


Her Excellency Harriet Thompson, British Deputy High Commissioner, at the Presentation of the Nigerian Prisons Survey Reports To Stakeholders


# PRAWA NEWSLETTER

PRAWA
Development Starts With You

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# Reforming Nigerian Prisons

***The Nigerian Prison Survey Reports which were presented to stakeholders in Abuja on February 1, 2018 signify a landmark achievement in the Security and Justice sector.***
***Following the success of the presentation, the National Assembly is already working actively on some of the findings and recommendations contained in the Reports as the relevant House Committees have been mandated by the House of Representatives to conduct investigative hearing on Prison reforms.***

The document which highlights key areas for penal reform originated from a collaboration between **PRAWA** and the **Nigerian Prisons Service.** The presentation saw in attendance, dignitaries including the Vice President of the Federal Republic of Nigeria, His Excellency, Prof. Yemi Osinbajo SAN ably represented by the Honourable Minister of the Interior, Lt. General AB Dambazzau (Rtd), the Controller-General of Prisons, the Heads of Foreign Missions in Nigeria, Members of the National Assembly and the Heads of some Security and Justice Sector Institutions, amongst others.

One of the key recommendations of the reports is the urgent need to develop framework and clear indicators for assessing and understanding the 'true' cost of imprisonment (including the cost of excessive use of pre-trial detention), in terms of both the direct and indirect costs. In addition, the reports recommend the assessment of these costs on the basis of its impacts on the prisoners, ex-prisoners, their families, the primary and secondary victims, the prison officers, criminal justice agencies, the community, the States and the country as a whole.

It is important to note, that as at Monday February 26, 2018, inmate population stands at 71,642 and of this number, 49,001 representing 68.4% are awaiting trial




NIGERIAN PRISONS SURVEY REPORTS VOL. 1 - 3
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persons (ATP) while 22,641 representing 31.6% are convicted inmates. Of the total number of convicts, 2,322 inmates are on death row.
It is expected, that the results from the assessments would, on one hand, provide key policy makers and practitioners, deepened evidences on the dangerous mix of poverty and overuse of prison custody especially for pre-trial detainees, minor offenders, juveniles, drug users and mentally ill persons, and also, show how these conflict with the law

It is also hoped that the evidences and the understanding will promote an evidence-based and effective interventions that are geared towards the use of prison custody as a last resort. The major interventions should aim at preventing offending and re-offending behavior, through prison and community based approaches. Thus, further enhance security, stability and development in the country.
The survey findings indicate that most of prisoners found are from poor backgrounds as reflected in the level of education and type/status of employment of their parents.

Under the Security and Justice Reform Project (SJRP), funded by the British Foreign and Commonwealth Office, PRAWA has implemented several significant actions under its ongoing Prison Reform Project. One critical area which is being looked into is the Budgeting for Women and Other Vulnerable Prisoners component.

You must agree, that consideration for the vulnerable groups in prison is of prime importance; given the scale of specialized care and attention required by pregnant women, nursing mothers, the elderly, people with terminal illnesses, the mentally ill, juvenile offenders and more. The Nigeria Prisons Service is working with PRAWA as technical partner to include the unique and specific needs of these groups in the annual prison budget.




H. E. SIR GABRIEL TOBY, LT. GEN. AB DAMBAZAU (RTD)
HON JUSTICE I. BELLO, CGP AHMED JA'AFARU, UJU AGOMOH, PhD

## THE ROLE OF EXAMINATION BODIES IN PRISONERS' REFORMATION

The Nigerian Prisons Service deserves encomiums and commendation for bringing education to prisoners in prison. They have taken the pains of not only providing security and other humanitarian supports to the prisoners, but gone a step further to improve their intellectual capabilities.

The Nigerian Prisons Service should therefore not only be applauded but also supported by well-meaning individuals, non-governmental organizations as well as educational and examination institutions in the achievement of this noble mandate. One of the principal ways by which they can be encouraged in the furtherance of prisoners' education and reformation is through institutional support from examination bodies like the Joint Admission and Matriculation Board (JAMB), West African Examination Council (WAEC), National Examination Council (NECO), National Board for Technical Education (NABTEB), Education Resource Centres (ERC) in all states of the federation.

Reports show that these examination bodies still charge full registration fees from prisoners when they seek to register for examinations, irrespective of the fact that these prisoners are disadvantaged and have no means of financial independence.
The Guardian and Independent Newspapers of 10th February, 2018 reported that forty (40) inmates of the Borstal Training Institution, Abeokuta, Ogun state were registered for the SSCE and UTME. According to the reports, the principal of the Institution decried the trouble they had to go through to raise funds to register these inmates. She went further to say that even staff of the facility made financial contribution towards registering these lads for the said examinations. This is not encouraging as it makes mockery of the sincere efforts of the prison authority who have painstakingly prepared these inmates for the various examinations.

It is expected that being a disadvantaged group, prisoners should be given waivers in the registration for these examinations to serve as a morale booster to them as well as relief to the prison authority who take pains to cater for and prepare these prisoners for the various examinations. Asking them to raise these huge amounts for the registration of these inmates is counterproductive and tends to retard the good work which the prison authority is doing to see that the legally interned turn out better citizens. At present, the prison authority has a handful by sourcing for educational materials such as books, writing materials, teaching materials and qualified teachers to tutor these inmates. Therefore, over-burdening the service with raising funds to register prison inmates for these examinations is unfair; and we would be pushing our luck too far if we allow such to continue.
The various examination bodies should borrow a leaf from the National Open University of Nigeria (NOUN) which has waived tuition fee for all prison inmates in Nigeria. Presently, any prison inmate who intends to study for any programme in the NOUN will do so without paying a dime in line with the university's quest to fulfill its corporate social responsibility and providing accessible and enhanced education anchored by social justice, equity, equality and national cohesion that transcends all barriers. This initiative by the University is the ideal practice taking into cognizance of the shortage of sponsorship offers for prison inmates in Nigeria. Interestingly, this gesture by the University has started to yield results as there are reports of prison inmates graduating with exceptional results and other academic achievements. The partnership of the Nigerian Prisons Service with the National Open University of Nigeria (NOUN) is one of the best thing that has happened to the prison system in recent times. And it is believed that more positive outcomes are expected from this partnership in the near future. The NOUN which is a foremost university has inscribed its name in the annals of history by this gesture of providing waiver for prison inmates. No wonder the young university is waxing strong and making waves in the academic circle in Nigeria!

This is a clarion call to educational and examination bodies in Nigeria to reconsider their stance on registration of prisoners for their respective examinations. Prisoners are disadvantaged persons in our society who should be supported in their quest for genuine and effective reformation. It is no mean feat to be in prison and at the same time have a sound and focused mind to study. The excruciating environment, the deprivation of liberty and the restrictions on normal everyday activity are strong extraneous factors that can dissuade one from having the psychological balance and focus needed in academics. For these prisoners to rise above these challenges in the quest for knowledge and academic pursuit, it behoves everybody including all relevant institutions to support and give them all the incentives required. Therefore, educational and examination bodies such as WAEC, NECO, JAMB, NABTEB, Distance Learning Institutions and so on are enjoined to support the Nigerian Prisons Service in its drive to reform prison inmates, by granting free registration to prison inmates nationwide, just like the NOUN is doing.

- DSP Abuchi Ngwoke

## FROM THE INSIDE

### DEVELOPMENT OF DATABASE

Over the years, PRAWA has trained and retrained officials of key institutions in the justice sector. Our partnership with Nigeria Prisons Service, Nigeria Police Force and Legal Aid Council of Nigeria amongst others, affords PRAWA the opportunity to appreciate key areas to lend support. As a follow-up on such trainings, PRAWA has developed a database where trained officials and their areas of specialty are captured and made available for future references.

### ANTI-HUMAN TRAFFICKING

In contributing to the fight against trafficking in humans, PRAWA in collaboration with NAPTIP and the Netherlands Embassy has been in the fields, supervising the Formation and Running of Self-help Groups in aid of rescued victims of Human trafficking in top endemic states in Nigeria.

### MEDIA BRIEFING IN ENUGU

On the 27TH February, 2018, it was a gathering of Media practitioners at The HOTEL, Independence Layout, Enugu for a joint briefing by PRAWA and the Nigeria Prisons Service.






## BEHIND BARS: *Where "Children Die Like Flies"*

**By Mercedes Alfa**

When people think about prison, they often conjure up images of hardened criminals behind bars who deserve to be where they are. We often don't think about those who are in prison as victims of circumstance such as the innocent who get convicted because of incriminating evidence or those who commit petty offences. We think even less about the possibility that there are minors or children in prison.

In PRAWA and the Nigerian Prison Service's 2017 Prison Survey Reports, it was documented that there are several children within the prisons of the focal states where the research was carried out. In Enugu for instance, it was found that a startling 43.2% of the inmate population were children! That's almost half! Further analysis shows that they were convicted for petty offences such as breach of peace, breaking and entering, stealing etc. save for only one child offender who was convicted of murder.

To fully understand how dire the situation is, let's take a closer look at Badagry Prison, Lagos. It was reported by several news outlets late last year that the former Chief Judge of the state, Justice Funmilayo Atilade released 80 children who were being held there. It was with shock that she discovered just how many children there were within the system and also how terrible the conditions they were kept in.

There were children with bullet wounds, open sores, gaunt bodies, amputated legs. The tale of two thirteen-year olds in there strike us with horror. It is told that one of both was brought to the Badagry Prison in relatively good condition but subsequently suffered a stroke becoming a lifeless shell of his former self. The other had his privates ravaged by infection and declared his organ to be "finished".

The stench in the prison on the fateful day was so bad due to the fact that the children do not take regular baths. There is often not enough water to do so. The Sunday Tribune also reports that the prison decongestion team were all moved to tears. These children wanted to go home to their families. In the account of one of the child inmates, he was originally from the South-East and was forced to hawk by his relatives in Lagos. His parents had no idea he was languishing in prison. Perhaps they even thought he was dead.

In the words of a Prison Decongestion team member who asked to remain anonymous, "the children die like flies". This is what obtains in Nigeria today and it is a pathetic reality that needs to resonate with all Nigerians.

The issue with Nigeria's Criminal Justice system is not merely one of legislation. In fact, the Administration of Criminal Justice Act and the Child Rights Act are welcome developments in penal reform. However, implementation is the real crux of the issue.

Child Rights is a responsibility of every Nigerian. We must protect the lives and futures of the most vulnerable in society. No child deserves to be within the walls of an adult prison system. Join PRAWA as we advocate for urgent intervention nationwide in the plight of child prisoners. Read our policy brief on Juveniles in Prison here: https://goo.gl/66qoBw

**Behind Bars** *is a series that touches on human stories within the Nigerian prison system*

## PRAWA KANO PARALEGAL TRAINING

Kano Training and Mentoring session was yet another opportunity to build the capacity of the team and place them on the path of professionalism in their chosen career. Such trainings provide opportunity to look into the Criminal Justice System and have deeper understanding of its operations to enable better provision of support services to the Awaiting Trial Persons (ATP) in prison.

The training sessions are highly interactive and touch a number of issues encountered by paralegals in the course of performance of their duties. The concept of documentation, prompt service delivery and more, form the basis of our training. In our last session, We exposed them to terms like bail – police and court bail, bail pending trial, bail conditions, perfection of bail and variation of bail terms and how all these matter in their work as paralegals especially the prison team. We discussed the important role paralegal plays in the society and the need to put in their best for the sake of the vulnerable poor and the illiterates in the society to enable them access justice.

Interestingly, the training of 5th and 6th of March, 2018, provided an opportunity to articulate some of the challenges faced by paralegal in the course of their work. This was presentated at the joint session of 7th Match, 2018, hosted by the Kano State Command of the Nigerian Police Force at the Command Headquarters, Kano.






**PRAWA Kano Office: Paralegal Training, Capacity Building & Mentorship under the Prison Reform Project**

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**EMMANUEL ADESANYA v. C.O.P CHARGE NO F/182/17**

**SUMMARY:**

The defendant was charged for OBT upon arraignment he pleaded not guilty to the offence based on this, the counsel to the defendant applied for striking out of the matter due to the absence of the prosecutor's witness and the case was struck out on want of diligent prosecution.

**Represented by Amudat Lawal Esq.**

**C.O.P V. AKANJI OLABODE**
**CHARGE NO F/183/17**

**SUMMARY:**

The defendant was raided. The counsel to the defendant moved an application for the striking out which was granted due to no complainant, no prosecution witness presence. Case struck out for want of diligent prosecution.

**Represented by Amudat Lawal Esq.**

**SUIT NO A/14/18**
**C.O.P V IMMANUEL KELVIN,**
**FEANYI EZE**
**COURT : MAGISTRATE COURT 1 YABA.**
**CHARGE: CULTISM**

DATE: 21st February , 2018

Report: the matter came up for DPP's Advice. The matter was struck out based on the report of DPP's Advice. Verdict - no case to answer.

**SUIT NO: E/98/17**
**PARTIES : C.O.P VS IBRAHIM YUSUF, AHMED OLADIMEJI, YANU MAYAKI**
**COURT: MAGISTRAE COURT 8 EBUTE-METTA**
**CHARGE : UNLAWFUL SOCIETY**

REPORT: The matter first came up on the31st of January, 2018.

The defendants are young boys charged with belonging to unlawful society. The defendants have also secured bail. The case was adjourned to 1st of March, 2018 for trial. Defendants were in court.

The 1st defendant had legal representation, we entered appearance on behalf of the 2nd and 3rd defendants the prosecution witness were not in court, we therefore made an application to the court that the case was frivolous and should be struck out for want of diligent prosecution. The court obliged our prayers and made an order, sticking out the case.

**The 2nd and 3rd Defendants were represented by Ifeoma Odimba Esq.**



**CHARGE NO E/86/17**
**C.O.P V IBRAHIM Aynla & 10 ors at Magistare Court Ebute/Metta, Lagos State**

The defendants, mainly young boys were charged for being members of an unlawful society. Upon arraignment all the defendants pleaded not guilty to the charge and were granted bail. At the time we came into the matter, Prison Reform Project (PRP), some of the defendants had perfected their bail while some already had legal representation. On the last three adjourned dates none of the prosecution



witnesses was in court.

When the matter came up today 19/02/2017 for trial, none of the prosecution witnesses was in court as usual and upon repeated applications of the counsel for the defence the court struck out the suit and discharged the defendants.

**The 1st defendant Represented by N.D AGHADIGBO ESQ**

**C.O.P V PHILLIP CHARGE NO: C/12/18**
**COURT 3, YABA**

The defendant was charged for offence of impersonation, case struck out today for want of diligent prosecution

**LP: AMUDAT LAWAL ESQ**

**C.O.P V DAVID EPHRAIM & ANOR , R/63/17**

Case came up on 15th January, 2018. Charge of stealing. At Magistrate court 18, Igbosere Esq. Defendants were already on bail. The complainant, Mrs. Ajayi informed the court of her intention to withdraw the case against the defendants, counsel did not oppose the application to withdraw the charge made by prosecutor. Court granted the complainant's application and discharged the defendants

**Represented by Barr N.D Aghadigbo Esq**

**D/85/17 C.O.P V VINCENT OYU MCT COURT IGBOSERE LAGOS STATE**

The defendant was charged for stealing petroleum product worth N12,350.00 from his employer, upon arraignment he pleaded not guilty to the charge and was granted bail in most liberal term but still could not meet the bail condition. By the time we came into the matter through Prison Reform Project (PRP), the defendant was still in prison custody and could not perfect his bail. As a result of our legal representation the defendant was granted bail, we also mediated with the company representative in which they alleged that the said petroleum product was stolen. We therefore initiated a settlement process.

The N12,350.00 was to be deducted from his salary among other payments incurred by the company. The parties settled on a good note and the court took their terms of settlement and proceeded to discharge and quit the defendant for the offence charged on merit.

## PRAWA: PREVENTING HUMAN TRAFFICKING THROUGH EMPOWERMENT

By Cincinsoko Akanya

The trafficking of individuals in Nigeria has become a big issue over the years. This illegal movement of men, women and children mostly taken not of their own will but rather through kidnapping, promise of false jobs and a better life oversees, has become so rampant in our society today. **PRAWA** Anti

Human trafficking project run in collaboration with NAPTIP and funded by the Netherland Embassy trains and empowers to prevent human trafficking in five endemic states in Nigeria.

**PRAWA** is actively involved in the fight against human trafficking through setting up and running of self-help groups. One of the major causes of easy prey to perpetrators of trafficking is poverty. It is therefore important to address it through empowerment of victims, potential victims and youth at risk of being trafficked as preventive measure.

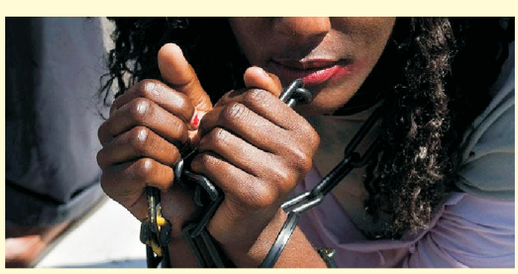
Kingdom of the Netherlands

The process of empowerment adopted by **PRAWA** involves a proper sensitization of the general public on Human Trafficking beginning from secondary schools to tertiary institutions in five endemic states, then train and empower identified victims and other individuals on life planning skills and entrepreneurship development. This is to ensure that their mind-set and thought processes are challenged to think outside of what seems to be the norm for them as it relates to what they have to do to survive.

Survival in this part of the world as it is in the developing world is a fight against poverty. In light of this, it is easy to see why people are gullible and are easily lured by promises of greener pastures abroad. But through these kinds of training, they can be taught to understand that they can get the life they seek abroad locally by patiently working hard.

Based on this, **PRAWA** is able to effect change in these persons, by empowering their minds. After the life planning skills and entrepreneurship development, the participants are encouraged to get trained in any vocational skill of their choice. To ensure that this plan is realistic and sustainable, it is important that the skills they learn appeal to them and they are able to see it as a lucrative source of income. All of this is to make sure these individuals who become beneficiaries of the project have a sense of responsibility towards their choice of business therefore making it difficult for them to be trafficked or re-trafficked.

So, prevention of human trafficking as already stated earlier has to begin with a feasible plan. From our end here at **PRAWA**, the approach of empowering the target group is one way of alleviating poverty; this in turn discourages the need to travel out of the country for a better life therefore reducing the possibility of human trafficking.



## HUMAN TRAFFICKING: THE OPEN SECRET

**By Michael Iseyare**

Human trafficking is basically the modern form of slavery. It has its roots embedded deep in society. It has lured so many, utilizing the mirage of an expected paradise which ultimately fades, to reveal a more sinister ploy.

This lucrative business has carted away a sizeable number of youths with prospects as well as dreams for the future. One might ask why people still fall prey to this monster in this era of civilization, and so on. The fact remains that illiteracy and poverty are the major factors that fan the flames of this trade. The unsuspecting mind is often lured into the thorny embrace of human trafficking.

Most of the traffickers employ deceit, promising the victim a better life and extra cash in the pocket and so on.

These traffickers are sometimes friends or even family members who deceive unsuspecting young girls into sex slavery in other countries where some of them end up dying in the process of seeking better life overseas. Back home, family and friends are oblivious of the near death situation experienced by their wardrs whom they believe are living respectably in those countries.

The devastating effect of this menace called trafficking cannot be over emphasized as it destroys homes and families; with a negative effect on the society. It cripples the economic growth of the country as able bodied men and women get trafficked and most of them never return.

**PRAWA** has taken it upon itself to lend not just a voice, but to equally fight the menace of trafficking. One of the ways PRAWA has been fighting the menace is through youth empowerment in various communities in human trafficking endemic Nigerian states of Anambra, Edo, Kaduna, Kano and Ogun. **PRAWA** in partnership with NAPTIP and The Netherlands Embassy launched an anti-human trafficking campaign in the year 2015 and has successfully empowered victims of human trafficking and youth at risk.

Uju Agomoh the Executive Director of PRAWA has consistently led various teams to targeted states in the country to fast track the campaign against trafficking.

This campaign has empowered a lot of young people and actually given them another "shot" at life by setting up and running self-help groups aimed at making them self-reliant.

# JUVENILE DELINQUENCY: CAUSES & REMEDIES

By Igbokwe Ebubechukwu

**PRAWA** has in the past 2 decades contributed and is still contributing an applaudable quota to ensuring that juvenile delinquency is curbed to the barest minimum. Some of PRAWA's project towards this end include but not limited to;

**Illicit Drug & Drug Abuse Campaign/ publication titled, Illicit Drug & Drug Abuse".**

**Anti-Human Trafficking Project (AHT)**

**Illegal Migration Awareness Project (IMAP)**

In all of the above projects, intense sensitization and awareness was created with other preventive measures put in place.

One of the reasons for delinquent behaviour is an excessive focus on proposed goals (achieving success) coupled with insufficient means to achieve them. The contradiction between idealized and socially approved goals and the sometimes-limited real-life opportunities to achieve them legally creates a sense of frustration in many young people. A criminal career becomes one form of addressing this contradiction. Below are other contributory factors.

Juvenile delinquency is driven by the negative consequences of social and economic development - in particular economic crises, political instability and the weakening of major institutions (including the State, systems of public education and public assistance, and the family). Socio-economic instability is often linked to persistent unemployment and low incomes among the young, which can increase the likelihood of their involvement in criminal activity.

Studies show that children who receive adequate parental supervision are less likely to engage in criminal activities. Inadequate parental control, weak internal linkages are closely associated with juvenile delinquency. Dysfunctional family settings—characterized by conflict, inadequate parental control, weak internal linkages and integration, and premature autonomy—are closely associated with juvenile delinquency. The absence of fathers in many low-income families can lead boys to seek patterns of masculinity in delinquent groups of peers. These groups in many respects substitute for the family, define male roles, and contribute to the acquisition of such attributes as cruelty, strength, excitability and anxiety.

Media

The other cause of juvenile delinquency is the Television, young people who watch violence on TV and movies tend to behave more aggressively or violently. In both developed and developing countries, consumer standards created by the media are considerably beyond the capacity of most families to achieve. Nevertheless, these ideals become a virtual reality for many young people, some of whom will go to great lengths to maintain a lifestyle they cannot afford. Movies that demonstrate violent acts excite spectators and the aggressive energy can then be transferred to everyday life, pushing an individual to engage in physical activity on the streets.

Peer pressure/ drug abuse:

Many young people retreat into the confines of their own groups and resort to drug use for psychological or emotional escape. The use of alcohol and illegal drugs by juveniles is one cause of delinquency, as they are often compelled to commit crimes (usually theft) to obtain the cash needed to support their substance use.

Remedies

For the remedies of juvenile delinquency following efforts must be put in place:

- Family counselling
- Parenting education
- Youth mentoring
- Educational support
- Abuse education and treatment
- Youth sheltering
- Teaching the social and religious values to young generation

PRAWA therefore calls for partnership in ensuring the reduction of delinquent activities within our youth groups as a way of building a health society and decongesting Nigerian prisons.




























1. JOY BOB-MANUEL, DG, LACON
2. CG P AHMED JA'AFARU, UJU AGOMOH PhD, MR. ERIC MAYORAZ, SWISS AMBASSADOR
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