

Good Governance and Prison Congestion in Nigeria: The Case of Maximum Security Prison, Ilesa

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Abstract

The study examined the nexus between good governance and prison congestion as well as analysed the welfare of inmates while in the prisons custody. The study utilised primary and secondary data. Primary data were collected through the administration of questionnaire and conduct of interviews. The study population comprised sixty (60) purposively selected prisoners serving various jail terms, who were selected on the ground that they were available and willing to participate in the study. The respondents also include six (6) randomly selected prison officials. A set of questionnaire was administered to the selected inmates to elicit information on crimes committed; the reasons for committing the crimes as well as other questions relating to their welfare in the custody. Interviews were also conducted with six prison officials to elicit information on the welfare of inmates. Secondary data were got from relevant journals, and textbooks. Data collected were analysed using descriptive statistics such as – frequency distributions and percentages, and content analysis. The results showed that majority of the prison inmates were youths between the ages 18 and 45; most of them were graduates of institutions of higher learning; married; and of poor family background. The results further revealed that most of the inmates have no stable job or means of livelihood; some of them that were working earned between N11,000 and N15,000. Many of the inmates would have preferred to work in the government establishments such as – NNPC, the Customs, the Immigration, the Military, and the Universities; while some would have preferred private organisations like bank and other multinational company. The results equally showed that many of the inmates committed more than one offence, which included breaching of public peace, burglary /stealing, armed robbery, forgery, obtaining by false pretence; and impersonation. Major reasons for committing crimes were lack of gainful employment and for monetary gain; and the jail terms of most of the respondents were between 4 and 6 years. On the welfare of the inmates, the results showed that the prison cells were terrible and not appropriate for human being to live in; prison cells were overcrowded; inmates slept on bare floor; there was shortage of water; the toilet facility was poor and the general environment were unkempt; foods being served for the inmates were of low quality, tasteless and unpalatable; and inmates had access to health facilities. The study concluded that unless good governance is practice in Nigeria prisons will continue to be congested as people will continue to find a way of survival amidst economic hardship.

Keywords: Good Governance, Prison Congestion, Unemployment, Rule of Law, Accountability, Transparency and Responsiveness

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I. Introduction

For over a decade now, Nigeria has broken a record in its political history. The nation has already witnessed unbroken democratic governance for sixteen years. Apart from this, the nation has equally recorded four successful and smooth transitions from one civilian administration to the other, including transition from the ruling party to an opposition party in succession. Since 1999, when Nigeria once again embraced democratic governance, attention has consequently shifted to her regarding good governance, especially in the area of economic development; social service delivery; eradication of poverty; and employment generation. This could not be said to be a great expectation or a tall dream considering the fact that democracy is about creating an enabling environment for the rule of law which will consequently enhance sustenance of democracy, good governance and development. The levels of development so far, have fallen short of peoples' expectations; as dividends and value of democracy are not adequately felt by Nigerians. Most of the indices for measuring good governance could not be seen in Nigeria's system of governance.

Good governance involves effective and efficient management of the public sector or nation. Good governance manifests in the area of – legitimacy, participation, accountability, transparency in governmental activities *vis a vis* exchange and free flow of information, and social justice, respect for human rights and rule of law, equity and responsiveness (The World Bank, cited in Overseas Development Administration, 1993; UNDP, 1997). The foregoing definition emphasises some key areas of good governance. Firstly, 'legitimacy' – that is, the rulers should have the mandate of the ruled; and secondly, 'participation' – that is, the citizens should have a say in any governmental policies that affect them. Thirdly, 'accountability' – a situation where leaders are answerable for their actions and inactions; and fourthly, 'transparency' – that is, governmental activities should be open to the citizenry, except in the area of security and other areas considered dangerous to governance if it is open. Other key areas are: 'competence' – this means that, leaders should be able to make effective policies, and oversee that these policies are well implemented and bring about effective social services delivery; the 'rule of law', that is, rule according to the constitution, supremacy of the constitution and human rights protection and social justice and 'responsiveness' – that is, the government must be approachable, considerate and care about the citizens, in addition, government must be a listening one; that take to positive corrections.

From the foregoing indices from the World Bank, and UNDP, Nigeria could be rightly described as a nation operating 'poor or bad governance'. Nigeria's poor governance system was as a result of many factors such as – incompetent political leadership who ride on ethnic politics to stardom; 'disconnected leaders (self-centred/self-seeking leaders); mediocre in governance; and corrupt leaders being supported by ethnic groups' (Adegbami and Uche, 2015). Nigeria 'poor governance system' is directly impacted on the citizens of Nigeria especially those within work ages of 18-45, most of whom find it difficult to get their daily means of livelihood; due to the problem of unemployment. The first President of the Nigeria's fourth Republic Chief Olusegun Obasanjo who ruled between 1999 and 2007 even acknowledged the high level of unemployment while in office. Chief Obasanjo at the 100th Session of the International Labour Conference, in Geneva, expressed his concern on the state of unemployment in Africa. He accepted that governments of African nations had not been good job creators and challenged them to partner with the private sector in order to create jobs. In Chief Obasanjo's words

I am worried, I am apprehensive about unemployment in our continent. It is not being taken as seriously as it should be... **The youths can be ignited anytime**... we must be talking of jobs, jobs, jobs, and jobs... The youths can be ignited anytime, and now we have about 165 million populations, we must be talking of jobs, jobs, jobs, and jobs. (www.vanguardngr.com, 2013). (Emphasis added)

Since Obasanjo's assertion things have been going from bad to worse in terms of unemployment as his (Obasanjo's) successors lose administrative apparatus completely to some powerful cliques who plundered the nation's economy with impunity. The development has continued to bring more people; especially, the supposed active members of Nigeria's labour force (who never got rewarding jobs) into prisons custody. This category of people has thus resorted to trying their hands on crimes as an alternative to joblessness. Consequently, most of the crimes being perpetrated which led to the imprisonment of citizens are believed to be associated with bad governance, *vis a vis* failure of state and government in performing their expected roles as the constitution prescribes. Therefore, the thrust of this study is to examine the link between good governance and prison congestion as well as the welfare of the inmates who are considered to be undergoing a sort of rehabilitation, with a view to re-integrating them back into the larger society.

A Review of Related Literature

Prison has been defined by scholars in various ways, however, those definition tilt towards the same meaning. Opara (1998) for instance sees prison as a place delineated and declared by the law of the state as custody of persons or individuals accused, and convicted for violating the laws of the state. To Opara, prison could be interpreted as a house demarcated or reserved by law of the land for law violators. In other words, the laws obedient citizens are expected not to be placed in prison. Prison to Ayuk, Emeka, and Omono (2013) is a place where prisoners are confined with the intention of reforming, and rehabilitating them and 'ensure that on discharge they abide by the dominant values of the polity'. Ayuk's *et al.*; definition which is mainly centred on the function of the prison is a bit deficient on what the prison is about. The clause 'on discharge they abide by the dominant values of the polity' is not applicable to all the prisoners as some of the prisoners did come out even worse than they were before imprisonment; while some will never come back into the society, because of ill-treatment and poor welfare package of the inmates which often claimed their lives while in the prison custody. According to Okunola (1986), as cited in Obioha, (2011), prison could be seen as a place where people are isolated and secluded from the rest of the people in the nation or state (Okunola 1986, cited in Obioha, 2011). Okunola's position is unique as it suits the prisons in Nigeria; inmates without doubt, are isolated from the general public, except on rare occasions when they are taken to the hospitals for treatment and other places under special condition. Going by the foregoing, prison could be seen as a place created by law as a restraint place for person(s) accused or convicted for crimes by the State.

The need for prisons in the nations across the World apart from being a place for the interred people could also be seen in the areas of correctional services being rendered by the prison; as well as an important restriction place which serves as punishment to the offenders with a view to deterring others from committing a similar punishable offence(s). To this extent, prison in Nigeria like others all over the World is saddled with three cardinal responsibilities of Rehabilitation, Reformation and Reintegration. Eze and Okafor (2007); Obioha (2011) however noted sadly that prisons in Nigeria contrary to its responsibilities are on daily basis turning into a breeding ground of criminals.

On prison congestion and inmates' condition in Nigeria's prisons, Ayuk, Emeka and Omono (2013) aver that Nigeria prisons are just like living in the hell. This is because, between twenty and thirty inmates who are being imprisoned everyday are lumped up in a single cell. It is not surprising that, the existing capacity of the prison is being tripled and thus the cell is always overcrowded. Ayuk's *et al.*; (2013) further gave instance of Ikoyi Prison in Lagos State which supposed to have the capacity of 800 inmates but now having more than 1,200. Eze and Okafor, (2007) corroborated the above by lamenting that, the pathetic condition of Nigeria's prisons has send signal to the fact that the prisons are incapable of yielding the purpose of its creation, that is, to reform the inmates in order to become a good citizens of the state.

The astounding numbers of the people awaiting trial could be seen as contributing factor towards deformation of already dehumanizing people; as a result of unending delay in their trials. In addition to the aforementioned, the numbers of inmates in a particular prison has no doubt overstretched the facilities making the place a hell for the inmates resultant effect of which is the jail breaks that is been witnessing from time to time in Nigeria. In most of the prisons, there is shortage of bed spaces such that, most of the inmates sleep on bare floor, besides, the prison environment are unhygienic; with poor ventilation and poor sanitary condition (Yelodu, 1991), hence, prison conditions remain harsh and life threatening.

In similar vein, Chikwem (2008) describes Nigeria prisons as 'embarrassment and a national scandal'. To him, the Nigerian prisons are nothing to write home about as people suffered more than necessary while in the prison cells. According to Chikwem (2008:1)

The prisons are largely filled with inmates awaiting trial or charges are yet to be filed against them. Many inmates awaiting trial have been in prison for more than two to fifteen years. Some inmates were arrested for low-level crimes such as traffic violations and domestic disputes, which are largely punishable by a fine or a minimal incarceration. As a result of the total breakdown of the Nigerian prison system, the prisons are filled with thousands of inmates who have never been convicted of any crime. Ironically, the hardcore career-criminals are left to roam freely on the streets by the Nigerian police as long as they are "settled" monetarily.

In his study titled *Prison Decongestion and Reforms in Nigeria – Issues and Methods*, Agomoh (2010:2), categorised those in Nigeria prisons as – the Awaiting Trial Males (ATM); the Awaiting Trial Females (ATF); the Convicted Males (CM); the Convicted Females (CF); the Detained at His Excellences Pleasure, i.e. under aged detainees under special authorization; the Debtors; the Criminal Lunatics; and the Civil Lunatics; the Condemned Convicts (CC); and Lodgers, those detainees brought from other prisons and put in custody in order to attend to court, hospital or other purposes’.

Research Methodology

Study Area

The study was carried out at Maximum Security Prison, Ilesa. The prison is located at Ilesa, Osun State, Southwest, and Nigeria.

Study Population and Sample Technique

The population for the study comprised sixty (60) purposively selected prisoners serving various jail terms. These respondents were purposively selected on the ground that they were available and willing to participate in the study.

Research Instruments

The study utilised primary and secondary data sources. Primary data were collected through the use of questionnaire from the respondents and personal interview with some of them. Secondary data were got from relevant journals, and textbooks.

Results and Discussions

This segment presents the data collected for the study as well as their analysis and discussion of findings.

Table 1: Demographic Characteristics of the Respondents

	Characteristics	Frequency	Percentage
1	Age		
	18-30	27	45
	31-45	21	35
	46 and above	12	20
	Total	60	100
2	Level of Education		
	Pry School Cert.	6	10
	Secondary School Cert.	15	25
	Tertiary Education	39	65
	Total	60	100
3	Marital Status		
	Single	12	20
	Married	48	80
4	Family Background		
	Very rich	1	2
	Rich	13	22
	Very poor	16	27
	Poor	30	50
	Total	60	100

Source: Fieldwork, July 2015

Regarding the ages of the inmates, 27 of them representing (45%) were within the age bracket of 18-30, 21 of them (35%) were within the age bracket 31-45 years while the remaining 12 (20%) were 46 years of age and above. The implication of this is that most of the inmates were youths between the ages of 18 and 45, regarded in economics as the active ages.

This portrays a great danger for the future of the nation; especially when one look at it from the perspective that the inmates are part of the future of the nation. It is disheartening that the future of the nation has no future, but languishing in the prison in their prime age for lack of responsive leadership in governance. With respect to highest educational qualification, most of the inmates, 39 representing (65%), attained tertiary education; 15 of them (25%) had secondary education; while only 6 (10%) had primary education. This literacy level implies that the inmates were not dullard, but brilliant youths, who supposedly had brighter and promising future and greater hope, which abruptly dashed, as their brilliancy and abilities got misdirected owing to non-availability of rewarding jobs.

In relation to marital status of the respondents, 48 of them constituting (80%) were married; while the remaining 12 (20%) respondents were single. The fact that majority of the inmates were married lent credence to the fact that these inmates have family responsibilities on their shoulders, which they need to meet. Their inability to meet these responsibilities contributed immensely to their engagements in crimes as alternative economic activities which brought them into the prison. With regard to family background of the respondents 30 (50%) and 16 (27%) of them had poor and very poor parents respectively; while 13 (22%) have rich family and the remaining 1 (2%) respondent have very rich parents. The distribution implies that poor background of most of the inmates was an indication that they have no parent to establish businesses for them. They have to struggle on their own for survival. Besides, the distribution also implies that children of rich people also involves in criminal activities.

Table 2: Job prior imprisonment

Responses	Frequency	Percentages
Self Employed	22	37
Public Service	1	2
Private Organisation	4	7
Unemployed	33	55
Total	60	100

Source: Fieldwork, July 2015

On the type of jobs of inmates before their imprisonment, from table 2, 33 (55%) of them have no stable job or means of livelihood, 22 (37%) of them were self-employed; 4 (7%) of them worked in a private organisation while only 1 (2%) was employed by the government. This implies high rate of unemployment among the youths. High rate of youths' unemployment has led many of them into criminal activities, a case of devil find job for an idler.

Table 3: Respondents monthly income / salary

Responses	Frequency	Percentages
No income	31	51
N1,000-5,000	00	00
N6,000-10,000	00	00
N11,000-15,000	28	47
N15,000 and above	1	2
Total	60	100

Source: Fieldwork, July 2015

With regards to the monthly income of some of the inmates who were working before their imprisonment, table 3 showed that 28 (47%) of them were getting between N11, 000 and N15,000; while only 1 (2%) of them was getting more than 15,000 on monthly basis. Other 31 (51%) inmates had neither stable work nor income. The monthly pittance is worthless considering the economic situation of the country. There is no way any person with a sizeable family can cope with the so called income. The fact that majority of the inmates do not even have a stable income compound the problem.

It is difficult; if not impossible for a nation with many people below poverty line to be at peace. Hence, the prison will continue to be congested as far as people continued to participate in criminal activities as a means of survival.

Table 4: Preferred jobs of the respondents

Responses	Frequency	Percentages
Self Employed	12	20
Public Service	28	47
Private Organisation	20	33
Total	60	100

Source: Fieldwork, July 2015

On kind of jobs the inmates would have preferred to do, 28(47%) of them said they would have preferred to work in the government establishments such as – NNPC, the Customs, the Immigration, the Military, and the Universities. Some of the inmates 20 (33%) of them, would have preferred to work in the private organisation, especially; banks and other multinational companies; while the remaining 12(20%) inmates would have preferred to have their own private businesses. The implication of this data is that people like to work in a jobs that have security of tenure as articulated by Henri Fayol's in his 14 principles of management, this is also in line with Robert Owen theory that says, Human Resources (workers) are 'vital tools' or 'vital machines' that if they are greased, oiled and maintained will yield more productivity. In essence, people preferred well-motivated and remunerated jobs.

Table 5: Offence(s) committed by the respondents before imprisonment

Offence (s) Committed	*Frequency	Percentages
Armed robbery	34	16.2
Advance free fraud	00	
Obtaining by false pretence	32	15.2
Burglary/ stealing	37	17.6
Murder	3	1.4
Manslaughter	3	1.4
Breach of public peace	38	18.1
Sexual assault	00	00
Rape	00	00
Abduction/kidnapping	5	2.4
Forgery	33	15.7
Impersonation	25	12.0
Child trafficking	00	00
Oil theft/bunkering	00	00
Baby making factory activities	00	00
Total	*210	100

Source: Fieldwork, July 2015

*The frequency exceeds 60 because some of the respondents committed more than one offence before their imprisonment.

With regards to the offence(s) committed before imprisonment, many of the inmates committed more than one offence. From table 5, 38 (18.1%) of the inmates were imprisoned for breaching of public peace; 37 (17.6%) for burglary/stealing; 34 (17.6%) for armed robbery; 33 (15.7%) for forgery; 32 (15.2%) for obtaining by false pretence; and 25 (12.0%) for impersonation. Other offences committed with their corresponding frequencies and percentages were – abduction/kidnapping 5 (2.4%); murder 3 (1.4%) and manslaughter 3 (1.4%). The above analysis showed some of the prevalence crimes among the youths in the South west part of the nation which included – breaching of public peace; burglary/stealing; armed robbery; forgery; obtaining by false pretence; and impersonation.

Table 6: Respondents' reason(s) for committing the offence(s)

Responses	*Frequency	Percentages
Lack of gainful employment	55	49
Monetary gain	53	47
Other reason(s)	4	4
Total	*112	100

Source: Fieldwork, July 2015

*The frequency exceeds 60 because respondents gave more than one reason for committing the offence imprisoned for.

Table 6 presents results in relation to the reason(s) for committing crimes by inmates many of them have more than one reason for committing the crimes. From the table, 55 (49%) of the inmates committed the offence(s) imprisoned for due to lack of gainful employment and in order to meet daily pressing needs; 53 (47%) of them committed the offence(s) for monetary gain, while 4 (4%) committed the offence(s) for such reasons as peer group influence or pressure; and to punish their parents who have denied them some affluence things of lives.

Table 7: Respondents year(s) of imprisonment

Responses	Frequency	Percentages
1-11 months	00	00
1-3years	7	12
4-6years	41	68
7years and above	12	20
Total	60	100

Source: Fieldwork, July 2015.

As touching the year(s) to be spent in the prison by the respondents, majority of them, 41 (68%) were imprisoned for between 4 and 6 years; 12 (20%) for 7 years and above while the remaining 7 (12%) were for between 1 and 3 years. The jail terms were in correspondence with the offence(s) committed, however, the jail years are wasted years in the lives of the promising youths. The years spent in jail if not for bad governance; could have been used for meaningful personal development of the youths as well as nation's development.

On the welfare of inmates, interviews were conducted with the prison officers and the inmates, however, their responses were differing on some of the issues of inmates' welfare. Regarding the nature of the cells, the interviewed prisoners agreed that prison's cell was terrible and not appropriate for human being to live in. According to them, most of us did sleep on bare floor, some of us who were able to get bunk bed sleep on it without mattress, and as much as 50 inmates were in a single cell, the cell was overcrowded and unkempt. While commenting further on the facilities in the prison some of the prisoners stated that there was shortage of water in the prison. According to them, the only source of water was from the well. It takes a long time and effort to fetch water from the well. And the supply from a single well was grossly inadequate considering the numbers of inmates.

Concerning the toilet facilities, the interviewed prisoners' responded that

The toilet facility was bad. All the water system toilets were not in good condition. The only available toilet was pit toilet which was unkempt for lack of adequate water to wash it. The environment always stinks of bad odour gushing out from the pit toilets.

On the issue of the nature of the cells, responses got from the prison's officials were the same. The prison officials agreed that some of the inmates have no mattress to sleep on, and that some of the cells were overcrowded, but there were some cells which only accommodate not more than 5 inmates; these were reserved for the hardened criminals. The officials equally agreed that, the well was the only source of water supply to inmates, and that the only toilet facility functioning was pit toilet.

On feeding and quality of foods for the inmates, the responses were differs. While the prison's officials believed that inmates were served three times daily with quality foods, inmates disagreed on this. Inmates stated that the foods being served was ordinary food that was not to be served to human being. According to one of the inmates, "the quality of foods given to us was low; many times the foods were tasteless". The inmates did eat the foods being served because there was no alternative. The inmates stated that they cooked their foods by themselves while the Prison's Caterer only supervised. On inmates' access to health facilities, most of them agreed that they have access to health facilities. This was corroborated by the prison's officials who claimed that,there were medical personnel attached to the prison. The medical team normally attended to the health issues of inmates, except on rare occasions when inmates were referred to the teaching hospital, especially those with special cases.

Summary, Conclusion and Recommendation

From the findings of the study, it was revealed that majority of the prison inmates were youths between ages 18 and 45years; most of them were graduates of institutions of higher learning; married, and from poor family background. Most of the inmates have no stable job or means of livelihood, those that were working among them earned between N11, 000 and N15,000; many of the inmates would have preferred to work in the government establishments such as – NNPC, the Customs, the Immigration, the Military, and the Universities. While some of them would have preferred private organisations like banks and other multinational companies. Most of the inmates committed more than one offence which included breaching of public peace; burglary/stealing; armed robbery; forgery; obtaining by false pretence; and impersonation. Major reasons for committing crimes by inmates were lack of gainful employment and for monetary gain. The jail terms of the most of the inmates were between 4 and 6 years.

On the welfare of the inmates, the structure of the cell was terrible and not appropriate for human being to live in; prison cells were overcrowded, inmates sleep on bare floor; there was shortage of water; the toilet facility was poor and the general environment were unkempt.Foods served to inmates were of low quality, tasteless and unpalatable. However, inmates have access to health facilities.

The study concluded that,there is nexus between good governance and prison congestion. Lack of accountability, transparency and irresponsiveness of nation's managers continues to worsen the unemployment rate. This consequently, breeds crimes and criminal activities, as youths continue to find a way of survival amidst economic hardship. Except good governance with its attendance indices are established,via effective and efficient management of the nation resources,prisons in Nigeria will continue to be congested. From the study, it is evident that the major problem of the nation is lack of able and competent leadership; therefore, the study stronglyrecommended that, only people with proven integrity should be elected into political offices. Awareness should be created in the citizens, especially the youths on the need to participate in the act of electing leaders into governmental positions. Government should also ensure that prisons services are adequately funded and monitored, so that the fund allocatedwill be judiciously spent to take care of the welfare of inmates. This will go a long way in assisting the prisons in its rehabilitative programme, with the intention of re-integrating inmates back into the larger society.

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