

## **Executive Summary of 2012 Prison Audit Report**

### **INTRODUCTION**

A nation deserves a criminal justice system it can be proud of. Respect for human rights and rule of law is one of the most important steps towards achieving the desired goals and aspirations. Therefore, when one deals with the criminal justice system – whether as a victim of crime, a witness in a court case or someone charged with an offence – one has the right to be treated fairly. It is therefore imperative that the prison system should be such that would protect the dignity of the human person.

The prison system is an integral part of the criminal justice system and serves as a custodial as well as a correctional institution. It also serves as a fundamental instrument for the protection, scrutiny, maintenance of the rule of law and social order. Over the years, the challenges in the Nigerian Criminal Justice System have taken its toll on conditions in the prisons. Issues of congestion, infrastructural decay, lack of recreational facilities, access to justice, etc, have greatly impacted on the role of the institution.

The Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the UN Standard Minimum Rules on the Treatment of Prisoners set the benchmark for the treatment of prisoners and the prison condition. Additionally, the International Covenant on Civil and Political Rights and the Constitution provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. In line with the United Nations Conventions, Treaties, and the Constitution and in furtherance of the National Human Rights Commission's mandate, which empowers it to visit prisons and other places of detention to ascertain conditions therein and make appropriate recommendation to relevant authorities, the Commission, in collaboration with the Legal Resources Consortium in 2012 carried out an audit of prisons across Nigeria.

The focus of the audit exercise was on the following issues:

1. The structure of the prisons
2. Facilities at the prisons
3. Access to Justice
4. Welfare of inmates
5. Welfare of Officers
6. General information

Though attention was paid to other issues relating to the prison, access to justice was considered most important. This is because access to justice impacts on all aspects of the lives of the detainees and the prison system and also defines the criminal justice system. With a functioning

criminal justice system, the prison would, to a large extent not be congested. A cursory look at the number of inmates on awaiting trial shows that there is a failure of the criminal justice system. Worst still, some of the prison authorities could not provide most of the information required under access to justice sub-head.

## **1. STRUCTURE OF THE PRISON**

Prisons are meant to be reformatory homes, where persons who come in conflict with the law are sent to for reformation and eventually reintegrated into the society as a better person. But this is farfetched in the Nigerian context, as most the prisons punitive centres. This is so because most of the prisons visited across the country are far from being described as reformatory homes. The structures are old and dilapidated, with poor sanitary conditions, no recreational or vocational facilities and infrastructural facilities. This may not be unrelated with the fact that most of prisons were built in the 19<sup>th</sup> century by the Native Authority. For instance, Azare, Bauchi, Ningi and Misua prisons were built in 1816, 1820, 1827 and 1831 respectively. The lock up of the prisons far outnumbers the capacities they were built to hold. In all, 173 Prisons were audited, 23 in the South West, 26 in the South South, 14 in the South East, 36 in the North West, 37 in the North East and 37 in the North Central zones. These prisons have a capacity of 46,024 but at the time of the audit exercise, the lock up was 50,645. Some of the prisons have no space for any form of recreation. Examples are Suleja and Koton Karfe prisons in the North Central zone.

### **a. Age of the Prisons**

To a large extent, the prisons audited across the country were old and dilapidated, most of them having been built as far back as the early part of the 19<sup>th</sup> Century and have undergone no major renovation. Warri prison was built in 1805; Azare in 1816, Degema in 1855, while the newest, Zing was built in 2011. Majority of these prisons were built with mud bricks and in a small compound. For instance, Azare prison was built in 1816, with mud bricks and so are Suleja, Koton Karfe and Dekina prisons. In Suleja and Koton Karfe Prisons built in 1914 and 1934 respectively, the mud bricks were collapsing, they are now in the midst of economic activities as well as residential buildings.

### **b. Capacity/Lockup**

During the audit exercise, it was discovered that most of the prisons were congested. The congestion was as a result of the number of inmates that were awaiting trial. Comparatively, in all the 173 prisons audited across the Country, the lockup was 50,645 compared to a capacity of 46,024. For instance, in Bauchi prison, the lockup was 820 as against a capacity of 500; Onitsha prison has a capacity of 326 but the lock up was 755, Enugu Prison had 1,625 lockups as against 638 capacity and Owerri prison had 1,745 lockups, compared to a capacity of 548. Ikoyi prison in Lagos State with a capacity of 1,700 had 2,439 lockups, while Abeokuta New and Akure prisons with a capacity of 510 and 160 had 733 and 707 lockups respectively at the time of the audit exercise. So also Port Harcourt with a capacity of 804 but had a lockup of 2,902, while MSP Oko in Edo State with a capacity of 608 had a lockup of 1,089. Similarly, the MSP Keffi, Nassarawa State, has a capacity of 160 but the lockup was 571

Despite the congestion of some of the prisons, some of them are sparsely populated. Some examples of such sparsely populated prisons are Baissa prison which has a capacity of 100

had 12 lockups; MSP Maiduguri had 408 lockups as against 1,600 capacities; Bama prison with 320 capacity but had 31 lockups.

The analysis by the zones revealed the following results:

S/N	Zone	Capacity	Lockup
1	South South	7,298	10,232
2	North East	9011	6677
3	North Central	7,772	6,816
4	South West	7,722	11,078
5	North West	9,754	8,087
6	South East	4,467	7,664
<b>TOTAL</b>		<b>46,024</b>	<b>50,645</b>

- c. **ATMs/Convicts:** Across the prisons the number of Awaiting Trial inmates was far above that of convicts. In the 173 prisons audited, out of 50,645 lockups, the number of convicts was 13,901 compared to awaiting trial inmates of 35,889. Besides the awaiting trial inmates, Ikom prison in Cross River State had 5 lodgers, Ahoada Prison in Rivers State and Benin prison in Edo State, had 2 and 1 lodgers respectively; (lodgers are persons kept in prison without an order of court detaining them. There are no records of such inmates in the prison records).

In Ikoyi prison, they were 221 convicts as against 1574 ATMs, while Abeokuta New and Akure had 63 convicts each compared to 425 and 644 ATMs respectively. Also, Goron Dutse prison in Kano State had 877 ATMs and 350 convicts, while MSP Gusua in Zamfara State had 154 convicts and 515 ATMs. The situation is not different in Enugu prison which had 1,453 ATMs as against 172 convicts and Owerri had 1,602 ATMs and 143 convicts. Port Harcourt prison had 121 convicts and 2,607 ATMs while Calabar with 93 convicts had 600 ATMs. Similarly, Ugwashi-Uku prison in Delta State had 64 convicts and 511 ATMs. Furthermore, in Jalingo prison, there were 320 ATMs compared to 95 convicts; 647 ATMs as against 173 convicts in Bauchi prison and 322 ATMs as against 186 convicts in Yola prison.

- d. **Sanitation:** The surroundings and cells of the prisons audited across the country were clean and well kept by the inmates. Though there is every effort by the inmates to keep the cells clean and tidy, the age of the infrastructure and overcrowding in some cells frustrates the effort. In most of the prisons, the water cistern toilets are broken and there is no water to flush after use. In some, they use the bucket system and that creates a lot of stench in the cells. Some of the prisons where the bucket system of toilet is still in use are Gassol and Serti prisons in Taraba State, and Misua prison in Bauchi State; Otikpo in Benue State, Pankshin in Plateau State and Ilorin in Kwara State. In another instance, the sewage systems were either broken or filled up. The prisons lack basic toiletries like soap or disinfectants.

## 2. FACILITIES:

The UN Standard Minimum Rules on the Treatment of prisoners and other international, Regional or National laws have set a benchmark for the treatment of prisoners. In each of these human rights instruments, it is stated that persons are to be accorded their dignity and no human being shall be treated in a dehumanising manner, even when his freedom to liberty has been taken away by the instrument of law. It is in this vein, the Nigerian prisons are measured. The standard of facilities in the Nigerian prisons are appalling, to say the least. Most of the prisons audited lack facilities that would aid the wellbeing of the inmates as well as their reintegration of inmates back in the society after their release from prison.

Against this background, the audit exercise focused on the following facilities:

- a. **Vocational Facilities:** Vocational facilities play a vital role in the reformation of inmates and equip them with tools necessary for reintegration. It creates in them, a sense of independence and weans them of going back to crime upon release. In most of the prisons audited, they were weaving, shoe making, carpentry, tailoring, knitting, cap making, laundry, soap making, welding, block making, dying, Electrical/Electronics, garri processing, beads making, etc. Though most of the prisons have these facilities, the working tools are lacking and where they are available; they are inadequate, compared to the number of persons to make use of them. In some prisons where they train the inmates on tailoring, there is only one sewing machine to a population of about 300 inmates. Same applies to other facilities like carpentry, knitting, welding and a host of others. Besides not having tools, there are no instructors as well as workshops for training of the inmates.
- b. **Recreational Facilities:** Recreational Facilities are necessary for the physical and mental wellbeing of the inmates. It is therefore important that recreational facilities are provided in the prisons to enhance inmates' development and wellbeing. In most of the prisons audited, recreational facilities were totally lacking and some grossly inadequate, compared to the number of inmates. For instance, in the North East zone, out of the 37 prisons audited, only 6 had football fields and 14 had only indoor games, while 17 had no form of recreational facilities. In another instance in the South West zone, Ago-Iwoye, Ondo and Ado Ekiti prisons had no recreational facilities. Also, in the North West zone, about 60% of the prisons had no recreational facilities. This is also applicable to the North Central, where Shendam, Wase, Lakushi, Agaie, Dekina and Idah Prisons had no form recreational facilities.
- c. **Health Facilities:** In all the prisons audited, few had hospital or well equipped clinics with medical personnel, some had neither clinics nor hospitals but First Aid Boxes, manned by Dispensary Assistance. Again some had health personnel but no health facilities. For instance, in the North East zone, MSP Wukari had no health facility but had 3 health personnel. The same applied to Gembu prison. Serti prison had a First Aid Box and a Dispensary Assistant. Also, Ogoja prison in Cross River State, Elele and Ahoada Prisons in Rivers State, Argungu Prison in Kebbi State, had no clinic, so was Kujama prison in

Kaduna State and Lakushi prison in Plateau State. It is commendable that the Makurdi prison has a well equipped hospital, so also, the Onitsha prison with a well equipped clinic.

- d. **Educational Facilities:** Most of the prisons audited had some form of educational facilities. Some collaborate with the Ministry of Education in the States to train the inmates either in Adult Education or to enroll them for General Education Examination or National Examination Council examinations. Some also have contact centers for the Open University studies and some computer centers. Despite the fact that these prisons have provisions for educating the inmates, they are no clearly defined classrooms for the studies. Inmates take instructions either under the tree outside the cells or inside the cells. However, some of the prisons have no form of educational instructions. Examples are Shendam, Wase, Lakushi, Agaie, Dekina, Lamingo, MSP Nassarawa, MSP Omu Aran, Kabba, Ankpa, Dukpa and Idah Prisons in the North Central. In the North East, with the exception of Nguru, MSP Potiskum, Gashua, Biu, Bama, Bauchi, Yola, Jemira, Numan, Jada, Mubi, Tula and Bojaga prisons, all other prisons had no educational facilities.
- e. **Transport Facilities:** Most of the prisons audited had mini Green Marias, or Hilux vans, for the movement of inmates from one court to another and back. In these prisons, transport facilities were inadequate. For instance, in a prison of more than 1000 inmates who have to be taken to different courts at almost the same time and day, one green Maria is highly inadequate. In the FCT for instance, the Courts are scattered around, from Apo district to Zuba, Kwali and Nyanya, and inmates are taken from Kuje, Suleja or Keffi to these different prisons. At the end of the day, most of the inmates are either late to court or cannot attend court on their adjourned dates. In some instances, Prison officers resort to conveying inmates on motorbikes to court and back. But some prisons such as MSP Wukari, Bali, Karim, Baissa, Gassol, Zing and Cham in the North East zone had no transport facility.
- f. **Sources of Water:** At the time of the audit exercise, it was observed that most of the prisons have bore holes and hand dug well from where they get water. This is as a result of the failure of the public water supply system. Some prisons, such as Dekina, Tula, Zing, Gassol Cham, Numam, Gembu, as well as Bama and Geidam in the North East, Obubra, Elele Ogba MSP Auchu and Adim Farm Center prison in the South South, get water from the stream or river. So also does Gembu, Mutum Biyu, Bali, Baissa and Gassol prisons.
- g. **Sources of Energy:** The prisons rely on Power Holding Company of Nigeria (PHCN) for their energy supply. But this has proved to be unreliable over the years. As an alternative therefore, some of the prisons have solar energy, some generating sets while a few, such as Tula, Zing, Gassol Cham, Numam, Gembu, as well as Bama and Geidam in the North east, Ozalla Farm Center in the South South, rely on lantern, despite the risk involved. Some yet have no alternative source. Such prisons were Saminaka, Prison Farm Sokoto, and Kujama farm prisons.

- h. **Kitchen Facilities:** Available kitchen facilities in the prisons across the country are old and obsolete, but neat. For their cooking, they use firewood. Ago Iwoye Prison cook under the shed, as there is no built kitchen.

3. **WELFARE OF INMATES:**

- The dignity of the human person is an inherent right. In Furtherance of that, the need to adhere to minimum standards in protecting the welfare of inmates cannot be overemphasized. Despite the fact that the inmates are legally deprived of their freedom of movement, their right to the dignity of the human person cannot and need not be compromised. Section 34 of the 1999 Constitution (as amended), provides that “every individual is entitled to respect for the dignity of his person”. Similarly, the International Covenant on Civil and Political Rights provide as follows: “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”. It was observed during the exercise that the wellbeing of the inmates was far from the minimum standard provided under the laws. It is against this background that the report considers the following details in relation to inmates’ welfare.
- a. **CELLS:** Across the prisons audited, the cells though congested, were however kept neat and clean.
  - b. **TOILETS:** Although most of the cells had water cistern toilets some of them were in poor condition with faulty flush and some broken seats. Enugu prison had bucket and water cistern toilets while Jos main prison had both buckets and pit toilets. Prisons that also use the bucket system were Gassol and Serti prisons in Taraba State, and Misua prison in Bauchi State; Otikpo in Benue State, Pankshin in Plateau State and Ilorin in Kwara State.
  - c. **UNIFORMS:** In most of the prisons audited, the inmates had no uniforms. In some, while the convicts were provided with uniforms, the Awaiting trial inmates were not.
  - d. **BEDS AND BEDDING:** Beds and bedding in the prisons as at the time of the audit exercise were inadequate. In some cases where there were beds, mattresses, sheets and blankets were lacking. In Suleja prison they were adequate beds and beddings in the female inmates but inadequate for the males. As at the time of the audit exercise, the Medium Security Prison Maiduguri, Agai and Otukpo prisons in North Central, Musawa, Jibia Dutsinma and Malumfashi in North West and Akure in South West had no beds and beddings.
  - e. **VENTILATION:** The cells are well ventilated, except Ubiaja and Ahoada in South South zone.
  - f. **CLASSIFICATION:** The prison classified into male and female and convicts and awaiting trial inmates. Inmates were not classified according to offences. The condemned convicts are separated from others and so the lifers

- g. **FEEDING:** The quality of food in all the prisons audited leaves much to be desired. At the time of the audit exercise, inmates were fed on N200.00 per day. This amount, given the economic situation in the Country today is grossly inadequate. All the prisons use firewood for cooking. The Medium Security Prison Makurdi had gas pipes but has never been used. The kitchen facilities and utensils are old and in most cases inadequate. Inmates do the cooking.

#### 4. **ACCESS TO JUSTICE**

An integral part of any criminal justice administration is access to justice. Access to justice includes access to legal representation and speedy trial. Lack of access to justice, to a large extent, results in the congestion of prisons. Section 36 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provided for fair hearing, and fair hearing has to do with being represented by a Counsel when you are charged especially with criminal offence as well speedy trial. In the audit exercise, the following issues relating to access to justice were assessed:

- a. **Number of inmates with legal representation:** In the 168 prisons audited throughout the Country, there was a total of 18,953 inmates with legal representation. It was discovered that most of the prisons had no record of inmates with legal representation. In the North East zone, only 797 out of a total of 6677 inmates had legal representation, while in the South South Zone, 5570 had legal representations. Furthermore, in the North West Zone, the ratio of inmates with legal representation was 3:2 and 4719 out of 11078 had legal representation in the South West zone. Similarly, 1716 inmates had legal representation in the North Central and --- in the South East zone. In some prisons, there were no records on the number of inmates with legal representation.
- b. **Number of inmates without legal representation:** The total number of inmates without legal representation as at the time of audit was 6,833. Most of the prisons audited had no records of inmates without legal representation. However, in the North East zone, about 2,453 inmates, with Bauchi recording the highest with 400 inmates had no legal representation. Others are Gombe and Mubi prisons with 286 and 242 respectively, Yola prison had 228 and 130 inmates in Ganye prison were without legal representations. Also, 556 inmates in the North Central, --- in the South West had no legal representation and 671 in the South South zone. This is despite the fact that legal representation for any one accused of having committed an offence is an important safeguard against the violation of the accused right to fair hearing.
- c. **Number of Inmates Who Cannot Pay Fines:** Most inmates in the prisons audited could not pay the fines imposed on them by the courts as an alternative of imprisonment. In all, a total of 4,804 inmates could not pay their respective fines. For instance, in the North East zone, 1,594 inmates could not pay the fines, 1209 in the North central zone and 400 in the North West zone. Others are 286 in the South South and 328 in the South West, while the South East had 49. In some cases, the fine was as low as four thousand Naira or five Thousand Naira. For instance, Abdullahi Moh'd in Gombe prison was sentenced to 3

years imprisonment for theft with an option of N4,000.00 and Abdulkarim Suleman in Biu prison was sentenced to 2 years imprisonment with an option of five thousand naira fine. They are serving the term because they could not pay the fine.

- d. **Inmates Who Cannot Post Bail:** Across the prisons audited, it was discovered there were 4522 inmates who had been granted bail but are still in prison for one reason or the other. In the North East zone, 707 inmates were unable to post bail, while in the South East, they were 976. Also, in the South South and South West, they were 666 and 1323 respectively. Similarly, in the North West, 400 inmates could not post bail and in North Central they were 470. This may not be unrelated with the bail condition, which in most cases are high and above the means of indigent inmates.
- e. **Number of cases Affected by Unavailability Of Witnesses:** In all the audited prisons, it was discovered that 1600 inmates' cases were distorted due to unavailability of witnesses. In the north East, about 369 inmates' cases has been stalled due to the absence of witnesses, while in the North West, 400 inmates' cases has stalled. South South had 398 and 249 were found in the South West. Worst of such situation was found in Ugwashi-Uku in the South South with 246 of inmates with stalled cases due to unavailability of witnesses. 132 were also found in Yola prison in the North East zone and 240 in the North Central. Anambra and Abia in the South East had no records of inmates without witnesses; other States in the South East had 81 of such inmates.
- f. **Number of cases Affected by Unavailability of IPOs:** Across the prisons audited there were 548 inmates whose cases were affected due to the unavailability of IPOs. 240 were found in the South South Zone, out of which 104 were at Ogwashi-Uku prison in Delta State, 280 in the North Central zone, with 194 were in Kano central prison; 146 were in the South West and 41 in the North Central About 66 inmates' cases across the North East zone prisons has been halted due to the unavailability of IPOs assigned to the cases.
- g. **Number of Cases Affected by missing Case Files:** At the time of the audit exercise, about 834 inmates were said to be affected by missing case files. 7 inmates in prisons across the North East zone, 11 in the North Central zone; 4 in the North West; 424 in the South South zone; 45 in the South West and 69 in the South East zone, were affected by missing case files. This invariably means their cases cannot go on, as their case files indicating the trial records cannot be found.
- h. **Number of inmates on Holding Charge:** 11,047 inmates were on holding charges nationwide. In the South East zone, 2526 were on holding charge with Owerri prison holding 1,179 of this category of inmates. Furthermore, in North East Zone, about 465 inmates were on holding charge. 300 of this category of inmates were found in Bauchi Prison. In the South West zone, they were 1154 with 330 found in Medium prison Akure; 4,914 were found in the South South zone, with 2543, 811,469 in Port Harcourt, MSP Oko, and Ugwashi-Uku respectively. Similarly, in the North West zone, they were 1600, with 795 found in kano prison; while in the North Central, they were 368 inmates on holding charge. This is despite the fact that there is no provisions of the any laws to support this action.



- i. **Number of Cases Being Handled by the National Decongestion Committee:** There were 2377 inmates nationwide whose cases were handled by the National Decongestion Committee. In some of the prisons audited across the country, there were no record of the number of inmates whose cases were being handled by the National Decongestion Committee. However, in the North East, the few prisons with the record revealed that 318 cases are being handled across the zone. Also, in the South East zone, out of 14 prisons only 7 had the record showing 270 inmates in this category. In the South South zone, they were 216; 1040 in the North West zone.
- j. **Number of cases affected by unavailability of DPP Advice:** 6360 inmates' cases were affected by unavailability of DPP advice of which 304 are in the North East zone with Bauchi prison having 100; 930 in the North Central zone and 1100 in the North West zone. Additionally, in the South South zone, they were 1394 with Port Harcourt prison recording the highest; 1143 in the South West, with 571 in Akure prison and 1179 in the South East with Abakiliki having 421. They was no record of these inmates from Enugu and Anambra prisons.
- k. **Number of Inmates that have spent 3months and Above Awaiting Trial:** A total of 18,657 inmates falls within this category in all the correction facilities visited. 1,150 inmates had spent 3 Months and above awaiting trial in the various prisons across the North East zone with Bauchi holding 313, while in the South East they were 4296 out of which 1380 were in Owerri prison. Similarly, they were 2929 in the South West, with 694 found in Agodi prison; 6476 were in the South South zone of which 2501 were in Port Harcourt prison. In another instance, 2000 of this category of inmates were found in the North West, with MSP Gushau having 404 and in the North Central they were 1806. Some of these inmates have spent over 16 years awaiting trial.

## 5. WELFARE OF OFFICERS

The restoration of the prison officers' dignity will lead to a reformation of the prison system. There is therefore the need to accord the Officers their dignity, which invariably will have a positive impact on their relationship with the inmates. The welfare of the prison officers leaves much to be desired. The barracks are old, dilapidated and in a complete state of disrepair and in most cases not enough for the Officers, as some rent residential accommodation. Also, in most cases, officers buy their uniforms. The officers lack working tools such as office equipments. Where they are available, are outdated and not adequate. This makes keeping and retrieval of records almost impossible.

## 6. GENERAL INFORMATION:

Under General information, some issues that affect prisons but were not highlighted under the other headings were considered. These includes pre and post natal facilities, lunatics, lifers, inmates on death row, minors in prison, inmates with life threatening ailments.

- a. **Pre and Post Natal clinics:** In all the 37 prisons audited in the North East zone, only MSP Maiduguri had a pre or post natal facilities. This is despite the fact that some of the prisons house both male and female inmates.
- b. **Minors in Prison:** As at the time of the audit exercise, there were 52 minors in all the prison nationwide. Report revealed that there were 3 minors in Biu, Yola, and Gombe prisons in the North East zone; 7 in Umuahia, 2 in Abak and 3 in Owerri prisons in the South East, while in the South West, they were 6 in Female Prison lagos, 3 in Agodi prison, 1 in Illesha prison and 2 in Female prison Ondo. Similarly, they were 12 in the South South zone – 1 each in MSP Oko, Eket, Port Harcourt and 3 each in Agbor and Warri prisons. In the North West, they were 7,2 each in Katsina, Zuru, and Central Prison Kano while Sokoto Central had 1. In all these prisons, there were no nursery facilities to hold the minors; they were in prison with their mothers.
- c. **Number of Lunatics in Prison:** Some of the prisons audited across the country had 621 mentally ill inmates in detention, despite the fact that these facilities have no qualified psychiatrics or the facility to take care of their special need. For instance, in the North East Zone 4 out of 37 prisons had 20 mentally ill inmates in prison. In the North West they were 50, while in the South South they were 79. Also, in the South West, they were 121; 289 were found in the South East zone, with Enugu having 136..
- d. **Number of Lifers:** There were 45 lifers in the 37 prisons audited across the North East zone; 44 in the South East zone; 56 in the South West; 121 in the South South and 12 in the North West. In most of these cases, the inmates have spent close to 40 years in prison. Totaling 463 inmates in all the prisons audited.
- e. **Number of Inmates on Death Row:** It was discovered that that 977 inmates were on death row in various prisons nationwide. There were about 15 inmates on death row in 6 of the 37 prisons across the North East zone; 155 in 8 prisons in the North West zone and 263 in 5 of the prisons in the South South zone. Also, in the South East zone, they were 79 in 1 of the prisons in the zone and 121 in the South West zone.
- f. **Number of Inmates with Life Threatening Ailments:** At the time of the audit exercise, most of the prisons in the different zones have 260 inmates with life threatening ailment ranging from HIV/AIDS to Hypertension. For instance, 12 out of the 37 prisons in the North East zone had inmates with life threatening ailments, such as HIV/AIDS, Hypertension, Hepatitis, Liver cirrhosis, Typhoid, Appendicitis, Tuberculosis, Asthma, Skin diseases and Malaria and in the South West, they were 45 inmates with ailments such as gun shut wound, Hepatitis, Asthma, Diabetics, TB, Congenital failure. This is also the case in the South East and North Central Zones. Furthermore, in the South South zone, they were 13 inmates with Tetanus, HIV/AIDS, Hypertension, TB, Diabetics, Cancer and Asthma. In the North West zone, besides the aforementioned ailments there was Polyarthrititis, Myeloproliferative and leprosy, with Kano Central prison recording 22 TB and 20 HIV patients.

## **GENERAL RECOMMENDATIONS:**

1. The general criminal justice administration be overhauled, to enable inmates have access to justice in real terms. As statistics have shown, in all prisons nationwide, that most awaiting trial inmates had spent more than 3 months without trial. This needs to change.
2. Non-custodial sentencing, like fines, community service, suspended sentence, parole, etc, should be resorted to in the short and medium terms, especially in relation to offence that carry less than five years imprisonment.
3. New prisons should be built nationwide and existing ones expanded, to cope with the increasing inmate population.
4. Prison facilities should also be renovated and upgraded to meet acceptable international standards.
5. More vehicles should be provided to the prisons, while those available should be regularly maintained, as it is very vital to inmates' access to justice. Also, specially designed vehicles should be provided.
6. The welfare of inmates and prison officers in all its ramifications should be put on the front burner and periodically reviewed and enhanced. In this way, the despair, frustration and resentment which the present situation engenders, would be minimized, if not eliminated.
7. Adequate uniforms should be provided for inmates, as well as uniforms and accoutrements for the officers.
8. Beds and beddings should be provided in sufficient number for the Prison.
9. Office accommodation at the Prison should be improved upon, fully furnished and equipped to provide an ergonomic atmosphere for enhanced service delivery.
10. The officers' residential accommodation should be completely overhauled, while their emoluments should be periodically reviewed upwards in tune with current socio-economic realities.
11. Prison hospital or clinics should be regularly stocked with medicines/medicaments, and fully equipped to cater for sick inmates and staff, especially those suffering from life threatening illnesses.
12. The prisons should be provided with serviceable ambulance and dedicated vehicles, to enhance the quality of health-care delivery.
13. The legal aid Council and the human rights Committee of the NBA across the country should improve on the provision of free legal services to all persons standing trial for criminal cases in Nigeria in other to foster fair hearing, access to justice and in the other hand encourage decongestion.
14. The record system should be overhauled and the capacity of the prison record officials built to keep proper record of basic information on prison inmate to facilitate greater access to justice and reform effort of stakeholders.
15. The Federal and State Ministries should rejuvenate the process of rendering legal advice on case files forwarded to them by the police. This is to ensure speedy trial of cases.

16. The record system should be overhauled and the capacity of the prison record officials built to keep proper record of basic information on prison inmate to facilitate quick access to justice, research and reform effort of stakeholders.
17. There is need to strengthen the States' Committees on Prerogative of Mercy to meet regularly and on time, as well as ensuring routine visits by Chief Judges of States to prisons in order to address cases of awaiting trials inmates in detention.
18. There should be built in the prison, nurseries for mothers with babies
19. Mentally ill persons should be removed from prisons and sent to psychiatric institutions, where they would be properly attended to.
20. Persons with life threatening ailments should be sent to specialist hospitals that can attend to their health issues
21. Where they are female prisons, there should be provision for ante and post natal cares.
22. There should be assigned to one case, more than 1 IPO so that in the event of a transfer of or death of one IPO, the other can carry on with the case.
23. IPOs should ensure that witnesses attend court, by providing the witnesses address to the court so summons can be served on such witnesses.
24. The working relationship between the IPOs and the Legal Aid Council should be enhanced.
25. Alternative Dispute Resolution should be introduced into the criminal Justice Administration as an alternative to litigation
26. Adequate security and transport allowance should be provided for witnesses to encourage their appearances in court to give evidence
27. A careful redistribution process should be embarked upon to reduce congestion in the prison.
28. The communication between all agencies involved in the criminal justice administration should be enhanced.
29. The welfare department of the prisons should be equipped to be able to contact inmates' relatives.
30. Each court should have attached to it, interpreters.