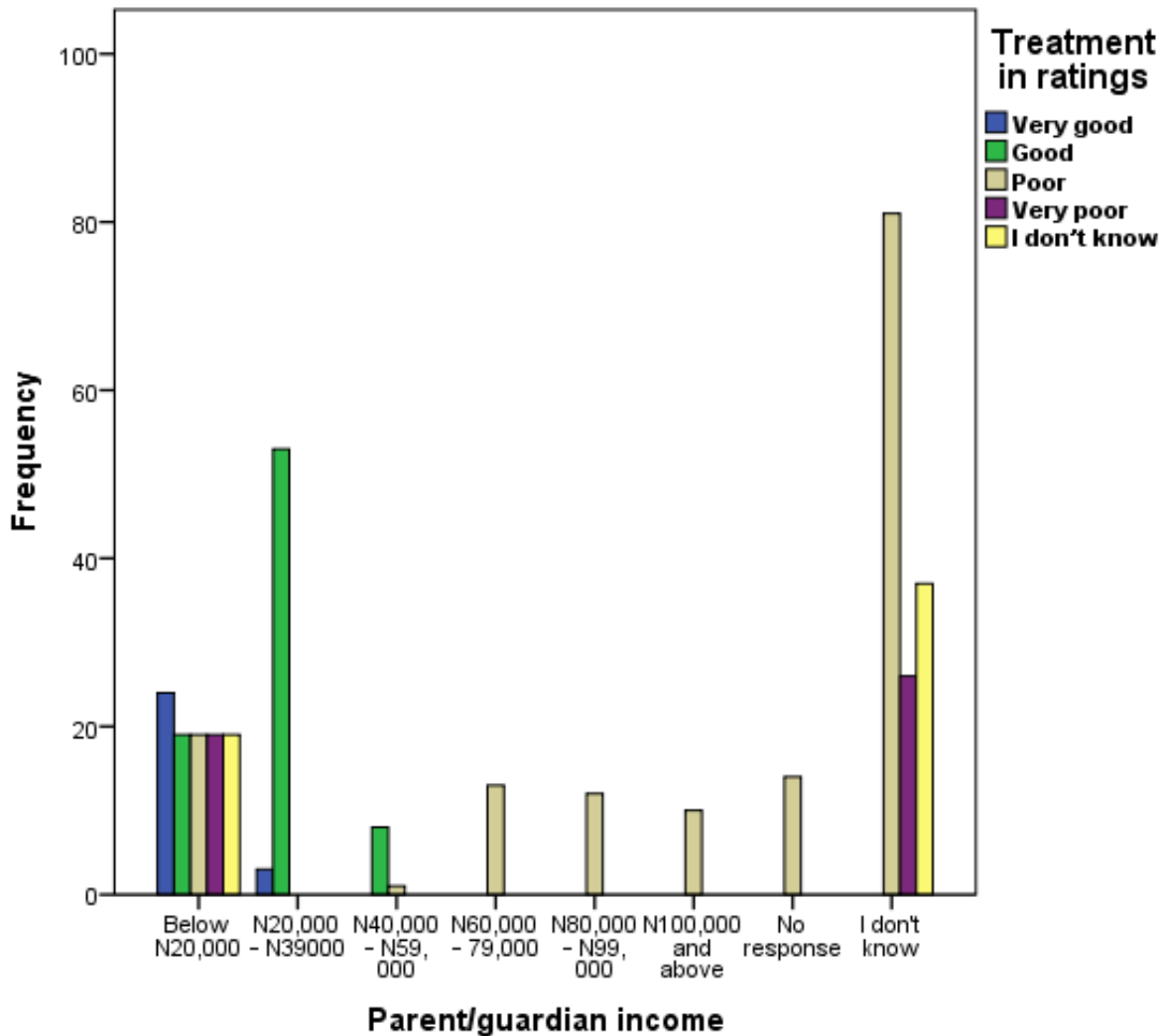
$X^2 = 377.442$ ,  $df = 28$ ,  $N = 358$ ,  $P < 0.000$

(Field Survey, 2019).

The computed value of Chi-square is 377.442, while the value of Chi-square at 0.05 level of significance with a degree of freedom (df) of 28 is 41.34. Since the computed value of Chi-square



is greater than the table value, the researcher accepted the alternative hypothesis. It follows therefore that Awaiting Trial Persons from high income homes at Owerri and Awka Prisons are more likely to assess their prison treatments as poor than their counterparts from low income homes.



**Figure 7: Treatment Ratings by Awaiting Trial Persons and their Families' Level of Income.**

The above graphic chart shows, the treatment ratings by prisoners and their individual family's level of income. It is found that, most respondents from high income homes rate their treatments as poorer than their counterparts from the low income homes.





## **5.1 Summary of Findings**

The study found that there is a gross inadequate treatment given to ATPs in Nigeria prisons, looking at their welfare; it is discovered that the ATPs are not properly given attention in the areas of feeding, sanitary, social amenities, healthcare delivery, etc. The issue of prison congestion formed one of the major cog on the wheel of progress towards effective prison reform in Nigeria as earlier noted by Alemika and Chukwuma (1995), where they noted that a vast majority of inmates in Nigeria prisons are those at awaiting trial roll, this postulated was seconded by the Nigeria Prison Service (NPS, 2018) reports and the paper presented by Dambazau (2016) which all pointed to the fact that over 70% of inmates in Nigeria prisons are people who are yet to enter into court appearance for the first time.

In this study also, it summarily found that the implementation of policies and programmes by the governments such as provision of more adequate facilities for the existing prisons and erection of new ones to ensure decongestion and remanding of ATPs in a separated facility is yet to be given serious attention.

It is also found that, the court has not done enough through granting speedy trials of ATPs in custody which is found to be a more effective way to get justice for the ATPs in custody. The department of public prosecution (DPP) does not properly carry out their role of arraignment of criminal offenders with respect to ATPs in custody.

The government and the prison management are yet to take the challenges of prison reform serious, holding the bull by the horn and leaving no stone unturned in a bid to revamp the myriads of challenges faced by prisoners, especially the ATPs in custody.

Thus, the ordeal passed through by persons awaiting trial in Nigeria prisons needs to be given adequate attention, because it is found from this study that ATPs in custody are not properly managed, little or no efforts are put in place by the government and the prison management to arrest the ugly trend.

it is also found that due to the level of poverty and low level of exposure to the knowledge of the law by the inmates in custody, it is also found that majority of them have low level of formal education which is an indicator to how they rate the treatments they receive while in custody. Thus it could be however be deduced from the study that, the ability of the inmates to rate their treatment as very poor is the consequence of their low level of family income.

## **5.2 Conclusion**

This study succeeded in assessing the welfare of awaiting trial persons in Owerri and Awka Prisons, South-East Nigeria, ways awaiting trial inmates in these prisons are treated, factors that give rise to the prevalent forms of treatment of awaiting trial persons in prisons, major consequences of mode of treatments of awaiting trial inmates in custody, efforts put in place towards improving the welfare of awaiting trial inmates in prisons, and how the welfare of awaiting



trial persons in prisons could be enhanced. This study has been able to provide scientific answers to virtually all the questions raised on the topic under discourse, and how the challenges raised could be ameliorated.

### **5.3 Recommendations**

Based on the findings of this research, the following recommendations are made in order to ensure that the welfare of awaiting trial persons in Nigeria prisons is effectively and efficiently enhanced.

1. There is need for the DPP to ensure proper handling of case files of ATPs in custody. This could be achieved by switching from analogue to digital documentations of the records and files of inmates who are remanded in custody.
2. The DPP should in collaboration with the court ensure that ATPs are charged to court as soon as practicable.
3. The need for the DPP, the court, and the prison management to have a good communication link as well resolves the hitches orchestrated by bureaucratic bottle-neck, and ensure speedy arraignment of ATPs in court.
4. The necessity of encouraging plea bargaining of ATPs with less charges, in the judicial system in order to help decongest the prisons and not trample on the rights of some ATPs who are detained beyond their sentences even if they have been tried and convicted.
5. There is also the need for the government to provide a feasible blueprint that will ensure implementation of the various reports brought to it by the Nigerian Prison Service (NPS) on the endless challenges facing them in effective management of the inmates, with a specific objective of providing more considerate options for ATPs who are remanded in prison custody.

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