

# **INMATES INCARCERATION AND FAMILY SUPPORT AS PRECURSORS OF PRISON RECIDIVISM IN NIGERIA**

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## **Abstract**

The study identified the common criminal offences that lead people to prison in Nigeria, it identified the people that give supports to the inmates and examined the kind of support inmates receive in prison and it also determined the extent the supporting roles received from family can prevent the inmates from returning to prison. These were with a view to assisting prisoners from returning back to prisons and thereby reducing the rate of criminal activities in the society. A counselling rehabilitation group of 13 male and 22 female inmate volunteers from one of the prisons in Nigeria were used in the study. A questionnaire was designed to elicit information on the objectives stated. The results of the study showed that stealing out of other reasons was the most common reason for being in prison (28.6%). Also, it was revealed that 80% of the inmates claimed they received supports from siblings while in prison, and 85.7% of them received sympathy support from relatives. Finally, it was revealed that 23 inmates representing 65.7% had low tendency of wanting to return to prison, as against 34.3% who displayed high tendency of wanting to return to prison as a result of the supports received from relations. It was concluded that family support if well applied with support of the government and significant others in the society

will assist the prisoners to cope with life after prison and reduce the rate at which people commit crime in the society.

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**Keywords:** Inmates Incarceration, Family Support, and Prison Recidivism

### **Introduction**

Incarceration is simply the state of being imprisoned or the condition of being put in confinement. It usually subjects the person to certain physical and psychological limitations and restrictions. Although, incarceration could be self made where the individual could subject himself to solitary living consequent upon religious or personal discipline; incarceration could also be externally imposed as a way to mete out punishment as a result of unwanted behaviour exhibited by the individual. Very notable among externally imposed restrictions or incarcerations is the prisoner's lack of freedom to do what he wishes to do and when he wishes to do it. He performs his daily routine under heavy security and strict supervision. With limited rights, he is hardly given opportunities to exercise choice and self-will. Incarceration is one of the numerous sanctions or retributions dished out to erring, accused and duly convicted individuals by the judicial systems of diverse societies across the globe with a view to preventing or discouraging future crimes. According to McGuire (2009), punishment is a widespread and firmly established standard or mainstream approach to criminal conduct which reduces the likelihood of future or continued criminal behaviour. Whether incarceration, as a form of punishment actually achieves its original purposes or not is another great source of concern.

People are incarcerated for various reasons, crimes and offences and the duration of incarceration also depends on the enormity of the offence committed and the legal system of such community. These crimes and offences range from theft to kidnapping, fraud, extortion, forgery, robbery, rape, murder, manslaughter, etc; and in a country like Nigeria where justice is often denied, there are so many people in the Nigerian prisons that ought not to be there. A statistics released by the Nigerian Prisons Service on 31<sup>st</sup> October, 2014 revealed the following facts about incarceration rate:

**Breakdown of the Prison Population**

	Male	Female	Total	% of total inmate population
Convicted Prisoners	17,280	264	17,544	32
Unconvicted Prisoners	38,685	892	39,577	68
<b>Total</b>	<b>55,965</b>	<b>1,156</b>	<b>57,121</b>	<b>100</b>

**Breakdown of the Convicted Prisoners**

	Male	Female	Total	% of total convicts
Short term (< 2 yrs)	7,900	92	7,992	48
Long term (> or = 2yrs)	7,279	134	7,413	41
Condemned convicts (death row)	1,559	29	1,588	8
Lifers	542	9	551	3
<b>Total</b>	<b>17,280</b>	<b>264</b>	<b>17,544</b>	<b>100</b>

- < = *less than*
- > = *greater than*

Apart from the over-population tendency that characterises the Nigerian prisons, as revealed in the table above, another pathetic side of the Nigerian prison system is the condition of the prison facilities and the kind of inhumane treatment which inmates are made to undergo. Many inmates (as evidenced also in the table) have commenced serving a jail term while disguisedly awaiting trial and conviction. The costs associated with incarceration and recidivism is not just financial, but the toll on prisoners and their families is impossible to calculate. Loved ones can suffer from economic strain, psychological and emotional distress, and social stigma. Prisoners endure isolation from their families and the community. They are often housed in overcrowded and dilapidated buildings in form of prisons. The stress of surviving in prison can lead to depression and anxiety. Inmates may leave prison worse off than when they arrived, which can be detrimental to communities and society as a whole.

To add to this list, it is no longer shocking to realise that in Nigeria as of today, many people are in prisons for offences they knew absolutely nothing about. On many occasions, the police have arrested people suspected to be in connection to a particular crime under investigation who in reality are completely innocent. There have also been reported cases of people arrested by the police on night patrols who had apparently committed no crime but eventually ended up in the prisons. Ehighalua (2012), in his article, highlighted two uses of wrongful conviction. He said:

First, the narrower sense of wrongful convictions is those that occur in the course of trial, leading to conviction and sentence of a term of imprisonment, where it later emerges that the process was flawed. Usually, the convicted person having suffered some form of reparable or irreparable damages in the course of imprisonment, or, prolonged trial, where the accused is dragged through the legal process and made to suffer scorn, odium and humiliation, not to speak of the socio-economic consequences loved ones and family members are put through—particularly when the trial ends up in an acquittal. The “Birmingham Six” case remains a cause célèbre. More painful is when a convict has almost served up part of the terms of their sentence as a consequence of the flawed process. An example would be when new evidence turns up, either as a result of forensics or technology. It could also be evidence of direct witnesses to the crime who were, for some reasons, never explored in the investigative process; or, where new corroborating evidence exculpating the convicted person comes to light, or material facts or legal technicalities that were ignored in the trial process become evident. The second and perhaps much wider use of the term, is broad enough to accommodate the abuse and damages suffered in the course of the judicial and prosecutorial process involving the police, judiciary and the machinery of the administration of justice. This type is prevalent in Nigeria, and the inherent lapses within the Nigerian system which produce wrongful convictions of this nature are a result of a systemic breakdown. The consequential punishment is suffered by an accused person when they suffer humiliation and are deprived of their right to liberty. The accused person’s families also experience pain and suffering over a prolonged period of time.

(p. 1133)

Thus, it is safe to conclude that wrong conviction is a product of judicial and prosecutorial lapses with far-reaching consequences on the individual involved and his family. Victims of wrong conviction should even count themselves lucky if the truth surrounding their cases eventually comes to light, consequently leading to their acquittal as many innocent people in the same scenarios had been wrongly convicted and even executed. Such are the problems and flaws associated with the Nigerian judicial and prison systems.

Some lessons can be learnt from the structure and administration of prison as well as the manner of sanctions employed in other countries. Deady (2014) wrote:

A recent VIJ report highlights the different approaches to sentencing and incarceration used in Germany and the Netherlands. In those countries, the emphasis is on rehabilitation and re-socialization rather than just punishment. Incarceration is used less frequently and for shorter periods of time. Sanctions such as fines, probation and community-service are used as alternatives to incarceration when possible, particularly for non-violent crimes. The conditions and practices in the correctional facilities are meant to resemble life in the community. The end goal of incarceration is for ex-prisoners to be better citizens upon release, thereby increasing public safety.

Scandinavian countries are often considered models of successful incarceration practices, particularly Norway which, at 20%, has one of the lowest recidivism rates in the world. Here, too, the focus is far more on rehabilitation and less on punishment. The thinking is that justice for society is best served by releasing prisoners who are less likely to reoffend. The Norwegian penal philosophy is that traditional, repressive prisons do not work, and that treating prisoners humanely improves their chances of reintegrating in society. This is achieved by a “guiding principle of normality,” meaning that with the exception of freedom of movement, prisoners retain all other rights and life in the prison should resemble life on the outside to the greatest extent possible. Within the walls of Halden, one of the newest maximum-security prisons in Norway, are cells with flat-screen televisions and mini-fridges, long windows to let in more sunlight, and shared living rooms and kitchens “to create a sense of family,” according to Hoiland (2010), one of the prison’s architects. Prisoners are not left to their own devices upon release, either. There is a safety net. The government guarantees it will do everything possible to ensure that released prisoners have housing, employment, education, as well as health care and addiction treatment, if needed.

Deady (2014), was also of the opinion that while Americans may scoff at the treatment of prisoners in other countries, particularly Norway

where a convict can be sentenced to as little as eight years for murder, the low incarceration and recidivism rates suggest that the “normalization” approach works. Prisons in Nigeria are the exact opposite of the Norwegian counterparts. The facilities are everything but comfort. Inmates who were later freed often recounted their hellish experiences in the prisons ranging from the quality of food offered, prison ventilation, prison congestion to overcrowding. The condition of Nigerian prisons is actually potent enough to dread the most daring offender, under normal circumstances. Having described the horrific situation of Nigerian prisons compared with their counterparts in other parts of the world, would it not become worrisome to think that a onetime inmate would want to return back to such environment? It becomes apparent therefore, that the needs of the prisoners to adjust to new life after been freed goes beyond the good life that is offered in prison.

### **The Concept of Family Support**

According to Daly, et al. (2015), family refers to the most significant intimate group, which can be formed either by kinship, marriage, adoption or choice. Hence, family is recognized to vary in composition and the nature of the relational tie between members, and is not understood exclusively as the nuclear family or connection by kinship. In the traditional African setting, family is more usually perceived as a group of people related by blood, birth or marriage. Thus a man’s family includes all the members of his immediate household.

According to Daly et al. (2015), families, parents and caregivers play a central role in child well-being and development. They offer identity, love, care, provision, protection as well as economic security and stability to children and adolescents. Families can be the greatest source of support for children but also – under unfortunate circumstances – the greatest source of harm. Children’s well-being is therefore inextricably linked to parental well-being, and thus investment in all families, complemented by targeted support for the most vulnerable, is of paramount importance for realizing the rights of the child.

The bond between family members is inexplicably strong, especially in the African society. Kinsmen feel emotionally attached to and responsible for each other. Even when any of them departs through marriage to another family, the tie between them still seems very much unbreakable. Blood, they say, is thicker than water. This strong bond between and among family

members culminates in their willingness to support one another in times of need. They accept the responsibility to rise to each other's aid when necessary. For example, if a family member is involved in a ceremonious event, other family members rally round him to offer their support both in cash and in kind. Similarly, if another member of the family is in distress or suffers a serious financial setback, other family members may go to the extent of voluntarily offering to bear the burden by accepting to raise money among them. A member's joy or sorrow is everyone's.

Support from family members to others can also take the form of emotional assistance or succour. This is more common in cases where an individual suffers anguish, sorrow or depression arising from accidents, loss of property, or bereavement. Everyone shows concern by visiting and consoling the individual. In fact, this kind of family support is much more valued and appreciated than financial and material ones at times. This follows a popular saying in Yoruba culture (a particular group of people in Nigeria), for example, that a man who has no money will at least be able to show concern or empathy. It is therefore believed among the Yorubas that the concern of a crisis-stricken individual will be minimal if he has his people around him.

The impact of family support on the recipient of it cannot be over-emphasized. It connotes acceptance, appreciation, a deep sense of love, and a sense of belonging to others. This can be psychologically motivating for the person to whom it is shown. Ex-inmates, for example, tend to face discrimination and stigmatization from the society when they eventually secure liberty and return to normal life. The general public always seems to send a message of rejection and disapproval for ex-inmates by withdrawing and dissociating from them. This negative societal attitude only serves to make ex-inmates' reintegration into the community very difficult and will oftentimes push the individuals to further resort back to crimes and possibly, again, to prison. Gondles (2003), the executive Director of the American Correctional Association, further emphasized the positive role family support can play in preventing recidivism by naming families, and neighbourhoods among numerous factors contributing to recidivism.

### **Prison Recidivism in Nigeria**

According to Tenibiaje (2013), recidivism is understood to be a falling back or relapse into prior criminal habits especially after punishment.

He added that recidivism is the return of probationers to illegal activity after release from incarceration. Recidivism is the act of a person repeating an undesirable behaviour after they have either experienced negative consequence of that behaviour or have been treated or trained to extinguish that behaviour (Tenibiaje, 2013). Recidivism is a tendency to lapse into a previous pattern of behaviour especially a pattern of criminal habits (Rahim 1984). Recidivism means the re-arrest, reconviction, or re-incarceration of former inmates (Schmallenger & Smykla 2005).

The tendency for an individual to relapse to former undesirable behaviours, especially crimes, hinges on so many factors. Statistics show that more than 50 percent of people who are released from jail reoffend within few months. There are different views and opinions expressed from many criminologists concerning the causes of crimes (Tenibiaje, 2013). Since crime is a complex psychological, sociological and situational behaviour, Gibbon (1975) viewed the causes from broad dimensions. These dimensions had been tied up closely with sociological theory which is bi-forked into environmental and situational causes, hence generic causes mediated through personality factors or personality characteristics. According to Eysenck (1970), personality characteristics are tied to criminality. The inability of certain individuals to tolerate frustrating situations without resorting to aggressive and violent tendency is a product of personality traits. Tenibiaje & Owuamanam (2005) in their study on personality traits of female inmates in some Nigerian prisons concluded that extroversion, neuroticism and psychoticism were significant in predicting criminality. Further, they found that psychoticism traits of inmates have the highest contributory factor to criminality. In another research carried out by Benda (2005), it was found that men were more likely to return to prison because of criminal peer association, carrying weapons, alcohol abuse and aggressive feelings.

Evidences abound in literature showing that educational attainments and peer influence (Tenibiaje, 2013) are some of the other factors contributing to recidivism among people. With very numerous factors seemingly responsible for recidivism, this study however focuses on the influence posed by inmates' incarceration and family support.

### **Objectives of the study**

The objectives of the study were to:



- identify the common criminal offences that lead people to prison in Nigeria;
- identify the family members that give supports to the inmates;
- examine the kind of support inmates receive in prison; and
- determine the extent to which supporting roles received from family members prevent the inmates from returning to prison.

### **Research Questions:**

What are the common criminal offences that lead people to prison in Nigeria?

Who are the people that give support to the inmates?

What kind of supports do inmates receive from their relations while in prison?

To what extent can the supporting roles received from relations prevent the inmates from returning to prison?

### **Methodology**

The study made use of thirty (35) prison inmates in a Nigerian maximum-security prison. The inmates comprised 13 male and 22 female volunteers respectively within the ages of 18 and 42 years and above, who were exposed to rehabilitation counselling in preparation for life after prison experience. It was also ascertained that the volunteered participants were inmates that would soon regain their freedom within six months at the time of this study. The study made use of self constructed questionnaire designed to elicit information on the family support experience of the inmates while in prison, establishing that all the family members identified are still living and are in positions to check on their family members in prison and to what extent could that make the inmates revisit prisons having regained their freedom.

### **Findings**

#### **Research Question One:**

**What are the common criminal offences that lead people to prison in Nigeria?**

To answer this question, the volunteered inmates were asked to state the kind of offence that led them to prison. Their responses were tabulated to

see which offence commonly lead people to prison as shown in Table 1 and the corresponding Bar Chart in Figure 1

**Table 1: Frequency/Percentage in terms of Nature of Criminal Offence**

Nature of Offence	Frequency	Percentage
Stealing	10	28.6
Murder Related cases	6	17.1
Fraudsters	5	14.3
Drug Related cases	4	11.4
Conspiracy of Fraud	3	8.6
Cyber Crime	3	8.6
Impersonation	2	5.7
Robbery	1	2.9
Bribery	1	2.9

Table 1 showed various kinds of criminal offences, their frequency count and percentages. It showed that 10 respondents representing 28.6% were in prison as a result of stealing, 6 respondents representing 17.1% were in prison as a result of murder-related cases, 5 respondents representing 14.3% were in prison as a result of fraudulent acts such as 419 (as called in Nigeria) and economic-related crimes, while 4 respondents representing 11.4% committed drug-related crimes. The table further showed that only 2.9% of the respondents were in prison as a result of robbery and bribery respectively. Figure 1 gives further representation of the Table 1.

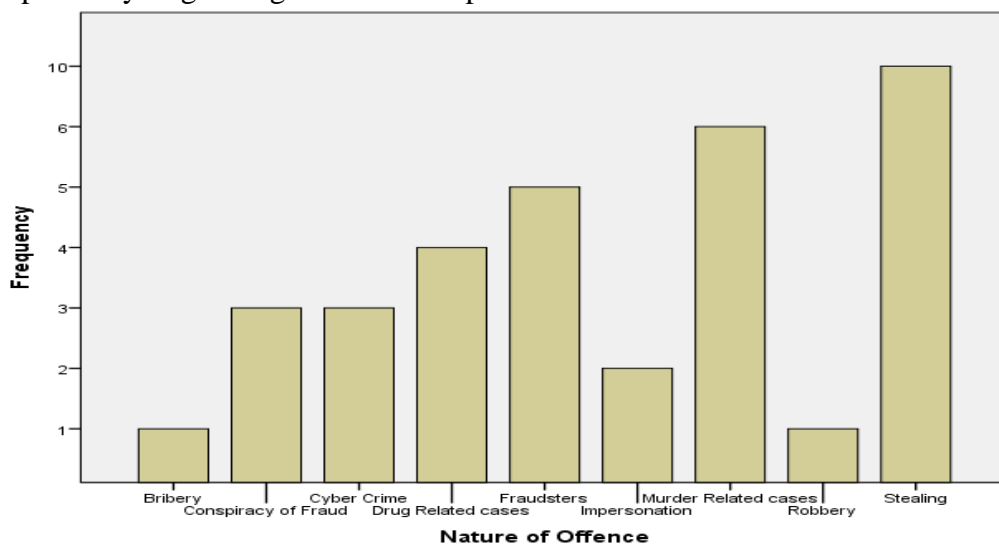


Figure 1 showed stealing, murder related cases, fraudulent acts, and drug related cases were the most common crimes that led most of the prisoners into prison.

**Research Question Two:****Who are the people that give support to the inmates?**

To answer this question, the inmates were asked to identify the people that gave them supports such as moral or financial and spiritual. The decision of whether relatives were “supportive” and “not supportive” was based on the responses provided by the inmates. Their responses are summarized in Table 2.

**Table 2: Frequency and Percentage of Supports received from family members**

S/N	Supporters while in Prison	Not at all	Sometimes	A lot	Decision
1.	Your wife/husband or significant other person.	21 (60.0)	6 (17.1)	8 (22.9)	Not Supportive
2.	Your children	25 (71.4)	5 (14.3)	5 (14.3)	Not Supportive
3.	Your grandchildren	30 (85.7)	4 (11.4)	1 (2.9)	Not Supportive
4.	Your parents	18 (51.4)	10 (28.6)	7 (20.0)	Not Supportive
5.	Your grandparents	32 (91.4)	1 (2.9)	2 (5.7)	Not Supportive
6.	Your brothers	6 (17.1)	19 (54.3)	10 (28.6)	Supportive
7.	Your sisters	8 (22.9)	11 (31.4)	16 (45.7)	Supportive
8.	Your other blood relation (specify type of relationship)	24 (68.6)	7 (20.0)	4 (11.4)	Not Supportive
9.	Your relative by marriage (e.g. in-law, ex-wife/husband)	28 (80.0)	4 (11.4)	3 (8.6)	Not Supportive
10.	Your neighbour(s)	25 (71.4)	9 (25.7)	1(2.9)	Not Supportive
11.	Your co-workers	25 (71.4)	8 (22.9)	2 (5.7)	Not Supportive
12.	Members of your church/mosques or other religious bodies)	22 (62.9)	8 (22.9)	5 (14.3)	Not Supportive
13.	Your friends	19 (54.3)	10 (28.6)	6 (17.1)	Not Supportive

( ) percentages

Table two revealed the extent to which identified relations are supportive to the inmates. For instance, 19 and 10 inmates representing 54.3% and 28.6% claimed that their brothers are “sometimes” and “a lot” supportive respectively. Also, 11 and 16 inmates representing 31.4% and 45.7% claimed that their sisters are “sometimes” and “a lot” supportive respectively. Furthermore, 32 inmates representing 91.4% claimed that their grandparents are “not at all” supportive. It showed that most of the relatives of the inmates are not supportive, while relations like “brothers” and “sisters” to the inmates showed concerns for them.

**Research Question Three:****What kind of supports do inmates receive from their family members while in prison?**

To answer this question, inmates were asked to respond to 8 items related to supports they could get from their family members. The responses were scored and the summary given in Table 3.

**Table 3: Kinds of Supports received by inmates from family members while in prison**

S/N	Kinds of Supports	No	Yes
1.	My needs like provisions and toiletries are provided during each visit.	13 (37.1)	22 (62.9)
2.	They help to source for legal assistance on my behalf.	16 (45.7)	19 (54.3)
3.	They take care of my family as I am in prison.	10 (28.6)	25 (71.4)
4.	They try to make peace with the victim of my offence on my behalf.	12 (34.3)	23 (65.7)
5.	They run my business/pacify my employer as I am in prison.	28 (80.0)	7 (20.0)
6.	At each visit, they sympathize with me.	5 (14.3)	30 (85.7)
7.	At each visit, they encourage and advise me to be of good courage.	6 (17.4)	29 (82.6)
8.	At each visit, they tend to find out about my health and psychological status.	10 (28.6)	25 (71.4)

Table 3 showed various kinds of supports received by inmates from their relations. It showed that 30 inmates representing 85.7% claimed that their family members sympathized with them during visit, 29 representing 82.6% claimed that their relations encouraged and advised them to be of good courage, 25 each representing 71.4% claimed that their relations took care of their families and found out about their health and psychological status respectively. Also, as low as 7 of them representing 20.0% claimed that their relations run their business/pacify their employers while in prison. In all, it can be said that most of the inmates got one form of support or the other from their relations.

**Research Question Four:****To what extent can the supporting roles received from relations prevent the inmates from returning to prison?**

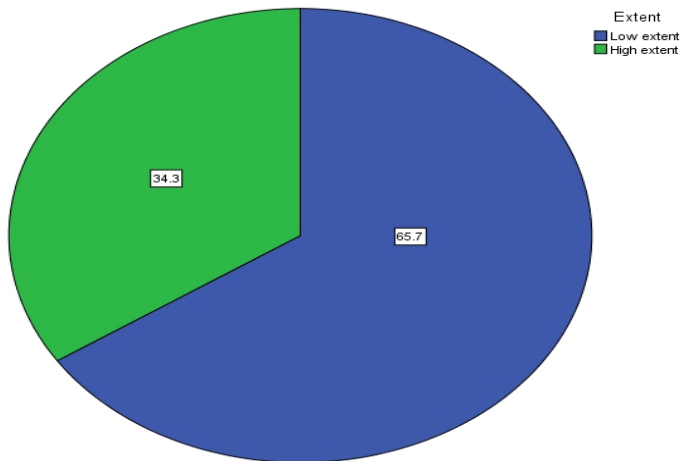
To answer this question, responses to 9 items relating to supporting roles with four Likert scale response pattern were categorized into two: scores between 9—18 as low extent while 19—36 as high extent. This is shown in Table 4.

**Table 4: Extent to which supporting roles received from relations can make inmates wanting to return to prison**

Extent	N	Percentage
Low	23	65.7
High	12	34.3
<b>Total</b>	<b>35</b>	<b>100</b>

Table 4 revealed that 23 inmates representing 65.7% had low tendency of wanting to return to prison as a result of the supports received from relations, while 12 representing 34.3% displayed high tendency of wanting to return to prison because of the support received from relations. This is also displayed using pie chart in Figure 2.

**Figure 2: Extent to which inmates may be willing to return to prison because of supporting role from the relations**



## Discussion

The results obtained from research question one showed that the most common offence that took the inmates to prison is stealing. Stealing money and property is noted to be a social concern in many poor nations of the world today. The statistics on unemployment in Nigeria especially among the youths currently stands at 7.5% early this year as revealed by the National Bureau of Statistics (2015). Therefore, a country that cannot cater for the needs of its citizens to a considerable level will definitely give room for them to do so by whatever means possible, one of which is stealing. It is a common knowledge that a hungry man is an angry man; if this statement is anything to go by, it translates to mean that despite man’s personality traits (Tenibiaje and Owuamanam, 2005) and man’s personality characteristics

that are tied to criminality (Eysenck, 1970), such characteristics may not completely subsist except when poverty is ruled out of reasons why people steal and type of things they steal.

Result from research two showed that out of thirteen significant people that are meant to render support to the inmates in form of provision of needs, moral and spiritual needs, only brothers and sisters were found responsible in this regard. And these were more prominent among the young and early adult inmates (between the ages of 18 and 33). This could be so because some of the inmates within this age range could be believed by their parents and other relations to still be in school, and since the parents and other relatives do not have a knowledge that their children/relations are actually in prison, the need to visit them in such places would not even occur to them. Also, such youths are noted to share secrets among themselves and not with the older people; and such confidants could be their brothers and sisters. This again could account for why only siblings visit them in the prison. Again, some of them might be of the opinion that they would soon be released from prison within the shortest period of time; therefore, there should be no need to bother the entire family.

The results gotten from research question three also showed that nearly all areas of care for the inmates were relatively met by the family members except in the areas of running their business for them. And this was mostly experienced by the elderly ones among them between the ages of 34 and 42 years and above. The summary of the responses of this set of people is that even when freedom is guaranteed, they probably may not know how to start from the scratch again when considering their age and the family they left at home. Also there may be a fear of not being accepted by their family members.

Results from research question four showed that a relatively smaller percentage (34.3%) would still want to commit one crime or the other that might take them back to prisons when compared with other group who may not want to practise recidivism (65.7%); still it calls for caution. By the time this portion of the population is willing and ready to commit any crime that might take them back to the prisons, then there is a challenge for the innocent citizens that might fall victim to them. What about the financial and security implication on the government? Again, these set of people are meant to belong to the work force of the country, yet they would not be there to contribute positively to the growth of the nation. Likewise, having come in

and out of the prisons especially in Nigeria, they tend to become more hardened criminals; and in the process become cabals that train younger inmates.

### **Conclusion**

From the results emerging from the research study, it was concluded that family support could go a long way in helping prison inmates live a healthy life while in prison and prepare them for successful life after prison and equally live well outside.

### **Recommendations**

Based on the findings of this study, the following recommendations are made for a better prison living and a fulfilled life after prison experience.

The Nigerian government should redefine cases that take people to prison such that offenders such as pick pocketers or night crawlers will not be housed with offenders that committed murder, and judicial system should be encouraged to attend to its legal cases as at when due in order to decongest the prisons.

It is also recommended that the elderly prisoners with business and family before incarceration in prison can be assisted by the government agency to assist in running such business to take care of the family members till freedom is regained.

Finally, it is recommended that in each prison in Nigeria, provision should be made for counselling such that the inmates will see their presence in the prison as a penalty for their misdeed, yet they are being assisted to prepare for a better living when freedom is regained.

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