LOCAL ALLIES IN PRISON
REFORM
MAKING USE OF THE NATIONAL HUMAN RIGHTS INSTITUTION
INTRODUCTION

- A Nation deserves a Criminal Justice System it can be proud of; therefore, respect for human rights and rule of law are some of the most important steps towards achieving the desired goals and aspirations. When one deals with the Criminal Justice System - whether as a victim of crime, a witness in Court case or someone charged with an offence, one have the right to be treated fairly. It is therefore imperative that the prison system should be such that it will protect the dignity of human person.

- The prison system is an integral part of the Criminal Justice System and serves as a custodial as well as correctional institution.

- It also serves as fundamental instrument for the protection, scrutiny, maintenance of the rule of law and social order
AIM AND OBJECTIVE

- The overall objective of this presentation is to equip lawyers with an understanding of who their allies are in their country, in seeking to advance their clients’ rights and improve prison health and condition.
All prisons in Nigeria are managed by the Nigerian Prisons Service (NPS), a parastatal under the Federal Ministry of Interior, headed by a Controller General of Prisons, who presides over the administration of all prison facilities.

The NPS is also an important arm of the criminal justice system solely charged with the responsibility of taking into custody all those who have been interred to correct them for eventual release and to help integrate them back into the society.
Functions of the Nigerian Prison

- To take into lawful custody all those certified to be so kept by courts of competent jurisdiction.
- To produce suspects in courts as at when due.
- To identify the causes of anti-social behaviour.
- To set in motion mechanisms for their treatment.
- To train inmates for eventual reintegration into the society, as normal law abiding citizens on discharge.
- To administer prisons farms and industries for this purpose; and in the process generate revenue for the government.
LOCAL ALLIES IN PRISON REFORM
NIGERIA

- The Parliament
- The Judiciary
- The National Human Rights Commission
- The Legal Aid Council
- The Police and other Law Enforcement Agencies
- The Civil Society Organisations
- The Nigeria Prison Service
MAKING USE OF THE NATIONAL HUMAN RIGHTS INSTITUTION

POWERS OF THE COMMISSION

- The Commission is empowered to deal with all matters relating to the promotion and protection of human rights guaranteed by the Constitution of the Federal Republic of Nigeria,
  - United Nations Charter, Universal Declaration on Human Rights,
  - International Convention on the Elimination of all forms of Racial Discrimination,
  - the Convention on the Rights of the Child,
  - and all other International and Regional instruments on human rights to which Nigeria is a party.
The Commission compliments the law courts by offering free services which are non-technical to the poor, vulnerable and other victims of human rights abuses. This service is easily accessible to the public.

One of the powers of the Commission as contained in Section 6(d) of the NHRC Act, 1995 as amended is:

“visit persons, police cells and other places of detention in order to ascertain the conditions thereof and make recommendations to the appropriate authorities”.

FOCUS OF NHRC PRISION AUDIT

- Structure of the prisons
- Facilities at the prisons
- Access to justice
- Welfare of detainees
- General information.
Since 1999 the NHRC has been involved in conducting a nationwide prison audit and till date most of our recommendations have led to the landmark reforms in Nigeria Prison.

Most of the prisons visited during this audit exercise, have similar challenges such as:

- Congestion
- Lack of medical/health facilities
- Infrastructural decay
- Lack of recreational facilities
- Delay/denial in access to justice etc
contd

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CONCLUSION

- The focus of this presentation has been on prison reforms and institutions responsible for effective operations of the prison system. The prison plays a pivotal role in the overall wellbeing of inmates. Advocating for the rights of inmates is an integral part of duties of all and sundry. A vibrant Legislature, pro-active Judiciary and Executive will enhance the reforms envisaged in the prisons.

- It is therefore imperative for all the three tiers of government, NGO’s, private sectors and all stakeholders to put hands on deck and rise up to their responsibilities for those in prison.
RECOMMENDATION

- There should be legislative reforms that reflect the present realities to face the present prison system.
- Sanctions and penalties should be enforced to ensure that Directors of Public Prosecutions carry out their functions with due diligence.
- Renovation of old and dilapidated prison to meet minimum standard.
- Building of new prison to replace ones built by native authorities with modern structures with vocational facilities, benefitting the dignity of a human person.
- Thorough investigation should be conducted by the Security Agencies before matters are charged to court.
- Strengthening administrative procedures to ensure proper case file management.
- Adequate logistics should be provided to facilitate the safe movement of inmate to-and-fro to the courts.
THANK YOU FOR LISTENING