

# "Human Rights in Nigerian Correctional Institutions: The Place of Social Workers"

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## **Abstract:**

Issues on human rights especially in correctional institutions have become the focus of international programs, policy makers, the general populace, researchers and conferences aimed at ensuring effective monitoring of its abuses. Human rights protect the essential attributes of human beings: needs, capacities and interests that if guaranteed respect their dignity as persons and if violated results in lives of desperation and diminishment. This study examines human rights in Nigeria correctional institutions. It also identified the roles of social workers in challenging injustice and ensuring that the rights of offenders are upheld. Worried by the state of human rights in our correctional institutions, the paper attempts to investigate the inmates' rights, human rights and correctional practices and seeks to proffer ways by which social workers can enhance human rights in correctional institutions. Secondary source of data collection was utilized in the study. Documents from international and national agencies as well as textbooks and journal articles were employed. Furthermore, the paper recommends creation of awareness on the services of social workers in enhancing human rights in correctional institutions.

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**Keywords:** Corrections, Correctional institution, Correctional practice, Human rights, Rights, Social work.

## **Introduction**

There has been a surge of popular and research interest in the subject of human rights especially in the discourse on the offenders and their status within the society (Gewirth, 1998; Dunn, & Wheeler, 1999; Orend, 2002; Donnelly, 2003; Churchill, 2006; Li, 2006). Media reports on human rights and their violation occur on a daily basis; and there are literally hundreds of books published each year on this subject matter. The claim that every human being possesses intrinsic value has ignited the international political community and countries are increasingly eager to publicize their human rights successes and to hide their failures (Dunn & Wheeler, 1999; Donnelly, 2003). It seems as if the different nations of the world have become galvanized by the idea of human rights and are to some extent prepared to monitor its abuses and to intervene whenever possible to stop violation elsewhere depending on their own economic and political interests (Freeman, 1991; Morris, 2006). The issue of human rights has become a cause and declarations, such as the United Nations Universal Declarations of Human Rights (UNUDHR) and the United Nations Covenants are increasingly utilized in the evaluation of international and national law sand political processes (Orend, 2002; Donnelly, 2003).

The 1999 Constitution of the Federal Republic of Nigeria enshrined human rights as a means to good governance. In spite of the progress made in economic and political reforms, Nigeria's correctional institutions are yet to make appreciable impact on human rights of inmates. A recurring debate within social workers, criminologists, correctional officers and other service providers is to enhance the propagation of human rights in our correctional institutions. The fact that crime and other vices need to be deterred in our society does not imply that human rights should be violated, it should be to the extent that its application to inmates is reasonable during and after the period of incarceration; this implies that we should be logical and rational in punishing. Oputa (1975) further stressed that modern criminology considers that the personality of the wrongdoer is as important as his act. The wrongdoer is not only a criminal to be punished, but also a patient to be treated.

Despite the rapid development of the field of forensic psychology, there is lack of research and attention paid to offenders' rights, moral, social or legal (Lippike, 2002; Coyle, 2003; Lazarus, 2006). Indeed it could be argued that rights have been secured for offenders in the area of prison conditions, personal freedoms, and social functioning are in danger of being clawed but by governments concerned with their public image on law and other matters (Hudson, 2001; Schone, 2001). The fear of being seen as being soft on crime has arguably resulted in the neglect and even violation of offenders' basic and moral rights.

Majority of the work on human rights (or the closely associated construct of values) within the criminal justice system has been championed by lawyers, social workers, psychiatrists, philosophers, criminologists, and policy analysts (Hayden, 2001; Abramowitz, 2005; Carrabine, 2006; Lazarus, 2006). Although many studies in Nigeria have examined human rights and inmates' welfare in correctional institutions (Ayuk, Owan & Omono, 2013; Jombo, 2016; & Obiora, 2011), little is known about social work

and human rights in Nigeria's correctional institutions. This paper prompts to attend to this significant gap by exploring social work and human rights in Nigeria's correctional institutions.

### **Theoretical framework**

The four main human rights theories are as follows. They include Natural Rights, which are given to all people at birth. Moral rights concern themselves with equitable and fair legal standards. Fundamental rights are those that are essential to a person's ability to enjoy life. Legal rights are those that are guaranteed by the law. According to John Locke's (1689) perspective, every human being has a set of rights that come from their inherent nature rather than their government or its laws. In actuality, the respect that the government accorded to these basic rights was what gave the government its legitimacy.

This paper is based on the legal right theory advanced by John Salmond and Rudolf von Ihering, a German jurist who lived from 1818 to 1892. The fundamental tenet of the legal theory of rights is that they are wholly dependent on the framework and legitimacy of the state. If rights are not acknowledged by the state, no one may assert them. Furthermore, the exercise of rights does not automatically follow mere acknowledgment. All citizens have the same access to legal rights. No one is denied their constitutional rights; they apply to all citizens. They have the option of going to court to have their legal rights upheld.

The will theory and the interest theory are the two primary theories of legal rights. Each theory claims to capture a common understanding of what people who possess rights do with them. The will theory of rights was created by British legal scholar Herbert Hart (1907–1992). He credited Kant for influencing his ideas on the value of human freedom or liberty. According to will theory, the right to freedom is the most fundamental. This view contends that the goal of the law is to provide each person the means to express himself freely. Any restriction on someone's freedom always needs the consent of those people's rights, and those who are the subjects of such rights are free to "claim" those rights or not. The "will theory," also known as the "choice theory," gives the holders of rights the freedom to either uphold or forego their rights. In light of this idea, human volition is what gives rise to right. The strong connection between rights and normative control is captured by the will theory. In order to exert control over a certain area of business, one must have the power to decide what others may and may not do. For instance, having the ability to use certain land whatever you like is one of your rights. Unless they have a legitimate reason, everyone is wrong to interfere with your freedom. You are free to permit unauthorized use of your property or to opt to stop it by asking the appropriate authorities to enforce your legal rights.

Nevertheless, the theory was criticized based on:

- There are no unalienable rights: One's ability to exercise any right, including the freedom to take compensation for doing so, is guaranteed by legal protections. Any right might be traded by a right-holder.
- Cognitive abilities of right-holders: Some people have legal rights even if they may not have the motivation to defend their rights, such as newborns or insane people. Infants or lunatics cannot grasp how to claim or waive a right, hence they cannot have rights, much like animals. In order to have a right, one must be able to do so. The rebuttal to this complaint is that while children and insane people lack the capacity to safeguard their own rights, their guardians or trustees do.

The rights of incarcerated persons should always be protected because they are human beings. It is acknowledged that incarcerated persons and other individuals with limited freedom are more vulnerable and require special protection ( Muhammad, Gwangndi & Hassan, (2017).

### **The Interest Theory**

The interest theory was developed by Jeremy Bentham (1748–1832). Rudolf von Ihering (1818–1892), a German lawyer, first proposed this notion, and John Salmond expanded on it. Bentham, a utilitarian, opposed the concept of moral rights but acknowledged that they may be helpful in legal systems. If one party was legally required to provide the other party anything (x), the first party would have a right to x against the second party. For instance, according to Bentham's interest theory, you have a right to vote if someone is obligated by law to provide you the chance to vote, count your ballot, and other things. Ihering contends that the goal of the law is to safeguard individuals' interests, not their "wills." According to Salmond, a right is an interest that is acknowledged and safeguarded by the rule of law, while it is not always one that can be enforced. Although most legal rights may be enforced, this is not a requirement for their existence. For instance, if a debt is time-barred, the remedy is no longer available, but the right still exists.

This theory was also criticized based on:

- Limiting interests: It is practically hard to identify the particular set of interests that are sufficient justifications for rights. Welfare rights, healthcare rights, women's rights, animal rights, and other interest-based rights continue to proliferate.
- Third-party interests: According to the interest theory, a kid has a right to your care if you pledge to take care of their neighbor's child because you have a responsibility to do so and the child has an interest in you fulfilling that commitment. However, only the neighbor has the authority.

### **Conceptual clarifications**

**Right:** It is the notion of a right as a claim that is most pertinent for the discussion of human rights (Orend, 2002). In this sense of the term, a right is a claim asserted by an individual for something that is owed to him or her by another person or institution (e.g.; the state) (Ward & Birgden, 2007). A right is a weighty moral concept thought to typically trump other moral considerations (Gewirth, 1981; Orend, 2002; Talbott, 2005). A right is an entitlement that endures even when the right holder is not making a verbal claim.

Right stands above the ordinary laws of the land. It is a primary condition to a civilized existence and very immutable. It plays crucial role in the foundation of freedom, justice and world peace. Right emphasizes protection, equal respect and full development of human beings. Moreso, it is not localized to suit the socio-cultural believe that prevails in a given community but to suit a universal perspective.

Rights theorist typically makes a distinction between negative and positive rights (Freedan, 1991; Orend, 2002; Churchill, 2006). A negative right is a right that imposes a duty of interaction on the duty-bearer and simply requires that the entity concerned (a person or institution) refrains from acting. A good example is the duty to respect an individual's right to free speech. A positive right is a right that imposes an obligation on the duty-bearer to act in certain ways in order to provide the rights-holder with a specific good. An example is acclaim against the state to provide unemployed individuals with financial support or prisoners with recreational activities.

**Human rights:** A human right is a claim right held by individuals in virtue of the fact that they are human beings. Individuals hold human rights simply because they are members of the human race and as such, are considered to be moral agents. Moral agents are individuals capable of formulating their own personal projects and seeking ways of realizing them. Human rights are not tied to particular social class, professional group, cultural collective, racial group, gender or any other exclusive category. Freedan (1991) stressed that human right is a conceptual device, expressed in linguistic form that assigns priority to certain human or social attributes regarded as essential to the adequate functioning of a human being; that is intended to serve as a protective capsule for those attributes; and appeal for deliberate action to ensure such protection. This implies that human rights are intended to function as protective capsules, to provide a kind of defensive zone around individuals so that they can get on with the business of living good and meaningful lives.

Human rights protect what are considered to be essential attributes of human beings; needs, capacities, and interests that if guaranteed respect their dignity as persons and if violated results in lives of desperation and diminishment. The violation of human rights occur when individuals are treated as objects, simply as means to other people's ends rather than as ends in themselves (Orend, 2002; Talbott, 2005; Churchill, 2006; Gearty, 2006; Nussbaum, 2006).

Rights and human rights have a relatively recent history, although it is possible to trace their conceptual precursors back to ancient civilizations such as the Greeks and Indians (Ishay, 2004). Donnelly (2003) argues that the concept of individual's rights was only formulated in a recognizably modern form in the seventeenth centuries by thinkers such as Locke, Hobbes and other natural law theorists. Natural law theorists attempted to justify the ascription of natural rights to all people by appeals to futures of human nature such as rationality or pro-social sentiments. In other words, the presence of certain facts about human beings was hypothesized to justify their being afforded specific types of entitlement irrespective of actual customs, norms or laws prevailing in a given society. The elements of the contemporary conceptualization of human rights are evident in early rights documents such as the American Bill of Rights and the French Declaration of the Rights of Man and Citizens (Donnelly, 2003).

The Universal Declaration of Human Rights (UDHR) consists of a preamble asserting the dignity of human beings and 30 articles articulating specific rights to objects such as:

1. Freedom from torture,
2. Security of person,
3. A fair trial and due process,
4. Right to own property,
5. Freedom to and from discrimination,
6. Freedom to marry,
7. The Right to work,
8. Religious freedom among others (United Nations, 1948)

**Correctional institutions:** This refers to any institution which is used to house or detain a person who is convicted of a crime; or who is in direct or indirect custody after a lawful arrest. It is an institution where offenders are confined for correction. Correctional institutions include: Prison, Borstal institution, Approved school and Remand home among others.

**Social work:** Social work is a professional service that assists individuals, groups and communities in establishing meaningful relationships with their social environment. The social environment envisaged by social work includes: family, peer group, the school, place of worship and workplace among others. According to the International Federations of Social workers (IFSW) (2014), social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. The meaningful relationship established by people with their social environment enables them to live a happy and fulfilled life (Uche & Uche, 2014).

### **Justification for Human rights**

Human rights are accepted as having universal scope and, therefore, applied to individuals from different cultures, ethnic origins, social class, and genders among others. Human rights apply to everyone who qualifies by virtue of being human. This immediately raises problems concerning the validity of the concept of human rights when applied to certain cultures (Li, 2006). The argument has been raised by a number of thinkers that human rights are Western invention protecting Western ideas and therefore distort values from other societies, such as Asian values (Donnelly, 2003; Li, 2006). In particular, the concept of human rights and its implementation in various covenants and treaties has been criticized for placing too much emphasis on the value of individuals and not enough on the rights of communities.

There are two questions that need to be answered. First, what kind of features do holders of human rights possess? Second, why does the possession of these features justify their holding human rights? The answer to the first question concerning the necessary and sufficient features of right-holders needs to be suitably inclusive to apply to all the cases people intuitively believe are examples of right-holders such as infants, the physically challenged, healthy adults, mentally ill, and the old and infirm (Orend, 2002; Talbott, 2005; Warren, 1997).

However, any set of criteria also needs to exclude cases that clearly do not involve human rights such as animals, forests, or computers. In other words, what are the necessary attributes that a bearer of human rights must possess? Theorists have formulated a range of criteria to help distinguish between human rights-holders and non-human rights-holders (Gewirth, 1981; Warren, 1997; Orend, 2002; Donnelly, 2003). The proposed attributes have included life, rational agency and sentience, emotional responsiveness, having interest in living a good life, belonging to a human community, and being biologically human.

Orend (2002) stressed that to hold human rights, one must be biologically human, one must avoid violating another's rights, and one must have fundamental interests in, or vital needs for living a life of minimal value. The second question that needs to be addressed concerns the justification of human rights; given that a rights-holder is biologically human and has fundamental interests that ought to be met. Why should we respect these rights? In other words, what reasons can be given for the duty to guarantee individuals' rights to personal freedom, material subsistence, personal security, elemental equality, and social recognition? Why should the state and its citizens have duties to either provide goods to rights-holders or to not interfere in their activities? The justification task is to elucidate the premise or core principle(s) that support the claim that individuals who meet the above criteria should be accorded human rights and enjoy the benefits of their elevated moral status.

The justification for human rights have ranged from appeals to human nature, the common conditions in which human beings live, social contracts to provide each individual with the goods necessary for a worthwhile life, and human dignity (Churchill, 2006; Donnelly, 2003; Talbott, 2005; Gearty, 2006; Li, 2006). The methods used to justify human rights basically involve two distinct approaches, a consequential justification and a deontological justification. The consequential justification appeals to the individual and social benefits of respecting human rights such as increased human well-being, reduced suffering, and fewer wars among others. One problem noted with this approach to the justification of human rights on its own is that it appears to sanction the suspension of individual's human rights if the utility calculations indicate that this move will result in greater amount of the value in question (pleasure well-being, peace, etc.). The deontological justification appeals to the dignity of human beings and argues that it is never appropriate to violate human rights, that is, the state and individuals have a duty to recognize the inherent value and worth of rights holders.

### **Human rights and treatment of offenders**

There are human rights implications for offenders' rehabilitation. According to (Orend, 2002; Donnelly, 2003; Churchill, 2006 and Li, 2006), practitioners should ensure that the selection, assessment, and implementation of intervention are in accord with relevant human right declarations and covenants. Compliance with human right treaties requires ensuring that there are no discriminatory practices evident in the rehabilitation process (e.g. excluding individuals from programs on the basis of race, class, gender). In addition, offenders should be treated with dignity, their agency respected, they should only suffer the restrictions of freedom that are rationally justified, and they should have access to the basic goods of well-being such as education, self-esteem, support, mental and medical resources among others. Such an approach should be a minimum standard in correctional service delivery. Ward and Birgden (2007), suggest that human rights should be factored into two major ways: (a) Programme delivery (b) Programme design and content.

First, a human rights perspective makes it easier for a practitioner to develop strong collaborative relationship with offenders therefore ensuring better outcomes. Human rights are protective capsules that strengthen valued aspects of human functioning such as freedom and the various components of well-being including basic needs, education, mastery, and self-esteem. Human rights represent entitlements to the necessary conditions of effective action required for individuals to successfully pursue and implement their personal projects. The dignity inherent in effective action and the realization of personal projects means that offenders will respond well to practitioners who acknowledge their rights to make important decisions for themselves and their values as human beings. Indeed, there is evidence that working collaboratively with offenders in developing treatment goals results in a stronger therapeutic alliance (Mann, & Shingler, 2001). Further evidence from offender research indicates that therapist features such as displays of empathy and warmth, and encouragement and rewards for progress facilitate the change process in sex offenders (Marshall, Serran, Fernandez, Mulloy, Mann & Thornton, 2003). Thus, by virtue of an emphasis on the rights of individuals to freedom, and the degree of well-being necessary to act successfully, adherence to human rights norms is likely to facilitate the

change process and to result in higher levels of cooperation and motivation on the part of offenders. Mandatory coerced or compulsory treatment is becoming an increasingly popular policy initiative, particularly for sex offenders.

Glaser (2003), in a therapeutic jurisprudence analysis of sex offender treatment states that such an approach over-rides ethical guidelines and as such it is not in the best interest of the offender. Glaser warns that this sort of control comes perilously close to brainwashing, with the aversive stimulus being the threat of further punishment if the offender does not comply. While the sex offender may specifically participate, they will do so without the commitment and motivation required for treatment success (Winick, 1998). Only those individuals who require rehabilitation should be offered treatment and ideally the offender should consent to participate in rehabilitation. The key issue from a human rights perspective is to balance the rights of the offender with those of the community in an explicit and reasoned way.

The seriousness of the offender should be considered in recommending rehabilitation options. The seriousness of the offence is pertinent as the legal consequence need to be morally justified. Ward and Birgden (2007), suggest that if the individual is low risk and has committed a less serious offence, no treatment should be required. If the individual is considered low risk, but has committed a serious offence, an intervention plan that is least intrusive of the individual's autonomy may be required to meet community perception. If the individual is considered moderate or high risk, and has committed a less serious offence, voluntary treatment should be offered and informed refusal to participate should be respected. If the individual is considered moderate or high risk and has committed a serious offence, voluntary treatment should be offered. If the individual provides an informed refusal to participate then autonomy should be over-ridden in the interest of community protection and participation in rehabilitation legally required (i.e. coerced treatment). The second intervention issue relates to the design and content of the various modules offered to individuals within the criminal justice system. Ward and Birgden (2007), propose that interventions should seek to strengthen and equip offenders with the capabilities to exercise their freedom, and well-being depending on the resources available to agencies.

Correctional practitioners are employees of the state and are, therefore, authorized to carry out its functions and discharge its duties to offenders. It follows then that practitioners have a duty when working with offenders to make sure that their human rights are acknowledged and that any decision taken that impact on their day-to-day lives are entirely consistent with the duties correlative with their rights. The human rights object of personal freedom, material abstinence, personal security, elemental equality, and social recognition. Consideration should guide both the content of specific modules and process of intervention. The relationship between risk and good promotion should enable workers to ensure respect for basic human rights and also reduce risk. This is an advantage of the strength based approaches such as Good Life Model (GLM) and a disadvantage of the Risk-Need-Responsivity Model (RNRM) (Ward & Maruna, 2007).

### **Human rights and correctional practices**

It is obvious that offenders' freedom rights are typically curtailed in some respects and their movements, rights to policy, and association are restricted. That is, incarceration, parole conditions, and community-based orders severely limited the enjoyment of some of their rights (Ward, and Birgden, 2007). However, from a human rights perspective, offenders still possess rights to the well-being goods and some of the freedom goods necessary for their functioning as purposive agents. This would mean that offenders should either be able to provide for themselves or have the state provide rights such as:

1. Access to basic educational resources,
2. Medical care,
3. Self-esteem,
4. Adequate nutrition,
5. Access to leisure activities,
6. Healthy living conditions,
7. The opportunity to work,
8. Access to good psychological and psychiatric success, as much choice concerning rehabilitation options and activities as possible within security requirements,
9. Just and fair disciplinary procedures with due process among others (Ward and Birgden, 2007).

The state is only justified in restricting certain freedoms in so far as this is necessary for the implementation of offenders' punishment (loss of certain liberties). The five human rights objects identified by Orend (2002) should be guaranteed as a matter of rights, personal freedom, material subsistence, personal security, elemental equality, and social recognition. Infact, restriction of freedom arguably constitutes punishment and the failure to provide the minimum level of well-being goods and retained freedom goods constitutes a violation of offenders' human rights (Lippke, 2002). In short, offenders retain their human rights despite the fact that they have been convicted of crimes, although the ability to exercise some of these rights may be restricted during the period of their correctional sentence. According to Ward and Birgden (2007), the logic is straight forward: if human rights are those held by all human beings (all things being equal) then offenders by virtue of this fact also possess human rights.

However, one thing seems painfully obvious, the human rights of offenders are typically not respected and their access to the five classes of human rights objects not secured. The puzzle is why is this so? The answer to this question is that members of the community, correctional officials, and political figures believe that offenders forfeit their human rights because of the crime they have committed (Lippke, 2002). That is, through their unlawful actions offenders have placed themselves outside the protection

zone of human rights declarations and policies. However, the forfeiture approach is subject to a number of problems. First, if offenders' actions merit the forfeiture of their rights then there should be specified relationship between the type of crime committed and the right they forfeit. This is typically not the case with the proponents of the forfeiture approach advocating wholesale removal of offenders' human rights (Lippke, 2002). This appears to be a rather arbitrary and less than convincing reason to justify such a radical move. Second, even if it is decreed that offenders do forfeit rights according to the type of crime they have committed, there remains the thorny issue of establishing relevant criteria for guiding the forfeiture process.

Human rights to freedom and well-being are necessary good for the successful completion of actions and without them offenders will be unable to advance their conception of a good life and to exercise their judgment concerning what is in their interests and what is not (of course, they must also respect the rights of others in the process). The issue of offenders' rights is closely linked to the crime and justification of punishment. (Matravers, 2000; Lippke, 2002). If the aim of punishment is to deter individuals from committing further offences then it seems obvious that depriving them of their human rights is only likely to result in feeling of resentment. Human rights function to protect the dignity and self-esteem of human beings and a life without dignity is arguably barely a human life at all. If the aim is to encourage offenders to appreciate the rights and interests of their victims, then it seems counterproductive to violate their own rights and interests in order to achieve this goal. In fact, it is believed by some that the most probable outcome would be the release of individuals into the community whose criminal dispositions have not altered at all, and may even have been strengthened. Indeed, if the aim of punishment is retribution to correct the moral balance of the community, stripping offenders of their human rights is somewhat contradictory. This is because the point of retribution is to encourage individuals to appreciate the harm they have done and this presupposes that they are moral agents. An individual without human rights is someone without moral status and therefore, beyond the reach of retribution policies (Lippke, 2002).

### **Social work and human rights in correctional institutions:**

The NASW Code of Ethics upholds that the primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed and living in poverty. Social workers in correctional institutions help to ensure that the dignity of man is restored. They collaborate with non-governmental organizations and other professions in ensuring that the rights of offenders in correctional institutions are not violated. Among others, social workers in prisons and jails provide for the legal needs of offenders, need of children of incarcerated parents, need for improved conditions of confinement and need for rehabilitation after release. Correctional social workers advocate for better education policies for incarcerated individuals. Thus attaining the goals of inmates' rehabilitation their right to education is actualized (Uche, Uche, Okoye & Ukoha-Kalu, 2023; Uche, Okafor & Uche, 2024).

**1. Legal needs of offenders:** Contrary to the popular motion, many of the prisoners are in prison not because they are proved guilty, but because they cannot afford the legal services in order to be out on bail. Available statistics of the National Crime Records Bureau (NCRB, 2008), revealed that 67 percent of the prisoners in India were undertrials. A further piece of information from the same official statistics is that 2,130 undertrials were detained in prisons for more than five years without trial at the end of the year 2008. Although, the service of government lawyers through district legal service authority is available to any undertrial prisoner, there is always delay in appointing lawyers, and often the appointed lawyers have little interest or expertise in the matter (Sir Dorabji Tata Trust (SDTT), 2011).

Much of the legal assistance given by social workers in prison has been for undertrials. First of all they acquaint the undertrial prisoners with relevant information regarding the legal procedure in getting bail and going through trial. Moreover, they find out if in individual cases a lawyer has been appointed, and whether the case is progressing satisfactorily. If a lawyer has not been appointed, then the matter is taken up with district legal aid services authority. If a lawyer has already been appointed, social workers ensure that the prisoner and the lawyer regularly meet. They also keep in touch with the lawyers to ensure that the case moves forward, and justice is delivered in the court without undue delay (Ronald, 2011).

**2. Needs of children of incarcerated parents:** Families, wherein the only bread winner is imprisoned, face drastic economic deterioration. This puts additional burden on the women and children who may have to stop going to school and start working (SDTT, 2011). There are also families in which both the parents are in jail. In such cases, children live with their relatives, neighbours or even alone and unsupported (Vaidya and Ronald, 2009).

Social workers can perform several roles for the children of incarcerated parents and also for the parents themselves. These children are severely traumatized by their parents' incarceration and deserve comprehensive and on-going intervention. Social workers can see that these children are treated sensitively by the child welfare system as persons in need of protection. They can arrange for parent visitation and for facilitating treatment of the children so that parent rights are maintained where that is appropriate. They can also advocate that the rights of these children be acknowledged (San Francisco Partnership, 2003). Since most children face more serious problems when a mother is incarcerated, social workers can advocate for non-custodial sentences for women convicted of offences that do not provide a threat to public safety in most instances. In cases where grandparents assume custodial responsibility for children of incarcerated parents, social workers can advocate for financial subsidies that other adults would receive as foster parents. They can also ensure the maintenance of continuing support services because the children are at risk for drifting to crime, for suicide, for mental illness and for other maladaptive coping patterns.

3. **Need for improved conditions of confinement:** Sarri and Shook (2005) observed that conditions of confinement in correctional institutions are problematic for incarcerated juveniles and adults. Physical and social conditions in prisons and jails are seriously damaging to most occupants because of assaultive behaviour by custodial staff and other inmates. In addition, conditions exist because of overcrowding and insufficient resources. The United States (US) Justice Department has charged more than 20 states in recent years for a variety of conditions that violate human rights and required conditions of confinement for prisoners (Schiraldi, 2004). There is also increasing support for action by groups such as Amnesty International, Human Rights Watch and the American Friends Service Committee. Social workers who work in residential facilities and observe violations are obligated by NASW Ethical standards to take action so that the conditions are remedied and that rehabilitation services are provided (Miller, 1991; Puritz and Scali, 1998; Building Blocks for Youth, 2004; Human Rights Watch, 1999). To bring meaningful change in conditions of confinement, social workers need to collaborate with other professionals such as medical practitioners, nutritionists, psychologists and psychiatrists among others.
4. **Need for rehabilitation after release:** A prisoner has to return to normal life after imprisonment period. The prisons and jails are expected to prepare the inmates for life outside the correctional institutions after release. Usually, the correctional institutions train the inmates in some vocational skills. They can also utilize these skills during their tenure within the institutions and earn some money which will be helpful to them after the release from the prison. It is a difficult task to find adequate source of livelihood for the convicts released from prison. The skill training provided in prison is generally inadequate for getting a decent source of livelihood, especially because of the stigma of having been convicted of crime. Social workers in ensuring effective rehabilitation of discharged prisoners contact perspective employers for providing a stable job to person released from prison.

### Conclusion:

Confinement in a correctional institution by a court of law does not imply that the offender has lost all his rights as a human being. Inmates in Nigeria prisons and jails are entitled to enjoy basic rights that other members of the society enjoy which are not taken away by the court pronouncement during committal to correctional institutions. The fact that an individual is in prison custody does not make such a person less a human being and he should not be treated thus. Offenders should be treated with dignity.

The Universal Declaration of Human Rights (UDHR) asserts the dignity of human beings and 30 articles articulating specific rights to all prisoners to include: freedom from torture, security of persons, a fair trial and due process, freedom to and from discrimination, and religious freedom among others. Moreso, the African Commission on Human and Peoples' Rights (1995) in its "Resolution on Prisons in Africa" states that "the rights established and guaranteed under the African Charter on Human and Peoples' Rights extend to all category of persons including prisoners, detainees and other persons deprived of their liberty".

Social work has diverse roles that could empower offenders in prisons and jails to overcome social barriers and live a fulfilled life. Social workers intervention is necessary in developing a comprehensive rehabilitation programs for inmates. They provide professional support to those charged with crime to enable them receive the best defense and appropriate disposition. Social workers focus on issues like harmony, relationships, functionality, peaceful co-existence, and justice since these are essential to meaningful and valuable life (Uche & Uche, 2023). They educate the public on the need for less primitive intervention and call attention to the importance of adherence to human right convention among others. Social workers contribute not only to community development but also to people's fundamental human rights (Uche, Okoye & Uche, 2014).

Consequently, the government, correctional officers and social workers should collaborate and develop policies that would enhance the dignity of offenders and prevent inhuman treatment in our prisons and jails. The government should ensure effective monitoring and implementation of policies and regulations that enhance prisoners' welfare.

In spite of the fact that social work is still a new profession in Nigeria, and the professionals are few, there is need to create awareness on the services they offer to individuals, groups and communities. This development will go a long way in enhancing the utilization of social work services especially in our correctional institutions.

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