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Recidivism as Contributory factor in Crime Prevalence in Nigeria: Re-flagging the Importance of productive Rehabilitation and Reintegration of Ex-convicts

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INTRODUCTION

In Nigeria and beyond, significant attention has been devoted to the unwholesome conditions in which prisoners are generally kept. The discourse, in different contexts, has engaged the harsh and dehumanising situations of prisoners entailing gross violations of their rights to health, lives and human dignities.[1] For example, in relation to Nigeria, it has been said: "The pain and suffering experienced by prisoners inside the Nigerian Prisons are untold and without measure. Considering the conditions of the prisoners, being sentenced to a term of imprisonment in Nigeria is akin to imposing a death sentence."[2]

Notably, over the years, at national and international levels, efforts have been made to improve the unwholesome conditions of prisons and prisoners. For example, at international level, the United Nations Standard Minimum Rules for the Treatment of Prisoners and related instruments have been put in place to propel prison reform and facilitate humane conditions for inmates.[3] At national level in Nigeria, the legislation on prison has been reviewed and amended at different times culminating in the latest statute, the *National Correctional Services Act* ('NCSA'), which came into force on 31 July, 2019 to repeal and replace the prior *Prison Act* of 2004. Section 2 of the 2019 Act sets out its objectives, among others, thus:

> (a) ensure compliance with international human rights standards and good correctional practices ;…
> (c) enhance the focus on corrections and promotion of reformation, rehabilitation and reintegration of offenders;…

Explanatory Note to the *National Correctional Services Act* states its fundamental aim as being to "address new issues that are not covered under the repealed Act and provide clear rules setting out obligations of the Nigerian Correctional

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[1] Faloore Omiyinka Olutola, 'Alternatives to Imprisonment in Nigeria: A Sociological Reflection' *Direct Res. J. Soc. Sci. Edu. Studies* DOI: https://doi.org/10.26765/DRJSSES.2017.DRJA.1518, Vol.4 (3), pp. 31-36, December 2017, (accessed on 1/11/2023); United Nations (Office on Drugs and Crime), 'Why promote prison reform?' online at *https://www.unodc.org/unodc/en/justice-and-prison-reform/prison-reform-and-alternatives-to-imprisonment.html* (accessed on 1/11/2023).

[2] Alaba Ibironke Kekere, 'Decongesting Nigerian Correctional facilities: An Outline and Critique of the Efforts under the Administration of Criminal Justice Act 2015', *Journal of Law and Judicial System*, Volume 3, Issue 2, 2020, p. 45.

[3] United Nations Development Programme (UNDP) (Pacific Office), 'Rehabilitation and reintegration of released prisoners requires a whole of society approach' May 18, 2022, online at https://www.undp.org/pacific/press-releases/rehabilitation-and-reintegration-released-prisoners-requires-whole-society-approach (accessed on 29/10/2023); United Nations (Office on Drugs and Crime), *ibid.*

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Service and the rights of inmates." Beyond the focus on safeguarding the rights of inmates, the Act effects a change in basic terminologies. In departure from the old practice, name of the government custodial agency was changed from "Prisons [Service]" to "Correctional Services" and "prisons" to "correctional centres". Ostensibly, this is to propel a shift in mind-set to perceiving custodial centres as places for human *correction*, reform and rehabilitation primarily, as against the old notion of *prisons* - historically and etymologically associated with places for consigning social misfits for retributive brutal punishment and suffering.[4]

Generally, in light of available facts,[5] it remains debatable how productive the drive for prison reforms in Nigeria has been in improving the conditions of Nigeria's correctional centres as well as the inmates. Nonetheless, the efforts generally hold out a hope of improvement in the custodial system.

The essence of correction or rehabilitation of incarcerated offenders is to transform them into reformed individuals that *should* not re-engage in crimes or become recidivists. It in that context that the meaningful rehabilitation and reintegration of freed inmates back into the society are important issues in the project of crime-control in Nigeria and beyond. It is against this backdrop that this paper addresses the interconnected issues of effective rehabilitation and reintegration as a factor in crime-control in Nigeria. Among others, in the discourse, the paper examines the prospect of meaningful rehabilitation of inmates in custody, vis-à-vis the prevailing custodial conditions, as well as the diverse factors that can propel freed inmates back to criminal acts, assuming such got *rehabilitated* in the process of incarceration.

Rehabilitation and Reintegration in Perspective

Rehabilitation and reintegration are, generally, interrelated concepts in the project of achieving improvement in the character and ways of convicted offenders to enable them appropriately fit in and function in society after serving custodial terms. More contextually, rehabilitation is the process, in the course of incarceration, of facilitating a positive change in an offenders' character and social outlook; the ultimate expectation is that, by that, they would become conforming members of the society in refraining from future crimes. In the course of incarceration, rehabilitation, by and large, would include provision of supportive programmes, such as education, skill acquisition and other measures that can enable inmates to be gainfully engaged and relatively self-reliant after regaining freedom. It would also entail the provision and sustenance of a custodial environment that would not dehumanise inmates, turning them into toughened or hardened criminals, emboldened to further engage in crimes as recidivists.

Reintegration can simply be described as the totality of post-incarceration interwoven measures of support given to offender in their reentry into society.[6] Essentially, reintegration relates to the process, through diverse interventions, to facilitate or enable freed inmates to appropriately fit back into the society in a manner that they would be able to refrain from re-succumbing to the harmful allure of criminality. The community-related post-release or reintegration has been variously described as "aftercare", "transitional care", "reentry" or "reentry support", or resettlement.[7]

It can be said that rehabilitation and reintegration constitute different segments of a reformative chain. By and large, rehabilitation in prison through wholesome correctional programmes and atmosphere would have significant impact in the transformation of the character and disposition of inmates. Reintegration, after release, stands as continuation of the reforming process for the comprehensive transformation and stabilization of convicted offenders for proper conformity with societal norms, ethos and values. Along this line it has been noted:

> There is a recognition that preparation for reintegration should start before the offenders' release. After their release, interventions should support their immediate transition from the prison to the community and reinforce the gains achieved through [in-prison] treatment and continue until a successful reintegration is completed. [8]

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[4] Faloore Omiyinka Olutola, *supra* note 1, pp.32-33.
[5] *Ibid*. 32-34; Alaba Ibironke Kekere, *supra* note 2 at pp. 47-50
[6] Paul C. Ananaba, 'Crime Prevention via Structured Rehabilitation and Re-Integration of Ex-Convicts -The Role Of Corporate Organizations' https://prisonfellowshipnigeria.org/2014/08/29/crime-prevention-via-structured-rehabilitation-and-re-integration-of-ex-convicts-the-role-of-corporate-organizations/ (accessed on 8/11/2023)
[7] *Ibid*.
[8] *Ibid*.

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Ex-convicts' Positive Rebirth or Transformation: a General Perspective

Prevention of recidivism is an important factor which crime prevention or crime control programmes must effectively address. As a matter of common knowledge, ex-convicts freed from incarceration are vulnerable and prone to diverse challenges that may hinder their transformation to law-abiding citizens. In the absence of proper and productive support in different dimensions, released offenders, in a state of vulnerability, may find it difficult to resist the temptation of cyclical re-offending, whatever their level of determination. In that light, meaningful rehabilitation and reintegration can assist ex-convicts and the society in prevention of recidivism as well as transforming ex-convicts to compliant and conforming persons in the society.

Positive transformation of ex-convicts is generally beneficial to the society. Among others, it is a means of preventing recidivism and closure of an avenue for criminality. However, a scenario of ex-convicts 'living happily ever after' cannot emerge summarily or automatically. Rather, the realisation is grounded in a complex web and interplay of factors connected with rehabilitation and reintegration of ex-convicts. To recap, while a released convict may personally desire a change for good, circumstances beyond his or her control may militate against the desire for meaningful change. Along this line, it has been noted,

> [o]ffender rehabilitation and reintegration have come to be embraced as a vital component of a comprehensive and holistic crime fighting strategy. Despite this, research shows that upon release from prison, ex-offenders are faced with a myriad of challenges that weaken the possibility of reform and predispose ex-offenders to recidivism.[9]

It is therefore important to address the diverse issues connected with rehabilitation and reintegration of ex-convicts after serving their terms. Default in doing same would militate against crime control efforts by through recidivism and related vices.

Key matters arising in the discourse of rehabilitation and reintegration of prison inmates in Nigeria can be set out thus:

i. To what extent do prions conditions facilitate rehabilitation of inmates?
ii. What are the factors that affect or militate against the productive reintegration of ex-convicts in Nigeria after release from custody?
iii. What are the necessary steps to address lapses where existing?

It is in relation to these issue discourse is undertaken vis-à-vis the need for a collective societal approach to the rehabilitation and reintegration of offenders in the prevention of recidivism as a mode of crime control in Nigeria.

Meaningful Life after Prison as a Collective Societal Project

As the United Nations Development Programme pointed out, "[r]ehabilitation and reintegration of released prisoners requires a whole of society approach".[10] Therefore, it is crucial and in collective societal interest that all stakeholders play appropriate role in facilitating a conducive environment for effective rehabilitation and reintegration for people transiting from prison back into the mainstream society.

Primarily, the collective societal approach should address the multidimensional elements associated with imprisonment as a punitive measure. Relatedly, the underlying factors propelling high number of people into criminality and the problem of prison congestion need to be addressed. In the realm of penology, there is the need to pragmatically embrace, in deserving cases, option of non-custodial sentencing, as well as integrity of the criminal justice system in ensuring that people should not be railroaded into incarceration unjustly or inordinately.

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[9] Victor Chikadzi 'Challenges facing ex-offenders when reintegrating into mainstream society in Gauteng, South Africa' *Social Work/Maatskaplike Werk* Vol 53 No 2; Issue 8, 2017, p.287 https://doi.org/10.15270/52-2-569 (online at https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0037-80542017000200008 (accessed on 20/6/2025)

[10] UNDP, 'Rehabilitation and reintegration of released prisoners requires a whole of society approach', UNDP (Pacific Office), *supra* note 3.

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Also, the conditions in which people are incarcerated or remanded in prisons should be geared towards reformation instead of dehumanisation that turn degrade them into hardened criminals and recidivists. Above all, there is the need to ensure that the post-prison situation of ex-convicts should not be one of hopelessness and eternal damnation, with perpetual yoke of stigmatisation, ostracisation, unemployment, homelessness and lack of basic means for decent living.

Innate Societal Hostility towards Offenders: Vengeance as primordial response to Crime and Allied anti-social Behaviours

Perhaps, based on the innately vengeful nature of humans, there tends to be the individual and collective societal mind-set that persons who wrong another person, or the society at large, through crime or any other deviant acts deserve to suffer severely by way or retribution. Historically, vengeance and retribution have been the underpinning of criminology and sanctioning. As a source noted,

> …in ancient times, the common response [to crime or deviant acts] was revenge: a situation where the victim or the victim's family would exact what they felt to be an appropriate response to the crime committed against them. For instance, before the dawn of 18th century, especially in Europe, punishing offenders was physical and took forms such as whipping, branding (maiming), payment of fines, public humiliation and death penalty. As a matter of fact, during the aforementioned era, sanction for criminal behaviour was made public and was designed to shame the offender and deter others. During these periods, imprisonment was not a popular choice.[11]

Ancient principles, such as "an eye for an eye"[12] and the Code of Hammurabi[13] lend credence to the vengeance mentality in response to crime. A saying, *bi adie ba da mi l'oogun nu, ma fo l'eyin* (if a fowl tramples on/wastes my medication or juju, I break her eggs), among the Yoruba in Nigeria also indicates the existence of such mind-set in indigenous African societies. In the present times in Nigeria, the spirit of vengeance, fuelled by deep-rooted abhorrence for offenders, can readily be seen in mob-action 'jungle justice' in forms of dehumanising beatings and lynching meted to offenders for committing crimes or mere suspicion.[14] In summation, from ancient times to the present, there tends to be inherent societal hostility against offenders coupled with burning desire for vengeance.

Unwholesome and Dehumanising Prison Conditions in Nigeria: a Crucial Factor adversely affecting meaningful Rehabilitation

At some point, at official level, there was a shift from the frontal revenge-oriented corporal punishments for crimes to court-imposed imprisonment or other sanctions in the framework of criminal justice system[15] Embedded in penal imprisonment is the aim of *reforming* offenders, in comparison with the prior desire for revenge by means of raw bodily punishment. Largely, incarceration has subsisted as a prominent means of sanction for serious offences or remanding defendants to ensure that they are available to face trial for their criminal acts or to await capital punishment (death row) in jurisdictions where capital punishment still exists.

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[11] Faloore Omiyinka Olutola, *supra* note 1 at p. 32

[12] Cambridge Dictionary, 'an eye for an eye (and a tooth for a tooth)'online at https://dictionary.cambridge.org/dictionary/english/eye-for-an-eye-and-a-tooth-for-a-tooth (accessed on 20/6/2025).

[13] For reading on the Code of Hammurabi as related to medical practice, see e.g, Bayard Holmes, M.D., 'The Most Ancient Medical Practice Laws.' The Code of Hammurabi, 2200 B. C *JAMA.* 1905;XLIV(4):293-294

[14] See e.g, Punch Editorial Board, 'Horrific practice of burning crime suspects' Punch [Newspaper] 22 December, 2020, online at https://punchng.com/horrific-practice-of-burning-crime-suspects (accessed on 21/6/2025). See also, Habeeb Abdulrauf Salihu, Hossein Gholami, 'Mob justice, corrupt and unproductive justice system in Nigeria: An empirical analysis' *International Journal of Law, Crime and Justice*, Volume 55, December 2018, Pages 40-51.

[15] See Howard League for Penal Reform, 'History of the Penal System' online at https://howardleague.org/history-of-the-penal-system/ (accessed on 21/6/2025); Raul Wallenberg Institute, "You Are Sent to Prison as Punishment, Not For Punishment" online at https://rwi.lu.se/2016/10/26/sent-prison-punishment-not-punishment/ (accessed on 21/6/2025)

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Whether, for restraining or remand towards some subsequent actions, or as outright punitive measures, imprisonment as a practice has been of long history.[16] Long existence of imprisonment and prisons is evidenced by records of their existence in mediaeval Europe as well as precolonial Nigeria.[17]

The contemporary system of imprisonment and custodial centres, overseen by designated officials and defined rules, in Nigeria was a product of Nigeria's colonial relationship with Britain. The system started with the establishment of the first prison in Nigeria at Broad Street, Lagos with a capacity for confinement of 300 inmates.[18] From that point, other prisons were established in different parts of Nigeria over the years.[19] Legal framework for operating the contemporary Nigerian prison system can, generally, be traced to the colonial Supreme Court Ordinance of 1876 and the subsequent Prison Ordinance, with repeal and re-enactment culminating in the extant NCSA of 2019.

The underlying objective of imprisonment is *as* punishment and to reform offenders – not *for* additional punishment and suffering. This has been largely reflected by the aphorism that inmates are in prison *as* punishment, grounded principally in the deprivation of liberty, and not *for* unwholesome punishment or suffering, a position contemporarily known as the *Mandela Rules*.[20] Despite the lofty ideal behind incarceration being *as*, and not *for*, punishment, the reality has been radically contrary to the ideal in Nigeria and beyond.[21] In this regard, it has been declared,

> In the 1920s, Alexander Paterson, the Prison Commissioner declared that people 'come to prison as punishment not for punishment'...However, prisoners' autobiographical accounts have repeatedly reminded us that prison is often experienced as painful, humiliating, and negative. This leads us to surmise that perhaps Paterson was merely articulating an aspiration and that in fact the prison in reality is always more than just a restriction of liberty.[22]

In light of the foregoing, it appears that the vengeance-oriented mind-set of the past and lack of empathy for offenders still persist. This tends to be in tandem with the conventional definition of prison as "[a] physical structure creating high internal visibility with possibilities for some absolute restrictions in movements where the stay is decided by other persons independent of the wishes of those staying there *because those staying there are to blame with the purpose of creating pain.*"[23] In essence, prisons tend to be locations where offenders, as perceived misfits and antisocial characters, are dumped and kept away from the society to confront harsh and inhuman conditions. Scholarly and allied literature is replete with the inhuman and degrading conditions in which inmates of prisons are kept. In this respect, it has been observed, "[a] prisoner is potentially in worse condition than the slave, because the slave is the property of someone whose interest is it to keep his property in serviceable condition, whereas the prisoner is owned by nobody, unless it be the State which is ultimately responsible for the imprisonment.[24]

The conditions of prisons and inmates in Nigeria are particularly poignant. Overcrowding or congestion has been the primary cause of the diverse problems confronting prison inmates in Nigeria.[25] Unceasingly, offenders get committed to prisons on remand to await trials, to serve their penal sanctions or to await capital penalties. However, provision of correctional facilities in the different jurisdictions has not been commensurate with the high number of persons being committed. Studies have statistically established the issue of overcrowding and congestion in different Nigerian correctional facilities,[26] with the facilities holding far more inmates than the original numbers they were

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[16] *Ibid*. See also Faloore Omiyinka Olutola, *supra* note 1, p. 32, Alaba Ibironke Kekere, *supra* note 2, p. 46.
[17] *Ibid*.
[18] Alaba Ibironke Kekere, *ibid* at pp. 46-47.
[19] See *ibid*. At p. 47-48.
[20] Centre for Crime and Justice, 'Prison – More than Detention?', online at https://www.crimeandjustice.org.uk/publications/cjm/article/prison-more-detention (accessed on 21/6/2025); Raul Wallenberg Institute, *supra* note 15
[21] Centre for Crime and Justice, *ibid*.
[22] *Ibid*.
[23] *Ibid*. [emphasis added].
[24] S. R. Benatar, 'Ethical responsibilities of health professionals in caring for detainees and prisoners' *S Atr Med J* (or SAMT), 1988; 74: at p. 454.
[25] Faloore Omiyinka Olutola, *supra* note 1, p. 32, Alaba Ibironke Kekere, supra note 2, p. 46.
[26] See e.g., Aminat Abiodun Olabamiji, 'Prison Overcrowding in the Nigerian Correctional System: Implications for Offender Rehabilitation at the Ado-Ekiti Correctional Center', *Global Journal of Arts, Humanities and Social Sciences* Vol.13, No.2, 2025, pp.15-17, Awopetu Ronke Grace, 'An Assessment of Prison Overcrowding in Nigeria:

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originally designed or intended for. Different factors have been adduced for the situation of congestion of correctional facilities, with calls for a proactive drive to attain decongestion to maintain wholesome prison inmate population.[27]

The seriousness of prison congestion in Nigeria has been poignantly by some drastic measures resorted to by some units of the criminal justice system. For example, in 2023, in Lagos State, Magistrates were directed not to further grant applications by police for remanding of offenders in correctional facilities; this was spawned by the refusal of correctional centres to admit offenders based on congestion in the centres.[28] Unfortunately, the congestion-based refusal opened up other fronts of problems. Inevitably, offenders have had to be kept in police cells where they are exposed to diverse forms of suffering similar to the situation of prison custody.[29] The acute seriousness of prison congestion has also been illustrated by a desperate measure of the Nigerian government exploring the option of paying off the fines of inmates as a means of decongesting the over-crowded correctional facilities.[30]

Overcrowding in correctional facilities has been the bedrock and catalyst of other problems confronting inmates housed in already deplorable custodial facilities.[31] The problem of overcrowding is inherently complicated by the generally derelict conditions of the prison structures and facilities. A writer has noted:

> The absence of required infrastructures for corrections and skill acquisition has turned many prisons in the country to centres where inmates are merely kept behind bars to waste away. However, the few centres that can boast of infrastructures have very poor, obsolete and decaying facilities. Most prison facilities were built by Colonial Administrations and Native authorities in the pre-independence era. While the few built by the Federal Government in post-independence era are below world standard in terms of infrastructural facilities, others are totally in a condition of disrepair and little or no efforts have so far been made in renovating them.[32]

The writer further states,

> In the same vein, social amenities are clearly nonexistent in most of the prisons in Nigeria. In effect, this has elicited various negatives descriptions of the state of infrastructural amenities in many prisons in the country. Scholars…over the intervening years, referred to life in prisons in Nigeria as hell, unhopeful and dehumanizing. According to these writers, lack of social amenities is responsible for the incessant social violence that characterizes every Nigerian prison. Closely related to this is the derelict state of physical infrastructural amenities in most facilities. Prison facilities are overstretched violating the international standard for this.[33]

The natural gloomy outcome of incarcerating excessive population of inmates in inadequate, derelict and unwholesome prison environment is not far-fetched, as following discussion shows.[34] With number of inmates far exceeding the available facilities, inmates are inevitably crowded in cells, having to sleep on bare floors, mats or

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Implications for Rehabilitation, Reformation and Reintegration of Inmates.' *IOSR Journal of Humanities and Social Science (IOSR-JHSS)* Volume 19, Issue 3, Ver. VI (Mar. 2014), pp. 21-25. See further, Faloore Omiyinka Olutola, *supra* note 1, pp. 32-34, Alaba Ibironke Kekere, *supra* note 2, pp. 47-49.

[27] *Ibid*.

[28] Naomi Chimaomi Chima, 'Prison congestion: Magistrates barred from granting police remand orders', Punch [Newspaper] 27th October 2023 online at https://punchng.com/prison-congestion-magistrates-barred-from-granting-police-remand-orders/ (accessed on 5/11/2023); Onozure Dania, 'Custodial centres reject prisoners, lawyers demand reforms', Punch [Newspaper] 26th October 2023 online at https://punchng.com/custodial-centres-reject-prisoners-lawyers-demand-reforms/ (accessed on 5/11/2023).

[29] Emma Nnadozie,'Fear of epidemic looms in police cells as courts reject remand suspects in Lagos', Vanguard [Newspaper], October 27, 2023 online at https://www.vanguardngr.com/2023/10/fear-of-epidemic-looms-in-police-cells-as-courts-reject-remand-suspects-in-lagos/ (accessed on 5/11/2023)

[30] Racheal Ayodele, 'FG to pay N500m for release of 4,000 inmates' Daily Post [Newspaper], October 19, 2023, online at https://dailypost.ng/2023/10/19/fg-to-pay-n500m-for-release-of-4000-inmates/ (accessed on 5/11/2023).

[31] See notes 26 together 27 along with related/accompanying texts.

[32] Faloore Omiyinka Olutola, *supra* note 1, p. 33

[33] *Ibid*.

[34] The following narrative on general prison conditions are as adapted from Faloore Omiyinka Olutola, *ibid*.

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share beds, where available. Where beds are available, they are in filthy and unhealthy conditions. There are cases in which inmates are lumped up in confinement without regard to classification and separation of inmates. Those that are on remand and awaiting trials are confined with sentenced convicts, and young offenders are also mixed with older inmates. In addition, pregnant women, nursing mothers and children are in many cases confined together with other inmates in environment with questionable arrangement for medical and related needs. In another dimension, there are the occurrences of confining unhealthy persons, in some cases suffering from contagious diseases, with healthy ones; of serious concern is that the inmates are confined in cells, mostly with poor lighting and ventilation, and in circumstances where inmates tend to be confined for long hours with little or no time for recreation; additionally, there is the general lack or functioning of recreational or social amenities."[P]ortable water supply is lacking while facilities necessary for their sanitary conveniences are either obsolete or in deplorable condition. As a result, inmates defecate and bathe in the presence of others without toiletries in the same room".[35]

Added to the foregoing burdens, custodial inmates face the problem of poor feeding of inmates in terms of quantity and quality of food availed inmates. This scenario was brought to fore in a widely reported lamentation of a Nigerian Senator in the course of an official deliberation session, involving the Nigerian Correctional Service, that dogs are fed better than inmates of Nigeria's custodial centres.[36]

Faced with lack or inadequacy of basic necessaries, such as sleeping space, food, access to recreational amenities, coupled with the harsh conditions of the accommodations, inmates would have to struggle for everything to survive. In essence, the overcrowded and tough prison conditions tend to promote morbid struggle for survival and hostility among inmates. With many of inmates being in prison for violent crimes, and inherently disposed to aggression, gory violence tends to be an inescapable feature in Nigeria's correctional facilities. With raw power and might being required credentials in such environment, the subjection and domination of less powerful inmates by the powerful are inevitable, creating a setting of survival of the fittest or the meanest with the associated violence. By and large, custodial overcrowding has been associated with vices such as rape, sodomy and other sexual exploitation, and other interpersonal confrontation with prison wardens resulting jailbreak, riot, and prison escape.[37] Naturally, the subjection of inmates to living in cramped and chocking environment, largely devoid of basic requirements for decent human living conditions, would have negative impact on their mental and physical health. In summation, life in Nigeria's prisons is very dehumanising, hellish and hopeless; to recap, "[c]onsidering the conditions of the prisoners, *being sentenced to a term of imprisonment in Nigeria is akin to imposing death sentence*."[38]

In light of the foregoing, it should not be surprising that conditions of Nigerian prisons generally tend to harden inmates, rather than reforming or rehabilitating them. Simply, it can be said that the custodial institutions lack the requirement or wherewithal for meaningful correction and rehabilitation of inmates. To buttress this point, a Commissioner of Police of one of the states in Nigeria, in 2024, was reported to have declared, "Nigerian prisons had become a training ground for hardened criminals and the reproduction of criminal gangs threatening the society's peace."[39]

In essence, it is inmates who had been hardened in prisons that are returned into the society. As will be discussed in the following section, by and large, due to the interplay of diverse factors, the poor and inherently vulnerable persons are more likely to experience imprisonment than the affluent or well-heeled. Such vulnerable groups could have been in prison for petty crimes related to economic survival or wrong choices which may not be the situation of the well-to-do or well-placed. Such susceptible persons on release may return to the society in economic and allied situations

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[35] *Ibid*.

[36] Henry Umoru, 'Dogs are fed better than inmates in Nigerian prisons – Oshiomhole' Vanguard [Newspaper], December 7, 2023, online at https://www.vanguardngr.com/2023/12/dogs-are-better-fed-than-inmates-in-nigerian-prisons-oshiomhole/ (accessed on 21/6/2025); see also, Nosakahale Akhimien, 'Dogs Better Fed than Inmates in Nigerian Prisons, Says Oshiomhole' Channelstv online at https://www.channelstv.com/2023/12/07/dogs-better-fed-than-inmates-in-nigerian-prisons-says-oshiomhole/ (accessed on 21/6/2025)

[37] Faloore Omiyinka Olutola, *supra* note 1, p. 33

[38] Alaba Ibironke Kekere, *supra* note 2, p. 45.

[39] Oluwakemi Adelagun, 'Recidivism: In Nigeria, many ex-offenders return to crime after serving jail terms' *PremiumTimes*, January 31, 2024 online at https://www.premiumtimesng.com/news/663712-recidivism-in-nigeria-many-ex-offenders-return-to-crime-after-serving-jail-terms.html#:~:text=%E2%80%9CWhere%20an%20ex%2Doffender%20does,tendency%20for%20re%2Doffending.%E2%80%9D (accessed on 14/3/2025)

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worse than what propelled them to prison originally. With little or no hope for survival, such prison-hardened and largely un-rehabilitated persons can be disposed to re-offending, raising the bar of recidivism. Thus, with the questionability of rehabilitation in Nigeria's prisons, hope of reformation of such individuals tend to lie in an effective reintegration system that can sway them away from the path of criminality. It is along that context that addressing the factors that can be adverse to the post-incarceration life of ex-inmates becomes of essence.

Reintegration Discourse: Propensity of the Poor and Vulnerable persons to experience Imprisonment in comparison with the Well-to-do

Any category of persons, affluent or poor can experience imprisonment flowing from transgression of law. However, the disadvantaged and vulnerable members of the Nigerian society ('the poor' in Nigerian parlance), ostensibly, are more likely to end up in prison compared with the well-heeled persons ('big people' in Nigerian parlance). While the big people tend to be involved in high-octane crimes such as embezzlement of huge public or private funds, political crimes or other serious crimes that cannot be 'overlooked', the poor have a much wider field of crimes to get entrapped in, leading to imprisonment. Daily activities at Magistrate and other courts in Nigeria, as well as police stations would readily attest to this. Many people face trials for offences ranging from petty thievery, conducts likely to disturb public peace, burglary, affray, criminal assault, robberies, 'wandering', or simple misfortune of being apprehended in 'police raids' – situations which may not typically affect big people who are also likely to be well-connected.

Where arrests for crimes lead to criminal trial, certain factors tend to make the poor more likely to end up in prison. At the preliminary stages of arraignment, in comparison with the big people, the poor may have difficulty in perfecting bail conditions, ending up being remanded in prison to await the conclusion of trial. Different reports have indicated that a significant number of prison inmates in Nigeria are not yet convicted but awaiting the conclusion of trials for reasons majorly involving inability to meet bail conditions[40] or pay prescribed fines, in lieu of imprisonment.[41] At trial stages, unlike the poor, the big people would have the means of retaining high-priced lawyers to fight their cases up to highest level of court for freedom. This situation can be illustrated by a criminal case involving a well-off Nigerian as defendant.[42] In the case, the defendant fought his case up to the Supreme Court, Nigeria's highest and final court of justice, where he was eventually exculpated of the charges against him and freed. Poignantly, lawyer to the defendant noted that the defendant was able to get justice "because he could afford to reach the apex court; *imagine what would have been the plight of the innocent Nigerian who could not afford to get as far as the Supreme Court.*"[43]

True, the brilliance of high-priced lawyers may not necessarily ensure freedom or that a big person would not face conviction and imprisonment after going through different levels of the court. Even at that stage, the odds still stand in favour of the big people not going to prison. In the case of conviction and sentencing entailing the option of fine, the poor, unable to pay the fine can end up in prison, unlike the big people who can readily pay the fine and walk free. This scenario can readily be illustrated by the earlier noted effort of the Nigerian government seeking to pay off the fines of inmates as means of decongesting prisons - manifestly, due to the inability of the convicts to pay.[44]

Even in a situation where fine is not an option, big people may still not personally serve their prison terms, based on some corrupt arrangements involving corrupt government officials. For example, as a Nigerian newspaper reported, Femi Falana, a renowned Nigerian lawyer and human rights activist,

> revealed that criminals that have been convicted of a crime are allowed to walk freely on the streets after warders connive with convicts to pay youths willing to serve jail terms on behalf of criminals. According to him, some of them who have been condemned to prison terms in Kirikiri hardly get there as the exchange is made at Mile 2, a few kilometres to the prison. He also said that there were some convicts who don't seek

[40] See notes 26 together 27 along with related/accompanying texts.
[41] See Racheal Ayodele, *supra* note 30
[42] See Leroy Chuma Edozien, 'Supreme Court on Nwaoboshi's case: Reason to reform EFCC' *Guardian* [newspaper] 18 July, 2023 - online at https://guardian.ng/opinion/supreme-court-on-nwaoboshis-case-reason-to-reform-efcc/ (accessed on 27/8/202).
[43] *Ibid*. [empahsis added].
[44] Racheal Ayodele, *supra* note 30

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> a replacement or representation in prison but simply pay court officials after which he goes from the court to his house.[45]

Reintegration of Ex-convicts: Challenges and Matters arising

To recap, the conditions of Nigeria's custodial facilities and the multidimensional effects on inmates have been noted in prior part of this paper. Similarly, the greater likelihood of the poor and vulnerable facing incarceration has also been examined. Moreover, some of such could have met the fate of incarceration due to engaging crimes to in the desperation to meet economic or existential needs. In context, it has also been noted that prison conditions have not had significant reformative or rehabilitative effects on inmates - rather, further hardening and packaging them for more serious criminal acts later.[46] In relation to the foregoing, despite the lofty provisions of the Nigerian *National Correctional Services Act* of 2019 significant number of inmates are likely to exit prison custody without acquiring beneficial skills, psychological reorientation and related supports that may assist in properly situating them for life after incarceration due to inherent limitations of the custodial facilities. In summation, freed inmates returning to the society, largely, are not properly enabled for reintegration. Some may even be returning with harboured deep-seated grievances, resentments and anger against individuals or society collectively, for real or perceived injustice they suffered through incarceration.

In the society, returning ex-inmates face ostracization, stigmatisation, dread and derogatory castigations. Family could disapprove and distance from ex-inmates for soiling or tarnishing the family name, while friends and associates too could withdraw from them to avoid the discomfort of being seen as associating with perceived pariahs. In cases where spouses have abandoned ex-offenders based on the shame of incarceration, or some other reasons, not many would be willing to marry them anymore.

Another post-incarceration challenge faced by ex-inmates is in the area of employment or means of livelihood. Prison sentence is a common ground for dismissal of employees on the basis of *misconduct* or unfitness by government and non-government employers. Thus, previously employed ex-inmates, may not have jobs to return to after serving their terms. In similar vein, the businesses of those self-employed may have collapsed due to mismanagement by those holding fort or other reasons. Even, where self-employed ex-inmates struggle to pick up and move on with their economic enterprises, the businesses may still be at risk of failure as people, aware of their incarceration history, may no longer want to transact business with them as stigmatised ex-convicts or persons of questionable character or integrity.

Generally, not many people would want to employ or maintain business transactions with ex-convicts.[47] The feeling tends to be that that their criminal records make them 'dangerous', dreaded or untrustworthy persons. In summation, the inter-working of societal attitudes puts many freed inmates in precarious and desperate situation, facing lack of income, homelessness and means of meeting other basic needs of life. In the face of the foregoing factors, coupled with avoidance and isolation by 'clean' members of the society, ex-convicts tend to find solace in the community of fellow ex-offenders, anti-social elements or other forms of criminal association that inevitably propel them back into criminal acts.[48] More so, when such ex-convicts are inherently vulnerable persons, unlike big people, that may have personal or family means to support their return to mainstream society.

In perspective, it would seem that an ex-offender's real punishment and suffering begin after finishing his term and relocating back into the society. A former Nigerian governor, Lateef Jakande, long ago, presented the situation thus:

> Nigerian society never forgives a prisoner. Once a citizen has been to prison, he is for the rest of his life a social leper. He is either completely ostracized by his former friends or treated with acute suspicion. He is

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[45] Sahara Reporters, New York, 'How Nigerian Prison Officials Arrange For Young People To Serve Jail Terms For Criminals, Convicts— Falana' Sahara [newspaper], April 8, 2022 online at https://saharareporters.com/2022/04/08/how-nigerian-prison-officials-arrange-young-people-serve-jail-terms-criminals-convicts%e2%80%94 (accessed on 13/10/23)

[46] Oluwakemi Adelagun, *supra* note 39.

[47] Usman A. Yusuf, *et. al*., 'Community Factors and Recidivism in Nigeria: A Study of Kuje Correctional Center Abuja' *International Journal of Scientific Research in Humanities Legal Studies and International Relations* (IJSRHLR) Vol. 6, No. 1, February 2022, p. 48.

[48] Oluwakemi Adelagun, *supra* note 39.

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> barred from employment in the country's public services. The private firms will not have him. And his associates or relatives never fail to remind him of his past just when it will hurt him most. One false step taken in a moment of weakness of folly haunts him through life.[49]

With ex-offenders facing the situations considered above, it should not be surprising that many readily become serial offenders and recidivists, with serious implications for crime control and prevention in Nigeria.

Ineffective Rehabilitation and Reintegration as Underpinning Causes of Recidivism and serial Criminality in Nigeria: an Overview

Studies at different times have shown the disturbing statistics on the rates of recidivism in Nigeria.[50] One placed the prevalence of recidivism in Nigeria at 37.3% in 2005, increasing to 52.4% in 2010.[51] Another source states that, between 2007 and 2014, an average of 31.3% of the released offenders committed crimes sending them back go back to Prisons, few years after previous release;[52] the same source, relying on a 2009 study, more poignantly, declares that, "81% of male inmate and 45% of female inmate were re-arrested within 36 months of discharge from the prison custody."[53] Apart from the works of non-governmental scholars, official government sources attest to the disturbing prevalence of recidivism in Nigeria.[54]

Existing literature generally agree on the underlying causes of recidivism in Nigeria.[55] As earlier related in the paper, the causes comprise of ineffective rehabilitation of convicts while incarcerated due to diverse reasons including unwholesome conditions of the custodial environment as well social, economic allied factors affecting their proper integration after release. To recall, the economically challenged and inherently vulnerable members of the society are more disposed to experience imprisonment in comparison with the 'big people' - persons with financial means or having support from well-heeled family or associates. In another dimension, the post-release return of incarcerated 'big people' to the society are more likely to be devoid of economic and related yokes that affect 'poor people'. In some cases, the release of 'big people' can be with the airs of glamour and celebrations, as in the case of a prominent Nigerian politician.[56] Comparatively, the poor ex-convict, who, most probably, has been abandoned or avoided by spouse, family and associates due to imprisonment, would typically sneak back into the society, unsure and confused about the future and way forward.

Essentially, the average Nigerian ex-convict returns to the society to face myriad economic and related existential challenges that may include elements that that propelled him into prison in the first instance. According to Uju Agomoh, founder and executive director of Prisoners' Rehabilitation and Welfare Action (PRAWA), a Nigerian civil society organisation promoting human rights of people in prison and helping in the reintegration of ex-convicts,

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[49] Paul C. Ananaba, *supra* note 6

[50] See, *inter alia*, e.g., Osagie Lucky Omoruyi and Emike Selina Igbafe Agbontaen, 'Nature and Effectiveness of Rehabilitation Programmes in Preventing Inmates' Recidivism in Nigeria Correctional Service', *NIU Journal of Social Sciences* Vol. 10(2), 218'; Idowu, Oluwafemi Amos & Odivwri, E. James (2019), 'Re-Integration of Released Offenders: a Panacea to Vicious Circle of Recidivism in Ondo State, Nigeria' *Gouni Journal of Faculty of Management and Social Sciences*, Vol. 7(1), 33; Otu, M. Sorochi, 'Analysis of the Causes and Effects of Recidivism in the Nigerian Prison System' *International Journal of Development and Management Review* (INJODEMAR) Vol.10 June, 2015, 137; Tarela Juliet Ike *et.al,* 'Public perceptions and attitudes towards ex-offenders Nigeria: A mixed-method study' Criminology & Criminal Justice 00(0) [Standard Article], 2023 [Sage], 2; Irogbo, Prosper Uyoyou 'The imperatives of inmates' rehabilitation programmes: A study of Delta state correctional centres' International Journal of Intellectual Discourse (IJID) Volume 7, Issue 2. June, 2024, 327.

[51] Otu, M. Sorochi, *ibid*.

[52] Idowu, Oluwafemi Amos & Odivwri, E. James, *supra* note 50, p. 33.

[53] *Ibid*.

[54] See Lateef Omotosho Adegboyega, 'Predisposing Factors of Recidivism as Perceived by Prison Officers in Kwara State, Nigeria: Implications for Counselling Practice' *MIMBAR PENDIDIKAN: Jurnal Indonesia untuk Kajian Pendidikan,* Volume 5(1), Maret 2020, 2.

[55] See note 50 along with related/accompanying texts.

[56] See e.g. *Sahara Reporters, New York*,'Fanfare Over Bode George's Release Sparks Outrage' Sahara Reporters February 26, 2011, online at *https://sahrareporters.com/2011/02/26/fanfare-over-bode-george%E2%80%99s-release-sparks-outrage* (accessed on 8/11/2023)

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> [t]here are…issues around the socio-economic and other enabling factors that led to the initial offending behaviour being still in existence at the point of moving back into the society… Without the requisite support, the tendency is that an ex-inmate faced with such challenges will be re-offending especially where these enabling factors are existential issues.[57]

Agomoh was further reported to have said prisons could also contribute to recidivism if they are ineffective in terms of providing the appropriate reformation and rehabilitation programmes suitable for addressing the offending behaviour of a particular inmate while in custody, noting,

> [l]ack of or in-efficient reintegration programming is another problem…Where an ex-offender does not have access to a good reintegration plan, the tendency of reoffending in the face of the challenges of rejection by family and friends, stigmatisation and no means of livelihood and lack of shelter, there is every tendency for re-offending.[58]

Beyond generalized scholarly and other studies on the factors underlining recidivism in Nigeria, specific interactions with identified recidivists have buttressed and reinforced the impact of the causative factors. A 2024 news report of interview of three re-offending ex-convicts, arrested for murder, offers some insight. One of the three was released from an initial prison sentencing in 2015; as at 2022 when arrested for murder, seven years in between, the man had returned to prison two earlier times, with the fresh crime, taking back to prison the fourth time, if convicted. In response to questions on what kept him re-offending, he identified "economic hardship", additionally, that prison stigma stuck with him making many people refusing to help him.[59] The stories of his two accomplices are basically along the same line, with expatiation on how they struck up association while in prison, a criminal relationship they fell back on due to the diverse existential challenges they respectively faced after release.[60]

Law and the drive for meaningful Rehabilitation and Reintegration: A Look at the Nigerian Correctional Services Act

From different perspectives, recommendations have been proffered for reducing recidivism in Nigeria, even if not totally eradicating it. Vis-à-vis, the underlining causes of recidivism, as considered previously, a general way to reduce the vice is that the Nigerian government and society at large should focus on addressing the root causes of reoffending and facilitate meaningful integrative support for formerly incarcerated people. In one respect, there should be productive rehabilitation for inmates in custodial centres by ensuring humane conditions and conducive environment for inmates; associated with this is the provision of appropriate educational and vocational opportunities for inmates to enhance their capacity of having means to meet basic needs in post-incarceration life. Another recommendation is that Nigeria adopt non-custodial sentencing, such as community services. This would prevent custodial congestion, keeping prison population at manageable level for wholesome conditions for inmates through reduced pressure on limited resources and facilities.

Furthermore, beyond custody, there should be meaningful aftercare for released inmates to ensure good support in reintegrating back into the society. At the societal level, there should be educational and other awareness measures to address the stigmatization and perceptions of ex-convicts as pariahs. A change in mindset would afford ex-inmates the chance of normal social, economic and other associations, reducing the likelihood of finding solace in associations that predispose to repetitive criminality. At another level, there should be proactive intervention by other stakeholders, particularly civil society groups in advocacy and practical supports for ex-convicts to complement other strategies for the meaningful reintegration of released offenders.

Inevitably, law has a key role to play in combating recidivism in Nigeria, which brings the relatively recent *Nigerian Correctional Service Act (NCSA)* of 2019 into focus. Indeed, it has been canvassed that the Act stands as a pivotal solution in the reduction of recidivism by strengthening rehabilitation and reintegration efforts, depending on effective enforcement of its pertinent provisions.[61]

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[57] Oluwakemi Adelagun, *supra* note 39.
[58] *Ibid*
[59] *Ibid*.
[60] *Ibid*.
[61] Hannah Kintum, 'Five Ways to Reduce Recidivism in Nigeria', CELSIR (November 8, 2024) online at

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NCSA has salient provisions geared towards reformation and rehabilitation of inmates. Section 14 of the Act (with side note stating, "Rehabilitation and Reformation of inmates"), among others, provides:

> 14.—(1) The Correctional Service shall provide opportunities for education, training vocational training, as well as training in modern farming techniques and animal husbandry for inmates.
> (2) In accordance with the provisions of subsection (1), Correctional Service shall establish and run, in designated Custodial Centres, industrial centres equipped with modern facilities for the enhancement of vocational skills training for inmates aimed at facilitating their reintegration into society.
> (3) Subsections (1) and (2) shall be administered to encourage generation of funds to aid the earning scheme for the inmates, aftercare and other support services towards their rehabilitation…

The provisions of section 14(1) and (2) on education, vocational training and skill acquisition stand to facilitate reformation and rehabilitation of inmates which can be helpful in assisting their post-custody situation. Expectedly, education and training would help such inmates in having occupation and earning capacities to meet basic existential needs after their terms in custody. Also, the provision on funds for aftercare and allied support services would, in addition, to rehabilitation have good effect in inmates' reintegration back into society.[62]

On the aspect of reintegration, subsections (5) and (6) of section 14 further provide:

> (5) The Controller-General may recommend to the Board for the issuance of certificates of good behaviour upon discharge to an inmate who had demonstrated good conduct, including those who have acquired training through formal and informal education aimed at facilitating their reintegration.
> (6) A person who is issued with the certificate of good behaviour shall not be discriminated against on grounds of his custodial sentence.

Manifestly, the combined effect of the two subsections is to shield released inmates against stigma, ostracisation and discrimination in the society. In one respect, it remains debatable the extent to which mere certificates of good behaviour can propel members of the society to perceive ex-inmates as transformed, trustworthy and 'not dangerous' beings. Nonetheless, the cleansing certification holds some prospects of acceptance for ex-inmates achieving reintegration back in the society. It, for example, may assist job-seeking ex-inmates in convincing prospective employers to perceive them as reliable characters; beyond employment issues, it can serve as some indication of transformation in other social associations and situations limiting the possibility of ex-inmates finding solace in unhealthy community of criminal-minded peers due to societal abandonment.

Recurrent fight-for-survival, bullying, predation, diverse forms of violence, as well as degrading and inhumane treatment have been features of custodial life and the lot of inmates in Nigeria. Living in a violent environment tends to spawn and intensify mentalities of aggression and hostility among inmates. This, along with other harsh conditions of custody, predispose inmates to becoming hardened instead of getting reformed and rehabilitated. In addressing the issue of violence in the prison environment, section 14(8) of the Act provides:

> (8) The Correctional Service shall take adequate steps to ensure the:
> (a) prevention of torture ;
> (b) prevention of inhumane and degrading treatment against inmates ; and
> (c) prevention of sexual and non-sexual violence and bullying and effective procedure for prevention, identification of early warning signs, early detection of occurrence, punishment of perpetrators and protection and treatment of affected victims.

The Act has other provisions aimed at improving the condition of prisons and situation of inmates geared towards effecting positive change in their character. The Act provides for the provision of funds for inmates' feeding, subject to periodic review.[63] Along similar lines, the Act provides for the provision of basic needs to meet the minimum standards for the treatment of inmates which includes accommodation, feeding, potable water, hygiene, sewage disposal, clothing and toiletries.[64] Overcrowding, overpopulation and congestion resulting in cramming inmates

https://celsir.org/five-ways-to-reduce-recidivism-in-nigeria/ (accessed on 18/3/2025).
[62] Idowu, Oluwafemi Amos & Odivwri, E. James, *supra* note 52, p. 34.
[63] Section 30(1&2)
[64] Section 30(3)

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into cells far beyond the intended original capacity have been an underlying factor in the inhumane conditions in which inmates are kept and exposed to. Illustrating the rate of over-congestion of Nigerian custodial centres, one source stated that they are overcrowded as much as 250% of capacity, with one of the well-known custodial centres, *Kirikiri*, in Lagos, at a time, having over 2,600 inmates occupying a space built for 956 inmates.[65] Overpopulation, with the consequence of cramming inmates in overcrowded and overwhelmed facilities, has some serious consequences. While putting serious pressure on basically inadequate facilities and amenities in one respect, it facilitates fierce and morbidly competitive, or even predatory, spirit of survival-of-the-fittest, or the meanest, among inmates, a factor that can be readily associated with recurrent violence. As a measure to address the problem of custodial congestion, the Act makes provisions for non-custodial sentencing comprising of community service, parole and allied arrangements.[66] This in tandem with the recognition that non-custodial sentencing assists in reducing inmates' population and custodial overcrowding.[67]

By and large, the NCSA has taken a positive legislative step in confronting the problems affecting reformation and rehabilitation of inmates, as matters touching on ultimate reintegration after release. In perspective, it is also a good drive towards addressing recidivism in Nigeria, if the pertinent provisions of the Act are effectively enforced and proactive official will-power is committed to meeting the necessary requirements. In this respect, an organisation involved in the practical rehabilitation of freed inmates has stated, "[e]nforcing the Nigerian Correctional Service Act (NCSA) of 2019 can be a pivotal solution to reduce recidivism by strengthening rehabilitation and reintegration efforts".[68] Generally, effective enforcement of the Act would propel the government to prioritise funding for correctional programmes, training of more rehabilitation personnel, and engaging communities in support of justice-involved individuals.[69]

The impact of the NCSA in integrating inmates' reformation and rehabilitation towards reintegration remains an issue of debate. At government official side, there have been reports of positive achievement. For example, an officer of the Correctional Service, in a January 2024 news report, gave an account of improvements, declaring that services being provided to inmates were "exceptional services in terms of safe and humane custody, access to justice and giving inmates regimes of treatment towards reformation, rehabilitation and reintegration of offenders."[70] The official proceeded further to aver that the lives of inmates and ex-inmates were being "transformed" through the initiation of certain programmes.[71] Ironically, the same news-report presented a Commissioner of Police referring to Nigerian custodial centres as "a training ground for hardened criminals and the reproduction of criminal gangs threatening the society's peace."[72] And in likewise, a former State Governor who was imprisoned, stated that people confined are supposed to come out reformed, not hardened, but "[m]ost of the young men out there come out worse than they went in…" [73]

In relation to reintegration, some measures in the scope of the NCSA are also being implemented. In a practical display of the reintegration drive and after-care programme, the Correctional Service in 2020 donated trade tools to 36 ex-inmates with admonition to the beneficiaries that the tools were to assist them in starting up trades and by so doing, ensuring gainful employment as well as crime-free life. As laudable as programmes of this nature are, the effectiveness in reducing recidivism is debatable, based on how far-reaching the measures are. Notably, in the same year that 36 ex-offenders were availed trade tools, 7,813 inmates were released, due to the COVID-19 pandemic, with most of them having to face reintegration challenges on their own without after-care or other reintegration assistance.[74] Significantly, at a later time, some arrested re-offenders, in the course of an interview, maintained that

[65] Oluyemisi Bamgbose, 'Community Service Order as an Alternative to Prison Sentence' *The Advocate* 30th Edition, p. 70.
[66] Sections 37-44 generally.
[67] Oluyemisi Bamgbose, *supra* note 65, p. 71.
[68] Hannah Kintum, *supra* note 61.
[69] *Ibid*.
[70] Oluwakemi Adelagun, *supra* note 39.
[71] *Ibid*.
[72] *Ibid*.
[73] *Ibid*.
[74] *Ibid*.

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after their release they were left alone, with no official reaching out to them to help navigate the turbulent waters of post-incarceration life.[75]

The non-custodial sentencing provision of the NCSA is being operated at some length. For example, a Nigerian celebrity couple convicted for violation of COVID-19 restriction regulations in 2020, instead of imprisonment, were fined with additional order of with order of 14 days of community service.[76] While the non-custodial sentencing along with option of fine in this case represents a good step in the drive to reduce custodial overcrowding, an issue is the extent to which such approach can be made far-reaching to encompass less-influential offending members of the society who may not be able to afford good legal representation to plead their cause. Another issue is that, where such non-custodial sentencing is attached to payment of fine, inability to pay the fine may still compel such offenders to end up on custody. More so, to recap, inability to pay fines has kept a number of offenders in incarceration.[77]

Above all, seriousness on the commitment to non-custodial sentencing, as means of decongesting Nigeria's prisons, appears doubtful. Some recent developments bring this to fore. For example, there were reports of 13 persons being sentenced to 13 months imprisonment on June 16, 2025 for urinating or defecating in a part of Lagos State.[78] There was another report on the imprisonment of another set of 8 persons for similar offences committed in another part of the state.[79] Furthermore, there have been series of reports of several other persons being arrested in different parts of Lagos State for public urination and defecation.[80] Perhaps, some of these could have been sent to prison without attracting public attention. Even if not, based on the widely proclaimed determination of the Lagos State Government for 'zero tolerance' of these acts and determination to keep making more arrests for the acts and deploy full weight of the law,[81] it is predictable that there will be more inflow into the prisons in Lagos State of people who indiscreetly answer the pull and call of nature. These developments cast shadow on the coordination of the units of Nigeria's criminal justice system in the productive embrace of non-custodial sentencing option, as enshrined in the NCAS, despite its identified benefits in prison decongestion towards fruitful rehabilitation of convicts. Arguably, the offences for which people are being imprisoned are minor and such that could be adequately sanctioned by terms of community service, for example, in clearing refuse which is a disturbing environmental issue in Lagos State.[82] Railroading people into congested prisons for such minor offences translates to appropriating and reprobating on the issue of non-custodial sentencing and prison decongestion. More so, in a state in which the available prisons, evidently, faces very serious problem of prison congestion.[83]

Considering, the rehabilitation/reintegration-oriented provisions of the NCAS vis-à-vis likely shortcomings or doubts over productiveness, it can be tempting to summarily decry the Act's capability or feasibility in aiding the reduction of recidivism in Nigeria. However, the Act deserves a more charitable appraisal. Essentially, the rehabilitation and reintegration measures of the Act constitute steps in the right direction; any present inadequacies or limitations can be regarded as emerging issues that can be addressed along the line. More so, it bears noting that the Act has been in operation for just about five years. Full implementation of required measures may take time due to restructuring and general bureaucracy in government operations as well as other matters contesting for government attention in the face of limited resources. Viewing through a prism of optimism, continuing improvement can be expected in the implementation of the rehabilitation and reintegration measures provided in the NCAS, with reasonable hope of ultimately arriving at the desirable level. Rehabilitating and Reintegrating of

[75] *Ibid*.
[76] *Ibid*.
[77] See Racheal Ayodele, *supra* note 30.

[78] Thandiubani, '13 Persons Sentenced to Three Months in Jail for Open Defecation and Urination in Lagos' tori.ng posted on Tue 17th Jun, 2025 - online at https://www.tori.ng/news/305782/13-persons-sentenced-to-three-months-in-jail-for-o.html (accessed on 3/7/2025).
[79] Felix Kuyinu, 'Lagos Court Jails Eight Residents for Open Urination' Echonews (Lagos Edition), June 27, 2025, online at https://echonews.ng/lagos-court-jails-eight-residents-for-open-urination/ (accessed on 3/7/2025)
[80] Oyedunmola Olakunle, '14 arrested over open Urination in Lagos', African Telescope [Crime News) online at https://nationaltelescope.com/2025/06/16/14-arrested-over-open-urination-in-lagos/ (accessed on 3/7/2025); Jide Ajia, 'Lagos task force nabs four individuals urinating on bridge', Punch Newspaper, 5th April 2025 Online at https://punchng.com/lagos-task-force-nabs-four-individuals-urinating-on-bridge/ (accessed on 3/7/2025)
[81] *Ibid*.
[82] Jide Ajia, *ibid*.
[83] See Naomi Chimaomi Chima, *supr*a note 28 together with Emma Nnadozie, *supra* note 29.

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ex-offenders into society are significant, though complex, challenge in Nigeria and beyond, while remaining crucial in reduction of recidivism. Thus, any intervention that holds prospect of some resolution deserves full exploration; hence need to give the intervening measures of the NCAS time for nurturing.

Clearly, realising the hope of resolution of Nigeria's recidivism debacle goes beyond mere application of the letters of the NCAS provisions. Some proactive steps need to be added to invigorate and reinforce the provisions for meaningful outcomes. As previously noted, the Act offers salient provisions to confront the socio-economic and allied factors affecting rehabilitation and reintegration of ex-inmates. One aspect is the provision of education and vocational training which can be beneficial for inmates' reintegration. However, studies have shown that many inmates do not embrace the opportunity of education and vocational training.[84] The situation can be attributed to different factors, such as difficulties in accessing the rehabilitative training and educational facilities.[85] It could even be as simple as inmates not being in appropriate mental or physical conditions to take advantage of the educational and vocational training measures. According one reoffending ex-inmate, "When you don't eat, you don't have the strength to go and learn, the same thing with the school over there. I wanted to go to school when I was imprisoned in Lagos but sometimes I have not eaten and can't settle down to think or say I want to focus on my study."[86] It is important that measures are taken to encourage inmates to be attracted to the rehabilitative measures of education and vocational training. It is notable that the Nigerian Correctional system has provision for post-secondary education for inmates through the National Open University system. Higher education stands to enhance the employability and social standing of such inmates. However, this opportunity is limited to a few of the correctional centres.[87] Expansion of the tertiary education opportunity across all Nigeria's correctional centres would afford a larger range of inmates the opportunity for such level of education.

As a means of shielding released inmate from social stigma along with its multidimensional adverse effects, the NCSA makes provision for the issuance of Certificate of good behaviour, as an indicator of rehabilitation. Assuming that *all* released inmates are armed with such certificates, it would still be preposterous to expect that the document alone would actually immune them against stigmatisation and the associated effects. Research has shown that there is strong community scepticism or distrust of ex-offenders' genuine repentance and reformation, with belief that ex-offenders could return to crime if the opportunity arises.[88]

> Ex-offenders are unlikely to change, and I will tell the reason why. A saying goes that 'a leopard cannot change its spot'. We, as a community, are law-abiding citizens that make sure we adhere to the law. However, the ex-offenders were once people who had been found legally guilty of committing a crime against society. Their unlikelihood to change is also coupled with our poor prison conditions, which rather than rehabilitating them, worsen them more. So, for me, especially being a victim of theft crimes and having suffered trauma; as a result, I do not believe in ex-offender repentance. I think they are pretending so the government will give them support in the form of amnesty or even stipends and jobs.[89]

Hence, beyond mere issuance of certificate of good behaviour, the government needs to offer supportive measures for *rehabilitated* ex-inmates to help them stabilise to a level that they can gain the trust of community members as truly reformed and repentant. It is at that level that the education or vocational skills acquired in custody can be of use to them in getting employment, or attract confidence of members of the society to engage in business or other associations. In the interim, to guard against ex-inmates reverting to criminality, the government should offer financial and allied supports to enable released inmates meet the basic things of life such as feeding, clothing and shelter to the point of reasonable stabilisation. In this context, a lesson lies in the amnesty programme encompassing financial and other supports availed 'repentant' Niger Delta militants at a time, spawning significant reduction in militancy and allied violent crimes, as well as infusing notable stability in the region till the present times.[90]

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[84] Osagie Lucky Omoruyi and Emike Selina Igbafe Agbontaen, *supra* note 50, p. 223.
[85] *Ibid*.
[86] Racheal Ayodele, *supra* note 30.
[87] Otu, M. Sorochi, *supra* note 50, p. 143
[88] Tarela Juliet Ike *et.al*, *supra* note 50 p.12
[89] *Ibid*.
[90] Oluwatoyin O. Oluwaniyi, 'Post-Amnesty Programmed in the Niger Delta: Challenges and Prospects', *Conflict Trends*, 50-52

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Quite true, based on inherent societal negative attitude towards offenders, provision of financial and other supports to ex-offenders for reintegration, can be perceived as misdirected 'pampering' of ex-inmates whose conducts have caused harm to the society, particularly on the part of traumatised victims of crimes. Connected with doubt of the genuineness of inmates' repentance, the seeming reintegration 'pampering' of ex-inmates stands to face strong societal resistance and disapproval based on feeling that offenders are merely profiting from their criminal wrongs under a cloak of devious pretence at repentance. To recall an earlier comment, "…I do not believe in ex-offender repentance. I think they are pretending so the government will give them support in the form of amnesty or even stipends and jobs".[91] In a related vein, improperly operated integration support to ex-offenders may draw hostility or disaffection from the community who hold a view of injustice and discrimination, mind-sets that can impede the success of reintegration efforts.

> The government approach seems to be one sided. For example, in the North a lot is being done for repentant Boko Haram who are provided with housing, money, jobs. But look at the victims, many of them are in Internally Displaced Person's Camps. The victims lost their livelihood, identity and even loved ones. So, I think more needs to be done to help the victims and the community so we can have positive reintegration.[92]

While societal sensibilities on any governmental step cannot be trivialised, the issue of offering reintegration support to ex-inmates should be considered from a *cost-benefit* perspective. Criminality extracts huge tolls in multifarious ways on the society; beyond the direct impacts of loss of properties, lives and injuries, as well as perpetual sense of insecurity and social disruptions, the tax-paying society still ends up bearing the cost of keeping and maintaining offenders in correctional centres. Comparatively, for preventing spiralling or cyclical criminalities arising through recidivism, the supposed reintegration 'pampering' of ex-inmates may not seem that intolerable. It is considered that an effective operation of the *restorative justice* mechanism enshrined in the NCSA,[93] and other community-oriented approaches would be helpful is assuaging the grievances of the community, enhancing the prospect of support and understanding in measures devised for the integration of ex-offenders.

> To improve ex-offender reintegration, first of all the trauma the victim suffered needs to be addressed and based on my experience as a victim of crime, I believe the community and victims needs to be involved in the reintegration process. [. . .] This will also include the avoidance of the current top-down approach which appears to downplay victims and community role in the positive reintegration of ex-offender. Thus, a bottom-up victims/community informed approach that addresses trauma and heal the community is encouraged for positive reintegration of ex-offenders.[94]

In summation, for the rehabilitation and reintegration objectives of the NCSA to be attained there is the crucial need for the government to adopt a comprehensive and holistic community-inclusive approach. Any deviation from such approach would make the Act just another legislative intervention devoid of any meaningful impact in the battle against recidivism in Nigeria.

Underlying all other pertinent measures in the project of recidivism control is to go back to the basics – rehabilitating the custodial centres, in terms of structure and amenities to be in proper frame for inmates to stay in humane conditions. With that, the prospect of reform would be enhanced instead of custody hardening them for future criminal activities. As one commentator says, "the correctional facility needs rehabilitation".[95] This position flows along with facts and studies that have generally flagged the poor state of Nigerian prisons as contributor to the poor and unhealthy experience of inmates.

CONCLUSION

This paper seeks to offer an input into the discourse and drive to control the troubling problem of recidivism in Nigeria. The different, but interconnected, factors at the root of the problem have been identified and analysed. Legislative intervention through the NCAS and its prospect in address recidivism has also be considered. In summation, way out of the recidivism problem is to effectively address the causative factors, starting from improving

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[91] Tarela Juliet Ike *et.al, supra* note 50 p.12
[92] *Ibid* p. 15.
[93] Section 43.
[94] Tarela Juliet Ike *et.al, supra* note 50, 16
[95] *Ibid,* p. 14

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harsh prison conditions for proper rehabilitation in preparing incarcerated offenders for ultimate societal reintegration. Beyond that, in relation to reintegration, there is the need to address economic situations of released offenders as well as the adverse public or societal attitudes towards ex-offenders, such as avoidance, stigmatisation and ostracisation, which predispose them to re-offending.

The drive for rehabilitation and reintegration of ex-offenders into society, remains a complex challenge in Nigeria and beyond. Still, it is a project that needs to be vigorously pursued, being crucial in the reduction of recidivism and general crime control in the society. Different recommendations have been proffered, in the framework of rehabilitation and reintegration, for reduction of recidivism. The specific recommendations, by and large, dovetail into the generic structure of the productive *rehabilitation* and *reintegration* of the people who have had unpleasant brushes with the criminal justice system.

An important point to note is that the fight against recidivism and crime control, by means of rehabilitation and reintegration, cannot be left to the government alone. In this regard, corporate organisations, civil society groups and other stakeholders have to complement efforts of the government. Notably, the essence of the collective efforts is gradually being well appreciated. One civil society organization that has taken a bold step in the direction is the Centre for Legal Support and Inmate Rehabilitation (CELSIR), based in Lagos, Nigeria. Generally, the objective of the organisation relates to assisting incarcerated individuals with legal and rehabilitation support necessary for a productive life post-incarceration.[96] More specifically, the organisation has initiated a practical approach to the reintegration of released offenders through establishing and sustaining a shelter (Halfway Home) for released female offenders - reportedly, the first such initiative in Nigeria.[97] As a component of reintegration, the Halfway Home project is to offer shelter and allied supports for females released from incarceration to help their stabilisation and reintegration back into the society. This in light of the recognition that "shelter as a fundamental human need, incarceration often results in the upheaval of homes, posing a significant challenge upon regaining freedom. The absence of shelter leaves formerly incarcerated individuals, especially women, in a vulnerable position."[98]

True, the CELSIR initiative is limited in scope, based on the present restriction to female ex-convicts up to certain number. Nonetheless, it offers a lesson and challenge to other stakeholders. The coast would be enlarged if other civil society groups, corporate organisations, faith based institutions, other individual or group with means chip in bits of such rehabilitation and reintegration projects. The cumulative effect would be significant complements to efforts of the Nigerian government in the drive to reduce recidivism through productive rehabilitation and reintegration of ex-convicts in the country as a collective societal project.

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https://doi.org/10.59298/NIJLCL/2025/5.2.233900

[96] CELSIR, 'Changing the lives of incarcerated individuals through Legal Support, Education and Life skills' online at https://celsir.org/ (accessed on 22/6/2025)
[97] CELSIR, 'Safe House for Formerly Incarcerated Women' online at https://celsir.org/what-we-do/#reentry (accessed on 22/6/2025).
[98] *Ibid*.