

## Socio-Economic Justice Through Prison Vocational Labour in Nigeria: Significance for Recidivism and Overcrowding

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### **Abstract:**

The Nigerian criminal justice system faces the challenges of addressing punitive incarceration, crime prevention and prison decongestion. Unfortunately, Nigerian correctional centres often still struggle with overcrowding and ineffective rehabilitation programs due to limited resources, leading to high recidivism rates of 52.4%. This paper examines the impact of prison and vocational labour on the socioeconomic lives of incarcerated individuals, their families, and society. The paper utilizes secondary data to analyze compliance with the Correctional Service Act 2019 and the Mandela Rules regarding prison vocational labour. It also adopts the doctrinal legal research methodology to analyze relevant legal texts, principles and materials. The paper explores theories connecting poverty, recidivism, and crime. Given Nigeria's reliance on incarceration, examining vocational labour models in other jurisdictions is particularly relevant. Nigeria's legal framework for prison vocational labour is primarily contained in the Correctional Service Act 2019, but its implementation has been mostly sporadic. The paper concludes that providing inmates with meaningful work opportunities and job skills training can facilitate successful reintegration, reduce recidivism, and lower the inmate population. The paper recommends the domestic implementation of successful protocols in other jurisdictions, and proposes the establishment of a Correctional Labor and Vocational Oversight Bureau to oversee prisoners' employment and skills development in Nigeria, as practiced in some other countries.

**Keywords:** Prison, vocational labour, recidivism, rehabilitation, reintegration, overcrowding

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## 1. INTRODUCTION

According to Nelson Rolihlahla Mandela, “It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones”.<sup>1</sup> In the same vein, Warren E. Burger, the 15<sup>th</sup> Chief Justice of the United States, was a tireless advocate of prison reform. He believed that creating prison correctional and industrial programs to provide inmates meaningful work skills or training while incarcerated, would set the course for a productive future, upon their release. Thus, he said as follows:

It makes no sense to imprison people and not train them to do something constructive. We must accept the reality that to confine offenders behind walls without trying to change them is an expensive folly with short-term benefits winning the battles while losing the war. It is wrong. It is expensive. It is stupid.<sup>2</sup>

The remark made by his Lordship, Warren E. Burger is one of the advocative statements on the socio-economic advantage of engaging prisoners in training and employment to facilitate their future earning capacity. International law stipulates that imprisonment should not be limited to the deprivation of liberty alone. Rather, it should include opportunities for prisoners to obtain knowledge and skills that can assist them in their successful reintegration upon release, to avoid future offending.<sup>3</sup> Since imprisonment, in itself, is incapable of addressing prisoners' social reintegration issues, the International Covenant for Civil and Political Rights (ICCPR) requires that “the penitentiary system shall comprise treatment of prisoners, the essential aim of which shall be their reformation and social rehabilitation”.<sup>4</sup> The judicial and prison systems in Nigeria continue to face fundamental challenges that question the purpose of incarceration which ordinarily is to protect society from crime, prevent recidivism by rehabilitation and prepare prisoners for their social reintegration upon release. Many problems manifested in prison settings are caused by socioeconomic and systemic deficiencies in criminal justice systems.<sup>5</sup>

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<sup>1</sup> 'United Nations System Common Position on Incarceration' (United Nations, April 2021) [https://www.unodc.org/res/justice-and-prison-reform/nelsonmandelarules-GoF/UN\\_System\\_Common\\_Position\\_on\\_Incarceration.pdf](https://www.unodc.org/res/justice-and-prison-reform/nelsonmandelarules-GoF/UN_System_Common_Position_on_Incarceration.pdf) accessed on 11th August, 2024

<sup>2</sup> *Factories with Fences: 75 Years of Changing Lives* (75<sup>th</sup>-anniversary ed, Unicor).

<sup>3</sup> United Nations Office on Drugs and Crime, *Roadmap for the Development of Prison-based Rehabilitation Programs* (Criminal Justice Handbook Series, United Nations 2018).

<sup>4</sup> Penal reform international 'key facts on rehabilitation and reintegration programs' <https://www.penalreform.org/issues/reintegration-and-rehabilitation/key-facts/>

<sup>5</sup> United Nations Office on Drugs and Crime, *Introductory Handbook on The Prevention of Recidivism and the Social Reintegration of Offenders* (UNODC 2012) accessed 9<sup>th</sup> April 2024. <https://www.unodc.org/documents/justice-and->

The importance of the socio-economic impact of imprisonment is profound because it affects not just the individuals detained but their families, communities, and even states. In Nigeria, the trend is not different, given its high recidivism rate, estimated at 52.4%.<sup>6</sup> Nigeria is experiencing prison overcrowding, with reoffending as a contributory factor. In light of Nigeria's status as Africa's most populous black country, with an estimated population of 200 million, and its criminality score of 7.28 out of 10 according to the Global Organized Crime Index (2023),<sup>7</sup> it becomes crucial to study the reintegration of ex-offenders to address the cycle of recidivism. Prison and vocational labour offer a potential solution to break this vicious cycle, making it imperative to examine this aspect in the context of Nigeria.

This article is organized into several sections. Section 2 explains the focus of the paper. Section 3 examines the status of prison labour in Nigeria today. Section 4 evaluates the relationship between prison labour and vocational labour, identifying their differences while also highlighting their strong complementary relationship. In section 5, the paper undertakes an analysis of the historical development of prison labour in Nigeria, tracing its evolution from the past to the present. Section 6 explores various theoretical perspectives on prison and vocational labour. Section 7 of the paper discusses the relationship between poverty and recidivism, and how prison vocational labor programs can help to redefine it. The section evaluates the socio-economic profile of the inmate, as well as the link between recidivism and overcrowding in the prison. Section 8 outlines the legal framework governing prison and vocational labour at the international and domestic levels. The discourse in the section involves a brief analysis of the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights. Section 9 highlights prison vocational training in some other countries, while section 10 provides a brief description of prison vocational labour in some Nigerian states. Section 11 addresses prison farms, while section 12 examines the operation of paid prison labour models some other countries. The paper is concluded in section 13.

## **2. UNDERSTANDING THE FOCUS OF THIS STUDY**

This study focuses on providing vocational training and prison labour programs for all inmates, within the Nigerian correctional system. Table 1 below provides a breakdown of the inmate population in correctional centres in Nigeria. This population was selected based on international laws and guidelines regarding the treatment of prisoners. There are

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prisonreform/crimeprevention/Introductory\_Handbook\_on\_the\_Prevention\_of\_Recidivism\_and\_the\_Social\_Reintegration\_of\_Offenders.pdf

<sup>6</sup> Ike, Tarela J., Dung E. Jidong, Mileyebi L. Ike, and Evangelyn E. Ayobi. "Public Perceptions and Attitudes towards Ex-offenders and Their Reintegration in Nigeria: A Mixed-method Study." *Criminology & Criminal Justice*, (2023). Accessed June 13, 2024. <https://doi.org/10.1177/17488958231181987>.

<sup>7</sup> <https://ocindex.net/country/nigeria> accessed 26th August, 2024.

clear provisions that support providing vocational training and education programs to all categories of prisoners, including pretrial detainees, young prisoners, lifers and those on death row. The key international instruments relevant to this issue include the Nelson Mandela Rules: Rule 4 states that the purpose of a sentence of imprisonment or similar measures deprivative of a person's liberty is primarily to protect society against crime and to reduce recidivism. Rule 104 requires that all appropriate means shall be used to ensure the vocational treatment of prisoners to enable them to earn a living after their release.

Furthermore, Principle 6 of the United Nations Basic Principles for the Treatment of Prisoners states that "All prisoners shall have the right to take part in cultural activities and education aimed at the full development of the human personality." Principle 8 requires that "conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their financial support and to that of their families." These international guidelines and standards make it clear that access to vocational training and educational programs should be provided to all prisoners, without discrimination based on the length or nature of their sentence. The focus is on facilitating rehabilitation and successful reintegration into society which is not ruled out for any prisoner.

Therefore, under international norms, eligibility for vocational training and educational programs is typically extended to all categories of prisoners, including those serving life sentences and even those on death row. Indeed, lifers and death row inmates are often considered a high priority for such rehabilitative programs, as they have the greatest need for skills and qualifications to sustain themselves and reintegrate into society, should their sentences be commuted or they be pardoned. Exclusion of certain categories of prisoners from vocational training and educational programs may be seen as a denial of their right to rehabilitation and personal development, which are important principles of a humane criminal justice system.

Pretrial detainees should also be included even though they are generally regarded as being ineligible because they are considered transient. The enforced idleness leads to lower self-esteem and the loss of skills. In addition to the social stigma attached to detention, it becomes clear why detainees have great difficulty finding employment after their release. The interruption of education, the lack of vocational programs for pretrial detainees, the stigma associated with pretrial detention, and the loss of work all conspire to disrupt and undermine the occupational prospects of pretrial detainees and, in many cases, those of their children. Persons detained awaiting trial cannot work or earn incomes while detained and often lose their jobs.

In Nigeria, as shown in Table 1 below, pretrial detainees constitute the biggest inmate population. The period of detention is always lengthy, and the detainees' future

earning potential is also undermined.<sup>8</sup> To the extent practicable, pretrial detainees should be able to volunteer, although they should not be coerced, to perform prison-based labour for remuneration and should be eligible for training and education programs. To achieve this goal, there is a need to strengthen the implementation and enforcement of international standards, particularly the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), which provide guidelines for the nature and conduct of prison vocational labour.

It is advisable to develop mechanisms, such as an independent supervisory agency, to monitor and oversee compliance with these standards and ensure the protection of the rights and promotion of the well-being of incarcerated individuals. One potential model for effectiveness is the establishment of an oversight council for prison industries. For instance, in the Kyrgyz Republic, a Public Council was created in December 2014, with civil society representatives accounting for 50% of its membership. Such an oversight body may be named the Correctional and Vocational Labour Oversight Commission with a presence in every state of the federation.

TABLE 1: Statistical summary of inmate population by convict and awaiting trial persons, 19<sup>th</sup> August 2024

<b>TOTAL INMATE POPULATION:</b>		<b>84, 469</b>
Total Male Inmates		82, 606
Total Female Inmates		1, 863
Total 84, 469		
<b>TOTAL CONVICTED INMATES:</b>		<b>26, 899</b>
Convicted Male Inmates		26, 429
Convicted Female Inmates		470
<b>TOTAL AWAITING TRIAL INMATES</b>		<b>57, 570</b>
Awaiting Trial Male		56, 1777
Awaiting Trial Female		1, 393

Source: Nigerian Correctional Service.<sup>9</sup>

<sup>8</sup> summary of the report, "Pretrial Detention and Socioeconomic Development," published by the Open Society Justice Initiative in 2011. <http://pretrialjustice.org>

<sup>9</sup> Nigeria Correctional Service, 'Statistics Summary of Inmate Population by Convict and Awaiting Trial Persons as at 26th August 2024'. <https://www.corrections.gov.ng/index.html> accessed 27<sup>th</sup> August 2024.

### **3. THE CURRENT STATUS OF PRISON VOCATIONAL LABOUR**

Recently the Nigerian government announced the commencement of comprehensive vocational training programs for inmates across the country's 241 correctional facilities signaling a significant shift in the approach to prison rehabilitation and reintegration. The Senior Special Adviser to the Nigerian President on Technical, Vocational and Entrepreneurship Education, Abiola Arogundade, highlighted the government's concern for the successful reintegration of inmates into society. This is a crucial step, as effective rehabilitation and skill development can greatly reduce the risk of recidivism and empower inmates to become productive members of their communities upon release. The government's plan to train a minimum of 500 inmates from each of the 241 correctional facilities across the country, with a total capacity of over 70,000 inmates, demonstrates the ambitious scale of this initiative. By targeting a significant portion of the prison population, the government aims to create a meaningful impact and provide a pathway for inmates to acquire valuable skills and start their own businesses.<sup>10</sup>

The proposed vocational training programs cover a wide range of skills, including fashion design, computer training, hairdressing, fish farming, soap making, and poultry farming. This diversified curriculum caters to the diverse interests and aptitudes of inmates, enhancing the likelihood of successful skill acquisition and subsequent employment or entrepreneurial ventures. The government's commitment to providing a N500, 000 (USD 1, 200) grant to each inmate upon completing the training program is a significant incentive that can help ease the transition from incarceration to self-employment or small business ownership. Additionally, partnerships with global bodies and financial institutions like the Bank of Industry further strengthen the support structure and increase the chances of sustainable outcomes.

While the initiative presents a promising outlook, challenges remain to be addressed. Ensuring consistency in program implementation across all 241 correctional facilities while securing long-term funding and support will be crucial. Additionally, the integration of post-release support and mentorship will be crucial in order to enhance the chances of successful reintegration, but it does not appear in the scheme itinerary. It is still too early to definitively conclude whether this innovative prison vocational training program will be successful. Ensuring consistent program implementation and quality across all 241 correctional facilities will be a significant challenge, as variations in resource management, staff capabilities, and institutional culture can affect the program's outcomes. Since the program is not compulsory, and some inmates may be reluctant to participate in it, addressing this potential resistance and maintaining high levels of inmate engagement will need to be strategic.

Securing sustained funding and support for the program, beyond the initial launch, will be necessary to ensure its longevity and continued success. In Nigeria, donations from

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<sup>10</sup> Adebayo Folorunsho-Francis, 'FG begins vocational training for inmates' (Punch, 13<sup>th</sup> March 2024) <https://punchng.com/fg-begins-vocational-training-for-inmates/> accessed 25<sup>th</sup> August 2024.

charitable organizations are the main consistent support system for correction centres. For example, the recent donations of computers, internet, and other equipment to the Suleja Correctional Center's e-learning centre is a positive step towards improving access to education and rehabilitation for the inmates.<sup>11</sup> However such funding and support for correctional centres tend to be sporadic and largely volunteer efforts. This raises concerns about the long-term sustainability of such initiatives. Even with the current donation, many other e-learning centres in correctional facilities remain under-equipped and non-functional due to funding constraints. This inconsistency in implementation across the correctional system undermines the potential impact of the program.

Relying heavily on charitable and volunteer support, rather than consistent government funding and programming, makes the success of these initiatives vulnerable to the whims of external actors and the availability of resources. Such localized *ad hoc* intervention cannot tackle the challenges of recidivism and inadequate rehabilitation programs which are widespread across the Nigerian correctional system. The sporadic and unsustainable nature of the current support structures, as well as the inconsistent implementation across the correctional system, raise significant concerns about the long-term impact and scalability of such interventions. To truly address the systemic challenges and effectively reduce recidivism, a more comprehensive and sustainable approach is needed. This would involve consistent government funding, standardized rehabilitation programs, and a holistic focus on education, skill development, and post-release support across all correctional facilities. Addressing the root causes of recidivism and empowering inmates to become productive members of society requires a sustained, coordinated, and well-resourced effort.

#### **4. THE RELATIONSHIP BETWEEN PRISON LABOUR AND VOCATIONAL LABOUR**

Prison labour primarily focuses on utilizing inmates for various tasks within the correctional facility, often involving mundane or menial work to reduce idleness and manage populations. On the other hand, vocational labour in prisons aims to provide inmates with employable skills through training programs, enabling them to secure employment post-release. While prison labour is historically aimed at managing inmates, vocational labour emphasizes rehabilitation and skills development to enhance job prospects and reduce recidivism rates.<sup>12</sup> Historically, prison labour also involves inmates working without compensation, primarily for the benefit of the prison or external entities,

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<sup>11</sup> NGO donates computers, exam Fees to inmates in Suleja Correctional Center – The Sun Nigeria' (The Sun Nigeria, 12<sup>th</sup> May 2023) <https://thesun.ng/ngo-donates-computers-exam-fees-to-inmates-in-suleja-correctional-center/> accessed 25<sup>th</sup> August 2024.

<sup>12</sup> Nur, A, Prison Work and Vocational Programs: A Systematic Review and Analysis of Moderators of Program Success Justice Quarterly <https://typeset.io/papers/prison-work-and-vocational-programs-a-systematic-review-and-1t4zweuc>.

servicing economic interests. The incentive to maintain a steady supply of cheap labour kept incarceration rates high to ensure a continuous supply of this cheap workforce.<sup>13</sup>

In contrast, vocational labour focuses on providing prisoners with employable skills through training programs, aiming to facilitate their reintegration into society post-release. While prison labour can be exploitative and tied to economic gains for authorities, vocational labour aims to rehabilitate inmates by equipping them with skills that enhance their chances of securing employment and contributing positively to society upon release. The distinction lies in the purpose and outcomes: prison labour may not directly benefit the inmates' prospects, whereas vocational labour aims to empower them for successful reintegration.<sup>14</sup>

Fortunately, both often have a dual advantage of providing productive activities for inmates, and offsetting incarceration costs while teaching them useful skills. Overall, prison employment and vocational programs complement each other and offer opportunities for skills development, increased job prospects, and a reduced likelihood of reoffending.<sup>15</sup> It is possible to combine prison labour with vocational labour in a prison system, and there have been case studies and examples of such implementations because of its multi-factorial advantages, such as the application of skills and real-life work experience. Norway's prison system is often cited as an example of the successful integration of prison labour and vocational training.<sup>16</sup> Prison labour can simulate real-world work environments, providing inmates with valuable experiences and a sense of responsibility and learning about workplace.

Combining prison labour with vocational training can lead to optimal results in offender rehabilitation. Studies highlight the positive impact of vocational skills acquisition on reformation and recidivism reduction among ex-convicts.<sup>17</sup> Additionally, prison-based employment programs have shown effectiveness in increasing job prospects and lowering recidivism rates. Vocational training not only imparts employable skills but also positively influences offenders by changing behaviour, boosting self-esteem, and improving cognitive skills. Aligning prison labour with vocational training, as guided by international and domestic legal frameworks, can enhance the effectiveness of

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<sup>13</sup> Belinda Archibong and Nonso Obikili, 'Prison Labor: The Price of Prisons and the Lasting Effects of Incarceration' (2023) NBER Working Paper 31637. [https://www.nber.org/system/files/working\\_papers/w31637/w31637.pdf](https://www.nber.org/system/files/working_papers/w31637/w31637.pdf)

<sup>14</sup> <https://typeset.io/papers/the-influence-of-vocational-rehabilitation-for-societal-re-2q23wpetcm>

<sup>15</sup> Jeff Mackenzie D et al. 'Effectiveness of Vocational Education and Employment Programs for Adult Offenders'. JOR 2000 (31).

<sup>16</sup> Davies A.Y, "Are Prisons Obsolete?" Turnaround Publisher Services Ltd. UK (2003) [https://decolonisesociology.com/wp-content/uploads/2019/03/angela-davis-are\\_prisons\\_obsolete.pdf](https://decolonisesociology.com/wp-content/uploads/2019/03/angela-davis-are_prisons_obsolete.pdf)

<sup>17</sup> Inusa D, 'Perceived Impact of Vocational Skills Acquisition on Reformation and Reduction of Recidivism by Ex-Convicts of Gombe Central Correctional Centre' (2021) 2(2) Kashere Journal of Education <https://www.ajol.info/index.php/kje/article/view/222765> accessed 21st August 2024.



rehabilitation programs<sup>18</sup> The mission statement of the Nigeria Correctional Service concurs with this amalgamation of rehabilitation and economic goals as seen below:

‘The Nigerian Correction Service is statutorily expected to...Identify the causes of their anti-social disposition, set in motion mechanisms for their training and reform, to return them to society as law-abiding citizens at discharge and administer Prisons Farms and Industries for this purpose and in the process generate revenue for the government.’<sup>19</sup>

## **5. HISTORICAL OVERVIEW OF PRISON LABOUR IN NIGERIA**

The major motivation for the establishment of prisons in Nigeria in the colonial era was not for the rehabilitation and reintegration of offenders, but rather for the social, political and economic subjugation of Africans who resisted the colonial masters from imposing their authority over them.<sup>20</sup> Prison labour was also in the past utilized as a source of inexpensive and readily available labour for various industries such as building, farming and mining often without prisoners receiving any wages. The primary focus at that time was not on therapy or reformation, but rather on the capitalist class exploiting those sources of cheap and abundant labour.<sup>21</sup>

However, in 1946, R. H. Dolan; a trained prison officer with a wealth of experience in prison administration in Britain and its colonies, introduced vocational training as a fundamental part of the disciplinary penal treatment in Nigeria. He went further in 1948 to open four prisons in Lagos and rehabilitated part of the Port-Harcourt prisons for the treatment of juveniles. Five years later, he built an open prison in Kakuri-Kaduna to manage first offenders who had committed capital offences and those serving terms of 15 years or more.<sup>22</sup> The idea was to train them in agriculture, so that on discharge, they could employ themselves gainfully. Dolan’s tenure represented a high point in the growth of Nigeria's Prisons Service (NPS).<sup>23</sup>

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<sup>18</sup> Alexander, N & Holly Alexandra Nguye, ‘Prison Work and Vocational Programs: A Systematic Review and Analysis of Moderators of Program Success.’ 18 Feb 2022 *Justice Quarterly*- Vol. 40, pp 129-158.

<sup>19</sup> Ministry of Interior official website <<https://interior.gov.ng/nigeria-correction-service>> accessed on 21/03/21 Nigeria Correction Service Aptitude Test Prep pack - MyJobTests. <https://myjobtests.com/test/nigeria-correction-service-aptitude-test-prep-pack-2021-2022/>

<sup>20</sup> Uche, I, et al. ‘Effectiveness of Rehabilitation Programmes in the Nigerian Prisons: A Study of Perception of Inmates in Enugu Prison’. *MJSS* 2015(6)

<sup>21</sup> Ahire, P.T. ‘The Origin, Development and Role Of The Nigerian Prison System’ <[https://www.ssan.com.ng/publication/vol\\_7/paper\\_3.pdf](https://www.ssan.com.ng/publication/vol_7/paper_3.pdf)> accessed 4/06/24

<sup>22</sup> Danjuma, I. et al, ‘Rights of Prisoners under International Law: Rights against Forced Labour; Ill Treatments or Punishments; and Right to Work and Receive Wages’. *Law Review Journal* [2017] LR. 272.

<sup>23</sup> Orakwe, W. ‘The Origin Of Corrections In Nigeria’ [https://www.corrections.gov.ng/page/about-ncos/history-of-ncos?menu\\_id=2&sub\\_id=3u](https://www.corrections.gov.ng/page/about-ncos/history-of-ncos?menu_id=2&sub_id=3u)

In 1972, prisons in Nigeria were transformed into reformatory and rehabilitation centres. The Decree No. 9 of 1972 states the goals of the Nigerian Prison Service (NPS) and its functions to include taking into custody those legally detained, identifying the causes of their behaviour and retaining them to become useful citizens in society. From the above, it can be argued that the philosophy of imprisonment gradually shifted away from retributive justice, even though vestiges of support for it remain,<sup>24</sup> to reformation, rehabilitation and reintegration of offenders. Currently, most prisons have a unit burdened with an obligation of training prisoners on prison vocational labour (PVL), to impart employable skills to prisoners to have a positive orientation of getting decent work after their release.<sup>25</sup> The United Nations Standard Minimum Rules for the Treatment of Prisoners 2015 (Mandela Rules) provides a benchmark for the treatment of prisoners; and describes the nature and conduct of prison vocational labour. Nigeria is one of the Member States of the United Nations and by virtue of its membership, is expected to comply with all the resolutions and declarations passed by the General Assembly.

In 2019, the President of Nigeria at the time; Muhammadu Buhari, signed the Nigerian Correctional Service Bill into law, which among other things, changed the name of the Nigerian Prisons Service to the Nigerian Correctional Service. Interestingly under its custodial service section, the law is emphatic that while prisoners serve their sentences, the focus should be more correctional, tailored towards readmitting them to society upon the completion of their jail sentences.<sup>26</sup> The essence of the act is basically the implementation of programs to enhance the reintegration of inmates into the society; empowering inmates through the deployment of educational and vocational skills training programs, and facilitating incentives and income generation through custodial centres, farms and industries.<sup>27</sup>

Presently, the Correctional Service Act of 2019 in Nigeria acknowledges that the concept of imprisonment solely for custody and deprivation, as seen during colonial times, is outdated and the Act embraces the philosophy of reformation and rehabilitation.<sup>28</sup> Its objectives, as outlined in the Act, include ensuring compliance with human rights standards both national and international; good correctional practices, enhancing the focus on corrections, promoting reformation, rehabilitation, and reintegration of offenders, and establishing institutional, systemic, and sustainable

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<sup>24</sup> Ugwuoke, C.U and Ameh, S.O. 'Rehabilitation of Convicts in Nigerian Prisons: A Study of Federal Prisons in Kogi State' *Research on Humanities and Social Sciences* Vol.4, No.26, 2014.

<sup>25</sup> .Ogunleye, T. 'Perceived Contributions of Vocational Skills Acquisition to Prisons Inmates' Reintegration into the Society' *AIJSC* 2014(3) 2 241

<sup>26</sup> Umar Mohammed, "Buhari changes Nigeria Prisons to Correctional Service". *Punch Newspapers*. 15 August 2019. <<https://punchng.com/buhari-changes-nigeria-prisons-to-correctional-service/>> accessed on 6/04/24

<sup>27</sup> Oluwadamilare Emmanuel, 'BREAKING: Buhari signs bill to change "Nigerian Prison Service" to "Nigerian Correctional Service"' (News Clicking, 14 August 2019) <https://newsclicking.com/breaking-buhari-signs-bill-to-change-nigerian-prison-service-to-nigerian-correctional-service/> accessed 9<sup>th</sup> April 2024.

<sup>28</sup> S. 2(c) of the Nigeria Correctional Service Act 2019.

machineries to address the high number of persons awaiting trial.<sup>29</sup> However, the implementation of these commendable provisions is merely sporadic despite the progressive nature of the legal framework. The full realization of the goals outlined in the Correctional Service Act of 2019 has not yet been seen.

## **6. THEORETICAL PERSPECTIVES ON PRISON AND VOCATIONAL LABOUR**

Several criminological theories emphasize the importance of employment for reducing criminal behaviour. Rational choice theorists argue that legal income should reduce the motivation for crimes that involve financial gain.<sup>30</sup> According to anomie theory, failure to find employment, which is an indication of success in mainstream culture, creates strain and, thus, can lead to crime.<sup>31</sup> Social control theories point to employment as a way to increase stakes in conformity, making crime less likely, because employed individuals have too much to lose.<sup>32</sup> Opportunity theories suggest that spending more time at work decreases one's time for unstructured leisure activities that are associated with crime.<sup>33</sup> Consistently, these theories agree that work is a turning point to divert offenders from criminal behaviour.

Rehabilitation theory posits that prison and vocational labour programs play an important part in the rehabilitation and reformation of offenders. Scholars such as Robert Martinson, Don A. Andrews, James Bonta, and Francis T. Cullen have contributed to this theory.<sup>34</sup> Together, these scholars have shifted the rehabilitation debate from the pessimistic "nothing works" view to a more nuanced understanding of the types of programs and practices that can successfully reduce recidivism. Their work has influenced correctional policy and the design of evidence-based rehabilitation programs.<sup>35</sup> According to rehabilitation theory, providing inmates with opportunities for meaningful work and vocational training can contribute to their personal growth, skills

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<sup>29</sup> Section 1,2,12 NCSA 2019.

<sup>30</sup> Jubaer S & Hassan, Muhammed. 'The Routine Activities and Rational Choice Theory: A Criminologist Reflection.' *EJS*. (2021)2.

<sup>31</sup> Cullen, F.T 'Were Cloward and Ohlin Strain Theorists? Delinquency and Opportunity Revisited'. *JRCD* (1988)25(3), 21

<sup>32</sup> Sampson R & Laub J, 'A Life-Course Theory of Cumulative Disadvantage and the Stability of Delinquency' <[https://scholar.harvard.edu/files/sampson/files/1997\\_act\\_laub.pdf](https://scholar.harvard.edu/files/sampson/files/1997_act_laub.pdf) >

<sup>33</sup> Cohen, L. E., & Felson, M. 'Social Change and Crime Rate Trends: A Routine Activity Approach'. *ASR* (1979) 44, 588-608.

<sup>34</sup> Cullen FT, 'Rehabilitation: Beyond Nothing Works' (2013) 42 *Crime and Justice* 299 [https://www.researchgate.net/publication/261731755\\_Rehabilitation\\_Beyond\\_Nothing\\_Works/citation/download](https://www.researchgate.net/publication/261731755_Rehabilitation_Beyond_Nothing_Works/citation/download) accessed 21 August 2024.

<sup>35</sup> Phelps MS, 'Rehabilitation in the Punitive Era: The Gap between Rhetoric and Reality in U.S. Prison Programs' (2011) 45(1) *Law & Society Review* 33.

development, and positive behavioural changes.<sup>36</sup> Through acquiring new skills and engaging in productive activities, offenders can enhance their self-esteem, develop pro-social attitudes, and improve their chances of successful reintegration into society upon release.<sup>37</sup>

Economic empowerment theory was propounded by scholars such as Devah Pager, Bruce Western, Christopher Uggen, and John H. Laub.<sup>38</sup> This theory highlights the role of prison and vocational labour programs in equipping offenders with marketable skills and enhancing their employability upon release. This theory emphasizes that providing inmates with vocational training and employment opportunities can facilitate their transition into the labour market, and reduce the likelihood of recidivism. By acquiring job skills and work experience, offenders can improve their socio-economic status, gain financial independence, and establish a stable foundation for their reintegration into society.<sup>39</sup>

Social integration theory, emphasizes the role of prison and vocational labour programs in promoting the social integration of offenders.<sup>40</sup> This theory argues that engaging in productive work within the prison setting can help individuals develop social skills, build supportive relationships, and establish a sense of belonging. By participating in vocational labour programs, offenders can strengthen their social ties, expand their networks, and enhance their chances of successful reintegration by having a support system in place upon release.

Restorative justice theory, championed by Howard Zehr, John Braithwaite, Paul McCold, and Daniel W. Van Ness, posits that prison and vocational labour programs can contribute to the restoration of both offenders and the broader community affected by crime. This theory emphasizes the importance of reparative actions and the responsibility of offenders to make amends for their actions. By involving offenders in meaningful labour and vocational training, restorative justice theory posits that they can actively contribute to the community's well-being, restore trust, and address the harm caused by their criminal behaviour.<sup>41</sup>

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<sup>36</sup> United Nations Office On Drugs And Crime Vienna, 'Roadmap for the Development of Prison-based Rehabilitation Programs' Criminal Justice Handbook Series (2017)

<sup>37</sup> Introductory Handbook on The Prevention of Recidivism and the Social Reintegration of Offenders <[https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)>

<sup>38</sup> Dennison C, Demuth S. 'The More You Have, The More You Lose: Criminal Justice Involvement, Ascribed Socioeconomic Status, and Achieved SES' Soc Probl. 2018 May ; 65(2): 191–210.

<sup>39</sup> *ibid*

<sup>40</sup>. Novo-Corti, M & Barreiro-Gen M. 'Walking From Imprisonment Towards True Social Integration: Getting a Job as a Key Factor'. JOR. {2015} Pp 445-464 volume 54.

<sup>41</sup> Karimullah, Suud Sarim. (2023). From Punishment to Healing: The Transformative Power of Restorative Justice. *SASI*. (2023) 29(4) 678-690.

## **7. THE NEXUS BETWEEN POVERTY AND RECIDIVISM**

### **a. The Socio-Economic Profile of the Prisoner**

A 2015 study investigated the relationship between each level of income, as a variable related to the nature of the crime committed. The study employed the survey research design and the population for the study comprised criminal inmates in selected correctional centres. A purposive sample method was employed in choosing 150 inmates or prisoners from Agodi Prison, Ibadan in Oyo State Nigeria and Kosere Prison, Ile-Ife in Osun State Nigeria. The results showed that there is a significant connection between the level of income and nature of crime committed.<sup>42</sup> Most of the prison inmates are from the lower socio-economic strata: lower occupational and income categories, and have low educational attainments. The explanation of the preponderance of lower socio-economic strata persons in Nigerian prisons is relevant in appreciating the complex relationships between deviance due to social, economic, and political deprivations.<sup>43</sup>

Agomoh and Odionye in their 2018 report, found a strong nexus between poverty and Imprisonment. Most of the prisoners are poor, with low education and employment status and they earned little prior to their incarceration. Their survey findings indicate that prisoners found in prisons are more likely to have little or no education and poor employment levels. Most of them were from poor backgrounds. The report found that the highest level of formal education among respondents in Enugu maximum security prison, other prisons in Kano Central, and Ikoyi are 10.61%, 18% and 10.47% respectively.<sup>44</sup>

### **b. Recidivism as a Cause of Over-Crowding in Nigerian Correctional Facilities**

The view that recidivism contributes to overcrowding is an extension of the argument that high crime rates contribute to overcrowding in prison. This argument is based on the belief that the rate at which people commit crimes again, or recidivate, is an important factor in determining crime rates. Discourses on crime rates take into consideration not only offenses committed by first-time offenders, but also crimes committed by repeat offenders. Chuba Jon-Nwakalo put it most succinctly when he said:

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<sup>42</sup> Adeyemi.A, 'Level of Income, Marital Status and Home Background Variables as Predictors of Criminal Traits among Nigerian Prisoners' (JETERAPS) 2015 6(7): 244-248

<sup>43</sup> Kayode. O and Alemika. O 'Examination of Some Socio-Economic Characteristics of Inmates of a Nigerian Prison' 1984 IJCACJ Volume: 8 Issue: 1-2 1984) PP 85-92

<sup>44</sup> Uju Agomoh and Joseph Odionye, 'Socio-economic Characteristics of Prisoners and Impact of Imprisonment in Nigeria' (Prison Survey Report Vol. 2 Summary, PRAWA & NPS 2018) <https://www.prawa.org/wp-content/uploads/2018/02/SUMMARY-2-Edited.pdf> accessed 27<sup>th</sup> April 2024

It is for this reason that we hypothesize that recidivism, measured by re-incarceration, is a positive determinant of crowding in correctional facilities. Within the realm of this argument, we further state that recidivism as an outgrowth of crime is necessarily related to crowding, such that an increase in the former variable generates a positive response in the latter variable. Expressed symbolically, we state that:  $C = f(v); > 0$ ; where C is crowding and V is recidivism.<sup>45</sup>

In the formula, C represents crowding, and V represents recidivism. The formula is stated as  $C = f(V)$ , which means that crowding (C) is a function (f) of recidivism (V). The function f represents the relationship between the two variables. The statement " $> 0$ " means that the relationship between recidivism and crowding is positive. In other words, when recidivism increases, crowding also increases. Overall, the formula is a concise way of expressing the hypothesis that higher rates of recidivism are associated with increased levels of crowding in correctional facilities.

Contrary to expectations, studies over the years have shown that inmates go back to crime, and that recidivism is on the increase.<sup>46</sup> Although it is expected that punishment should control recidivism due to its capacity to incapacitate, deter or rehabilitate the convict, empirical studies have shown that it has not succeeded in this regard at both international and local levels.<sup>47</sup> The statistics in Africa is high. For example, in Nigeria, in 2010 and 2011, more than 50% of the 25, 380 offenders who were on trial were recidivists.<sup>48</sup> Recidivism has remained a serious problem despite measures by the government to improve the effectiveness of the main forms of punishment. Research indicates that recidivism in Nigeria, a country with an estimated population of 200 million, has become a common phenomenon.<sup>49</sup>

With estimates of the prevalence rate of criminal recidivism in Nigerian prisons pegged at 52.4% in 2010,<sup>50</sup> there has not been any indication that the trend has dropped. In many countries, including Nigeria, socioeconomic disparities, limited access to education, and lack of employment opportunities contribute to the cycle of crime and

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<sup>45</sup> Jon-Nwakalo. C 'Recidivism and Crowding as Determinants of Spatial Expansion in Correctional Architecture: A Translog Analysis of the Cases of Nigeria and New York' *Public Policy and Administration Research* (2018).

<sup>46</sup> Esiri M.O 'The Upsurge of Recidivism and the Penitentiary Institutions in Nigeria' *International Journal of Business and Social Science* (2016) 7(6).

<sup>47</sup> Lebbie, K H, "An Examination of the Relationship between Rehabilitation and Recidivism" LLM Dissertation St. Cloud State University, Minnesota (2021).

<sup>48</sup> Oluwafemi I & Odivwri, J. *Re-Integration of Released Offenders: A Panacea to Vicious Circle of Recidivism in Ondo State.* (2019) 7. Pp 32 - 51.

<sup>49</sup> Otu M.S 'Analysis of The Causes and Effects of Recidivism In The Nigerian Prison System' *International Journal of Development and Management Review* (2015) 10(1)

<sup>50</sup> Onyedibe, M C 'Psychopathy and aggressive behaviour among Nigerian male prison inmates: The moderating role of substance abuse' *Journal of Psychology in Africa.* (2018) P. 28.

recidivism. The prison system, therefore, becomes a microcosm of these socioeconomic challenges which inmates often face upon release.

The integration of prison and vocational labour within the context of socioeconomic justice represents a transformative approach to the rehabilitation and reintegration of incarcerated individuals. Prisons not only serve as institutions of punishment but also as potential platforms for rehabilitation, skill development, and socioeconomic empowerment. Through this, inmates can contribute to the general welfare of their families by potentially becoming breadwinners and role models upon release. Moreover, communities benefit from reduced crime rates and increased productivity as formerly incarcerated individuals reintegrate and contribute positively to society.<sup>51</sup>

## **8. THE LEGAL FRAME WORK FOR PRISON AND VOCATIONAL LABOUR**

### **1. International Law**

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) are the single most important set of international standards that “set out what is generally accepted as being good principles and practice in the treatment of prisoners and prison management.”<sup>52</sup> The rules provide that prisoners should be allowed to work and receive equitable remuneration for their labour. It emphasizes that wages paid to prisoners should be fair and equitable.<sup>53</sup> Rule 98 also states that as far as possible, the work provided shall be such as will maintain or increase the prisoners’ ability to earn an honest living after release. Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, prisoners shall be able to choose the type of work they wish to perform. Working prisoners must not be held in slavery or servitude; prison labour must not be afflictive; and no prisoner shall be required to work for the personal benefit of any prison staff. It follows from the above that prison systems which require sentenced prisoners to work are not in breach of international law provided that they meet the above obligations.

A reciprocal obligation is placed on prisons to provide sufficient work of a useful nature. Pre-trial detainees, on the other hand, should always be offered the opportunity to work, but shall not be required to do so. In general, work in prisons should be of a kind which will maintain or increase the prisoners’ ability to earn an honest living after release and, within limits, prisoners should have some choice over what work they do.

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<sup>51</sup> Dr. Tolu Ogunleye, 241 Perceived Contributions of Vocational Skills Acquisition to Prisons Inmates’ Reintegration into the Society *AIJSS* Vol. 3 No. 2; March 2014 241

<sup>52</sup> The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), A/RES/70/175 (2015), preliminary observation 1.

<sup>53</sup> Rule 103, The Nelson Mandela Rules.

Furthermore, work should be organized, as far as possible, as it is in the community so that prisoners are prepared for normal occupational life. Accordingly, the Nelson Mandela Rules clearly stipulate that the protections afforded to free workers in terms of health and safety and insurance should also apply to prisoners, and their working hours should be regulated in line with the applicable local rules and customs.

Rehabilitation is a part of many regional instruments aimed at improving prison conditions throughout Africa. For example, the 2002 Ouagadougou Declaration on Accelerating Prison and Penal Reform in Africa calls for the promotion of rehabilitation and reintegration of former offenders. The Declaration's accompanying Plan of Action also specified measures that governments and NGOs could take to increase the effectiveness of rehabilitation of offenders and pretrial detainees.<sup>54</sup>

### **a. International Covenant on Civil and Political Rights (ICCPR)**

The ICCPR,<sup>55</sup> adopted by the United Nations General Assembly, in Article 8 guarantees the right to be free from slavery, servitude, and forced labour. This however does not include labour normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention<sup>56</sup> The ICESCR also recognizes the right to work. While it does not explicitly address prison labour, it establishes a general prohibition on forced labour and requires that any work performed by prisoners be voluntary and not exploitative.

### **b. African Charter on Human and Peoples' Rights**

Article 5 of The African Charter, adopted by the Organization of African Unity (now the African Union) in 1981 prohibits torture, cruel, inhuman, or degrading treatment or punishment. This provision is relevant to prison labour, as it ensures that prisoners are not subjected to exploitative or abusive working conditions.

## **2. Domestic Laws on Prison Labour**

The sections of the Nigerian Correctional Service Act that specifically address prison labour are primarily found in Part 1 of the Act. Section 10 empowers the Correctional Service to deploy educational and vocational skills training programs and facilitate income-generation initiatives through custodial centres, farms, and industries. This suggests a focus on equipping inmates with marketable skills to aid their reintegration into society. Similarly, Section 14 (1) mandates the Correctional Service to

<sup>54</sup> Sarkin J, 'Year 5 • Number 9 December 2008 international Journal on Human Rights' (2008) 9 ISSN 1806-6445.

<sup>55</sup> United Nations (General Assembly), 'International Covenant on Civil and Political Rights' (16 December 1966) 999 UNTS 171.

<sup>56</sup> Article 8 (c)(i).



provide educational opportunities, vocational training, and training in modern farming and animal husbandry for inmates. It also requires the service to operate industrial centres with modern facilities to enhance vocational skills training for inmates.

There is no doubt that this provision indicates a comprehensive approach to skills development. The Act also stipulates that inmates should not be subjected to slavery or servitude, and any labour carried out by them should neither be punitive nor for the personal benefit of correctional officers, except as directed by the Superintendent. This suggests an intention to ensure humane treatment and prevent the exploitation of inmates. Overall, the provisions are aimed at rehabilitating inmates through education, skills training, and income-generating activities, while protecting their rights and dignity. This aligns with the broader goal of the Correctional Service to reform and reintegrate offenders into society.

## **9. PRISON VOCATIONAL TRAINING IN OTHER COUNTRIES**

Rehabilitation is a part of many national instruments aimed at improving prison conditions in Africa. In recent times, countries such as South Africa, Uganda, and Botswana have taken steps to improve their rehabilitation programs. Even though these countries face challenges in implementing their rehabilitation and reintegration programs, they strive to adhere to the objectives of the programs. The programs focus on educational and vocational training, psychological support, promotion of familial contact beyond prison, and integration of civil society to rehabilitate prisoners and reintegrate them into the community. The achievement of such efforts is difficult to measure due to a lack of consensus regarding the standards and measurements for gauging success.

However, practice to date has revealed some key commonalities among successful programs, such as a focus on addressing employment-related skills, sufficient flexibility to cater to individually identified needs, integrated multi-dimensional services that address a wide range of factors, ongoing monitoring and follow-up, the balance between quality and quantity, collaboration with families and communities, restorative justice components where offenders accept responsibility. While rehabilitation and reintegration programs are new to Africa, positive developments to date evince some success meriting increased support for such initiatives.<sup>57</sup>

In Kenya, during incarceration inmates are required to undergo suitable rehabilitation programs including vocational education and training. These activities are aimed at equipping the inmates with the necessary skills that would enable them to

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<sup>57</sup> Jeremy S 'Prisons in Africa: an evaluation from a human rights perspective' *International Journal on human rights* (2009) 9 pp. 22-49.

actively participate in positive socio-economic engagements upon release.<sup>58</sup> In most cases, the problem encountered in prison rehabilitation and skill acquisition processes is that they mostly involve the production of goods for internal prison consumption or display. However, Kenyan prisons produce goods used by the general public. Example of such products include vehicle number plates used in Kenya; household furniture, toiletries, among others. The Kenya Prison Service is the manufacturer of every plate number used within the country and products created in the prisons are displayed for public purchase at the Kenya Prison Service Headquarters in Nairobi.<sup>59</sup>

This provides inmates with the opportunity not just to practice the skills they have acquired but also to never doubt that such skills will enable their active participation in society and survival upon release. Inmate employment described by the Mandela rules is expected to be active and useful. Active employment is achieved when the inmates feel they have made an impact on society. The purchase of these items by the public indicates that they are of an acceptable quality. Prison inmates no longer see themselves as ostracized individuals but rather, as important contributors to the economic development of the country.

This practice is managed by the Prisons Service and focuses more on the vocational training of inmates rather than financial profit from goods produced and sold, as stipulated in Rule 72 (4) of the Mandela Rules. It states that the interests of the prisoners and of their vocational training, must not be subordinated to making a financial profit from an industry in the institution. A primary focus on vocational labour brings these processes in line with the Mandela Rules, in addition to ensuring their sustainability.<sup>60</sup> However, in order to ensure the sustainability of the program, the government has to address the problem of staffing quality and motivation by providing better welfare packages for prison staff; prioritizing their training or retraining for effective job performance. This will serve as a disincentive to the exploitation of prison labour, and enhance the rehabilitation of prisoners too.

## **10. CASE STUDY OF PRISON VOCATIONAL LABOUR IN SOME STATES IN NIGERIA**

### **a. Rivers State Prisons**

A 2017 study by Okechuwku and Agwi appraised and evaluated vocational-technical skills training programs in Port Harcourt correctional centres or prisons. The study sample comprised 400 male prison inmates and 200 female prison inmates. The

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<sup>58</sup> Mbatha CM, Kerre BW, Ferej A, Kitainge KM, 'How Effective is Vocational Education and Training for Rehabilitation in Kenyan Prisons? A Study Protocol' (2019) 7(10) American Journal of Educational Research 677.

<sup>59</sup> <https://www.prawa.org/rehabilitation-through-vocational-education-and-training/> accessed 2th July 2024.

<sup>60</sup> <https://www.prawa.org/rehabilitation-through-vocational-education-and-training/> accessed 2th July 2024.

study found among other things, that the number of personnel in Port Harcourt prison is not adequate; that training given to prison inmates is not effective; that the tools and equipment available for training were obsolete, and that the prison halls were overcrowded. The researchers concluded that overcrowding poses challenges for conducting effective training sessions and maintaining a conducive learning environment in Rivers State Correctional Center.<sup>61</sup>

### **b. Jigawa, Kano Katsina, Zamfara, Kebbi, Kaduna and Sokoto States**

A similar study on rehabilitating prison inmates through Vocational Skills Acquisition (VSA) programs was carried out in the North West States of Nigeria. The study adopted a descriptive survey research design. The population of the study was 1,592 prison officials. The rehabilitation programs were effective with skills acquisition programs accounting for a high mean value of 69%. The findings also indicated that these programs influenced inmates' behaviour and inventiveness, with a mean value of 2.69 (67.3%). However, challenges such as inadequate resources, absence of infrastructure, and lack of funding continue to impede the full implementation and effectiveness of vocational labour programs in prisons. The research revealed that addressing these challenges requires increased investment and support from the government, non-governmental organizations, and other stakeholders to ensure inmates receive comprehensive training and support.<sup>62</sup>

### **c. Gombe**

Another study conducted in 2021 by Diana Inusa, which focused on 30 ex-convicts who had been imprisoned for between six months and eight years at the Gombe Central Correctional Centre, observed that the vocational skills most commonly acquired by inmates were carpentry (37%) and welding (33%). The study found that vocational skills training had a significant positive impact on the reformation of the ex-convicts but was still not inadequate. The researcher suggested the introduction of more vocational skills acquisition programs. Furthermore, collaborative efforts should be maintained between the Nigerian Correctional Service and other agencies or stakeholders, as well as vocational and technical education centers, in order to promote the rehabilitation of prisoners through vocational skills acquisition programs.<sup>63</sup>

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<sup>61</sup> Okechukwu. A & Agwi .I.V 'An Appraisal Of The Vocational Technical Skills Training Programs In Rivers State Prisons.' *Journal of Qualitative Education*, (2017)13(1).

<sup>62</sup> Free Research Project 'Rehabilitation of Prison Inmates through Vocational Skills Acquisition Programs as Perceived by Prison Officials in North-West States, Nigeria' <https://eduprojecttopics.com/product/rehabilitation-of-prison-inmates-through-vocational-skills-acquisition-programmes-in-north-west-states-nigeria/> accessed 25th July, 2024.

<sup>63</sup> Inusa D, 'Perceived Impact of Vocational Skills Acquisition on Reformation and Reduction of Recidivism by Ex-Convicts of Gombe Central Correctional Centre' *African Journal online* 2021(2)2.

## **11. PRISON FARMS**

Nigerian prison farms are usually associated with programs related to crop production. Inmates showed a preference for rice farming due to its status as a staple food with a readily available and profitable market.<sup>64</sup> This prospect is however, dampened by the absence of support for inmates after their release. In other words, there was no effort at all by the management of prison farms to reach out to prisoners upon their release, despite the strong motivations inmates had for participation in the prison farm system. The absence of support hinders inmates' chances of gainful employment and successful reintegration into society. One way to solve this problem will be to establish a comprehensive post-release support program that facilitates the transition of ex-offenders into society. The program should encompass various aspects of transition, including access to housing facilities such as halfway dormitories, employment opportunities, and initiatives for social reintegration.

The program can also involve local communities, religious organizations, and civil society groups to provide support. The government should collaborate with those NGOs that have been working independently, as this partnership can enhance effectiveness by combining the passion of NGOs with the vast resources at the disposal of government. Another key strategy is the potential role of public-private partnerships (PPPs), whereby the correctional system can leverage the resources, expertise, and market-driven skills development of the private sector to prepare inmates for life outside prison. Successful PPP models, such as those implemented in Germany, could be adapted to the Nigerian context to inject dynamism and innovation into the PVL system.

## **12. PAID PRISON LABOUR MODELS IN OTHER JURISDICTIONS**

### **a. India And Japan**

In 2012, the Japanese Himalaya Drug Company signed a memorandum of understanding with the Andhra Pradesh prison service to train prisoners in the cultivation of herbs. After the training, the convicts would undertake the cultivation of medicinal herbs for the Himalaya Drug Company at the prison's farm located in the prisoners' agriculture colony in Ananthapur.<sup>65</sup>

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<sup>64</sup> Ireonsen Oyaimare Uddin Igbokwe, Edwin and Olaolu, Michael}, Prison Farm Inmates' Reformation and Rehabilitation: the Nigerian Experience, {Kriminologija & socijalna integracija}, Vol. 27 {2019} (12), PP 204-220.

[https://www.researchgate.net/publication/338335910\\_Prison\\_Farm\\_Inmates'\\_Reformation\\_and\\_Rehabilitation\\_the\\_Nigerian\\_Experience](https://www.researchgate.net/publication/338335910_Prison_Farm_Inmates'_Reformation_and_Rehabilitation_the_Nigerian_Experience) accessed on 30th May,2024.

<sup>65</sup> Editorial, 'Visakhapatnam jailbirds to cultivate medicinal plants for Himalaya Drug Co' *Times of India* (24<sup>th</sup> September 2014, Visakhapatnam) <https://timesofindia.indiatimes.com/city/visakhapatnam/visakhapatnam-jailbirds-to-cultivate-medicinal-plants-for-himalaya-drug-co/articleshow/43290550.cms> accessed 25th July 2024

**b. Brandvlei Prison in South Africa**

A prison bakery in Brandvlei prison in South Africa produces up to 1,700 loaves of bread per day to supply offenders in the prison and neighbouring towns. The bakery delivers a loaf of bread at one-third of the open market rate and helps save up to R400,000 per year. A variant of this work in South Africa is when prisoners undertake the manufacture of goods for the wider prison system or a governmental facility.<sup>66</sup> Another example is the Mobilong Prison bakery, in South Australia which produces baked goods such as bread, pies and cakes. These form part of the menu at many of their prison sites. Prisoners have gained certificate qualifications in bakery skills formalizing the high-quality training they have received from qualified and experienced industry officers.<sup>67</sup>

**c. Models of Employment by the Private Sector**

Although the Nelson Mandela Rules express a preference for institutional industries and farms to be managed by the prison administration and not by private contractors, private companies continue to play an increasingly important role in prison-based work programs in many Member states. There are numerous ways in which the private sector can be involved as recommended by the United Nations Road Map. Under the customer model, the private sector purchases goods made by prisoners. Various prison administrations have created platforms through which they offer the products and services of prison industries to interested clients in the community, ranging from carpentry and textiles to agricultural, horticultural and livestock breeding products. In other countries, business partnerships are created between prisons and souvenir shops, which sell items made by the prisoners. These oftentimes, include statuettes and other handicraft items. Such schemes are encouraged not only because they develop ways of making a living but they allow prisoners to maintain social and psychological links with society.

In Senegal, one-third of the salary is retained by the prison to cover the expenses incurred by the prison in providing board and lodging.<sup>68</sup> In Argentina, there is a “Reserve Fund” in relation to the salary of inmates: While 30 per cent of a prisoner's wage is available for the purchase of articles of personal use and consumption inside the prison,

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<sup>66</sup> United Nations Office on Drugs and Crime, 'Roadmap for the Development of Prison-based Rehabilitation Programs' (UNODC 2018). [https://www.unodc.org/documents/middleeastandnorthafrica/2018/Roadmap\\_for\\_the\\_Development\\_of\\_Prison-based\\_Rehabilitation\\_Programmes\\_ENG.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/2018/Roadmap_for_the_Development_of_Prison-based_Rehabilitation_Programmes_ENG.pdf) accessed 22 August 2024.

<sup>67</sup> <https://www.corrections.sa.gov.au/Rehabilitation-education-and-work/work-opportunities/types-of-industry/prison-based-industries> accessed on 22nd august, 2024

<sup>68</sup> United Nations Office on Drugs and Crime, (UNODC 2018), *op cit.* [https://www.unodc.org/documents/middleeastandnorthafrica/2018/Roadmap\\_for\\_the\\_Development\\_of\\_Prison-based\\_Rehabilitation\\_Programmes\\_ENG.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/2018/Roadmap_for_the_Development_of_Prison-based_Rehabilitation_Programmes_ENG.pdf) accessed 22 August 2024.

the remaining 70 per cent is deposited as a reserve fund to be used upon release.<sup>69</sup>In the case of pre-trial prisoners, 80 per cent is freely available and 20 per cent constitutes the reserve fund. The Juba Central Prison Vocational Training Centre (VTC) in South Sudan was established in 2016 in collaboration with the National Prisons Service of South Sudan.

The VTC aims to provide technical skills training to inmates to facilitate their reintegration into society upon release. Since its establishment, over 100 inmate trainees have graduated from the six-month program, which offers practical training in trades such as carpentry, construction, electrical, metal fabrication, auto mechanics, agriculture, hairdressing, tailoring, bakery, food processing, plumbing, and Information Technology. The VTC's collaborative approach has empowered inmates to reclaim their future, build independent lives, contribute to their communities, and reduce recidivism rates.<sup>70</sup>

### **13. CONCLUSION**

The role of vocational labour and prison labour in preventing recidivism and prison overcrowding cannot be over-emphasized. Providing inmates with meaningful work opportunities and skills offer a pathway towards successful reintegration into society upon release. This does not only reduce the likelihood of individuals returning to a life of crime but lowering the inmate population. Moreover, prison labour initiatives can provide cost-effective solutions for the correctional system while promoting the development of job skills. By engaging inmates in productive labour, prisons can generate revenue while simultaneously reducing the burden on government funds. This revenue can be reinvested into vocational training programs and post-release support further enhancing their effectiveness in reducing recidivism rates.

The paper has examined the dynamics of prison vocational labor (PVL) and its significance in addressing recidivism and overcrowding in the Nigerian correctional system. It has highlighted the robust legal framework provided by the Correctional Services Act 2019 and the Mandela Rules. Yet, the implementation of these provisions remains sporadic. To truly harness the transformative power of PVL, a more comprehensive and coordinated approach is necessary. The paper has also explored several key areas that could contribute to enhancing the PVL system in Nigeria. One key area is the potential role of public-private partnerships (PPPs), where the correctional system can leverage the resources, expertise, and market-driven skill development of the private sector to prepare inmates for post-release employment. Successful PPP models,

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<sup>69</sup> Ibid.

<sup>70</sup> United Nations Development Program in South Sudan, 'Access to Justice and Rule of Law Project South Sudan Impact Stories' (United Nations Development Program in South Sudan, Juba central prison vocational training) [https://www.undp.org/sites/g/files/zskgke326/files/migration/ss/A2J-Prison-VTC-Impact-Stories .pdf](https://www.undp.org/sites/g/files/zskgke326/files/migration/ss/A2J-Prison-VTC-Impact-Stories.pdf) accessed 5th August 2024.

such as those implemented in Germany, could be adapted to the Nigerian context to inject dynamism and innovation into the PVL system.

Additionally, the establishment of a dedicated Correctional Labor and Vocational Oversight Bureau could provide the necessary institutional framework to coordinate, monitor, and continuously improve PVL programs across the country. This centralized body could facilitate the sharing of best practices, the development of standardized curricula, and the forging of strategic partnerships with industries and employers to ensure the relevance and effectiveness of the training provided to inmates. The research on prison farm inmates' reformation and rehabilitation in Nigeria highlights the challenges in effectively implementing vocational labour programs within the prison system. While the Nigeria Correctional Service Act provides for prison vocational labour, its implementation is intermittent and largely dependent on philanthropic initiatives.

The findings suggest that implementing vocational labour programs in Nigerian prisons lacks consistency and continuity. Some prisons may have agricultural activities and vocational training, but many do not, thereby hindering the potential benefits of vocational labour in promoting inmates' reformation and rehabilitation. The research reveals that these initiatives are often driven by external support, such as NGOs or individual philanthropists. This dependence on external funding makes the sustainability of these programs uncertain. Insufficient financial resources allocated to the correctional system also hinder developing and maintaining vocational labour programs. The lack of funding affects the availability of necessary tools, equipment, and training materials, limiting the effectiveness and scope of vocational training

This calls for further research on the economic benefits and costs of prison vocational programs, both for the prison system and the broader community. The research should assess the most effective program elements, optimize alignment with local labour market needs, and identify strategies for collaborative approaches between prisons, businesses, and workforce agencies to leverage prison-based industries for broader economic growth.