



NATIONAL HUMAN
RIGHTS COMMISSION

PRISON REPORT 2018

EDITED BY
TONY OJUKWU
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FOREWORD

The National Human Rights Commission, NHRC by law, is the foremost Human Rights Promoter and Defender in the Nigerian Body Politic. In furtherance of her statutory mandate of promoting the Observance of Human Rights in the country, the Commission undertakes periodic examination of Prisons and other detention centers across the country in order to ensure that the activities undertaken in those places conform to the Human Rights laws of the Nation. Specifically the Commission is expected "to visit prison, police cells and other places of detention in order to ascertain the condition thereof and make recommendations to the appropriate authorities". It is in fulfilment of this mandate therefore, that the NHRC embarked on a nationwide Prison Audit Exercise for the year 2018. This exercise was undertaken in fulfillment of her duties of ensuring the full enjoyment of human rights by both the free and the incarcerated without discrimination. This Report is on that Prisons Audit.

The Prison will always be central to the evaluation of human rights observances in any modern Nation State. It is the critical institution in the overall agenda of seeking to promote and protect fundamental human rights of people who are incarcerated in various facilities so as ensure they are treated in accordance with the UN Minimum Standard for the treatment of inmates in the prison. It is the application of the UN Standard Minimum Rules in these Audits that serve as benchmark and guidelines to spot and identify areas that need to be addressed in the overall agenda of prison reforms by the Government.

In addition, the Commission is committed to institutionalizing the observance, promotion and protection of human rights for everyone, by encouraging national values built on the principles of democracy, good governance and respect for the rule of law. This commitment is directed at all persons living and carrying on business in Nigeria, whether they be free or incarcerated without discrimination. Thus in the exercise of its mandate and in a bid to achieving its vision, the Commission has never taken its vision away from the course charted for it by the Governing Council at its meeting of 29th October, 2013, during which it set up an Adhoc Committee on Audit of Detention Centers with the following Terms of Reference:

- a. Receive, investigate and examine any information, complaint, petition or allegation relating to arbitrary or un-gazetted places of detention in Nigeria
- b. Visit, inspect or examine any premises or places operated by any person, institution or entity and used for the purpose of detaining persons under any guise or excuse
- c. Seek and, if necessary, compel and inspect from the persons operating any places of detention, the bases or legal authority under which such places are operated
- d. Verify the number of persons detained in such places and the conditions under which they are being detained
- e. Be governed in the conduct of its work by the Act and the StORP and by such other methods of work as may subsequently be authorised by the Council

- f. Co-opt such other persons or expertise as may be necessary for the due performance of the tasks
- g. Submit a report to the Governing Council of the NHRC embodying its findings, conclusions and recommendations not later than the end of April 2013
- h. Undertake such other tasks as may be necessary for or incidental to the realization of these terms of reference.

In order to underscore the importance of this Prison Audit as a tool for promoting Human Rights of those incarcerated in our Prisons, the 2018 National Field Visit of Prison Audit in Nigeria was carried out in conjunction with members of the National Assembly. This is the first time that the members of the National Assembly will be involved in the exercise and the sole aim of involving them is to ensure that this visit I brought to the National space as a critical accountability project deserving of prompt attention. Another purpose of involving members of the National Assembly at the actual audit and the report validation stage is to enable them have firsthand knowledge and impression of the challenges in our prisons nationwide so that a more understanding attention could be accorded prison matters in terms of laws, funding and general policy. It is the hope of the Commission that by support the drive for lasting reforms of the prisons system in Nigeria, a time will come when our Prisons are once again marked out by their adherence to the ideals of Reformation, Rehabilitation, and Re-integration. (3Rs).

In the course of this exercise the Commission and members of the National Assembly who formed part of the Prison Audit team engaged in pre and post audit exercise consultation with wide range of key stakeholders. Physical visits and collation of prison data in respect of all the prisons visited across the six geo-political zones of the country were conducted. The team also conducted interviews with all the various segment of prison personnel, at the various prison services nationwide including the detainees. This accounts for the rich content of this report.

Given the challenges militating against the building of an effective prison service, it is hoped that this document will guide Governments and other relevant stakeholders to play their respective roles of squaring up to the responsibilities of repositioning the Prisons Services for the effective service delivery for the overall good of the Nation which is our goal.

It is also our hope that this and every subsequent edition of the report will be unique, comprehensive and objective in many ways in the sense that it not only consolidate previous gains but will also seek to address the challenges identified in the previous exercise while making appropriate recommendations to Government and other relevant stakeholders on ways of improving the system in order to ensure that the fundamental rights of the detainees are well protected on a sustained basis.

Finally, I am convinced that the publication amongst others will be a reference

material for researches in the sector. It will also help all relevant stakeholders in measuring and evaluating the success recorded and the impact of these successes on the prison reforms and decongestion program of the Government. The publication will also serve as a strategy format for the development of a continuous strategy of addressing the prison conditions across the country with a view to making them meet International Human Rights Standards on a sustained basis.

Subsequently as a Commission, it will serve as the requisite material for the enhancement of the enjoyment of human rights of detainees in our prison nationwide.

TONYOJUKWU Esq.
Executive Secretary
National Human Rights Commission

ACKNOWLEDGMENTS

A project of this nature does not come cheap. It must as always involve the contributions of sundry stakeholders who have contributed in one way or the other in bringing it about. The National Human Rights Commission therefore wishes to appreciate the contributions and the roles played by various stakeholders in actualizing the 2018 Audit prison visit which was a huge success.

We appreciate the Nigerian Prison Services particularly the Controller-General of Prisons Alhaji Ahmed Ja'faaru for granting us un-hindered access to the prisons. Our appreciation also goes to all the staff of the prisons visited for their warm reception and inspection of the prison records in ensuring that the exercise was carried out without any hitch. Nigerian Prison Services has been the Commission's long-time partner in protecting the fundamental rights of the inmates. Their cooperation is highly appreciated and most valued.

It is worth nothing that this audit exercise would not have been successful without the commitment of the Commission's staff both at the Zonal/States offices as well as the headquarters who worked tirelessly from the beginning of the exercise to the end of report. In addition, the Commission is highly grateful to National Assembly staff, Abuja for being part of the 2018 Prison Audit Exercise. The audit exercise was carried out in selected zones of the six (6) geo-political zones of the country in spite of various challenges. Their efforts are commended and appreciated.

Finally, our sincerely appreciation goes to all those incarcerated in the prison visited who granted us physical interview, we hope sooner or later they will all regain their freedom.

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EXECUTIVE SUMMARY

The Prison is an arm of a Criminal Justice System charged with the responsibility of executing court judgements by receiving into custody all those ordered to be so kept by courts of competent jurisdiction. In simplest terms, a prison can be described as a building in which people are legally held as a punishment for a crime they have committed or detained awaiting ongoing trials.

Respect for Human Rights and Rule of Law are cardinal in Criminal Justice Administration under a democratic dispensation. There is no gain saying the fact that those who commit criminal offences in society should be held accountable for their but they too deserve to be treated humanely even in custody. That is why the NHRC supports and advocates for the respect for rights of suspects/convicts according to UN Minimum Standard Rules for Treatment of Prisoners should be cardinal to Prison Administration in Nigeria. The prison system is an integral part of the criminal justice system and serves as a custodial as well as a correctional institution. It also serves as a fundamental instrument for the protection, scrutiny, maintenance of the rule of law and social order.

The prison system is an integral part of the criminal justice system and serves as a custodial as well as a correctional institution. It also serves as a fundamental instrument for the protection, scrutiny, maintenance of the rule of law and social order. Over the years, the challenges in the Nigerian Criminal Justice System had taken its toll on conditions of the prisons. A lot of challenges have befallen our prison system such as congestion, infrastructural decay, lack of recreational facilities, access to justice, lack of legal representation poor medial service, near absence of logistics etc. all these and many more have negatively impacted the efficacy of the prison institution.

There are few and weak legal frameworks guiding the operations of the prison institution in Nigeria. These include the Constitution of the Federal Republic of Nigeria, 1999 (as amended), CAP P 29 Laws of the Federation of Nigeria, 2004, the Prisons Regulations and Standing Orders. The others are Extant rules such as the UN Standard Minimum Rules on the Treatment of Prisoners also known as the Mandela Rules, the Bangkok Rules on the treatment of Female Prisoners as well as the Tokyo Rules on the Treatment of Un-convicted Prisoners.

These are the instruments that set the bench mark for the treatment of prisoners and the evaluation of prison condition in the country. Due to the fact that the Prisons main Bill is still in the National Assembly, after 17 years, these obsolete laws appear very weak in dealing with the modern challenges facing the Service. However, the International Covenant on Civil and Political Rights and the Constitution provide that all persons deprived of their liberty shall be treated with dignity. By the same token, the Bangkok Rules demand that the female Gender should be accorded the rights of a woman even in custody while the Tokyo Rules issued guidelines on how pre-trial detainees and others should be treated. Since Nigeria is a signatory to all these

conventions, they all served very useful purposes in benchmarking all the processes of this Audit.

THE AUDIT FORMAT.

The 2018 Prison Audit Exercise focused on the following issues:

1. The Structure of the Prisons.
2. Facilities at the Prisons
3. Infrastructures in the Prison
4. Welfare of Detainees
5. Access to Justice
6. Welfare of Officers
7. General Information.

There are other important issues considered during the audit, which were cross-cutting such as children in prison, death rows prisoners, lunatics and life-threatening ailments among the inmates in prison. The report considered these and other issues that seem to undermine the prison system in the Nigeria and made some recommendations to address some of the challenges.

1.0 The Structure of the Prisons.

This addressed the state of the prison structure which include the year it was built, the capacity, lock up, number of convicts, number of awaiting trials inmates (ATMs) and the Sanitary condition of the prison.

- 1.1 **Age of the Prisons:** Majority of the prisons audited were built during the colonial era. Some are dilapidated and need urgent renovation. Examples are prisons in the North East zone which were to a large extent old as they were built as far back as 1820 such as the Bauchi Prison. The Jimeta Prison in Adamawa was built in 1938, while Jalingo medium prison was built in 1912. Most of the prisons audited as a matter of urgency need to be renovated.
- 1.2 **Capacity/Lockup:** From the 36 prisons audited, the total capacity was 17,191 against the total lockup of 34581. This shows that almost all the prisons were congested. From all the zones, the analysis revealed as follows:

S/NO	ZONE	CAPACITY	LOCKUP
1	North East	2650	3850
2	South-South	2822	8168
3	North West	3321	4951
4	South West	3383	7566
5	SouthEast	2857	6962
6	NorthCentral	2158	3052
	TOTAL	17,191	34,549

1.3 **ATMs\Convicts:** In all the prisons audited, the number of awaiting Trial inmates was far more than the convicts. From the Thirty-Six (36) prisons visited, there was a total number of 25,232 people on awaiting trial against 5,340 convicts. What this shows is that Criminal Justice delivery is a major problem in the country . Below is the analysis of the zones in respect of the Awaiting Trial Inmates (ATM) and Convicts.

S/NO	ZONES	ATMs	CONVICTS
1	North East	1480	263
2	South-South	6804	1364
3	North West	3522	1317
4	South West	6572	940
5	South East	4951	777
6	North Central	1903	679
	TOTAL	25,232	5,340

1.4 **Sanitation:** Surroundings of each of the prisons audited was generally well kept. Sanitation in most of the prison was said to be fair. Although there are some of the prisons that recorded poor sanitation. However, there is need for improvement in the facilities, especially the toilets.

1.5 **Condition Of The Structure:** It was evident that most of the structures in the prisons were old. However, condition of the structure of Benue State was new. According to report few prisons have been renovated in the past ten (10) years.

2.0 FACILITIES AT THE PRISON:

2.1 **Vocational Facilities:** Vocational facilities are vital to the restoration and rehabilitation of detainees. This is to foster the reintegration of detainees into the society upon their discharge from the prison. Most of the prisons audited had vocational facilities such as tailoring, block molding machine, laundry, carpentry, shoe making, cap making, soap making, Barbing etc. Although there is need for improvement as most of the vocational facilities are inadequate compared to the number of inmates. Most of them appeared obsolete and unequipped.

2.2 **Recreational Facilities.** Most of the prisons visited have indoor and outdoors sporting activities such as Football , Volley Ball , Table Tennis, Ludo and Cards. Few of the prisons lack these facilities. For instance in the Makurdi

Medium Prison there was no single recreational facility at the time of the audit. In some of the prisons audited, there was provision for television and satellite entertainment for detainees, where they watch sports activities, listen to news and watch other educational programmes. In most of the Prisons audited, recreational facilities were available but inadequate.

- 2.3 Health Facilities and Personnel.** Of the number of the prisons audited, few had hospitals or well-equipped clinics manned by well trained health personnel such as Doctors, Nurses, Pharmacist, and laboratory Scientists. Some Prisons had semi clinics headed by a Nurse and other Community Health Workers while some had neither clinics nor hospital but a semi clinic manned by Dispensary Assistance. Lafia Prison and Nasarawa State is recorded not to have health personnel available while Minna Prison has a clinic headed by a Doctor, Two (2)Nurses, One (1)Midwife and an Ambulance.
- 2.5 Transport Facilities:** Given the number of detainees, the transport facilities in the various prisons were inadequate, and this has in way contributed to the congestion in the prisons due to the detainee's inability to attend court proceedings when due. It is important to note that all the prisons audited had vehicles, though inadequate given the population of the detainees as well as the locations of courts.
- 2.6 Sources of Water:** The main source of water in all the prisons audited was boreholes. Some of the prisons in addition to borehole, were connected to the general water supply from "water board". Jos Maximum Security Prison had borehole as a source of water and had well as an alternative source of water, while Bauchi prison has a big reservoir which was built by the Central Bank of Nigeria.
- 2.7 Source of Power:** The sources of electricity in all the prisons were predominantly the public power supply, "the Power Holding Company of Nigeria" (PHCN). In addition to this, some of the Prisons audited had generators, though not all were functional. it was noticed particular that Kotonkarfe Medium Prison in Kogi State, Minna Old Prison and Niger State had non-functional generator.
- 2.8 Kitchen Facilities:** Most of the available kitchen facilities in all the prisons were obsolete and inadequate. The use of firewood for cooking was still the vogue in all the prisons. In Bauchi prison, the kitchen was under construction as it was destroyed by windstorm in June, 2018. Temporarily, the prison constructed a make shift kitchen.
- 3.0 WELFARE OF INMATES.**
- 3.1 Cells:** Across the prisons audited the cells though congested were generally kept clean.

- 3.2 Toilets:** Most of the cells had water cistern toilets, some were in poor condition, had faulty flush and some with broken seats. The toilets at Makurdi Minimum Prison, Benue State Prison and Koton karfe Prisons were in poor condition.
- 3.3 Uniforms:** Generally, the detainees in all the North West audited prisons had a minimal tag with uniforms, although their uniforms were old and there was no provision for new ones.
- 3.4 Beds and Beddings:** Beds and beddings in the prisons as at the time of audit were in either poor conditions or were inadequate. Most detainees do not have beds as we saw a good number of them lying on mats neither do, they have mosquito nets.
- 3.5 Ventilation:** Most of the prisons audited have well ventilated cells. Only a few had few had poorly ventilated cells. For instance, Makurdi Medium Prison had poor cell ventilation.
- 3.6 Classification:** The cells were classified into male and female, convicts and awaiting trials detainees. They were not however grouped according to their offences. Although the condemned convicts and lifers were each separated from the major group.
- 3.7 Feeding:** Feeding at all the prisons audited was fair, although there is need for improvement.
- 3.8 WELFARE OF OFFICERS:**

Office accommodation, residential accommodation and office furniture at all the Prisons were all recorded to be either fair or poor, old and not in a good condition and inadequate. There is urgent need for provisions of these items to enable the officers perform their duties effectively and efficiently.

4.0 ACCESS TO JUSTICE

- 4.1 Access to Justice:** Access to justice by persons in detention is very important and an integral part of Criminal Justice Administration. Justice delayed is justice denied. Fair hearing, legal representation and speedy trial are necessary ingredients in criminal justice and administration in the absence of these ingredients the resultant effect is congestion. Therefore, in the course of the audit, the following issues were examined:-
- 4.2 Number of Detainees with Legal Representation:** Evidently, all the prisons audited had a total number of Two Thousand Eight Hundred and Seventy-Three (2,873) inmates with legal representations. However, there are some prisons that have no accurate record of detainees with legal representation.

- 4.3 Number of Detainees Without Legal Representation:** Most of the prisons visited had no records of inmates without legal representation. However, through the audit visit, we were able to record a total of Two Thousand One Hundred and Twenty-Eight (2,128) inmates who had no legal representation.
- 4.4 Number of Detainees who Could Not Pay Fines:** There are quite some numbers of inmates who could not pay fines imposed on them. Generally, from the selected prisons audited within the country, Four Hundred and Twenty-Five (425) could not pay their fines. Although, there are few prisons with no records of inmates who could not pay fines.
- 4.5 Number of Detainees Who Could Not Post Bail:** In most of the prisons visited, we found out that they were detainees who had been granted bail but were still in detention for one reason or the other. We recorded a total number of Four Hundred and Seventy-Six (476) inmates who could not post bail. However, some prisons were not able to provide information or records of detainees who could not post bail.
- 4.6 Detainees Whose Trials Had Stopped Due to Unavailability of Witness:** Majority of the prisons audited had no record of detainees whose trial stopped or rather could not continue due to lack of witness in the audited prisons. Although, in the South East Zone, Sixty (60) inmates was recorded whose cases stopped due to non-availability of witness.
- 4.7 Detainees Whose Trials Had Stopped Due to Unavailability of IPOs:** Majority of the prisons audited had no record of detainees whose trial stopped or rather could not continue due to lack of IPOs in the audited prisons. Although, in the South East Zone, they were Sixty-Three (63) inmates whose cases stopped due to non-availability of IPOs.
- 4.8 Number of Cases Affected by Missing Case Files:** At the time of the audit, a total of Three Hundred and Eighty-Four (384) detainees were affected by missing case files. This was predominately in the North West.
- 4.9 Number of Detainees on Holding Charge:** A total number of Two Thousand Nine Hundred and Fifteen (2,915) detainees were on holding charge in all the prisons audited across the country. Although some prisons have no records of detainees on holding charge.
- 4.10 Number of Cases Being Handled by National Decongestion Committee (NDC):** As at the time of audit, there was no record of cases being handled by the National Decongestion Committee(NDC) from any of the prisons.
- 4.11 Number of Cases Affected by the Unavailability of DPP Advice:** There were Two Hundred and Forty-Seven (2047) cases affected by the unavailability of Department of Public Prosecution in all the Prisons audited, while some prisons had no such records.

4.12 Number of Detainees Who have spent Five (5) Years: In all the prisons visited, about Eight Hundred and Ninety-One (891) detainees were recorded to have spent more than five years in prisons. It is on record that, in New Abeokuta, Oba, Abeokuta and Agodi Maximum Security Prison a number of Twenty-Five (25) and Fifty-Eight (58) detainees respectively, have spent five (5) years and above period of time in the detention center.

5.0 GENERAL INFORMATION

- 5.1 Pre And Post Natal Facilities Available:** Some of the prisons audited had no pre and post-natal facilities, in spite of the fact that some of the prisons housed both male and female detainees. Nevertheless, there were Pre and Post Natal facilities at the Makurdi Medium Prison, Benue State Prison, Lafia Prison-Nasarawa, Kirikiri Female Prison, Lagos, Ado-Ekiti Prison and Ekiti State Prison. However, majority of these prison are in dire need of medical facilities.
- 5.2 Minors in Prison:** As at the time of the audit, there were total of Thirty-Eight (38) minors/Suckiing children in the various prisons visited. However, some of the minors were not detained but were in custody, with their mothers.
- 5.3 Number of Persons with Mental Illness:** Some of the prisons audited across the country had mentally unbalanced persons in detention and there was no provision for qualified psychiatrics to take care of them. There was a total of One Hundred and Eighty-Two (182) mentally ill detainees recorded during the audit.
- 5.4 Number of Lifers:** There were Two Hundred and Sixty-Two (262) lifers in all the prisons audited across the country.
- 5.5 Number of Detainees on Death Row:** There were about One Thousand One Hundred and Seventy-Nine (1,179) detainees on death row in all the prisons audited.
- 5.6 Number of Detainees with Life Threatening Ailments:** Some of the life threatening ailments in the audited prisons were; HIV/AIDS, hepatitis, kidney diseases. No specific numbers were attached to each disease. However, twenty-two (22) inmates were recorded with threatening ailments.

This represents the Executive summary of the total audit of the prisons for 2018.

CHAPTER ONE

NORTH CENTRAL ZONE OF NIGERIA

The North Central Zone of Nigeria comprises of the following states: Benue, Kogi, Nasarawa, Niger, Plateau and Federal Capital Territory. One (1) Prison facility was visited in each state of the zone.

The table below captures the structure/capacity of respective prisons in the North Central.

Names of The Prison Visited	Year Built & By Who	Capacity of The Prison	Lock Up	No. of Convicts	No. of Awaiting Trials Inmates
Benue State, Medium Security Prison, Makurdi.	2002	240	866	83	587
Kogi State, Medium Security Prison, Kotonkarfe.	1934, New Commissioning - 2015	320	203	60	132
Nasarawa State Lafia Prison	1927	300	542	148	394
Niger State, Old Prison, Minna	1931	149	460	98	362
Jos Maximum Security Prison Plateau State	1953	1149	981	290	428
TOTAL		2,158	3,052	679	1,903

1.0 Age of the Prisons

Makurdi Medium Security Prison, located at Makurdi, Benue State, was commissioned in the year 2002. The Medium Security Prison Koton-karfe, Kogi State was established in 1934 but re-commissioned by the Federal Government of Nigeria on Thursday, 26th March 2015. Lafia Prison, Nasarawa State was established in 1927 by the Native Authority. The Minna Old Prison, Niger State was established in the year 1931 while Jos Maximum Security Prison, Plateau State was established in 1953 as enumerated in the table above.

1.2 Capacity:

Three (3) out of five prisons visited for audit at the North Central Zone were congested. These were: Makurdi Medium Security Prison, Benue State which capacity is for Two Hundred and Forty (240) detainees. Lock up on the day of visit was Eight hundred and Sixty-Six (866).

The Medium Security Prison Koton-karfe has a capacity for Three Hundred and Twenty (320) detainees. At the time of this visit total lock up was Two Hundred and Three (203).

Lafia Prison has capacity for Three Hundred (300) detainees, but total lock up at the time of the visit was Five Hundred and Forty-Two (542).

Minna Old Prison has capacity for One Hundred and Forty-Nine (149) Detainees, but total lock up was Four Hundred and Sixty (460).

Jos Maximum Security Prison, Plateau State has a capacity for One Thousand One Hundred and Forty-Nine (1,149) Detainees, but total number of lock up was Nine Hundred and Eighty-One (981).

1.3 Convicts/ATMS:

The number of inmates awaiting trial in all the prisons visited in the North Central out-numbered the number of convicts. The details are as follows:

Makurdi Medium Security Prison, Benue State had Eighty-Three (83) convicts and Five Hundred and Eighty-Seven (587) ATMs.

The Medium Security Prison Koton-karfe, Kogi State had Sixty (60) Convicts and One Hundred and Thirty-Two (132) ATMs.

Lafia Prison, Nasarawa State had One Hundred and Forty-Eight (148) Convicts and Three Hundred and Ninety-Four (394) ATMs.

Minna Old Prison, Niger State had Ninety- Eight (98) Convicts and Three Hundred and Sixty-Two (362) ATMs.

Jos Maximum Security Prison, Plateau State had Two Hundred and Ninety (290) Convicts and Four Hundred and Twenty-Eight (428) ATMs.

Evidently, the number of prisons visited in the North Central had a total number of Three Hundred and Eighty-Nine (389) convicts, while the number of ATMs stood at One Thousand Four Hundred and Seventy- Five (1,475). The total prison capacity of the prisons visited is One Thousand and Nine (1,009) and the Lock Up was Two Thousand and Seventy-One (2,071). This shows that the facilities are congested and need to be decongested.

1.4 Sanitation:

The premises of each of the prisons audited were generally tidy. Sanitation at Makurdi maximum prison was fair. The Medium Security Prison Koton-karfe was also good. Sanitation in Lafia Prison and Minna Old Prison were poor, while the sanitation in Jos maximum Prison was good.

1.5 Condition of the Structures:

It was evident that most of the structures in the prisons were old. However, the condition of the structure in Makurdi Medium Prison, Benue State was new.

The Medium Security Prison at Koton-karfe, Kogi State was old, although there was a

part of it that has a new structure as of the time of the audit.

Lafia Prison, Nasarawa State was renovated last in June 2018 while the Minna old Prison has an old structure that can be described as dilapidated. A section of the cells was renovated last, in the year 2009.

Jos Maximum Prison, Plateau State, has an old structure that was renovated last in 2017.

2.0 FACILITIES AT THE PRISON

2.1 Vocational Facilities

Most of the prisons audited in the North Central Zone had vocational facilities for such vocational activities as tailoring, block molding, laundry, carpentry etc. They also engaged in the farming of crops such as spinach, okro, tomatoes etc. which they use for their meals. They also engaged in production of school bags, boxes, sponge, beads making, knitting, computer training etc. It was interesting to discover that detainees in Jos Prison engaged in metal work as there was a building designated to house this activity. In addition, it was discovered that detainees were involved in blacksmithing and iron-bending which is used to make coal pots, chicken feeders, buckets, watering cans, jewelries, iron gates, doors, windows and a host of other items. However, the equipment used in producing these items were found to be few and obsolete and the energy required to power them was also very infrequent

2.2 Recreational Facilities:

There was no recreational facility at Makurdi Medium Prison in Benue State while at Koton-karfe Medium Prison, Kogi State, there were both indoor and outdoor sports activities, such as football pitch, volley ball pitch, table tennis, ludo and cards. There was also provision for television and satellite entertainment for detainees where they watched sport, news, educational and other programmes as at the time of this audit. Most of the Prisons audited, recreational facilities were available but inadequate.

2.3 Health Facilities and Personnel.

There were health personnel (Doctors/Nurses) at the Makurdi Medium Prison, Benue. Koton-karfe Medium Prison, Kogi State had a clinic with a Nurse and two (2) Community Health Workers but did not have a Medical Doctor.

Lafia Prison, Nasarawa State at the time of the visit did not have health personnel.

Minna Prison has a clinic with a Medical Doctor, two (2) nurses and one (1) midwife. They also have an ambulance.

The clinic in Jos prison is as old as the facility itself. It has a staff strength of nineteen (19) comprising of eight (8) Nurses, Nine Public/Community health workers, one (1) Pharmacist, and one (1) laboratory Scientist. Most of the prisons had provisions for

education of the detainees.

2.4 Transport Facilities

Giving the numbers of detainees, the transport facilities in the various prisons were overstretched and inadequate. This contributes to the congestion in the prisons due to detainees inability to attend court proceedings. In some cases, the vehicles were not in good condition. It is important to note that all the prisons audited within the zone had vehicles though inadequate, given the population and spread of the courts.

2.5 Source of Water

The main source of water in all the prisons audited was borehole. In addition to that, some of the prisons were connected to public water supply. Jos Maximum Security Prison had borehole as a source of water and had “well” as an alternative source of water.

2.6 Source of Power

The sources of energy in all the prisons were predominantly the public power supply, known as the Power Holding Company of Nigeria (PHCN). In addition to this, some of the Prisons audited had generators, though not all were functional. The koton-karfe Medium Prison -Kogi State had a no functional generator while Minna Old Prison, Niger State had none at all.

2.8 Kitchen Facilities

The kitchen facilities in all the prisons except that of Jos Prison, Plateau State, were obsolete and inadequate.

3.0 WELFARE OF INMATES

Educational Facility

Some prisons collaborated with Ministry of Education in enrolling detainees in writing GCE, WAEC and NECO examination, as well as centres for Open University Education. There was, however, no educational facility at the Makurdi Medium Prison - Benue State.

3.1 Cells

Across the prisons audited, the cells though congested were clean.

3.2 Toilets

Most of the cells had water cistern toilets. Some were however in poor conditions with faulty flush system and broken seats. The toilet at the Makurdi Minimum Prison, Benue State and that of koton-karfe Prison were not in good condition.

3.3 Uniforms

The uniforms for the detainees in all the audited zones were inadequate while prisons that have uniforms, were old and obsolete. The uniform in Jos prison were also grossly inadequate that they were only made available to detainees whenever they have to go to court for proceedings or to the hospital on health ground.

3.4 Beds and Bedding

Beds and beddings in the prison as at the time of audit were inadequate. A few were in poor condition. Most detainees did not have beds because we saw a good number of them lying on mats. Not all detainees had mosquito nets. At Koton-karfe Prison, Kogi State beds and beddings were not in good conditions even though the prison was relatively new.

3.5 Ventilation

Ventilation at Makurdi Medium Prison was poor, while at the konton-karfe prison ventilation was good. Ventilation at Lafia, Minna and Jos Prisons were recorded to be fair.

3.6 Classifications

All the prisons visited met the standards of primary classification of prisoners in terms of sex i.e. male or female and status i.e. convicted or unconvicted or Condemned to Death. There was no offence classification due to congestion.

3.7 Feeding

Feeding in all the prisons audited was fair.

4.0 Welfare of Officers

Office and residential accommodation were recorded to be in fair and poor condition respectively. The office furniture was old and inadequate. The welfare of the prison officers leaves much to be desired.

The barracks were recorded to be old, dilapidated and in a state of disrepair. The barracks were found not to be adequate hence some officers had to rent residential accommodation outside. There were no barracks at all in the Koton Karfe prisons.

It is worthy of note that in most cases, officers purchase their uniforms, office equipment and even help out in providing detainees with other necessities.

4.0 ACCESS TO JUSTICE

4.1 Number of Detainees with Legal Representations:

There were Three Hundred and Thirty-Two (332) detainees with legal representation. One Hundred and Thirty-Two at Koton-karfe Medium Security Prison Kogi State and two hundred detainees at Minna Old Prison, Niger State. However, Makurdi, Lafia and Jos Prisons had no record of detainees with legal representation.

4.2 Number of Detainees without Legal Representation:

As at the time of the audit, there were One Hundred and Sixty-Three (163) detainees at the audited prisons in the North Central Zone who did not have legal representation. However, Makurdi, Lafia and Koton-karfe Prisons do not have record to that effect.

4.3 Number of Detainees Who Could Not Pay Fines:

The total analysis of numbers of detainees who could not pay fines in the audited

prisons in the North Central Zone were One Hundred and eighteen (118). The breakdown is:

Two (2) detainees at Koton-karfe Medium Security Prison, Thirty-Six (36) detainees at Minna Old Prison, and Eighty (80) detainees at Jos Prison. These detainees could not pay fines and some had spent three (3) months and above in the prison. However, there is no record to that effect at Makurdi and Lafia prisons.

4.4 Detainees who Cannot Post Bail:

There was no record of any detainee who could not post bail in the audited prisons at North Central Zone. However, at Jos Maximum Security Prison, the authority claimed that the Attorney General of the State granted bail to all the detainees on the 6th August, 2018, as a result none was in the prison as of the time of the audit.

4.5 Detainees whose Trials Had Stopped Due to Unavailability of Witness:

There was no record of detainees whose trial stopped or rather who could not continue their trials due to lack of witness in all the audited prisons in the North Central Zone.

4.6 Detainees whose Trials Had Stopped Due to Unavailability of Investigating Police Officers (IPOs)

There was no record of detainees whose trial stopped, or rather, could not continue due to unavailability of IPOs in all the audited prisons in the North Central Zone.

4.7 Number of Cases Affected by Missing Case Files:

There was no record of cases affected by missing case files from all the audited prisons in the North Central Zone.

4.8 Number of Detainees on Holding Charge:

There were Three Hundred and Thirty-Six (336) detainees on holding charge in Jos Maximum Security Prison, Plateau State. However, no other audited prison in the North Central had any record of detainees on holding charge.

4.9 Number of Cases Being Handled by National Decongestion Committee:

No case was recorded to have been handled by National Decongestion Committee from the prisons audited in the North Central Zone.

4.10 Number of Cases Affected by Unavailability of Director of Public Prosecution (DPP) Advice:

There were a total number of Three Hundred and Thirty-Six (336) cases affected by unavailability of Director of Public Prosecution's Advice (DPP) in Jos Maximum Security Prison, Plateau State. No other audited prison in the North Central had any record of detainees on cases affected by unavailability of DPP Advice.

4.11 Number of Detainees That Had Spent Three(3) Months and Above Awaiting Trial:

There were a total number of One Hundred and Twenty-Six (126) detainees who had spent Three (3) months or less in all the audited prisons in the North Central Zone. The remaining have been there for up to 5 years or more. The analysis is:

Makurdi Medium Security Prison, Benue State recorded the highest number of Sixty-Five (65) detainees; Lafia Prison, Nasarawa State recorded Forty (40) detainees; Jos Maximum Security Prison, Plateau State recorded Eighteen (18) detainees and Minna Old Prison recorded Three (3) detainees. However, Medium Security Prison, Koton-karfe -Kogi State recorded none.

5.0 GENERAL INFORMATION

The Medium Security Prison, Koton-karfe is guarded by both the Army, Police and Armed Squad of Nigeria Prison Service.

CASE REQUIRING SPECIAL ATTENTION:

*** i. RE: 78 JDU/204/96 State V Abdullahi Mohammed.**

This inmate was convicted for homicide and sentenced to death by hanging by High Court 3, Hadejia, Jigawa State.

He started serving his sentence as from 7th December 2000 in Hadejia, Prison in Jigawa, later to Federal Prison, in Okene and now, Koton-karfe Prisons, Kogi State. It was said that he had shown good behavior over the years and the Jigawa State Committee on Prerogative of Mercy approved commuting the sentence to life imprisonment. The Officer in Charge of the prison in Kogi State is of the opinion that he should be considered for amnesty having shown good behavior and remorse over time.

5.1 Pre and Post Natal Clinics:

There were Pre and Post Natal facilities at the Makurdi Medium Prison, Benue State and Lafia Prison, Nasarawa State, but none at Koton-karfe, Kogi State, Minna, Niger State and Jos Prisons, Plateau State respectively as there were no female detainees in these facilities.

5.2 Minors in Prison:

There was a total of Five (5) children in the North Central Zonal Prisons. The analysis is:

One (1) minor at the Makurdi Medium Prison, Two (2) minor at Minna Old Prison and Two (2) minor at Lafia Prisons. However, there were no record of minor in Koton-karfe Medium Security Prison and Jos Maximum Security Prison respectively.

5.3 NUMBER OF PERSONS WITH MENTAL ILLNESS IN PRISON

There was no record of any lunatic at the North Central Zonal Prisons.

5.1.4 NUMBER OF LIFERS

There were a total number of Thirty Two (32) lifers within the audited North Central Zonal Prisons, with Jos Prison having the highest number of Twenty Nine (29), Makurdi Prison one (1) and Minna Old Prison one (1). There was no record of lifers at

kotonkarfe Medium Prison, Kogi State and Lafia Prison, Nasarawa State.

5.1.5 NUMBER OF DETAINEES ON DEATH ROW

There were a total number of Two Hundred and Forty One (241) detainees on death row within the audited North Central Zonal Prisons, with Jos Maximum Prison having the highest number of Two Hundred and Thirty Four (234) detainees, Five (5) detainees at the Makurdi Medium Prison, Benue State and Two (2) detainees at Kotonkarfe Medium Security prison, Kogi State. However, Lafia Prison and Minna Old Prison did not have record to that effect.

5.1.6 NUMBER OF DETAINEES WITH LIFE THREATENING AILMENTS

Some of the life threatening ailments in the audited prisons were; HIV/AIDS, hepatitis, kidney disease.

6.0 BEST PRACTICES

Best practice recorded are as follows:

Makurdi Medium Security Prison: The prison was well secured; the male detainees were kept separate from their female counterparts;

Kotonkarfe Medium Security Prison: there was a provision of water tanks for each cell and satellite television for detainees;

Minna Old Prison, Niger State: Females were completely separated in the area of usage of vocational and recreational facilities and the officers were well coordinated and disciplined.

The Lafia Prison, Nasarawa State: It was observed that there was constant supply of water. The method of cooking was satisfactory. The newly built cell was also of good standard.

The Jos Maximum Security Prison: It was noted that the staff had a high sense of commitment to their job, which was commendable.

6.1 BAD PRACTICES

None separation of lunatics from other detainees at the Makurdi Medium Security Prison, Benue State was of concern to the auditors.

Minna Old Prison, Niger State was recorded to be over crowded, as lock up out weights the capacity.

Minna Old Prison was noted to have shortage of water and epileptic supply of electricity.

7.0 RECOMMENDATIONS

It is recommended as follows:

- There is need for proper record keeping of basic information on prison detainees in all the prisons so as to facilitate greater access to justice for detainees.
- The Ministry of Justice in the respective States should rejuvenate the process of rendering legal advice on case files forwarded to them by the police. This is to ensure speedy trial of cases;
- The Legal Aid Council of Nigeria and Human Rights Committee of the NBA should improve on the provision of free legal services to all persons standing

- trial for criminal cases in Nigeria in order to foster fair hearing, access to justice and on the other hand encourage decongestion;
- Urgent refurbishment of the kitchen facilities should be done in most of the prisons;
- Strengthen the Criminal Justice Committees across the states to facilitate quick justice delivery;
- Medical personnel and services should be improved in all the prisons visited;
- More ambulance and operational vehicles should be provided for use of prisons and those on ground should be adequately maintained;
- Supply of drugs to the prisons should be decentralized;
- The feeding of the detainees should be improved;
- Provision of more recreational facilities;
- There should be more supply of beds and beddings in the prisons;
- Office accommodation and facilities should be improved to enhance service delivery;
- Structures within the prisons that are old and dilapidated should be done away with;
- There is need for more residential accommodation for prison officers.
- Their emoluments should be periodically reviewed in line with the socio-economic realities;
- Adequate uniforms for the detainees, uniforms for the officers and accoutrements should be provided;
- Functional borehole should be constructed and existing non-functional borehole should be repaired;
- There should be routine visits by the Chief Judge of the states to address cases of awaiting trial of detainees;
- There should be redistribution of detainees from congested prisons to less occupied facilities to reduce congestion.
- Time has come for Government to focus on setting up structures for proper according to International Standards.

CHAPTER TWO

NORTH WEST ZONE OF NIGERIA

The North West Zone of Nigeria comprises of the following states: Sokoto, Kaduna, Kano, Jigawa, Katsina, Zamfara, Kebbi.

The table below captures the structure/capacity of respective prisons in the North West

STRUCTURE OF THE INSTITUTIONS VISITED	Name of Prison	Year Built	Capacity	Lock-Up	Male	Female	Convicts	Awaiting Trial Detainees	Sanitation	State of Structure
	Birnin-Kebbi Old Prison	1912	200	338	331	7	18	312	Good	
	Gasua Medium Security Prison, Zamfara State	1993	1664	697	688	9	172	525	Poor	Renovated in 2010
	Kaduna Convict Prison	1915	547	1217	1206	11	375	842	Good	The Structures are dilapidated
	Minimum Security Prison Funtua, Katsina	2002	160	456	453	3	153	303	Good	
	Kano Central Prison, Kano	1910	750	2243	2212	31	599	1540	Good	Renovated in 2017

Name of prison	Vocational facilities Available	Recreational Facilities Available	Health Facilities Available	Health Personnel Available	Educational Facilities Available	Transport facilities available	Source of Water	Source of Power	Kitchen Facilities Available
Birnin-kebbi Old prison	Tailoring and Carpentry Workshops	Nil	Drugs available in the clinic was inadequate	A Nurse and other 2 health workers	Available	Three vehicles to convey inmates to prison	Bore hole	PHCN	The kitchen make use of firewood
Gasua Medium Security Prison Zamfara State	Welding, Tailoring, Laundry and Cap making.	Card and Board (Ludo) games. Organizing annual Foot ball Competition	Drugs available but inadequate	The prison has a doctor and six health workers	General Adult Education is being conducted	Six operational vehicle available	Pipe borne water and also stored in the tanks	PHCN	Industrial gas cooker in bad shape and they make use of fire wood. There is no refrigerator to preserve their food
Kaduna Convict prison	Tailoring, welding, Saloon, Knitting, carpentry and Soap making	A standard foot ball field available and board games.	Adequate medical facilities available	Adequate medical personnel available.	Primary, secondary and tertiary education available Mass Education literacy also available	Adequate operational vehicles	Water board, borehole and well water	Kaduna Electricity Distribution company	Old kitchen that make use of firewood and cook with drums. Three old weighing scale also available

FACILITIES IN THE PRISON VISITED

Minimum Security Prison Funtua, Katsina	Nil	Nil	Three units of bed with laboratory equipment. Available but inadequate	A pharmacist and a laboratory attendant and one community and public health officer. Health personnel not adequate	Nil	Two serviceable vehicles, a Toyota Hilux and a Green Maria.	Adequate source of water	PHCN	Kitchen available with cooking facilities
Kano Central Prison Kano	Carpentry, shoe making, Tailoring and iron work unit (wielding)	Standard football field and card games (Ludo, Scrabble)	Clinic with beds and beddings, ambulance and laboratory equipment	One Medical doctor, laboratory Attendant, two nurses and one community and one community and public health officer	Adult education supported by agency for Mass Education	There were six operational vehicles; two Buses, two vans, one Green Maria and a sewage conveyer	Moto-rized and hand pump bore hole available	PHCN	The kitchen was well equipped

WELFARE OF INMATES	Name of prison	Cell (Congested or not congested)	Toilet (Type & Condition)	Uniform (Availability or not) Condition (Good, Fair or poor)	Beds / beddings (Availability or Not) (Good, Fair)	Ventilation (Good, Fair or Poor)	Classification (Male, Female, Children, Minor)	Feeding (Good, Fair or Poor)
	Birnin-kebbi Old prison	Not congested	Water closet	Good	Poor	Good	Male and Female	Good
	Gasua Medium Security Prison Zamfara State	Not Congested	Water System	Poor	Not available	fair	Male and female	Poor
	Kaduna Convict prison	Congested	Water system	Some of the inmates were seen on uniform	Not available	poor	Male and female	Fair
	Minimum Security Prison Funtua, Katsina	Congested	Water system	Adequate	Not available	good	Male and Female	Good
	Kano Central Prison Kano	Congested	Water system	Few inmates were seen with uniform	Some of the inmates had beddings	Good	Male and Female	Good

WELFARE OF OFFICERS	Name of prison	Office Accommodation	Barracks/ Residential Accommodation	Uniform Accommodation	Office Furniture / equipment	Remarks
	Birnin-kebbi Old prison	Good	None	Good	Poor	There are office accommodation and equipment for officers but they are still inadequate.
	Gasua Medium Security Prison Zamfara State	Available but inadequate	Available but inadequate	Poor as only a set of uniform were provided to officers	Fair	There were no computer system, and other electronic facilities to for officers to work with. Table are shared by two senior officers. The barrack need urgent renovation and re-fitting.
	Kaduna Convict prison	Poor	Poor	Good	Poor	The welfare of officers need urgent attention. Their offices are dilapidated and insufficient. Office equipment is grossly inadequate and existing ones are old.
	Minimum Security Prison Funtua, Katsina	Available and fair	Inadequate and poor	Adequate	Inadequate	The officers are supplied uniforms and foot wears.
	Kano Central Prison Kano	Good	Poor	Good	Fair	The welfare of officers are generally good.

ACCESS TO JUSTICE BY INMATES	Name of prison	No of inmates with legal Representation	No of inmates without Legal Representation	No of inmates who cannot pay fine	No of inmates who cannot post bail	No of cases affected by unavailability of witnesses	No of cases Affected by unavailability of IPOs	No of cases Affected by Missing case files	No of inmates holding charges	National decongestion committee (No of cases)	No of cases affected by unavailability of Legal advice from DPP	No of ATMs who have spent 5 years and above
	Birmin-Kebbi Old Priso	58	255	Nil	Nil	Nil	Nil	Nil	16	Nil	222	1
	Gasua Medium Security Prison Zamfara State	515	10	3	1	Nil	1	383	Nil	Nil	383	5
	Kaduna Convict Prison	255	482	146	37				479			2
	Minimum Security Prison Funtua, Katsina	66	15	5	2	Nil	Nil	Nil3	162	Nil	172	4
	Kano Central Prison Kano	66	15	5	2	Nil	Nil	Nil3	162	Nil	172	9

GENERAL INFORMATION	Name of prison	Pre & Post natal Facilities Available	N0 of children in the prison	N0 of Lunatics	N0 of Lifers	N0 on Death Row	Life Threatening Ailments	Remarks
	Birnin- kebbi Old prison	Available	Nil	2	Nil	1	Nil	
	Gasua Medium Security Prison Zamfara State	Available but in poor condition	Nil	Nil	14	27	Nil	
	Kaduna Convict prison	Nil	1	Nil	26	95	Nil	
	Minimum Security Prison Funtua, Katsina	Nil	1	Nil	2	3	Nil	
	Kano Central Prison Kano	Available	3	21	5	108	TB & HIV	Fair

TABLE OF ANALYSIS

STRUCTURE OF THE INSTITUTIONS VISITED

The prisons audited in the North West are Birnin- Kebbi Old Prison, Gusau Medium Security Prison, Zamfara State, Kaduna Convict Prison, Minimum Security Prison Funtua, Katsina and Kano Central Prison Kano. While Gusau Medium Prison, Zamfara and Minimum Security Prison Funtua were built in 1993 and 2002 respectively, others were built during the colonial era. Both Gusau and Kano Prisons were renovated in 2017 to meet up with the growing number of inmates and improve the standard of facilities in the respective prisons. However the other Prisons audited in the North West were dilapidated and in deplorable conditions.

They need urgent renovation to meet the international standard.

CAPACITY

Most of the prisons visited were congested. Their lock-ups were more than the capacity of the prison. However, Gusau Prison was the only prison that was not congested. It has a capacity of one thousand, six hundred and sixty four (1664) but the lock-up was just six hundred and seven (607).

Kano prison was the most congested among the facilities visited in the North West. It has a capacity of seven hundred and fifty (750) with a lock-up of two thousand two hundred and twelve (2212) inmates as at the time of visit.

The capacity and lock-ups of other prisons were as follows:

Medium Security Prison Funtua, Katsina: capacity 160, lock-up 456;

Old Birnin Kebbi prison: capacity 200, lock-up 331; and

Kaduna Convict Prison: capacity 547, lock-up 1217.

CONVICTS/AWAITING TRIAL PERSONS (ATPs)

The Awaiting Trial Persons in the prisons visited in the North West outnumbered the convicted inmates. Among the prisons audited, the prison with the highest number of ATPs was Kano prison with a total of one thousand, five hundred and forty (1540) ATPs compared with the five hundred and ninety nine (599) convicts.

The numbers of ATPs *vis-a-vis* the convicts in other prisons were as follows:

Birnin Kebbi (312-18), Gusau (525-172), Kaduna convict prison (842- 375) and Funtua (303- 153). The total number of convicts in the prisons visited in the North West zone were One thousand, three hundred and seventeen (1317), while three thousand, five hundred and twenty two (3522) were ATPs.

FACILITIES IN THE PRISON

Vocational Facilities

As at the time of the audit, Funtua Prisons, Katsina State did not have any form of vocational facility in place. The other prisons visited in the North West have a combination of the following vocational facilities:

- a. Carpentry
- b. Shoe making
- c. Tailoring Unit
- d. Iron Work Unit
- e. Saloon/Barbing
- f. Knitting
- g. Soap making
- h. Laundry

Recreational facilities

About 60% of the prison audited in the North West had recreational facilities in form of a football pitch and indoor games such as card games, Ludo etc. The Funtua Prison, Kastina and Old prison Birnin Kebbi did not have any form of recreational facility as at the time of audit.

Health facilities

There are medical facilities attached to all the prisons visited. However in relation to medical personnel, there are challenges. For example, Birnin-Kebbi prison did not have a doctor but had 2 nurses and a pharmacist, hence severe medical cases are referred to the general hospital for treatment. In all the prisons, severe health conditions beyond the management of the prison clinics are referred to nearby general hospitals for medical attention. Only basic medical supplies were available in the prisons.

Educational Facilities

Most of the prisons visited in the North West have educational facilities. The Birnin-Kebbi had a facility which is being used by the inmates and also the staff of the prison. Gusau Medium Prison Zamfara, had an open space for adult education. The educational facility available in Kano Prison is adult education class supported by

the State's Agency for Mass Education for inmates. In Kaduna Convict Prison, the educational facility comprises of primary, secondary and tertiary sections. There is an Adult Education Unit affiliated to the Kaduna State Mass Literacy Agency. The National Open University of Nigeria (NOUN) has a study centre in the prison. The schools however had shortage of furniture and other teaching facilities. There was no form of educational facility available in Funtua Prison, Kastina State.

Transport Facilities

All the prisons audited in the North West had some vehicles for transportation, mainly for court escorts. Most of the prisons had “Green Maria” vehicle while some had “Hilux” pick-Up Vans. However in all prisons audited, the transportation system was inadequate.

Source of Water

100% of the prisons audited in the North West either had a motorized or hand pump boreholes as their main source of water. Some of them also had water supplied by water board as alternative source of water supply.

Source of Energy

All the prisons audited rely on public power supply of the state for their energy supply.

Kitchen Facilities

The kitchen facilities in the North West Prisons audited were old and obsolete with firewood being the primary source of energy for cooking.

WELFARE OF INMATES

Cell Congestion

Most of the prisons visited in the North West zone were congested. This was because the total lock-up figures were more than the capacity for which the prisons were built to accommodate.

The Kano Central Prison was congested far beyond its capacity at the time of visit. There were about two thousand, two hundred and forty three (2243) inmates in relation to its capacity of seven hundred and fifty (750).

Kaduna Convict Prison was also congested beyond its capacity. It had a lock-up of One Thousand, Two Hundred and Seventeen (1217) inmates compared to the capacity of five hundred and seven (507).

The Medium Security Prison Funtua was also congested. Its lock-up of Four Hundred and Fifty Three (453) inmates at the time of visit outstripped its capacity of One Hundred and Sixty (160).

The Old Birnin-Kebbi prison was congested with a lock-up of three hundred and thirty one (331) compared to the capacity of two hundred (200). The only Prison that was not congested in the North West Zone at the time of prison was Gusau Medium Prison, Zamfara State which had a total of six hundred and ninety seven (697) inmates and

capacity of one thousand six hundred and sixty four(1664). The total detainees in the prisons visited in the North West Zone were four thousand, nine hundred and forty four(4944) against a total capacity of three thousand, three hundred and twenty one (3321).

Toilets

In all the prisons visited, all of them had water cistern/ sewage toilets. Some of them were in good condition while a good number of them need repair.

Uniforms.

About 60% of the prisons in the zone did not have access to uniforms. Where available, they were skeletal and inadequate.

Beds and Beddings

In the prisons visited in the North West Zone, the beds and beddings were grossly inadequate. There were some cells with beds but inadequate beddings.

Ventilations

All the cells in the prisons visited were well ventilated.

Classification

The prisons were properly classified into male, female, awaiting trial and convicts.

Feeding

Feeding was fairly good across the prison audited in the zone.

WELFARE OF OFFICERS

The office accommodation for prison officers were found to be fair in all the prison visited in the zone.

Residential Accommodation

Across the prisons, Barracks accommodation for officers was available but inadequate and also in very poor conditions.

Uniforms

In some of the prisons, officers reported that they had steady supply of uniforms and foot wears while the others complained of inadequacy of uniforms.

Office Equipment/Furniture

The office equipment/ furniture were inadequate in all the prisons visited and audited in the zone. The furniture was in bad condition and in need of urgent repairs and replacement.

ACCESS TO JUSTICE BY INMATES

The following issues relating to access to justice were audited;

Number of inmates with Legal Representation

Many of the inmates in the prisons visited had legal representation, though Kano Central prison had no records of detainees with legal representation. The total number of inmates with legal representation in all the prisons audited in the North West zone was Eight Hundred and Ninety Four (894).

Number of inmates without legal representation

The number of inmates without legal representation in prisons visited were as follows: Old Birnin-Kebbi: 255, Gausau Medium Prison: 10, Funtua: 15, Kaduna Convict Prison: 482, Kano Central Prison had no records of detainees without legal representation. The total number of inmates without legal representation was 762.

Number of inmates who could not pay fine

The records available in Gusau Medium Security Prison, Kaduna Convict Prison and Minimum Security Prison Funtua showed that a total number of One Hundred and Fifty Four (154) inmates could not afford to pay various amount of fines imposed on them. The majority of these inmates who could not pay fine were from Kaduna Convict Prison with the total number of One Hundred and Forty Six (146) inmates. Birnin-Kebbi and Kano Central Prison did not have records of inmates who cannot pay fine.

Number of inmates who could not post bail

In Funtua, Kaduna Convict and Gusau Prisons, a total number of Forty (40) inmates were unable to post bail. Kano Central and Birnin-Kebbi prisons had no record of inmates who could not post bail.

Number of cases affected by unavailability of Witnesses

In all the prisons audited in the North West, there were no records of number of cases affected by unavailability of witnesses.

Number of cases affected by unavailability of IPOs

In all the prisons audited in the North West, there were no records on the number of cases affected by unavailability of IPOs.

Number of cases Affected by Missing Case Files

In all the Prisons audited in the North West Zone, Gusau prison had one inmate while Kano convicts prison had four inmates with missing case files. The trials of the affected inmates could not continue due to missing case files.

Number of inmates on Holding Charge

A total number of one thousand and forty inmates were on holding charge in the Prisons visited in the North West. The Kaduna Convict Prison recorded the highest

figure with Four Hundred and seventy nine (479) inmates while Gusau and Funtua, prisons had Three Hundred and Eighty Three (383) inmates and One Hundred and Sixty Two (162) respectively.

Number of Cases being handled by National Decongestion Committee

All the prisons audited in the North West had no record on number of cases handled by National Decongestion Committee.

Number of Cases Affected by Unavailability of Legal Advice from DPP

A total number of seven hundred and seventy seven (777) inmates were affected by unavailability of DPP's advise across the prison audited in the North West Zone. The figures showed that Gusau Prison had Three Hundred and Eighty Three (383) while old Birnin-Kebbi and Funtua Prisons had two hundred and twenty two (222) and one hundred and seventy two (172) respectively.

Number of ATPs who have spent 5yrs and above

Across the prisons audited in the North West, a total number of twenty one (21) inmates were recorded to have spent five years and above awaiting trial. Kano Central Prison had (9) while Funtua, Gusau Prison, Kaduna Convict Prison and Old Prison Birnin Kebbi had 4,5,2 and 1 respectively .

GENERAL INFORMATION

The issues considered in this segment include pre and post natal facilities, minors in prisons, lunatics, lifers, number on Death Row and inmates with life threatening ailments.

Pre & Post natal facilities

Apart from Kano central and Funtua prisons, all other prisons audited in North West zone had no pre and post natal facilities. As at the time of audit, there were nursing mothers in Kano Central and Funtua Prisons. As at the time of audit, there were no pregnant inmates in any of the prisons.

Number of Children in Prison

There were 3 children in Kano Central prison, Funtua had a nursing mother with her child and Kaduna Convict Prison also had a child in the prison as at the time of audit.

Number of Lunatics

There were a total number of Twenty Two (22) lunatics across the prisons audited in the zone: Birnin- Kebbi Old Prison had a lunatic as an inmate while Kano Central Prison had Twenty One (21). Others did not have any record of people living with mental illness.

Number of Lifers

As at the time of audit, there were Forty-Seven (47) lifers recorded in the prisons visited in the North West Zone. Kaduna Convict Prison was leading with a total number of Twenty-Six (26), Gasau Prison: 14, Kano Central Prison; Five (5) and Funtua Two (2). There was no lifer serving at Old Birnin-Kebbi prison as at the time of assessment.

Number on Death Row.

A total number of Two Hundred and Thirty Four (234) inmates were on Death Row across the prisons visited in the zone. Kano Central Prison: One Hundred and Eight (108), Kaduna Convict Prison: Ninety-Five (95), Gusau Prison Twenty-Seven (27) and Funtua Prison: Three (3).

Life threatening Ailment

The prevailing life threatening ailment in the prisons audited in the zones were HIV/AIDS and Tuberculosis. Kano Central and Funtua prisons had the highest number of inmates with life threatening ailment. The other prisons audited in the North West zone had no inmate with life threatening ailment.

BEST PRACTICES

Some of the best practices recorded were as follows:

- a. Weekly staff meetings in some of the prisons to address cases and problems affecting the staff and inmates. It is called Thursday Lectures and it is the tradition.
- b. Provision of uniforms and kits to staff and sentenced inmates.
- c. Good hygiene and sanitation in all the prisons visited in the zone were recorded to be good. Although some of the cells were built with mud, they were neat and tidy.
- d. The educational initiative in some of the prisons visited availed the inmates opportunity to further their education/ academic pursuit.

BAD PRACTICE

1. The number of awaiting trial inmates in the prison is outrageous compared to the number of convicts. The number of inmates awaiting DPP's advice is also on the high side. These are major factors that contributed to the congestion of prisons in the zone.
2. Some of the inmates were given preferential treatment and were kept at the "Governor's pleasure" with indefinite date of release or prosecution.
3. Poor funding of the prisons.

RECOMMENDATIONS

1. The prison structure should be up-scaled to meet the Standards of Contemporary Corrections.
2. There is need for provision of vocational facilities in prisons where there are

none.

3. There is need for provision of modern recreational facilities in the prisons where there is none and improving the quality of the existing ones.
4. There is need to establish educational facilities in the prison to afford the inmates who want to continue their education an opportunity to further their education.
5. Uniforms should be provided for inmates.
6. Adequate beds and beddings should be provided for all detainees.
7. There should be provision of adequate office space, residential accommodation and modern furniture for prison officers.
8. Steps should be taken to ensure that all detainees have legal representations in all prisons
9. Pre & Post Natal facilities should be provided in all the prisons that have female inmates.
10. Appropriate arrangements should be made for children of nursing mothers.
11. Detainees with mental illness should be transferred to psychiatric hospitals.
12. Those with life threatening ailment should be considered for prerogative of mercy on medical ground.

CHAPTER THREE

NORTH EAST ZONE OF NIGERIA

The North East Zone of Nigeria comprises of the following states: Adamawa, Borno, Bauchi, Yobe, Taraba and Gombe.

The table below captures the structure/capacity of respective prisons in the North East Zone visited during the audit exercise:

S/NO	PRISON	YEAR BUILT & BY WHO	CAPACITY	LOCK-UP	MALE	FEMALE	CONVICTS	AWAITING TRIAL ATD	SANITATION (good, fair or poor)	NEW OR OLD STRUCTURE, WHEN RENOVATED LAST
1	BAUCHI	1820 BY THE BRITISH COLONIAL GOVT.	500	979	972	7	88 (M) 1 (F)	302 (M) 4 (F)	FAIR	OLD STRUCTURE, LAST RENOVATED IN 2004
2	ADAMAWA (JIMETA PRISON)	1938 BY THE NATIVE AUTHORITY	300	669		NIL	67	602	GOOD	OLD, LAST RENOVATED IN 1997
3	MAIDUGURI (MAXIMUM)	1992		1600	1555					
4	TARABA (JALINGO)	1912	250	679	668	11	107	572	POOR	NO RENOVATION SINCE BUILT

STRUCTURE

1. AGE OF PRISONS

The prisons in the North East zone were old. Some of them were built during the colonial era such as the Bauchi Prison that was built in 1820. The Jimeta Prison in Adamawa state was built in 1938. The Maiduguri Maximum Prison on the other hand is relatively new. This is because it was built in 1992 by Malam Sheriff and Sons.

2. CAPACITY

Bauchi Prison was congested. It has a capacity for 500 inmates but had a lock-up of 979 inmates at the time of visit. Most of the inmates were suspected Boko Haram Terrorists (BHT).

The Jimeta Prison in Adamawa state has a capacity for 300 inmates but had a lock-up of 669 inmates. The congestion of the prison was mainly due to cases of holding charges from the Magistrate Courts.

The Maiduguri Maximum Prison has a capacity for 1,600 inmates but had a lock-up of 1,555 inmates at the time of audit.

3. CONVICTS/ATPs.

The number of Awaiting Trial Persons far out-numbered the convicts. In Bauchi prison, there were a total of 979 inmates on lock up, out of which were 88 male convicts, 1 female convict, 302 male Awaiting Trial Persons, 4 female Awaiting Trial Persons and 5 lifers. In Jimeta prison, the number of Awaiting Trial Persons is 602 as against 67 convicts.

4. SANITATION

It was observed that many of the prisons in the North East Zone were in good sanitary condition. However, the toilets and bathrooms in Bauchi prison were in poor condition. The toilet is a pit latrine and there were no facilities for water to run inside the toilets and bathrooms, hence, inmates were required to fetch water from the boreholes outside the cells.

FACILITIES

1. VOCATIONAL FACILITIES

The prisons had the following vocational facilities:

- Carpentry
- Tailoring
- Barbing
- Cap making

Bauchi prison had a good wood work/carpentry facility. Citizens in the city patronise their products.

2. RECREATIONAL FACILITIES

In Borno Maximum Prison, the only available recreational facility was a football field where inmates were seen playing during the visit. There were no recreational facilities in Adamawa and Bauchi prisons. Inmates only come outside their cells for 2 hours daily in Bauchi prison.

This is because the prison bore the brunt of Boko Haram attacks severally.

3.0 HEALTH FACILITIES AND PERSONNEL

The health facility in Borno Maximum Prison is in dire need of attention and

expansion as it could not cater for the number of inmates. In Bauchi Prison, there was a clinic of 16 beds, 1 medical doctor, 1 pharmacist, 1 public health officer, 1 radiologist, 3 nurses, 4 laboratory technicians and a fully stocked pharmacy.

The Jalingo Prison had a small clinic donated by the Local Government Authority but was not functional as at the time of visit.

3. EDUCATIONAL FACILITIES

There were no educational facilities in the prisons audited.

4. TRANSPORT FACILITIES

The prisons audited had escort hilux, a lorry, 'green maria' and buses for conveying the inmates to and fro courts.

5. SOURCES OF WATER

The prisons assessed had bore holes. Bauchi prison has a big reservoir which was built by the Central Bank of Nigeria.

6. SOURCES OF ENERGY

The main source of power for all the audited prisons was the public power supply.

7. KITCHEN FACILITIES

Available kitchen facilities in the prisons across the zone were old and obsolete. For their cooking, they used firewood.

In Bauchi prison, the kitchen was under construction as it was destroyed by windstorm in June, 2018, hence they used a make-shift kitchen pending the completion of the structure.

8. WELFARE OF THE INMATES.

1. CELLS

The cells in the North East zone were highly congested. In Bauchi prison, the inmates sleep on the floor as a result of congestion.

2. TOILETS

The prisons in the zone did not have water cistern toilets. They make use of bucket and pit latrine system.

3. UNIFORMS

Inmates did not have uniforms.

4. BEDS AND BEDDINGS

As at the time of audit, the beds and beddings were inadequate. Most of the inmates

who sleep on the floor have beds but had no mattresses.

5. VENTILATION

The cells were poorly ventilated because of congestion. Not that the cell structures were that bad but the number of persons per cell made free flow of air impossible.

6. CLASSIFICATION

Most of the inmates in Bauchi prison were suspected of various crimes including being Boko Haram members, kidnapping and robbery. However, female inmates were separated from male inmates. As at the time of audit, a child of 1 year and 6 months was seen with the mother who was admitted into the facility when the child was a month old. In Jimeta prison, there was no female section. In all the prisons, there was no classification of inmates according to offences.

7. FEEDING

Interactions with the inmates revealed that they were fed on a daily basis. The inmates do the cooking with supervision by the prison officials. In Bauchi prison, the females do not cook but depend on the food cooked by the male inmates.

WELFARE OF OFFICERS

There was inadequate barracks/residential accommodation for the staff. The barracks were old and dilapidated. In Jalingo, there were no barracks for staff. The prison had few office accommodation for staff, lacked adequate and modern office furniture and equipment.

In Bauchi prison, staff uniforms were made by the inmates for officers who have not been given new uniforms for years. In Jalingo, non commissioned staff of the prison were given their uniforms while the commissioned ones buy theirs.

ACCESS TO JUSTICE BY INMATES

- Number of inmates with legal representation:
In Jalingo, 409 inmates had legal representation, Bauchi, 605 and Jimeta 42 . In some other prisons visited in these region, there was no record on the number of detainees with legal representation.
- Number of detainees without legal representation:
Bauchi prison had 251 inmates without legal representation and Jalingo 156. However, some inmates are represented by private lawyers on pro bono basis and Legal Aid Council of Nigeria. In the other prisons audited in the zone, there was no record on the number of inmates without legal representation.
- Number of inmates who could not pay fine:
In Jalingo, 73 inmates were convicted with option of fines but could not pay their

fines. In Bauchi, 28 inmates could not pay fine.

- Number of inmates who could not post bail:
In Bauchi, there were no records of inmates who cannot post bail. In Jalingo, there were 293 inmates who could not post bail.
- The Bauchi clinic was in dire need of renovation as roofs were leaking and no windows.
- These prisons need renovations and modern facilities.

CHAPTER FOUR

SOUTH-SOUTH ZONE OF NIGERIA

The South-South Zone of Nigeria comprises of the following states: Akwa-Ibom, Bayelsa, Delta, Rivers, Cross Rivers and Edo.

The table below captures the structure/capacity of respective prisons in the South-South Zone visited during the audit exercise:

TABLE OF THE PRISONS

Prison	Year	capacity	Lock up		Convicts	ATPs
			Male	Female		
Ikot-Ekpene, Akwa-Ibom	2011	400	721	28	126	623
Calabar, Cross River State	1890	450	747	14	148	613
P/Harcourt, Rivers State	1925	804	3827	77	512	3,392
Ogwashi-Ukwu, Delta State	2006	160	919	0	157	762
Yenogoa, Bayelsa State	2013	400	590	8	106	492
Oko Prison, Edo State	1988	608	1223	14	315	922
TOTAL	6	2,822	7,108	1,060	1,364	6,804
GRAND TOTAL		2,822	8,168		1,364	6,804

TABLE ANALYSIS

STRUCTURAL ANALYSIS OF INSTITUTIONS

1. Age of the Prison:

The prisons audited in the South-South geo-political zone were predominantly old having been built during the colonial era. The oldest amongst them was built in Calabar in 1890. The Ikot-Ekpene prison is however fairly new having been built and commissioned by the Federal government on the 6th of July, 2011.

The Yenogoa prison in Bayelsa State is also new but the terrain leading to and around the prison is swampy and marshy.

Out of the 6 prisons audited, five (5) namely Ikot Ekpene Prison Akwa Ibom State, Yenogoa Prison Bayelsa State, Calabar Prison Cross River State, Oko Prison Edo State and Port Harcourt Prison Rivers State are classified as male and female prisons while Ogwashi-Ukwu Prison Delta State is classified as male prison.

The total capacity of the 6 prisons audited was Two Thousand Eight Hundred and Twenty Two (2,822). However, the total inmate population in these prisons at the time of audit was Eight Thousand One Hundred and Sixty Eight (8,168) indicating that the facilities are holding twice the population of inmates originally meant for the prisons.

Out of the total inmate population of Eight Thousand One Hundred and Sixty Eight (8,168) in the zone, Seven Thousand One Hundred and Eight (7,108) are male while One Thousand Sixty (1,060) are female. Of these numbers, Convicts were One Thousand Three Hundred and Sixty Four (1,364) while ATIs were Six Thousand eight Hundred and Four (6,804) as at the time of the audit exercise.

2. Capacity:

The assessment of some prisons in the South-South zone revealed that all the prison facilities were congested as the number of inmates lock-up in these prisons facilities was more than the original capacities of the prisons. For instance, the combined capacities of the Port Harcourt, Ikot-Ekpene, Ogwashi-Ukwu and Yenogoa prisons were 804, 400, 160 and 400 as against their lock up capacities of 3904, 749, 919 and 598 respectively as at the time of the audit. This establishes a serious congestion situation as most of the facilities are presently holding two to three times more inmates than their originally built capacities.

3. Convicts/ATPs

In all the prisons audited, the number of Awaiting Trial Persons (ATPs) considerably out-numbered that of Convicts in the respective facilities in the zone. For example, the number of ATPs in Port Harcourt, Calabar, Ikot-Ekpene, Ogwashi-Ukwu and Yenogoa prisons were 3,392, 613, 623, 762 and 492 as against convicts' population of 512, 148, 126, 157 and 106 respectively. This implies that ATPs account for about 70 percent of the total prison population in the prisons visited in the zone.

4. Sanitation:

The sanitary conditions of the prisons audited were fair owing to congestion in the facilities.

2. FACILITIES IN THE PRISON:

2.1 Vocational Facilities:

Most of the prisons audited had the following vocational facilities:

- Tailoring
- Carpentry
- Laundry
- Barbing
- Shoe Making
- Farming

Though the above vocational facilities were available in the facilities audited, they lacked well equipped workshop or adequate tools.

2.2 Recreational Facilities:

Some of the prisons had such outdoor recreational facilities like Football, Table Tennis and Volley ball in addition to indoor facilities like card and board games. A few others had only indoor recreational facilities.

2.3 Health Facilities:

On the average, the health facilities were inadequate and poorly equipped across prisons visited. In most cases, the prisons were served by make-shift and poorly equipped clinic facilities and personnel.

The prisons also lacked drugs except for those required for the treatment of common

symptoms like headache. Thus severe medical conditions were sometimes referred to hospitals outside the prison facilities.

2.4 Educational Facilities:

Few of the prison facilities visited in the zone had educational facilities. Port Harcourt prison has a campus of the National Open University of Nigeria (NOUN) and a Theological School while Oko prison in Edo State has an Adult Literacy Education Center.

2.5 Transport Facilities:

There was a noticeable general improvement in transport facilities available to the prisons. All the facilities had at least a 'Green Maria' Van for the conveyance of inmates to and from courts. Their inadequacy and Fueling constraints of the vans were however some sore points.

4. Sources of Water:

All the prisons audited had borehole facilities as their main source of water supply.

5. Source of Energy:

All the prisons audited rely on public power supply as their main source of electricity supply. A few had generating set that mostly provide partial supply of electricity to only designated portion of the facilities like staff offices and only during periods of interrupted public power supply.

6. Kitchen Facilities:

The kitchen facilities across the prisons visited in the zone were obsolete and inadequate. All the prisons used firewood to cook.

4.0 WELFARE OF DETAINEES:

4.1 Cell:

Across the prisons visited in the South-South Zone, all the cells were congested as there were more inmates being accommodated in cells than the capacity.

4.2 Toilets:

Most of the prisons had water cistern toilets. However, a handful of the toilets were in terrible states of disrepair.

4.3 Uniform:

Uniforms were inadequate in all the prison facilities. They were in poor conditions. Majority of the inmates were seen without uniforms.

4.4 Beds and Beddings:

The beds and beddings were inadequate. Most of the inmates were seen sleeping on the floor.

4.5 Ventilation:

The prisons were well ventilated.

7. Classification:

The prisons were properly classified into Male, Female, Awaiting Trial Persons and Convicts.

8. Feeding:

Feeding was fair across the prisons in the zone. Inmates complained about the quality of the meals and that they were served meat/fish occasionally and not during every meal.

5.0 WELFARE OF OFFICERS:**5.1 Office Accommodation:**

The office accommodation for officers was found to be poor in all the prisons audited.

5.2 Barracks/Residential Accommodation:

Across the prisons audited in the zone, barrack accommodation for officers were available but inadequate and in poor living conditions.

5.3

This was available in all the prisons with most in poor condition. It was discovered that

5.4

These critical tools/items were observed to be lacking and where available, they are in poor conditions in all the prisons in the zone.

6.0 ACCESS TO JUSTICE BY DETAINEES

During the audit, the following issues relating to access to justice were observed.

6.1 Number of Detainees with Legal Representation:

Most inmates in all the prisons audited had legal representation except for few detainees.

There were a total of 8,168 inmates in all the 6 prisons audited in the South South Zone. Out of these numbers, 252 were identified to be without legal representation with Port Harcourt Prison topping the list with 213.

6.2 Number of Detainees who cannot pay fines:

The total number of inmates who could not pay fine in all the prisons audited in the zone was 36.

6.3 Detainees who cannot Post Bail:

The total number of detainees who could not post bail in all the prisons audited in the

6.4 Number of cases affected by unavailability of witnesses:

No such case was identified.

6.5 Number of cases affected by unavailability of IPOs:

2 inmates were identified with cases affected by unavailability of IPOs.

6.6 Number of cases identified by Missing Files:

No such case was identified.

6.7 Number of detainees on Holding Charge:

There were a total of 198 inmates on holding charge. Ikot-Ekpene and Ogwashi-Ukwu had 138 and 60 inmates respectively.

6.8 Number of cases handled by National Decongestion Committee:

There was no record of cases handled by the National Decongestion Committee.

6.9 Number of cases affected by unavailability of DPP advice:

1,231 cases were identified to be affected by unavailability of DPP Advice. Port Harcourt prison had the highest number with 1,015. This is followed by Ikot-Ekpene prison which had 138, Ogwashi-Ukwu prison with 60 and Yenogoa prison with 18.

6.10 Number of ATPs who had spent 3 months or less :

Of all the inmates counted as awaiting trial, only 340 have been in the prison for less the three months . Others are long staying from six months to 10 years. The breakdown in all the prisons audited in the South South Zone. 261 of those less staying inmates in Port Harcourt, 30 in Yenogoa, 33 in Ikot-Ekpene and 16 in Ogwashi-Ukwu.

7.0 GENERAL INFORMATION**7.1 Pre/Post Natal Facilities:**

None of the prisons visited had any of these facilities.

7.2 Minors in Prison:

Oko prison in Edo State had 8 minor detainees allegedly remanded in the facility on the orders of the State Governor due to lack of a juvenile home in the state.

No inmate with mental illness was recorded in all the 6 prisons audited in the zone.

7.3 Number of lifers:

There were a total of 106 lifers in all the prisons audited. 43 in Port Harcourt, 18 in Calabar, 8 in Bayelsa, 12 in Ikot-Ekpene and 25 in Oko prison.

7.4 Number of Detainees on Death Row:

At the time of the audit, there were a total of 464 inmates on death row. 287 in Port Harcourt, 39 in Calabar, 12 in Bayelsa, 21 in Ikot-Ekpene and 105 in Oko prison.

7.5 Number of Detainees with life threatening ailments:

There were a total of 2 cases of life threatening ailments recorded in Oko and Port Harcourt prisons.

RECOMMENDATIONS

- New prisons with modern facilities should be built
- The old prisons should be renovated to meet minimum standards.
- More vocational facilities and tools should be provided in all the prisons.
- More recreational facilities should be provided in all the prisons.
- Adequate and appropriate health facilities and personnel should be provided in all the prisons.
- The kitchen facilities and utensils should be replaced with modern ones.
- Adequate educational facilities should be provided especially in prisons where none is available.
- More uniforms should be provided for inmates and prison officials.
- Adequate bed and beddings should be provided for inmates.
- Adequate and conducive accommodation should be provided in all prisons.
- Adequate working tools and furniture should be provided in all prisons.
- Step should be taken to ensure that all detainees have legal representation.
- Cases of detainees affected by missing files, unavailability of IPOs and unavailability of witnesses should be evaluated and addressed.
- Pre/post natal facilities should be provided in all prisons with female classification.
- Establishment of juvenile homes in all the states to avoid the detention of minor in prisons.
- Inmates with mental illness should be transferred to psychiatric medical facilities.
- Inmates with life threatening ailment should be considered for prerogative of mercy on medical grounds.

CHAPTER FIVE**SOUTH WEST ZONE OF NIGERIA****1. STRUCTURAL ANALYSIS OF THE PRISON INSTITUTIONS VISITED AT THE SOUTH WEST ZONE OF NIGERIA.**

The South West Zone of Nigeria comprises Ogun, Oyo, Lagos, Ondo, Osun and Ekiti States, respectively.

A total of eight (8) prisons were visited for the audit exercise out of the twenty-three (23) prisons in the South West Zone.

These prisons are New-Abeokuta Prison, Oba. Abeokuta, Ogun State, Agodi Maximum Prison Ibadan, Oyo State, Kirikiri Female Prison, Lagos State, Kirikiri Medium Prison, Lagos State, Olokuta Medium Security Prison Akure, Ondo State, Medium Security Prison Shegede Ondo State, Female Satellite Prison Surulere Ondo State, Ado-Ekiti Prison Ekiti State and Ile Ife Prison Osun state.

Names of the Prisons visited	Year built & by who	Capacity of the Prison	Lock up	No. of Convicts	No. of Awaiting Trial Inmates.
New Abeokuta Prison, Oba, Abeokuta. Ogun State.	2009	600	675	83	587
Agodi Maximum Prison Ibadan, Oyo State.	1894	390	1,076	133	932
Kirikiri Female Prison, Lagos State.	1963	211	293	63	226
Kirikiri Medium Prison, Lagos State.	1963	1,300	3,803	290	3,504
Alokuta Medium Security Prison, Akure. Ondo State.	1988	270	816	155	645
Medium Security Prison, Shegede, Ondo State.	2009	160	110	39	70
Female Satellite Prison Surulere, Ondo State.	1964	80	16	9	6
Ado-Ekiti, Prison. Ekiti State.	2012	212	431	112	312
ILE IFE PRISON, OSUN STATE	2001	160	346	56	290
TOTAL		3,383	11,624	940	12,536

1.1 AGE OF THE PRISONS

The Ogun State prison located at Oba, Abeokuta was commissioned on the 24th April 2009. It was built by the Nigerian Government.

Agodi prison in Ibadan, Oyo State, was built in the year 1894, by the colonial government while the Kirikiri Female Prison, Lagos State was established in 1963. The Kirikiri Medium Prison was built in 1963.

A total of three (3) prisons were visited by the team in Ondo state, namely; Akure Medium Security Prison in Olokuta, Medium Security Prison in Shegede which was established in 2009 and Female Satellite Prison in Surulere. The female Satellite Prison at Surulere, Ondo State was established on or before 1964. It used to be Convict Prison, Ondo but was later converted to a female prison in the year 2012.

The Ado-Ekiti Prison was commissioned on the 12th February, 2012 by the Federal Government of Nigeria while the Ile Ife prison, Osun state, was built in the year 2001.

1.2 CAPACITY

The New Prison Oba, in Abeokuta, Ogun State has the capacity for six hundred (600) Detainees, while the Lock-up was six hundred and seventy-five (675) Detainees all males.

Agodi Prison Ibadan Oyo State, has a capacity for three hundred and ninety (390) Detainees, while the Lock-Up was one thousand and seventy-six (1,076) Detainees out of which thirteen (13) Detainees were Females.

Kirikiri Female Prison Lagos, has a capacity for two hundred and eleven (211) Detainees, while Lock-up was two hundred and Ninety three (293) Detainees.

Kirikiri Medium Prison Lagos, has a capacity for one thousand three hundred (1,300) Detainees, while the lock-up was three thousand Eight Hundred and Three (3,803).

The Medium Security Prison Shegede Ondo State, has a capacity for One Hundred and Sixty (160) detainees, while the Lock-Up was one hundred and One (110).

The Female Satellite Prison at Surulere Ondo State, formally accommodated Male and Females before the completion of the Medium Prison Shegede. It has a capacity for Eighty (80) Detainees, while the Lock-Up was 16.

The buildings were in states of dilapidation and deplorable conditions, especially the MSP Akure and the Female Satellite Prison at Surulere, Ondo State.

The Ado-Ekiti Prison in Ekiti State, has the capacity for two hundred and Twelve (212), while the Lock-Up was four hundred and thirty-one (431).

Ile Ife Prison Osun State, has a capacity for one hundred and sixty (160) detainees, and a lock up of three hundred and forty-six (346) detainees.

It is evident from the Audit, that, the Prisons in the South West Zone were over populated and congested.

1.3 CONVICTS/ATPs

The number of Awaiting Trial Persons in the South West zone out-numbered the number of convicts, as usual.

Figures are as follows:

New Abeokuta Prison Oba, Ogun State, had eighty-three (83) Convicts, five hundred and eighty-seven (587) ATPs.

Agodi Prison Ibadan Oyo State had one hundred and thirty three (133) convicts and nine hundred and thirty-two (932) ATPs.

Kirikiri Female Prison Lagos State, had sixty-three (63) convicts and two hundred and twenty-six (226) ATPs.

Kirikiri Medium Prison Lagos State, had two hundred and ninety (290) convicts and three thousand five hundred and four (3,504) ATPs.

Olokuta Medium Security Prison Akure had one hundred and fifty-five (155) convicts and six hundred and forty-five (645) ATPs.

Medium Security Prison Shegede, Ondo State had thirty-nine (39) convicts and seventy (70) ATPs.

Female Satellite Prison Ondo State had nine (9) convicts and six (6) ATPs.

Ado-Ekiti Prison Ekiti State had one hundred and twelve (112) convicts and three hundred and twelve (312) ATPs.

Ile Ife prison Osun State had fifty-six (56) convicts and two hundred and ninety (290) ATPs.

The number of prisons visited had a total of nine hundred and three (903) convicts while the ATPs stood at six thousand five hundred and seventy-two (6,572). The total prison capacity of the prisons visited were three thousand seven hundred and eighty-three (3,783) while the lock-up was seven thousand five hundred and sixty-seven (7,567) showing a difference of three thousand seven hundred and eighty-four (3,784).

1.4 SANITATION.

It was observed that most prisons kept their environment clean. The conditions of the Prisons were generally clean.

1.5 CONDITION OF THE STRUCTURE

At the New Abeokuta Prison in Ogun State, a new cell block was under construction. The old structure was renovated in 2017.

Also, Agodi Maximum Prison in Ibadan is an old structure and last renovated five years ago. However, it is worthy to mention that there is a new Maximum Prison structure at Olomi, Ibadan, which is almost at the stage of completion. It has a capacity to accommodate seven hundred (700) male detainees, although the female cell was at the foundation level.

The structure of the Kirikiri Female Prison Lagos was old and inadequate. The facilities at the Kirikiri Medium Prison were archaic and worn out. The cells were in a bad shape and the toilets were dilapidated.

2.0 FACILITIES AT THE PRISON

2.1 VOCATIONAL FACILITIES.

Detainees were engaged in tailoring activity at the New Abeokuta Oba Prison, Ogun State. It was however observed that part of the kitchen was used as the tailoring workshop.

At Agodi Maximum Prison, Ibadan, detainees were engaged in tailoring, barbing, shoe making, threading, carpentry, art design and painting, electrical work and repairs.

At the Kirikiri Female Prison in Lagos, detainees were trained in sewing, knitting and

catering. Also, at the Kirikiri Medium Prison detainees were engaged in subsistence farming of vegetables and fish, which they feed from.

The prisons visited in Ondo State, had no recreational centres. There was a vocational centre for tailoring, electrical work and shoe making. The barbing saloon lacked the necessary tools and equipments to train the detainees. In Ile Ife prison however, detainees had carpentry and tailoring workshop.

2.2 RECREATIONAL FACILITIES.

The Prisons visited had recreational facilities although they were old and obsolete.

Recreational facilities available at the New Abeokuta Prison, Oba included football field and table tennis boards.

At Agodi Maximum Prison, Ibadan detainees were engaged in indoor games such as ludo, cards and drafts. There were also outdoor sports and recreational facilities, but they were inadequate. Football and volleyball pitches were available.

It was observed that the spaces dedicated for recreational activities were small and could only take few detainees.

At the Kirikiri Female Prison, Lagos, recreational facilities were available. These include gymnasium, table tennis, volleyball court, football field, a hall for watching movies, garden for relaxation and a crèche for babies. A football field was also available at the Kirikiri Medium Prison, Lagos.

2.3 HEALTH FACILITIES AND PERSONNEL

All Prisons visited had health facilities and personnel. The facilities were however, generally inadequate.

The New Abeokuta Prison, Oba, had a clinic, but it was in dire need of hospital beds, ambulance, laboratory etc.

Agodi Maximum Prison had a three (3) bed capacity clinic, one (1) specialist doctor and eight (8) nurses. However, patients that required medical diagnosis or those with serious medical conditions were referred to the General Hospital. Drugs are supplied by the prison authority as well as well-meaning Nigerians.

There were also seven (7) mentally ill detainees and ten (10) detainees with life-threatening ailments, ten (10) HIV/AIDS patients, one (1) with kidney disease, and one (1) with hepatitis. The Prison did not have Pre/Post-natal facilities.

The Clinic in Kirikiri Female Prison had a doctor, four (4) nurses, a health officer and a laboratory scientist. It had a delivery ward but in need of more medical supplies, like

delivery kit, screening supplies for the laboratory and oxygen.

The Kirikiri Medium Prison, Lagos had a doctor, seven (7) nurses and a psychologist. There were twenty-five (25) mentally challenged detainees who were being managed by the clinic.

There were clinics in all the three (3) audited prisons in Ondo state. However, the facilities were not adequate.

2.4 EDUCATIONAL FACILITIES

There were primary, secondary, adult education and computer training facilities in most of the prisons visited in the South West.

The New Abeokuta Prison Oba Ogun State, had a Computer Training Centre with eight (8) functioning computers.

Agodi maximum prison in Ibadan had an e-learning centre, with twelve (12) computers donated by Christ Embassy Church. At the time of the audit, eighteen (18) inmates were enrolled. Two (2) teachers were handling the detainees on the program.

Kirikiri Female Prison Lagos had primary and secondary facilities. They also have a tertiary education program in partnership with Covenant University. The library was also upgraded by the same university. The Prison had a computer centre.

The Kirikiri Medium Prison had an educational department headed by a detainee.

Detainees at Ile Ife prison, Osun State were also engaged in studies at junior secondary level.

2.5 TRANSPORT FACILITIES

The prisons visited had vans but they were old and inadequate. The New Abeokuta, Oba, Ondo State had one (1) Van that conveys detainees to court.

Agodi Maximum Prison had two (2) vans which was inadequate while Kirikiri Female Prison had two (2) functional buses.

2.6 SOURCE OF WATER

It was observed that all the prisons visited in the South West Zone relied on water from borehole facilities.

Medium Security Prison Shegede and Female Satellite Prison, Surulere, both used water from dug-out wells at the time of the audit.

2.7 SOURCE OF POWER

All the prisons audited in the South West Zone were connected to electricity with their sources of electricity either from the PHCN or alternative power from a generator.

The generator, at the New Abeokuta Prison, Oba, Ogun State and that of Agodi Maximum Prison, Ibadan, Oyo State were not functional. The Generators were in a state of disrepair.

2.8 KITCHEN FACILITIES

Kitchen Facilities were available in all Prisons, but were mostly old, inadequate and needed replacement. Agodi Maximum Prisons used firewood for cooking and it had an archaic kitchen facility.

3.0 WELFARE OF INMATES

3.1 CELL

The capacity vis-à-vis the lock-ups in the audited prisons were as follows:

New Abeokuta Prison Oba (600-675);

Agodi Maximum Prison Ibadan, Oyo State (390-1,076);

Kirikiri Female Prison Lagos (211-293),

Kirikiri Medium Prison, Lagos (1700-3804),

Olokuta Medium Security Prison, Akure, Ondo State (270-816),

Medium Security Prison, Shegede, Akure (160-110),

Female Satellite Prison, Surulere, Ondo State (80-16).

3.2 TOILETS

The prisons visited in the South-West zone made use of water cistern. However, most of them had no direct water supply. Most of the toilet facilities were in a state of disrepair. Such prisons include New Abeokuta prison, Ogun State, Agodi Maximum Prison, Ibadan, Oyo State, Kirikiri Female Prison, Lagos and all the audited prisons in Akure.

3.3 UNIFORM

Uniforms were inadequate in all the prisons audited. Some of the uniforms of the detainees at Agodi Maximum prison, Ibadan were old and worn out.

3.4 BEDS AND BEDDINGS

Beds and Beddings were in a fair condition in some of the prisons like the New Abeokuta prison. Detainees in Agodi Maximum Prison had few beds as the cells were congested. The beddings were not available and for that reason most of the inmates used mats. The condition at Agodi was poor and grossly inadequate.

At Kirikiri Medium Prison, some inmates slept on the floor and some were seen on the mats. It was also observed that the facility had a few blankets and no mosquito nets. Also the Kirikiri female prison did not have enough beds and mattresses.

3.5 VENTILATION

It was observed that the New Abeokuta Prison had good ventilation.

3.6 CLASSIFICATION

The prisons were properly classified into males and female, convicts, awaiting trial persons, pregnant women and babies born by the inmates. However, not all the prisons classified detainees according to offences. Condemned convicts and lifers were separated from others.

3.7 FEEDING

Audit of all the prisons in the South West Zone recorded that feeding was good.

4.0 WELFARE OF OFFICERS

The welfare of officers in all the prisons visited came out differently as some claimed that their welfare was poor, while others claimed that it is fairly good in terms of provision of uniform, housing, allowances and salary.

5.0 ACCESS TO JUSTICE

Access to justice by persons in detention is very important and an integral part of criminal justice administration. Justice delayed justice denied. Fair hearing, legal representation and speedy trial are necessary ingredients in criminal justice and administration in the absence of these ingredients the resultant effect is congestion. Therefore, in the course of the audit, the following issues were examined;

5.1 NUMBER OF DETAINEES WITH LEGAL REPRESENTATION

In all the prisons audited in the South West Zone, the number of detainees with legal representation could not be ascertained.

5.2 NUMBER OF DETAINEES WITHOUT LEGAL REPRESENTATION

It is recorded that Agodi Maximum Prison Ibadan, had a total of one hundred and sixteen (116) detainees without legal representation. However, there were no records of the number of detainees without legal representation in some of the prisons visited.

5.3 NUMBER OF DETAINEES WHO COULD NOT PAY FINES

At the South West Zone Prisons audited, the records showed that two (2) detainees at Agodi Maximum Security Prison, Ibadan could not pay fines imposed on them. The fines were between six thousand Naira (6,000) to Ten Thousand Naira (10,000). There was no record of detainees who could not pay fines in the rest of the Prisons visited.

5.4 NUMBER OF DETAINEES WHO COULD NOT POST BAIL

The record of detainees who could not post bail in all the prisons audited was not ascertained. It was however reported most detainees in these prisons could not post bail because of stringent bail conditions.

5.5 DETAINEES WHOSE TRIALS HAD STOPPED DUE TO UNAVAILABILITY OF WITNESSES

There were no records of cases affected by unavailability of witnesses.

5.6 DETAINEES WHOSE TRIALS HAD STOPPED DUE TO UNAVAILABILITY OF IPOs

There were no records of cases of detainees that were in detention due to unavailability of IPOs handling their cases.

5.7 NUMBER OF CASES AFFECTED BY MISSING CASE FILES

There were no record of detainees that could not continue with their trials due to missing files except one (1) detainee at the Ile Ife Prison, Osun State.

5.8 NUMBER OF DETAINEES ON HOLDING CHARGE

A total of Three Hundred and Thirty Three (333) detainees were on holding charge at the New Abeokuta Prison, Oba, Ogun State, while a total of Four Hundred and Seventeen (417) detainees were on holding charges at Agodi Maximum Prison, Ibadan, Oyo State.

There was no record regarding this information from the other Prisons.

5.9 NUMBER OF CASES BEING HANDLED BY NATIONAL DECONGESTION COMMITTEE

There was no record on cases handled by the National Decongestion Committee.

6.0 NUMBER OF CASES AFFECTED BY THE UNAVAILABILITY OF LEGAL ADVICE FROM THE DPP

There was no record on the cases affected by the unavailability of Legal Advice from the Director of Public Prosecution.

6.1 NUMBER OF DETAINEES WHO HAVE SPENT FIVE (5) YEARS ABOVE

At the New Abeokuta Prison, Ogun State and Agodi Maximum Security Prison a total of twenty-five (25) and fifty-eight (58) detainees had spent five years and above, respectively.

7.0 GENERAL INFORMATION**7.1 PRE-&POST NATAL FACILITIES AVAILABLE**

Pre and post natal facilities were not available as there were no female detainees at the New Abeokuta Prison, Oba, Abeokuta Ondo State.

However, the Kirikiri Female Prison Lagos and Ado-Ekiti Prison Ekiti State had delivery wards.

7.2 MINORS IN PRISON**7.2.1 BABIES IN PRISON**

There were a total of nine (9) babies at Kirikiri Female Prison, Lagos State.

7.3 NUMBER OF PERSONS WITH MENTAL ILLNESS

There were thirteen (13) lunatics in Agodi Maximum Prison Ibadan, Oyo State and twenty-five (25) detainees who were mentally challenged at Kirikiri Medium Prison, Lagos State. There were a total of three (3) lunatic detainees in Ile Ife prison, Osun State.

7.4 NUMBER OF LIFERS

There were five (5) lifers in New Abeokuta Prison Oba, Ogun State, Nine (9) lifers in Agodi Maximum Prison Ibadan, two (2) lifers at Kirikiri Female Prison Lagos, sixteen (16) lifers at Medium Security Prison Olokuta Ondo State, one (1) lifer at Medium Security Prison Shegede and four (4) lifers at Ado-Ekiti, Ekiti State.

7.5 NUMBER OF DETAINEES ON DEATH ROW

One (1) detainee was on death row at Agodi maximum prison Ibadan, four (4) at Kirikiri female prison, Lagos and two (2) male detainees at the Ado-Ekiti Prison, Ekiti State.

7.6 NUMBER OF DETAINEES WITH LIFE THREATENING AILMENTS

A total of fifteen (15) life threatening ailments in New-Abeokuta Prison Oba, Ogun State, two (2) detainees at Agodi Maximum Prison Ibadan.

Although there were cases of detainees with life threatening ailments at Kirikiri Medium Prison, Lagos the specific number could not be provided.

7.7 BEST PRACTICES

There was adequate and constant water supply at New-Abeokuta, Oba, Ogun State.

In Agodi Maximum Prison in Ibadan detainees engaged in vocational activities and skill acquisition programmes such as shoe-making, carpentry, painting etc.

Medical units at Kirikiri Medium Prison handled mentally challenged detainees professionally.

The National Drug Law Enforcement Agency were occasionally on ground to sensitize detainees on dangers of substance abuse.

7.8 BAD PRACTICES

The New-Abeokuta, Oba, Ogun State had just a van for running the activities of the prison. The van and generating set were constantly breaking down.

Agodi maximum prison Ibadan had a very poor health facility and a three (3) bed clinic serving the inmate population of one thousand and seventy-six (1076) detainees.

7.9 GENERAL RECOMMENDATIONS

It is recommended as follows:

- Urgent refurbishment of the kitchen and kitchen facilities;
- Strengthened synergy between the office of the DPP, police and Prison authorities to ensure effective criminal justice administration
- Provision of more vocational facilities;
- Recruitment of more medical doctors to the clinic to attend to inmates;
- Educational and religious facilities should be upgraded.
- Provision for more recreational facilities needs to be made;
- Provision of modern office facilities;
- Provision of solar energy as an alternative power source;
- Uniforms should be adequately provided for the inmates;
- The new maximum prison site at Omoli, Ibadan should be completed and commissioned so as to accommodate inmates from Agodi prison.
- There should be new vans or at least functioning vans for prison to make transportation easier;
- There is need to rehabilitate the road network between female and male prison in Ondo State.
- There is also the urgent need to renovate the existing cells and build new ones in all the prisons identified.

CHAPTER SIX

SOUTH EAST ZONE OF NIGERIA

The South East Zone of Nigeria comprises Abia, Anambra, Ebonyi, Enugu and Imo States, respectively.

During the Audit exercise, Monitors from the Commission visited Umuahia Prison, Okigwe Prison, Orreh/Umualumoke Prison Farm Centre, Enugu Prison, Aguata, Owerri and Abakaliki Prisons.

Below are highlights of findings during the visit.

Names of the Prisons visited	Year built & by who	Capacity of the Prison	Lock up	No. of Convicts	No. of Awaiting Trial Inmates
Umuahia Prison	1902 By Colonial Government	500	1005 (Male & Female)	Male- 40 Female-2	Male- 911 Female-51
Aguata Prison	2010 Federal Government	180	197	33	164
Owerri	1905 by the colonial masters	548	2189 Male/Female	220	1969
Okigwe	1993 by the Nigerian government	504	378		
Orreh/Umualumoke prison Farm Centre	1993 by the Nigerian government	100	68		
Abakaliki Prison	1946 by Colonial Government	387	1128	117 Males-115 Females -2	1009 Males-969 Females-40
Enugu Prison	1915, by the colonial Administration	638	1997 Males- 1957 Females – 40	233	1444

1.1 STRUCTURE OF THE INSTITUTION VISITED

The Prisons visited in the South East during the Prison Audit exercise were built at different periods of time.

The Umuahia Prison was built in 1902 by the British Colonial Government. The Prison is an old structure and was last renovated in 2008.

The Aguata Prison, Anambra State was built during the Second Republic for another purpose but was converted to prisons in 2010.

Owerri Prison was built in 1905 during the Colonial Government. Similarly, Okigwe prison was built in 1913 and Enugu Prison built in 1915 both during the Colonial Government.

The Orreh/Umualumoke prison Farm Centre was built in 1993. Abakaliki Prison was built in 1946.

A common feature of some of the Prisons visited is that they were built many years ago by the Colonial Government.

1.2 CAPACITY

Umuahia Prison has a holding capacity for Five Hundred (500) inmates. As at 30/7/2018 when this Prison Audit was conducted, there were a total of 1,005 inmates in lock up. Out of the 1,005 inmates, there were 40 Male Convicts, 2 Female Convicts, 911 male awaiting trial persons, 51 female awaiting trial inmates, 5 Lifers and 1 inmate detained at the mercy of the Governor.

Aguata Prison has capacity for holding **180 persons. However, the** lock up as at the time of visit was **197**. It is a male prison only. It had **33** convicted inmates and **164** inmates on awaiting trial on the day of visit.

Owerri Prison has capacity for 548 inmates. However, on the day of the prison audit, the lockup was 2,189 (2,132 males and 57 females). Out of this number, 220 inmates were convicts and 1,969 inmates were on awaiting trial list.

Okigwe Prison has a capacity for 504 inmates, but the lock-up on the day of the visit was 378 inmates. Out of this number, 369 were males while female inmates were 10. Convicts were 64 and Awaiting Trial Persons were 314.

Structures in the prison were old. Monitors were however informed that there was renovation of some old structure in 2016.

The Orreh/Umualumoke Prison Farm Centre has a capacity for 100 and the total inmates on lock-up on the day of visit was 68, an indication that it is not congested. All the inmates were male convicts. It therefore does not have a section for Awaiting Trial Persons.

Abakaliki Prison has a capacity for 387. However, on the day of visit the lock up was 1,128 . This figure is obviously far more than the capacity. The prison was

congested and facilities over stretched. Disaggregation of the prison population as at day of visit is as follows:

- Male – 1,086
- Female - 42
- Convicts: - 117 out of which there were 115 males and 2 females.

The number of Awaiting Trial Persons was 1,009 out of which 969 were males while females were 40 in number.

In **Enugu Prison**, the capacity was 638 while the lock-up was 1,997 comprising of 1,957 males and 40 females. The number of convicts was 233, while the number of Awaiting Trial Persons was 1,444.

1.3 CONVICTS/ATPs

The Umuahia Prison has both male and female sections and was holding 1,005 inmates which was above its capacity. Out of the 1,005 inmates, there were 40 male convicts, 2 female convicts, 911 male awaiting trial inmates and 51 female awaiting trial inmates. On the other hand, Aguata Prison as at the date of visit had **33** convicted inmates and **164** inmates on awaiting trial. **Owerri Prison** had 220 convicts on the day of visit and 1,969 Awaiting Trial Inmates. Okigwe Prison had 68 Convicts and no Awaiting Trial Inmates.

In **Orreh/Umualumoke Prison Farm Centre**, all the inmates were male convicts so there was no Awaiting Trial Section. Similarly, Abakaliki Prison had 117 convicts out of which there were 115 males and 2 females.

The number of Awaiting Trial detainees was 1,009 out of which 969 were male detainees and 40 were female detainees. In Enugu prison, convicts were 233, whereas Awaiting Trial Detainees were 1,444.

1.4 SANITATION.

The premises of Umuahia Prison were fairly neat. However, some concerns were observed in the toilet as each cell had a toilet and bathroom servicing between 15 to 20 inmates. The toilets and bathrooms were mostly opposite each other in every cell and were fairly clean.

The toilet was a pit latrine and there are no facilities for water to run inside the toilets and bathrooms. Hence, inmates were required to fetch water from the boreholes outside the cells. Interview conducted with some of the inmates revealed that the toilets and bathrooms were cleaned twice in a day by the inmates but they mostly depend on charities for soaps, detergents and antiseptic used in washing the toilets and bathrooms. Most times they go up to 2 months before they get these supplies and that makes them vulnerable to contacting diseases.

Aguata prison was fairly clean on the day of visit so was Okigwe and the Prison Farm. But the sanitary condition in Owerri prison was poor. Although the premises of Abakaliki and Enugu Prisons were neat, the cells were filthy.

1.4 CONDITION OF THE STRUCTURE

The Umuahia Prison is an old structure and was last renovated in 2000. Though a comparatively new structure, the **Aguata Prison** has not been renovated since its establishment despite the dilapidated condition of the prison. Every axis of the building roof was leaking and affecting the walls adversely. The paints were peeling off, while the floors were always wet thereby making life miserable for both the prison staff and the inmates.

In addition, the road to the prison is bad and inaccessible. The deplorable nature of the road hinders majority of the staff from going to work with their vehicle as well as obstructing Philanthropists, CSOs, NGOs, etc from extending their charity work to the prison. Similar to the Umuahia Prison, the Owerri Prison had old structures, with two new cells being constructed to add to the existing ones.

The Okigwe prison also had old structures. However, there was renovation of some of the old buildings/facilities in 2016. In the Okigwe Prison Farm, the structures were both old and new. According to findings, the last renovation was in 1993.

Having been built in 1946, the structures in the Abakaliki Prison were old, dilapidated and grossly inadequate for the prison population. Many windows and office equipment destroyed during the 2016 riot had neither been replaced nor rehabilitated.

Having been built in 1915, the structures in Enugu prison were old and dilapidated and in dire need of renovation.

2.0 FACILITIES AT THE PRISON

2.1 Vocational Facilities

Umuahia Prison had a large hall where some vocational activities were carried out by male inmates. The vocational activities available at the prison include carpentry, welding, tailoring and electrical engineering. About 45 male inmates are engaged or enrolled in these vocational activities under the supervision of instructors who are Prison officials. In the female section, female inmates indulge in vocational activities such as hair-dressing, knitting and beads making.

The Aguata prison had a tailoring workshop which was not well equipped. The workshop was the only vocational centre in the prison. On the other hand, the Owerri prison had a big workshop and showroom where they carried out activities and displayed their finished products, such as foot wears, furniture, household utensils, stoves, architectural designs, bags, necklaces and bangles among others.

In Okigwe Prison, the vocational facilities available were carpentry, tailoring, bricklaying and shoe repairs. But in Okigwe Prison Farm, there was no other vocational activity available to the inmates apart from farming.

The Abakaliki Prison had some vocational facilities for carpentry, tailoring, shoemaking, barbing/hair salon, welding, etc. The warders however complained of inadequate materials.

In Enugu Prison, there were welding, tailoring and carpentry facilities.

2.2 RECREATIONAL FACILITIES.

Umuahia Prison had both indoor and outdoor recreational facilities for male inmates such as football and table tennis. Other recreational facilities included card and board games such as ludo, draught and 'whot' games. At the female section, female inmates only participated in indoor games including card and board games (ludo, draught and 'whot' games).

Aguata Prison had a mini football pitch and table tennis facilities provided for the prison population. **Owerri Prison** had a football field for recreation of inmates and detainees. Okigwe Prison and the Prison Farm have a football field where soccer competitions are occasionally organized for recreation of those in custody. There were also recreational facilities available in **Abakaliki prison**, especially indoor games like ludo and draught. **Enugu prison had** improvised football pitch and table tennis courts.

HEALTH FACILITIES AND PERSONEL

Umuahia prison, Abia State had a clinic with a capacity of 4 Beds. At the time of visit, there was no inmate admitted in the clinic.

There was a dedicated medical doctor, a Pharmacist, 7 Public Health Officers, Pharmacy technician and 6 nurses catering for the inmates. Apart from this, the Prison also collaborates with Federal Medical Centre and Amachara General Hospital Umuahia for serious and complicated ailments. Common illness treated at the clinic include Malaria, typhoid fever, stomach problems and other skin diseases such as scabies, ringworm, chicken pox, etc. For inmates with serious contagious diseases, they are quarantined.

There were adequate drugs in the clinic to service the needs of the inmates and this was one area of massive improvement. For inmates suffering from HIV and tuberculosis, they are administered with anti-retroviral drugs and anti-tuberculosis vaccines for free. There were 3 inmates receiving anti-retroviral drugs while 4 inmates were receiving anti-tuberculosis vaccines among other ailments.

The clinic however lacks the necessary facilities to test inmates for HIV and those with mental cases are referred to Aba Prison for attention.

The **Aguata Prison**, Anambra State has a functional health centre well equipped with drugs unlike the poor condition the Commission met the prison during her audit in 2016. The prison also has qualified health personnel that oversee the activities at the health centre.

Similarly, **Owerri Prison** had a functional clinic as at the time of the prison audit exercise, as well as a drug store which contained variety of drugs for malaria, diabetes,

high blood pressure, skin infections and other ailments. They also had pregnancy test kits, blood pressure monitors and stethoscope. Monitors also saw some facilities in the clinic such as examination room, examination bed, female and male wards.

Upon interviewing Dr. I.S Chukwuezi, the Consultant Physician who received the monitors to the Prison, he revealed the following:

- He comes on daily basis to see the inmates, unlike in the past when he sees the inmates 2 or 3 times in a week.
- The prevalent cases in the health facility ranged from injuries to malaria, skin infection, chicken pox, high blood pressure, HIV/Aids, mental cases, TB among others.
- That drugs are now in more regular supply and hoped for much more improvement in the provision of facilities for the clinic.
- More serious cases are referred to the Federal Medical Centre, Owerri, where better equipment and facilities are available for treating such cases.

Okigwe prison and the **Prison Farm** share a clinic with four nurses and four other health officers. In **Abakaliki Prison**, the Monitors saw a clinic as well as a laboratory. The medical personnel in the facility were 2 nurses, 2 doctors and 3 Public Health Officers. However, there was no Pharmacy and no Laboratory Scientist as the former Lab Scientist retired in January 2018 but had not been replaced.

Prevalent ailments in the prison were said to be scabies, malaria, and chicken pox.

In Enugu prison, there were clinic and laboratory facilities operated by a medical doctor, a psychologist, two nurses and five health workers. There were also 18 hospital beds for those that might be admitted.

2.3 EDUCATIONAL FACILITIES.

In Umuahia Prison, a building was built by an NGO in 2015 to serve as an educational centre for the inmates. The building also serves as the National Open University Centre (NOUN) for inmates. There were 21 inmates enrolled in the university out of which 11 inmates were in their second year. About 30 inmates who needed sponsorship to write the West Africa Examination Certificate (WAEC) were on remedial studies.

There were also computer systems at the centre, but power was a major challenge. The library in the Prison is also in this building and there were no sufficient furniture, books and other materials to aid the education of the inmates. The building was unpainted and had no window and toilet fittings.

In Aguata Prison, there was a functional library for inmates who wished to read. Findings in Owerri Prison showed that the facility had educational facilities, such as classrooms and teaching materials. Monitors also observed that the inmates served as

both teachers and students. In **Okigwe prison** and **the Prison Farm**, graduate inmates teach fellow inmates in some primary and secondary school subjects.

Remarkably, the **Abakaliki Prison** had functional schools (special primary & secondary) established by the State Government. Teachers are usually posted from the State Ministry of Education to the schools. The students are routinely enrolled for external exams. The Special School however serves as Centre for National Examination Council (NECO) and Junior Secondary School Examination (JSCE).

Feedback from Enugu prison shows that National Open University of Nigeria operates a functional study centre in the prison and that quite a number of the inmates were enrolled in various programmes. They also have a functional library.

2.5 TRANSPORT FACILITIES

The **Umuahia Prison** had 4 vehicles on the day of visit made up of 2 Pick-ups, 1 small and big Lorries respectively which were inadequate for conveying inmates to court. The vehicles were all functional and they cover 45 courts in Abia State. The Prison had no Escort vehicle or Ambulance for conveying inmates in case of emergency.

Aguata Prison had two functional vehicles for taking the inmates to court. This is an improvement in comparison to the way it was during the Commission's last visit when official cars of benevolent staff were being use to take inmates to court. Owerri prison had inadequate operational vehicles.

In Okigwe prison, there were only two operational vehicles for conveying inmates to courts.

Prison Warders in Abakaliki Prison complained of poor provision of transportation in the prison as they had only 3 Trucks ('Green Marias'). This seemed inadequate considering the prison population.

Enugu Prison had one functional Toyota Hilux Van and two trucks ("Black Maria") for conveying of inmates to courts.

2.6 SOURCE OF WATER

Umuahia Prison had two (2) Bore-holes as the main source of water supply. Aguata prison also had a functional borehole. Similarly, the source of water in Owerri Prison was a borehole drilled within the prison yard for use of the prison population. This was also the case in Okigwe Prison and the Prison Farm as well as in Abakaliki Prison.

In Enugu prison, there was underground reservoirs and public water supply, though not regular.

2.7 SOURCE OF POWER

The main source of power in **Umuahia Prison** was from Power Holding Corporation of Nigeria (PHCN). The prison had no Generator set. Reliance was placed on PHCN to provide power. The power situation in the prison was grossly erratic and inadequate.

In **Aguata** prison, power supply improved in comparison to the last prison audit in

2016 when there was hardly steady source of Power. Beside PHCN, Monitors saw that they had a big power generator for power supply which they use as alternative when the electricity is not available.

Similarly, Owerri Prison electricity supply is provided by Enugu Electricity Distribution Company (EEDC), which the warders said was not steady. The prison also had a generator which serves as an alternative power supply when there is electricity- power failure.

Okigwe Prison and the Prison Farm rely on EEDC for electricity. However, the inmates always use lantern as electricity supply was very poor. **Abakaliki Prison** had comparatively functional power supply (both generator and PHCN). Enugu prison relies solely on Public Power supply. There was no generator at the time of the audit.

2.8 KITCHEN FACILITIES

The Kitchen in **Umuahia Prison** was made up of old structures which lacked basic kitchen utensils. Firewood and charcoal were used in preparing food for inmates. Similarly, Aguata Prison has an old fashioned though functional kitchen where they cook with firewood.

In **Owerri Prison**, they make use of gas cooker use gas and when they run out of gas, they resort to firewood.

The kitchen facilities in **Okigwe Prison** as well as the **Orre Prison Farm** need total overhaul. Part of the kitchen had collapsed.

Monitors learnt that supply of food items was usually by contractors appointed by the Prison Headquarter in Abuja who supply them anytime their store needs replenishment.

The **Abakaliki Prison** on the other hand had some modern equipment such as new gas and pots which was not flaming. They still use firewood to prepare the meals. Monitors found out that feeding was at the rate of N450 per day.

Enugu Prison made use of Industrial gas and Fire wood as alternative for cooking.

3 WELFARE OF INMATES

3.1 CELL

Umuahia Prison had four (4) Blocks of Cells. The total holding capacity of the Cells as at 30/7/2018 when the prison audit was carried out was 500. The Audit however revealed that there were 1,005 inmates being detained at the Prison in contradistinction to the holding capacity of 500. The cells were congested and some of the inmates were sleeping on the floor as a result of lack of space.

The welfare of inmates in **Aguata Prison** was generally poor from assessment of Monitors ranging from cell congestion, inadequate toilets, unavailability of uniform, inadequate beds/beddings etc. The only positive feature about the cells was that they were spacious.

In Owerri Prison, the cells were highly congested, especially the male cells. The original capacity of the Prison is 548 inmates. However, on the day of the prison audit exercise, the lock up was 2,189 (2132 males and 57 females). Out of this number, 220 inmates were convicts and 1,969 inmates were on awaiting trial list. There were 1,640 inmates on holding charges, 620 inmates were awaiting trial for more than five years.

In Okigwe prison and Orre Prison Farm, the cells were congested but fairly neat. Monitors observed that **Abakaliki Prison Cells** were congested. Whereas the capacity was 387, on the day of visit, the lock up was 1,128. As indicated in the lock-up/capacity figures, Enugu prison was congested. Whereas capacity of the prison was 638, the lock up was 1,997.

3.2 TOILETS

In Umuahia Prison, each Cell had a toilet and bathroom servicing between 15 to 20 inmates. The Toilet and Bathroom were mostly opposite each other in every cell and were fairly clean. The Toilet is a pit latrine and there are no facilities for water to run inside the toilets and bathrooms. Hence, inmates are required to fetch water from the boreholes outside the cells. Interview conducted with some of the inmates revealed that the toilets and bathrooms are cleaned twice in a day by the inmates but they mostly depend on charities for soaps, detergents and antiseptic used in washing the toilets and bathrooms.

Owerri Prison had water cistern toilets which were in good condition, but grossly inadequate.

Similarly, the Toilets in **Okigwe Prison and the Prison Farm** were water cistern and they were neat. Toilets in **Abakaliki** Prison were old and dilapidated.

In Enugu prison, there were water closet and bucket toilet system especially in the convicts cells.

3.3 UNIFORM

Whereas the UN Minimum Standard Rules for Treatment of Prisoners provides that both convicts and awaiting trial inmates are to wear uniforms at all times, it was however observed in **Umuahia Prison** that most of the inmates were not wearing uniforms in the Male Section of the prison. The case was however different in the female section as all the female inmates had uniforms and it was observed that the uniforms were new and in good condition.

Uniforms were also grossly inadequate in Owerri, Abakaliki and Okigwe Prisons as well as in Prison Farm Orre.

3.4 BEDS AND BEDDINGS

In **Umuahia** Prison, large numbers of inmates sleep on the floor because they have insufficient beds. They sleep on mats provided by the prison authorities. Some inmates were provided with blankets while others neither have bed sheets nor blankets.

Similarly, beds and beddings in the **Aguata Prison** were also inadequate as many

inmates did not have beds. Beddings were also observed to be inadequate as some inmates who had beds did not have blankets, bed sheets or pillows.

The inadequacy of beds and beddings was also observed in Orre Prison Farms, **Owerri, Okigwe and Abakaliki Prisons** too.

3.5 VENTILATION

The cells in **Umuahia Prison** had many windows and good ventilation system. Even though the cells in Aguata Prison were spacious, ventilation was poor. Similarly, the ventilation system in Owerri Prison was poor with offensive odour oozing out from the female cells.

In Okigwe Prison, ventilation was relatively good. There was no foul smell in the cells despite the teeming number of inmates.

However, in Abakaliki prison, the windows were small and the cells were congested. Ventilation was therefore poor.

3.6 FEEDING

Interactions with inmates in the **Umuahia Prison** showed that they were being fed on a daily basis. The inmates do most of the cooking themselves under supervision by the Prison officials. Although they acknowledged that there had been some improvements in the quality of food, most of them complained about the quantity. This observation reflects feedback from other prisons visited in the South East - Aguata , Owerri , Okigwe and Abakaliki prisons.

Monitors found out that feeding was at the rate of N450 per day.

3.7 CLASSIFICATION

In all the prisons audited in the South East, it was observed that although some of the cells were designated to hold certain classes of inmates, it was discovered that most of the inmates were mixed. This is irrespective of the nature of offence. However, female inmates were separated from male inmates.

4.0 WELFARE OF OFFICERS

Office Accommodation:

The **Umuahia** Prison had few office accommodation for Prison staff. The offices were small in size, old and lacked requisite office furniture. In **Aguata** Prison, the offices were inadequate for the Prison staff. This insufficiency of office accommodation was also observed in **Owerri Prison** where the officers were still working in crowded rooms.

Findings in **Okigwe Prison and Orre** Farm were similar as office accommodation and

facilities were inadequate.

In Abakaliki Prison, it was observed that the office accommodation was grossly inadequate for a staff strength of 160 personnel. The office structures in the prison were as old as the prison and dilapidated. Enugu prison also had insufficient office accommodation.

Barracks/Residential Accommodation:

In **Umuahia Prison**, there was inadequate barracks/residential accommodation for the Prison staff. The existing Barrack is old and dilapidated and most of the Prison staff resides within Umuahia town. Similarly, the **prison in Aguata**, Anambra State has barracks for the staff but it was insufficient. Majority of the staff reside in Awka while some live within Ekwulobia metropolis.

Prison Warders in **Owerri Prison** had no barrack as at the time of visit. They are yet to be provided with residential accommodation. Prison Staff in **Okigwe Prisons and Orre Farm** also lack residential accommodation and most of them rented houses within Okigwe town.

The **Abakaliki prison** has a barrack which is also in a dilapidated state. Staff personally carry out routine maintenance or structural repairs of the roof, ceiling etc. In the past, they used “Bucket Toilets”. Due to the poor sanitary effect of that, they converted the toilet to Water Cistern out of self-help.

Officers living in the barracks complained that the barrack had no fence thereby exposing them to danger. To cushion the accommodation gap, a Block of Flats of One Bedroom with Parlor and Kitchen meant for Junior Officers was built about 14 years ago. However, due to accommodation challenges, both senior and junior officers make use of the accommodation.

UNIFORMS & OFFICE EQUIPMENT

Junior Officers in Umuahia Prison were supplied uniforms in 2017 and the uniforms were adequate. However, the prison lacks adequate and modern office furniture and equipment. At the time of visit, it had only one functional computer desk top system. There were no laptops, internet access, CCTV camera, monitoring tower, official communication lines, among others.

Similarly, in Aguata Prison, warders were given uniform and boots in 2017 which they said they had not experienced before as they usually bought uniforms themselves in the past. They expressed appreciation for the surprise package. The prison however

lacked modern and adequate office furniture and equipment.

In Owerri Prison, it was observed that there no Uniforms for the warders. Findings in Owerri Prison showed that the furniture was fairly new, especially those found in the office of the State Controller of Prison and Deputy Controller of Prison. Furniture in other offices were however old, rickety and inadequate.

Warders in Okigwe Prison and Orre Farm complained that there was inadequate provision of uniforms for them. In respect to furniture and office equipment, monitors observed that office equipment and gadgets, such as fans, air conditioners, photocopiers, computers and internet services were not available and that the furniture in use was dilapidated.

Enugu Prison Staff reported of self-help to provide uniform. Office equipment was inadequate. There was no functional computer in the whole prison. According to the Welfare Officer, computer sets provided by PRAWA (an NGO) are now obsolete and out of use.

In Abakaliki Prison, Monitors were informed of improvement on provision of uniforms as the Controller General of Prisons recently provided uniforms for Inspectorate Cadre downwards. The Senior Cadre are hopeful that the supplies will get to them soon. Otherwise, they purchase their uniforms themselves.

The Prison however lacked office equipment as the Warders said they had no personal computers. What they had was merely a Central Computer used by everyone which was grossly inadequate. The issue of non-payment of Promotion Arrears was brought to the attention of Monitors during the Audit Exercise.

Prison Officials in Abakaliki complained of non-payment of Promotion Arrears for 2013/2014 and 2016/2017, as well as non-receipt of Transfer Allowance.

5. ACCESS TO JUSTICE:

5.1 Number of Detainees With Legal Representation

In Umuahia Prison, there were no records of the number of inmates with legal representation. Neither were there records with respect to the number of inmates without legal representation. However, monitors found 9 male inmates who were indigent and unable to afford legal representation.

In Aguata Prison, the number of inmates with legal representation was **115** (as at the time of the commission's visit), while the number of those without legal representation was **147**.

In Owerri Prison, there was no information concerning inmates with legal representation, inmates without legal representation, number of inmates who could not pay fine, number of inmates who could not post bail, number of cases affected by unavailability of witnesses, number of cases affected by unavailability of IPOs, number of cases affected by missing case files and number of cases affected by unavailability of legal advice from the DPP. However, in Okigwe Prison, there were

224 inmates with legal representation and 90 inmates without legal representation.

Okigwe Prison Farm held mainly Convicts, while in Abakaliki Prison such records did not exist. However, there were 15 cases affected by unavailability of legal advice from DPP, and 42 inmates who had spent 5 years and above awaiting trial

5.2 Number Of Detainees Who Could Not Pay Fines

Findings in Umuahia Prison showed that there were two inmates who had been convicted with options of fines. One of the inmates had an option of fine of N30,000 (Thirty Thousand Naira), while the other inmate had an option of fine of N250,000 (Two Hundred and Fifty Thousand Naira). However, the inmate with an option of fine of N250,000 also had another pending criminal case ongoing as at the time of visit.

In Aguata Prison, there were **3** convicted inmates who could not pay fine. Two of the inmates were case mates and they were fined **₦ 35,000.00** each. **One of them was from Ochukwu Village Awgbu in Orumba North LGA Anambra state while his case mate was from Ngbo town in Ebonyi state. They burgled someone's properties, were arrested and prosecuted. They alleged that their relations refused to ask for their whereabouts.** The third person was fined **₦250,000** by the magistrate court Umunze for obtaining money for land by trick without giving the buyer any land as they agreed upon.

In Abakaliki Prison, the number of inmates who could not pay fine were 11.

5.4 Number of Detainees Who Could Not Post Bail

There were no records in Umuahia prison for detainees who could not post bail. Aguata Prison had 27 inmates who could not post bail. Owerri Prison had no record. Those who could not post bail were 35 in Okigwe Prison, while Abakaliki Prison had 41 inmates.

5.5 Detainees whose trials had stopped due to unavailability Of Witnesses or due to unavailability of IPOs

Umuahia Prison had no record in this category. **In Aguata Prison, 60** cases were affected by unavailability of witnesses and **60 other** cases were also affected by unavailability of IPOs. Owerri, Okigwe and Abakaliki Prisons had no records under this category.

5.7 Number of Cases affected by missing Case Files

None of the prisons visited in the South East during the audit exercise had information on this except Aguata Prison where 1 case was recorded to be affected by missing Case File.

5.8 Number of Detainees on Holding Charge

134 inmates in Umuahia Prison were on holding charge. Out of the 134 inmates, there were 127 male inmates and 7 female inmates on holding charge. Aguata Prison had 9 inmates, while Owerri Prison had 164 inmates on holding charge.

Okigwe Prison had no record while the number in **Abakaliki Prison** was 469 disaggregated as 453 Males and 16 Females. Below is a brief on the cases. They complained that their cases were no longer going on as they had not gone to court for many years. :

- a. Mrs. Obiageri Nwaeze detained since 2012 for Child Trafficking
- b. Mrs. Roseline Uguru held on allegation of murder since 2013
- c. Mrs. Chinelo Ngwuta detained on allegation of Child Abuse/Neglect
- d. Mrs Chinyere Obaji detained for murder for the past 4 years
- e. Mr. Apollos Uzoghare (75yrs) detained since 2016 for Child Trafficking
- f. Mr. Uguru Agbaja (70 yrs) detained for murder case since 2005. Monitors learnt that 4 among his case-mates had died in custody and one was seriously ill with seemingly no hope of recovery. Mr. Agbaja alleged that 1st and 2nd respondents, who were his case mates had been released including Sabinus Nwankwo (Then Commissioner for Education and former Deputy Speaker). He wondered why they were left behind to die one after the other while others were released.

(Bring to the attention of the Legal Aid Council)

5.9 Number of Cases Being Handled By National Committee on Prison Decongestion

Findings in Umuahia Prison showed that the last time the National Decongestion Committee visited the Prison was in 2016. Aguata Prison had no record in this area. In Owerri Prison, 4 cases were recorded to have been handled by the National Decongestion Committee. Neither the Okigwe Prison nor the Abakaliki Prison had record on this.

6.0 NUMBER OF CASES AFFECTED BY THE UNAVAILABILITY OF DPPADVICE

Umuahia Prison had no record of this. In **Aguata Prison**, 15 cases were reported to be affected by unavailability of legal advice from DPP. No record was available from **Owerri Prison** on this .There were 15 cases in Okigwe Prison affected by unavailability of legal advice from DPP. Abakaliki Prison had no record.

NUMBER OF DETAINEES WHO HAVE SPENT FIVE (5) YEARS

There were 108 inmates who had spent 5 years and above in Umuahia Prison awaiting trial. Out of the 108 inmates, 105 were male inmates while 3 were female inmates. In **Aguata Prison**, 17 inmates had spent 5 years and above on awaiting trial as at the date of visit.

In **Owerri Prison**, 620 inmates on awaiting trial had spent 5 years and above. In **Okigwe Prison**, 42 inmates had spent 5 years and above awaiting trial.

7.0 GENERAL INFORMATION

7.1 PRE- & POST NATAL FACILITIES AVAILABLE

Umuahia Prison had no pre or post natal facilities. However, they collaborate and rely on facilities provided in Federal Medical Centre, Umuahia, Abia State as well as Amachara Hospital also located in Umuahia.

Similarly, **Aguata prison** is solely for male inmates and does not have pre and post natal facilities. There were also no pre-and post-natal facilities in Owerri prison. Abakaliki Prison had a clinic as well as a laboratory. Female inmates in need of pre natal or post-natal services were attended to by the nurses and other health personnel in the prison.

7.2 MINORS IN PRISON

Records showed that Umuahia Prison had 6 underage male inmates as at the time of visit. No children were however recorded at the prison during the visit. Three children were seen by monitors in Owerri Prison during the audit.

In Okigwe Prison, monitors interviewed X, who said he was 16 years old and that he was alleged to have been involved in robbery. Monitors also interviewed one of the provosts in the ATP Section who said that he was 15 years when he was arrested and had spent 10 years in prison custody. He said that he was remanded by the Magistrate Court Ehime Mbano, L.G.A, Imo State on allegation of robbery.

In Abakaliki Prison, 2 babies were seen, who were said to have been born there. 4 other children were seen in the prison too. In Enugu Prison, ten children were seen in custody.

7.3 NUMBER OF PERSONS WITH MENTAL ILLNESS

No mentally ill inmate was recorded in Umuahia, Aguata and Okigwe Prisons. **Owerri Prison** however had a record of 41 lunatics during the prison audit. Similarly, **Abakaliki Prison** had a record of 15 lunatics. They were said to have been brought to prison with the health condition. Monitors found out they had no legal representation and that some had stayed 5 years or more in detention without medication. Record from Enugu Prison showed that 62 inmates were lunatics.

7.4 NUMBER OF LIFERS

There were 5 Lifers in Umuahia Prison and 2 lifers in Aguata Prison. Owerri Prison had a record of 6 lifers. Okigwe and Abakaliki prisons had none as at the date of visit. In Enugu prison, there were 43 lifers.

7.5 NUMBER OF DETAINEES ON DEATH ROW

There was no record of inmates on death row in other prisons visited in the south east during the audit exercise except Enugu Prison where 233 death row inmates were recorded.

7.6 NUMBER OF DETAINEES WITH LIFE THREATENING AILMENTS

In Umuahia Prison, 3 inmates were recorded as being infected with HIV. Available studies however show that mere HIV infection may not be life threatening. No inmate was recorded in Aguata Prison as suffering from life threatening health condition. Some inmates in Owerri Prison were said to be suffering from Tuberculosis. Records from Enugu, Abakaliki and Okigwe prisons do not show life threatening ailments in the prisons.

7.7 BEST AND BAD PRACTICES

The United Nations Basic Principles for Treatment of Prisoners and the UN Standard Minimum Rules for the Treatment of Prisoners (otherwise known as the Nelson Mandela Rules) provide the best practices, basic principles, rules and standards to be adhered by all nations in the treatment of prisoners.

Rule 11 of the Nelson Mandela Rules, for instance, provides that different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. It further provides that:

- (a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate;
- (b) Untried prisoners shall be kept separate from convicted prisoners;
- (c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offence;
- (d) Young prisoners shall be kept separate from adults.

Given the above rules and best practices, it was observed that the Prisons visited in the South East (which kept males and females) complied with this ideal which stipulates that female detention facilities be separated from male facilities. However, all the prisons visited were indicted for keeping convicts together with untried detainees. In this regard, they failed to comply with the required standard.

Furthermore, young and minor inmates were kept in the same facility with adult inmates. There were no considerations for separating inmates charged with serious criminal offences from inmates charged with minor or civil related criminal offences. Congestion is a major challenge in prisons in the South East and this constitutes “Bad Practice” as the Lock up were far more than the capacity of the prisons with resultant effect of the scarce facilities being over stretched.

The old and dilapidated structures in the prisons were also a challenge to effective Prison Administration in line with the UN Minimum Standard Rules in relation to Prison Administration.

The Functional School System in the Abakaliki Prison (special primary & secondary) established by the State Government is a laudable initiative. This may be construed as

“Best Practice” as it enables the detainees realize their right to education, notwithstanding curtailment of their right to liberty. However, there seems to be some administrative challenges as teachers are deployed from the State Ministry of Education and the school is seemingly under-funded.

Teachers complained of no funds to run the school. They also raised concerns about non-availability of shelves for books as books were kept on the floor. Moreso, the teachers complained of lack of training to improve their ability to cope with the special circumstance of teaching prisoners.

7.9 GENERAL RECOMMENDATIONS

- a. More Prison blocks with cells should be built to create more space for inmates and aid in the decongestion of the prisons in the South East.
- b. Old and dilapidated structures in the Prisons should be urgently renovated to make it habitable and fit for both inmates and prison officials.
- c. Power Generators should be provided to all the Prisons to complement public power supply.
- d. More office furniture, computers, equipment and vehicles should be provided to facilitate the smooth operations, administration and management of the Prisons visited
- e. Underage and minor inmates as well as inmates with minor charges should be separated from adult inmates and other inmates facing more grievous or serious charges/offences.
- f. Mechanism should be put in place to ensure quick and speedy trial of inmates awaiting trial.
- g. Indigent inmates and those without legal representation should be afforded legal representation preferably from the Legal Aid Council of Nigeria and other pro bono organizations as to ensure and protect the right of inmates to access justice.
- h. Beds and Beddings should be provided to inmates who sleep on the floor as an interim measure pending the construction of additional cells or decongestion of the prisons.
- i. More vehicles should be provided for the prisons in the South East to facilitate movement of inmates to and from court.
- j. Modern kitchen facilities, buildings and utensils should be provided for prisons that have obsolete facilities in the South East. There is need to build additional kitchens or reconstruct and expand the existing one where necessary.

- k. Over all it was observed that the prisons were usually dark because they relied on public power supply. This is dangerous for National Security. It is therefore suggested that Authorities consider the installation of solar powered lights around all prisons to ensure they are secured without grave costs.

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