
Procedural Justice and Fairness in Cases Adjudicated and Attitudes to Recidivism among Nigerian Prisoners

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Gabriel Agboola Adetula

Purpose:

The study critically examines procedural justice and fairness in court processes, the Nigerian prison system, term of imprisonment, and prisoners' perception of treatment effects on their attitude to recidivism behaviour practice in the Nigerian socio-cultural context. The aim is to measure the relationship between cases adjudicated, imprisonment term, length of sentence, crime committed, court fairness and recidivism attitude.

Design/Methods/Approach:

The study adopts an ex-post facto design approach for the survey. Three hundred prisoners from the Olokuta and Owo prisons in Ondo State, Nigeria were randomly selected as participants. Questionnaires and oral interview questions were adapted to elicit data. Pearson product moment correlation statistical analysis was used to process the data.

Findings:

The results show that the six measurement variables correlated at different levels of significance and directions with the object being measured – recidivism attitude.

Research Limitations/Implications:

Access to prison and soliciting the data from the required number of prisoners was difficult due to restrictions. Nigerian courts are classified as 'sacred', and criminal records are untouchable, unreadable and inaccessible. These hindrances posed limits on research efforts to obtain sufficient data for the analysis.

Practical Implications:

The correlation results of the analysis not only show the directions of the variables' usefulness to each other, but also provide an emerging information resource that may serve as a primary data source or be of use in future investigations.

Originality/Value:

Given the nature of psychometric properties, a new idea concerning the measurement of attitudes has emerged – the scale may be used to measure the treatment of a prisoner's attitude to recidivism. It might hold the potential to be used as a method to help scholars and experts better define the concept of recidivism.

UDC: 343.8(669.1)

Keywords: recidivism, crime, prisons, rehabilitation

Postopkovna pravičnost in poštenost ter stališča zapornikov v Nigeriji do povratništva

Namen:

Prispevek kritično obravnava postopkovno pravičnost in poštenost v sodnih postopkih, zaporniški sistem, zaporno kazen in stališča zapornikov do vplivov tretjaja na njihov odnos do povratništva v družbeno-kulturnem kontekstu Nigerije. Cilj prispevka je ugotavljanje razmerij med sodnimi postopki, zaporno kaznijo, dolžino kazni, storjenim kaznivim dejanjem, pravičnostjo sodišča in povratništvom.

Metode:

V študiji je uporabljen *ex-post facto* pristop k raziskovanju. V vzorec je bilo naključno izbranih tristo zapornikov iz zaporov Olokuta in Owo v nigerijski državi Ondo, ki so sodelovali v anketiranju in intervjujih. Za statistično analizo podatkov je bil uporabljen Pearsonov koeficient korelacije.

Ugotovitve:

Rezultati so pokazali, da šest spremenljivk v različnih smereh in z različnimi stopnjami statistične značilnosti korelira med seboj in s predmetom proučevanja – odnosom do povratništva.

Omejitve/uporabnost raziskave:

Dostop do zaporniške populacije in zbiranje podatkov sta bila zaradi sistemskih omejitev otežena. Nigerijska sodišča so pojmovana kot »sveta«, kazenske evidence so nedotakljive, neberljive in nedostopne. Vse naštetu predstavlja omejitve pri raziskovanju, še posebej pri pridobivanju podatkov za analizo.

Praktična uporabnost:

Rezultati korelacije usmerjajo pozornost k spremenljivkam in njihovim medsebojnim povezavam, poleg tega pa predstavljajo nov vir primarnih podatkov, ki jih lahko uporabimo za nadaljnje raziskovanje.

Izvirnost/pomembnost prispevka:

Glede na naravo psihometričnih lastnosti se je pojavila nova ideja o merjenju – lestvica, ki se lahko uporabi za namene ugotavljanja zapornikovega odnosa do povratništva in hkrati kot znanstvena in strokovna metoda za definiranje pojma povratništva.

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Ključne besede: povratništvo, kriminaliteta, zapor, rehabilitacija

1 INTRODUCTION

In Nigeria today there is a lack of clarity about recidivism and the objectives of prisoner rehabilitation; similarly, there has been no alternative treatment programme for ensuring a prisoner's incarceration soberness and societal sanity processes. Progress in a criminal investigation, judgement and treatment direction is hindered because things are working at cross purposes and contradictions can be found in the operations of the Nigerian legal and penal sector, particularly the Nigeria Prison Service (NPS). Placing the correctional institutions under closer scrutiny with regard to how effective they are in managing recidivism (the rate at which prisoners return to prison) has become a popular measure of unquestionable validity for evaluating the programmes provided by correctional agencies for offenders. Unlike advanced countries, Nigeria's problem with recidivism has not been adequately addressed with the proper interest it deserves. This has worsened criminality and, by extension, accelerated the rate at which ex-prisoners return to incarceration.

2 THEORETICAL FRAMEWORK

2.1 Procedural Justice and Fairness

The concept of procedural justice relates to discussions on the administration of justice and legal proceedings. Aspects of procedural justice are connected to due process in the United States of America (USA), fundamental justice (Canada), procedural fairness (Australia) and natural justice (other common law jurisdictions) and Nigeria's legislation (Criminal Procedure Act or Code). The idea of procedural justice also applies to non-legal contexts in which a certain process is employed to resolve conflict or divide benefits or burdens among organisations and industries.

Theoretically, the application of procedural justice to cases adjudicated and imprisonment terms, either long or short, can bring both positive and negative consequences for the prisoner in this study case.

There are various theoretical rationales for anticipating increasing, decreasing or curvilinear effects of time served on recidivism and they depend on assumptions made about the timing of causal mechanisms, their intensity and number. For example, deterrent effects are most likely in the initial months of incarceration; at that point, the 'pain of imprisonment' may be felt most acutely and criminogenic experiences that reduce social bonds or increase strain may be nominal. In addition, the marginal specific deterrent effect may decline with time due to "the general tendency of individuals to place relatively less value on experiences that occur more distantly in time" (Orsagh & Chen, as cited in Mears, Cochran, Bales, & Bhati, 2016, pp. 94–95). Viewed in this light, the initial months of incarceration may be associated with deterrent effects that offset the countervailing criminogenic effects (Nagin, Cullen, & Jonson, 2009). However, criminogenic experiences, including greater difficulty in finding legitimate work, may accumulate and increasingly offset the deterrent effects of lengthier stays. Mears et al. (2016) interpret these results as indicating a U-shaped effect.

The identified regression models, however, had a largely linear, positive relationship between time served and recidivism (Clemmer, as cited in Bondeson, 1990). It is equally plausible that criminogenic effects begin immediately and escalate. Clemmer (as cited in Bondeson, 1990) long ago argued that short incarceration stays decrease the likelihood that individuals will acculturate to the “prison community” and that longer stays greatly increase the possibility of being acculturated.

Procedural justice theory started with an experiment by Thibaut and Walker (1975). Their study demonstrated that people’s assessments of the fairness of third-party decision-making procedures shape their satisfaction with their outcomes. The concepts behind procedural justice showed that the manner in which disputes are handled by the courts has an important influence on people’s evaluations of their experiences of the court system (Lind & Tyler, 1988). Judgements about how cases are handled are generally referred to as assessments of procedural justice to distinguish them from assessments of the favourability or fairness of the outcomes that people received. Studies suggest first that procedural justice has an impact on whether people accept and abide by the decision made by the courts, both immediately and overtime. Second, procedural justice influences how people evaluate the judges and other court personnel they deal with as well as the court system and the law. When adopted in child custody cases between father and mother, procedural justice is not based on punitive measures rather the application of effective procedures that encourage faith in the court’s fairness and justice, which bring about a positive climate between the parties that is more likely to promote both a long-term relationship and adherence to the agreements reached (Emery, Matthews, & Kitzmann, 1994).

In relation to communication, procedural justice deals with the perception of the fairness of outcomes. It reflects the extent to which an individual perceives that decisions concerning the outcome (whether the judge rules in favour of one party or the other, they will accept the verdict provided justice is seen to have been done) have been made fairly. The use of fair procedures helps communicate that employees are valued members of the group, for instance, in evaluating and structuring workers’ salary (Adetula, 2005). Procedural justice can be examined by focusing on the formal procedures used in making decisions. If workers are aware or see the process used in determining their salary is fair, they will accept its use as an authentic structure (Adetula, 2005). Procedural justice, a subcomponent of organisational justice, is important in both communication and the workplace because it involves fair procedures; it allows employees to have a say in the decision process, it ensures employees’ fair treatment and allows them to have greater input in the appraisal process. Tyler, Degoey and Smith (1996) found that giving disgruntled group members a voice, regardless of whether it is instrumental (i.e. a voice that affects the decision-making process) or non-instrumental (i.e. a voice that will have no influence in the decision-making process) is sometimes enough for a process to be viewed as fair (Lind, 1988; Tyler et al., 1996).

There are two levels at which we can address the question of which types of procedures people think are fair. One is to focus on possible legal procedures and discuss whether people see them as fair. When we do so, it becomes clear that

informal legal procedures are viewed as particularly fair. In fact, in civil cases, defendants rate mediation as being fairer than a formal trial and typically rate it as more satisfactory (Tyler, 1997). In criminal cases, defendants regard plea bargaining as being fairer than a formal trial (Tyler, 1997). In terms of procedural fairness, the act of giving people fair procedures means putting greater emphasis on informal dispute resolution. Which characteristics lead people to associate informal justice with procedural fairness? Studies have typically rated more than seven elements that contribute to assessments of fairness (Lissak & Sheppard, 1983; Sheppard & Lewicki, 1987; Tyler, 1988). However, four elements of procedures are the primary factors contributing to judgements about their fairness: opportunities for participation (voice), the neutrality of the forum, the trustworthiness of the authorities, and the degree to which people are treated with dignity and respect. In this study, these elements were assumed bestowed on the prisoners during trials before verdict, judgement or sentence.

The argument so far has presented strong viewpoints and a review of this theory in terms of adjudicating legal and criminal cases. Another idea contained in procedural justice theory relates to fairness in the processes of resolving disputes and allocating resources.

People feel they are more fairly treated if allowed to participate in the resolution of their problems, and so too are prisoners if they are able to present their own suggestions on what should be done (the ability and right to a voice are linked with feelings of respect and value, thus stressing the importance of the interpersonal factors of procedural justice (Thibaut & Walker, 1975)).

The criminal justice at the outset of a trial might not give consideration to these problems. In fact, knowledge of procedural justice might have been missing from this period, which then gave way to restitution. However, in 1975 researchers discovered the usefulness of procedural justice (Thibaut & Walker, 1975) and it is therefore imperative to look at the important role of fairness in how our courts adjudicate cases.

A few theorists like Lind and van den Bos (2002) and Wemmers and Cyr (2006), who support the notion that the length of sentences reflect the crime committed, argue that punishment or incarceration reduce recidivism by causing an emotional response like fear, anxiety or guilt, thus compelling the individual to avoid future punishment and thereby discouraging reoffending. Lind and van den Bos (2002) claim that longer sentences may cause offenders to conclude that a new offence would be too costly in terms of time lost, earnings and other advantages associated with freedom. Lind and van den Bos (2002) in evaluating one determinant of procedural justice considered the quantity of time invested in participants. Lind and van den Bos (2002) submitted that fair procedures will cost more than fair outcomes due to the extra time and effort people need to listen and provide information to others in the process. Hence, they claim that time is a restraint that may jeopardise a fair procedure.

In their study of victims, consideration was given priority over the process of fairness in a procedure used by a judge in settling a case between warring parties, that is absence of partiality on the part of judges, for instance, playing a neutral role and not taking sides, this is important for the litigant and the defendant, in terms

of whether the quality and quantity of time spent in mediation for information was a waste of time. Lind and van den Bos (2002) and Wemmers and Cyr (2006) discovered that victims who had several contacts with project workers were adequately informed. They concluded that the lack of a relationship between the number of contacts and the judgement of procedural justice suggests that criminal justice professionals can invest in fairness at a relatively little cost in terms of human resources and thus time constraints should not impede procedural justice (Wemmers & Cyr, 2006).

Procedural justice within the idea of fairness is the processes that resolve disputes and allocate resources equitably. Theoretically, procedural justice concerns itself with the fairness and transparency of processes by which decisions are made, and may be contrasted with distributive justice (fairness in the distribution of rights or resources), and retributive justice (fairness in the punishment of wrongs). Hearing all parties before a decision is made is one step which would be considered appropriate for ensuring a process may be characterised as procedurally fair. Some theories of procedural justice hold that a fair procedure leads to equitable outcomes even if the requirements of distributive or restorative justice are not met (Tyler, Rasinski, & Spodick, 1985). It has been suggested that this is the outcome of the higher quality interpersonal interactions often found in the procedural justice process, which has been shown to be stronger in affecting the perception of fairness during conflict resolution. Distributive and restorative justices are also relevant, but this paper mainly chose to examine procedural justice and fairness principally as part of understanding the basis of recidivism.

2.2 Perceived Court Fairness in Cases Adjudicated

Procedural justice refers to the fairness of judicial procedures and the interpersonal treatment of defendants or other litigants. Procedural justice is commonly contrasted with 'distributive justice', which concerns the fairness of the final outcome (e.g. whether a litigant 'won' or 'lost' the case). Interestingly, some researchers indicate that litigant perceptions of procedural justice can actually play a greater role in their overall assessment of their court experience than whether or not they like the case outcome. In plain terms, litigants prefer to win their case but tend to accept losing if they consider the court procedures and their interpersonal treatment to have been fair and respectful (Temibiaje, 2013; Tyler, 1990; Tyler & Huo, 2002).

Procedure fairness matters to every litigant who appears before a judge, but what is striking about procedural justice judgements is that they also shape the reactions of those who are on the losing side. People are namely more willing to accept a negative outcome in their case if they feel the decision was arrived at through a fair method. Significantly, even a judge who scrupulously respects the rights of litigants may nonetheless be perceived as unfair if they do not meet these expectations regarding procedural fairness. Of course, this does not mean that people are content when they lose their case and fail to obtain the desired

outcomes. Yet it does mean that they are more willing to accept and abide by the decisions of judges when those decisions seem to have been made fairly (Tyler, 2000; Wemmers & Cyr, 2006).

Early experimental research on trials by John Thibaut (a psychologist) and Laurens Walker (a lawyer) demonstrated that, irrespective of the outcome of a trial, the participants were more willing to accept the decisions of the judge if the trial procedure was fair (Thibaut & Walker, 1975). In particular, they argued that disputants viewed adversary procedures as fair because they allowed people the opportunity to tell their sides of the story before decisions were made by the authority managing the trial. Such an opportunity is often described as having a voice in the proceedings. This early experimental research has since been supported by several laboratory and field studies of trials and other legal procedures (Lind & Tyler, 1988).

People often suggest that procedures do not matter when the stakes are high. In fact, studies suggest that people continue to care about the fairness of procedures when the outcomes involved are substantial and important to them. This includes when the monetary stakes are high, as occurs in civil cases. Lind, Kulik, Ambrose and De Vera Park (1993) argued that this includes when people are strongly interested in the issue and have invested (financially or physically) in it, for example in child custody hearings; Bryan (2006) when their liberty is at stake, like in felony cases; Casper, Tyler and Fisher (1988) when people are incarcerated; Sparks, Bottoms and Hay (1996) when important public policy issues are being decided. In advocating the application of procedural fairness as part of a court reform agenda, Rottman (2005) researched public opinion of the state of courts' adjudication improvement strategies. According to him, the expected payoff of greater public trust and support for the courts' research was never really manifested in the reform programmes. He stated: "Courts became more business-like and efficient, and more adaptable, but reform failed to address the core concerns of litigants, jurors, and others who enter the courthouse". In contrast and in support of procedural fairness, he said that procedural fairness offers the judiciary a reform programme that strengthens the connection between the judiciary and the public. The premise of that programme is that it will organise the work of the courts in a way that generates satisfaction, trust, and compliance with court orders. That goal takes on particular importance as efforts are made to politicise the state judiciary. This is the point where this research gains its impetus.

2.3 Recidivism

Recidivism can simply be defined as a process of reoffending and finding oneself back in prison. In broad terms, it is defined as re-engaging in criminal behaviour after having been punished or rehabilitated for a previous crime (Elderbroon & King, 2014). According to Payne (2007), recidivism refers to repetitive criminal activity and is synonymous with terms like "repeat offending" and "re-offending". It is normally determined as a rate or percentage of prisoners released in a particular jurisdiction in a given year who meet certain criteria like becoming newly convicted within a specified amount of time (Ruggero, Dougherty, & Klofas, 2015).

It remains a paradox that recidivism is one of the least understood and elusive measures considered in criminal justice research (Ahmed & Ahmad 2015). This shows that throughout history human beings have grappled with the unending problems of criminality and how to treat (punish or correct) a recidivist to bring their criminal acts to an end and integrate them into society. Therefore, this study examined factors that influence recidivism as a concept, with special reference to procedural justice on the crime committed, cases adjudicated, imprisonment term, perceived fairness and length of sentence as functions of prisoners' recidivism attitude. This is necessary because recidivists still exist in Nigeria even though the criminal justice system (judges, lawyers, the police, forensic experts, correctional institutions, prisons), have made efforts to rehabilitate and reform prisoners. According to Ahmed and Ahmad (2015), the re-integration of released prisoners into society poses a challenge because almost all societies have these continuous in-and-out movements of prisoners, which naturally constitute the phenomenon of recidivism.

The rate of recidivism in a particular jurisdiction can be a measure of the effectiveness of the prison rehabilitation model. That is, a high rate of recidivism may indicate the rehabilitation model is not very efficient; conversely, a low rate points to the rehabilitation model's high level of efficiency. The question is whether this means that our criminal justice system and penal institutions are failing in their tasks to sanitise the socio-cultural life of the nation? If that is the case, one would want to know more about the causative agents and their impact.

Recidivism can be measured in diverse ways as there is no specific instrument available to measure it. The various methods of measuring recidivism have different criteria for labelling a person as recidivist. Scholars in Nigeria, Ugwuoke (2010), Osayi (2013) and Soyombo (2009) showed there is an increase in the rate of reoffending, and that male offenders have a greater propensity to offend. Studies by other researchers also offer explanations of factors that might be responsible for the rising rate of recidivism. For instance, some factors suggested as capable of increasing the rate of recidivism among male ex-prisoners were harsh prison conditions and the public's negative attitude to ex-prisoners. Others include the stigmatisation of incarceration, the defective prison system which promotes the dissemination and exchange of criminal influences and ideas (Ugwuoke, 2010), as well as alcohol and substance abuse (Chenube, 2011), poor educational attainment and peer group influence (Temibiaje, 2013). Mention can also be made of predisposing factors which increase recidivism among male recidivists in Nigeria such as marital status, a large number of siblings/children, socioeconomic status, ethnicity, family background, imprisonment terms and type of crime (Abrifor, Atere, & Muoghalu, 2012). Studies on recidivism have linked its high prevalence to factors such as gender difference (Abrifor et al., 2012), poor resettlement of ex-prisoners after release (Ugwuoke, 2003, 2013), lack of jobs after discharge (Meyers, 1984), low educational attainment and unstable work history (Eisenberg, 1985), and the discharge environment (Abrifor et al., 2012). Studies have also equally indicated that post-release job training positively influences the prevalence rate of recidivism (Jengeleski, 1981).

A widely used measure for labelling someone as recidivist is if the person returns to prison within a given span of time – usually, two or three years (Ruggero et al., 2015) after the first incarceration. Reconviction, re-incarceration, imprisonment, re-arrest and re-arraignment are other measures used in labelling a person as recidivist. Reconviction can be defined as a situation where a court determines that an individual has committed a new crime, with or without imprisonment (Ruggero et al., 2015). Re-incarceration can be defined as an arrest that resulted in a person being sent to prison or jail. Imprisonment is defined as an arrest resulting in a prison sentence (Cooper, Durose, & Snyder, 2014). Finally, re-arraignment is defined as any court appearances within the criminal court system (Lyman & LoBuglio, 2006).

The criteria for recidivism in Nigeria include others beyond what is explained above, but there are some practical problems in obtaining correct information on recidivism in Nigeria. However, it has been stated that someone being incarcerated more than once satisfies a criterion to be given the identity and label of a recidivist, as explained above. In the Nigerian case, it is not enough to substantiate a claim with mere knowledge of it since sufficient data and up-to-date information on this phenomenon as presently available in developed countries are not available.

3 CRIMINAL JUSTICE SYSTEMS IN NIGERIA

3.1 Legal System

At this point, apart from the constitutional provisions (the majority of which were put together by government nominees who were not legal practitioners), the Nigerian legal system is divided into sub-systems which comprise various laws at both federal and state levels. There is no uniformity of the laws governing the criminal law procedure in the country, although the criminal justice systems in all states of the federation are similar, but include some differences in certain northern and southern states (Adetula, 2013). In respect of substantive law, the Criminal Code applies to the southern states and the Penal Code to the northern states. In procedural matters, the law that applies in the southern states is the Criminal Procedure Act, whilst the Criminal Procedure Code applies in the northern states. Despite these differences, almost nothing distinguishes the states in terms of development and challenges, particularly when considering fairness in justice delivered, imprisonment and reduction of recidivism attitudes.

However, various institutions are involved in administering criminal justice in Nigeria with regard to various crime and criminal problems, particularly the issue of recidivism. These institutions, apart from the prison yard services system, include the Judiciary and Law, Police, other law enforcement and legal practitioners' chambers and security agencies. Criminal justice entails different phases or stages of adjudication, which commences when a police officer has reasonable grounds to suspects that a person has either committed a crime or is about to commit a crime, which warrants them making an arrest and filing criminal charges against that person, the process of granting bail and bailing, a preliminary trial or hearing, a proper court trial and arraignment before judges,

magistrates etc., and to mount a defence to the proceedings proper through court sittings, adjournments and, finally, the lawyers' submissions or addresses to the court. The procedures accompanying these are the processes of judgement and conviction, incarceration, imprisonment, along with treatment, parole, freedom and release. In the case of a conviction (where the guilty are convicted) or release (where those not guilty are freed), this may entail either a sentence for a term of imprisonment or a release with a fine option, or both imprisonment and a fine. The judgement and all that follows binds the accused upon completion of the case hearings – in which they are either sentenced or freed.

The vice president of the Federal Republic of Nigeria Professor Yemi Osinbajo recently commented that the 'importance of criminal justice to the smooth running of any society cannot be overemphasized, indeed, an effective criminal justice system is regarded by many as fundamental to the maintenance of law and order'. According to Osinbajo, the Nigerian criminal justice system is not only dysfunctional but outdated, and absolutely not fit for its intended purpose (Daka, 2016). This was highlighted while addressing the charges within the Nigerian criminal justice system in 2016. He asserted that many provisions are outdated and in some cases anachronistic. Besides, loopholes in both the law and procedure have become so obvious that lawyers, especially defence lawyers, have become masters of delay tactics. Consequently, "it thus becomes increasingly difficult to reach closure of any kind in many criminal cases" and "convictions and acquittals have become exceedingly rare" since 2010 (as seen in Table 1). While the foregoing assertions are quite instructive, it is pertinent to note these views are held widely by many Nigerian legal practitioners, and eminent jurists have also called for a fundamental reform of the Nigerian criminal justice system. This call is germane for a study between 2010 and 2017 (the time of writing this paper), especially as the Nigerian nation is experiencing a series of terror attacks and other sophisticated crimes.

This review has been exhaustively discussed. It shows the importance of procedural justice in relation to the prisoners' perception of imprisonment. It also shows that the recidivism attitude might not be unconnected with the kind of crime committed, the case adjudicated, and the fairness of the procedure, the imprisonment term, and length of sentence. These relationships among these six variables are still contestable from the point of view of this study. Considering such relationships enable us to look into the reason recidivism thrives, at least from Nigerian prisoners' perception of imprisonment. Based on the theoretical framework and the literature reviewed, six hypotheses were established to examine attitudes to recidivism among Nigerian prisoners.

4 THE NIGERIAN PRISON SYSTEM

4.1 Prison System in Nigeria

The penal institution given the task of managing prisoners and prison yards in Nigeria by the federal government on behalf of the Ministry of Internal Affairs is the Nigerian Prisons Services (NPS). The main activity of this institution is to

keep in prison custody crime suspects and accused individuals awaiting trials and sentenced prisoners. They are to limit the movements of sentenced criminals and offenders yet to be tried by locking them up within prison cells, legally out of public reach or view. Apart from securing and effecting the implementation of imprisonment terms, NPS operatives strictly adhere to the institution's policy found in the mission statement to ensure that those awaiting trial are presented for court proceedings on a daily basis until they are committed or set free by a court of law.

4.2 Imprisonment Terms in Nigeria

The imprisonment terms in Nigeria are defined by the gravity of an offence or crime committed in relation to the treatment phase in a cell or prison. The prison system is graduated as maximum, medium or minimum according to the notoriety of a criminal offense. Prison cells are made to provide accommodation for a group of prisoners according to how a prisoner's crime they committed is classified. For example, a felony, a misdemeanour, and simple offences as defined by section 3 of the Nigerian Criminal Code Act (1990) are described hence:

- A felony is an offence declared by law to be a criminal offence that attracts punishment without proof of previous conviction, ranging from 3 years to the death penalty.
- A misdemeanour is a criminal offence punishable by imprisonment, ranging from less than 3 years and not less than 6 months.
- Simple offences are those offences other than felony and misdemeanour classified as a civil offence. They are often punished with imprisonment of less than 6 months (Olamide, 2016).

This very classification was the biggest point of interest when considering procedural justice and fairness in adjudication in this study because these three classes actually demonstrate the true picture of the risk assessment of a prisoner and the danger they might constitute for society. For example, a consideration of the procedural justice afforded a notorious, abnormal, drug addict, first-time fresh young adult offender versus an offender with multiple prison visits (serial killer, armed robber, arsonist, murderer etc.) differs for offenders engaged in politics, hit and run accidents, libel, fraud, and drug trafficking. The classification also underscores the level of notoriousness and profile of an accused person. The gravity of an offence will determine the classification of cell to which a prisoner is allocated. The aspect of procedural justice is shaped by the impression that fairness should be perceived or the conviction should leave an impression on a prisoner's perception that the procedures used by the judges in handling the case of judgement were fair. Again, the content of the verdict handed down, the length of the sentence, and the considered consequential effects or implications for the prisoner's well-being matter in comparison to the prisoner's lifestyle before their arrest and standing for trial in the free community.

The direction of the relationship between time served and recidivism then becomes very important when deciding what constitutes reoffending. Studies by Orsagh and Chen (1988), Nagin et al. (2009) and Gendreau, Goggin

and Cullen (2005) employed credible methodological assessments to estimate the relationship between time served and recidivism in imprisonment and reoffending. Orsagh and Chen (1988) identified only 2 experimental studies and 17 non-experimental studies of this relationship: time served and others, suggesting a potential recidivism-reducing effect with others suggesting that time served slightly increased recidivism. Their assessments echoed those of prior reviews, which collectively suggest that time served may exert mixed effects and most likely a minimal effect on recidivism. For example, recent studies that employ methodologically rigorous analyses found little effect of time served on reoffending among juveniles or adults (Nagin et al., 2009).

According to Ugwuoke and Otodo (2015), a prison is a total institution and a place for reforming and rehabilitating those who have committed a crime. The aims of imprisonment are enormous; one of them is deterrence, from the deliberate deprivation of leisure time (Ugwuoke & Otodo, 2015). By so doing, the offender is kept away from general society so that they have no leverage to commit a crime. This involves the use of counselling, psychotherapy and other psychological techniques of behaviour modification (Ugwuoke & Otodo, 2015). After imprisonment, the former prisoner is expected to stay away from crime and lead a law-abiding life.

Another explanation given for imprisonment is for retribution. Retribution is punishment for a crime committed. The general notion is that any crime that is committed is an aberration for society. This means that society suffers in one way or another when a crime is committed. Hence, the person who committed a crime should pay for their bad behaviour through imprisonment, which includes punishment with hard labour (Adetula, 2013). When criminals are so punished, it is believed that society strikes equilibrium and gets a pound of flesh for the damage done to it.

A further explanation is applying a rehabilitation process as a strategy to correct bad behaviour. It means the creation of situations where social learning occurs. This is a process seen as offering treatment or corrective tactics that should lead to greater maturity, better self-control, a lower inclination to steal or cheat or to become violent. Finally, another emerging aim is that the state has no choice than imprisonment, having looked at the criminal records of a habitual offender, especially one who has been offered opportunities for rehabilitation in the past but continues to offend. The decision to imprison this person, therefore, becomes paramount because there is nothing else the court can do for them than to send them back to prison (Ugwuoke & Otodo, 2015).

Research on incarceration effects is increasingly relying on more methodologically rigorous approaches, and several counterparts that focus on time served also exist. In general, however, the bulk of prior work has not, as Nagin et al. (2009) claimed, systematically addressed the confusion associated with different "dose" levels of time served. According to them, in a situation where relatively short prison stays decrease recidivism and longer stays increase it, such a linear estimate one that allows no variation in the functional form of the time served and recidivism relationship –might well yield a null finding as a result of the two effects counteracting each other (Nagin et al., 2009). Indeed, Orsagh and

Chen (1988) suggested that such a U-shaped association exists. Yet, recent studies suggest –but do not find statistically significant evidence in support –that instead an upside-down U-shaped association exists (Gendreau et al., 2005). This issue assumes considerable importance given that conflicting linear estimates may stem from averaging the negative and positive effects of time served. The Gendreau et al. (2005) study found that studies which compared “more” incarceration (30 months on average) versus “less” incarceration (13 months on average) identified estimated recidivism rates that were approximately 3% higher for the “more” incarceration groups.

4.2.1 The Nigerian Prisoner Population 2008–2010

Prisoner	2008	2009	2010	Observed Population change	Remark
1 st timer	47,697	56,981	59,713	164,391	Reduction witnessed (in %) in population of all prisoners 7.31
Increase	-	9,284	2,732	12,016	
Decrease	-	-	-	-	
% change	-	16.30	4.6	7.31	
Multiple timer					Reduction witnessed (in %) in population of all prisoners 16.85
Increase	83,087	99,370	44,719	227,176	
Decrease	-	16,283	-	-	
% change	-	-	54,651	38,278	
		16.4	122.21	16.85	
Total no. prisoners	130,774	156,351	104,432	391,567	Reduction witnessed (in %) in population of all prisoners 6.71
Increase	35,390	25,567	-	-	
Decrease	-	-	51,919	26,262	
% Total	33.4	39.93	26.67	100	
% Change	27.06	16.4	49.72	6.71	

Table 1:
Population table of Nigerian prisoners*

*Population table of Nigerian prisoners between 2008 and 2010 showing the rate of first-time and multiple-time prisoner incarcerations (Source: Current Research Analysis on Nigerian Prisoners Population Reports from 2008–2010)

The Standard Minimum Rules (SMR) prescribes that prisoners should be locked up according to the category in which they are placed. However, the congestion seen in most Nigerian prisons means that all prisoner categories are lumped together in the same cells. This prison overpopulation may be caused by problems with delayed justice in awaiting trials. Corruption such as partiality exists in the criminal justice system and injustice is done to the innocent who are incarcerated without the proper process of procedural justice, turning penitentiaries into breeding places for criminals and, by extension, recidivists. Thus, Adetula, Adetula and Fatusin (2010) reiterated that the penal institutions and subsystems of administering justice in Nigeria are believed to bring about a crime-breeding environment for criminals, especially first-time prisoners.

However, analysis of Table 1 gives an insight into what we can say about the rate of recidivism (i.e. first-time prisoners compared to multiple-time prisoners) in

Nigeria. This example refers to the state of Nigerian prison yard inmates between 2008 and 2010. Although the information is generally insufficient, it shows what Nigeria is undergoing presently in terms of recidivism.

Table 1 above shows that prison records of recidivism cases were unacceptably high in 2009 (156,351). This relates to the figure of 42,399 which reflect prisons' inability to significantly actualise the reform and rehabilitate objectives. This is seen in the perspective of the percentage change of 0.2% between recidivists and first-time prisoners in 2008. We also see percentage changes in the population of first-timers between 2008 (16.3%), 2009 (4.6%) and 2010 (7.31%) as clear evidence of an increase in crime despite reduction rates as against recidivism rates of 16.4%, 122.21% and 16.85% respectively for the years in focus. However, measuring recidivism entails several factors such as return after a short or long interval, whether for the same or another crime or for first or multiple returns. The genesis or contributing factors or predicting what happened in the result just analysed above were not clearly indicated, nor were they indicated by the authority of the penal institution or its experts' advice. Yet, an undisputable concept of recidivism is the return of released offenders to custody.

Concern grows when the recidivism rate is high. Therefore, attention should be given to the treatment processes of offenders in terms of whether they are effective or not. In the preceding table, we observed a reduction of 3 years (7.31% for first-timers, 16.85% for multiple-timers and an overall average of 6.71%) but the act of recidivism was still occurring and pronounced in number counts or recorded on a roll (104,432 in 2010).

5 METHODS

The research method we adopted was a survey with an ex-post factor design. This was to ensure no variable was manipulated. The prisoners' knowledge was elicited through an oral interview without any manipulation of their experiences. The dependent variable of measure was recidivism at two levels; since multiple-timers have undergone several rehabilitation processes earlier on in their incarceration without character changes (even though they remain reformable) they can have a bad influence on the first-timers who are (with greater chances of being habituated and reformable) who are early on in their prison sentence, hence it is believed it is not beneficial if both types share the same cell(s). The second dependent variable was the crime committed (CC). This entailed three levels: felony, a misdemeanour, and simple offences. Crimes committed are rated based on the gravity of the offence; a felony is rated highest with grave consequences and attracting the strongest punishment, a misdemeanour is rated second in gravity, the punishment handed out is closer to a felony, mostly imprisonment, while the third level is a simple offence, simply charged as civil, domestic cases. It attracts short-term imprisonment, warnings, fines and out-of-court settlements. The third dependent variable was the length of the sentence (LS) measured in terms of time or duration measured in days, months and years in incarceration.

The first independent variable of the measure was the imprisonment term (IT). This also has three levels (maximum, medium and minimum) in terms of

duration; these are synonymous with the prison, jail, and cell allocated. Maximum refers to criminals serving the longest periods, e.g. for serial killers. Medium term refers to a long period of prison incarceration for criminals in the misdemeanour category, e.g. arsonists, thieves, rapists etc., while those in the minimum category are street fighters, fraudsters, barterers, swindlers, and civil or domestic crimes or cases etc. The second independent variable was the procedural fairness (PF) perceived in the judgement, which was also measured on three levels (not fair, fair, and very fair). The third independent variable was cases adjudicated (CA), measuring a construct in procedural justice application in processing cases by court judges or judicial authorities.

RA: Recidivism Attitude (dependent variable), prisoners who support living a prison incarceration lifestyle

PF: Perceived Fairness in Judgement (independent variable), a measure of judge's good conduct in handling cases with good countenance, which is respectful and considerate in their work performance, for example being neutral in judgement.

CA: Perceived Case Adjudicated (independent variable), the way a prisoner understands and felt their case was handled.

IT: Perceived Imprisonment Term (independent variable), the court order concerning how a prisoner should spend their incarceration period, e.g. life imprisonment, hard labour etc.

LS: Length of the sentence (independent variable), which is time-/duration-specific and indicated in years, months and days.

CC: Crime Committed (independent variable) categories of crimes and the extent to which a criminal belongs to e.g. a felony profile is the highest degree, misdemeanour is the second degree in gravity with grave imprisonment consequences. The lowest level of crime is the simple offence e.g. in relation to salary, tax, payment of rent, wife barterer, electricity bill, slander, impersonation and so on.

5.1 Study Sample

The total number of inmates in the Owo and Akure prison yards in Ondo State chosen for the study was around 1,000. This is an overblown population. However, a total of 300 prisoners was selected as a representative sample for the survey from the combined population of the two prison yards, but recognisance was taken of their differences in population size and type of offence committed while selecting the sample. A random sampling technique was applied in making the selection from each cell. In Owo, 66 males and 38 females were selected, while in Akure 132 males and 64 females were chosen. This study used questionnaire and interview methods for the data collection. The questionnaire adopted was cross-culturally validated and found reliable and valid for measuring the construct with the six variables as of the time of using it. Items of each of the six variables were first sorted out, organised and subjected to total item correlation in order to develop the questionnaire for use in this study for the Nigerian sampled population. It was adapted for use in measuring the prisoners' perceived constructs on

every variable of measure in the judgement relating to the recidivism outcome as negative attitudes of a prisoner. In doing this, a pilot study was conducted among 100 separate prisoners to react to the questionnaire contents as a scale of dependent and independent variables. Question items were written on a 5-point Likert scale and scored as: strongly agree=5 through to strongly disagree=1. The reliability obtained for the adjudicated cases (CA) variable scale relating to recidivism attitude consisting of 21 items which include, for example, questions like, "going to prison was the last thing I ever wanted in life", "I like prison visits the most", "definitely, imprisonment serves as an attitude change agent because it creates a sense of remorse and deterrence" etc., Cronbach's alpha was 0.82, the perception of imprisonment terms (IT) variable scale with 14 items like "imposition of pains upon the offenders exceeds the pleasures derived from the criminality", "imprisonment helps to perfect the human spirit by changing criminals into productive citizens", "corporal punishment is enough torture for the crime committed instead of the penitentiary system of confinement and hard labour" etc., Cronbach's alpha was 0.81 and for the fairness (PF) in judgement scale consisting of 11 items including, "the police presented the case as it should have been", "the judge or magistrate was not friendly as they forbid me expressing my feelings on the case during the trial", "my own witness was treated unfavourably", "I was not expecting the punishment that was imposed on me", the judgement provided me with more knowledge about my crime" and so on, where Cronbach's alpha was 0.73.

However, the final questionnaire which was developed from these, along with the biodata level of measurements, the crime committed (CC) and length of sentence (LS) variables that altogether represented the recidivism attitude scale, has a Cronbach alpha reliability of 0.80. A letter of introduction from the researcher's department was given by the research assistant to the prison authorities at the Akure administrative headquarters and permission was granted by the higher prison authorities, having ascertained the protection of ethics behind the survey technique, in particular the protection of the NPS' integrity and the promise to ensure the participants' confidentiality. Rapport was established with the sample representatives and copies of the questionnaire were administered one by one to willing respondents. The researcher explained the questions and shed more light on items to ensure appropriate response. The respondents were also instructed to read and respond to the questionnaires completely; bearing in mind they were free to select any answer without limit since there were no correct or wrong answers. This reassured the respondents regarding the confidentiality of the information they divulged. A total of 300 copies of the questionnaire were distributed, of which 289 were returned completely filled in. However, the remaining defaced 11 questionnaires were rejected. The researcher accepted this as representative since a separate 100 who were not participants in the follow-up study had earlier on helped validate the scale. Hence, we reached 40% of the population. The statistical analysis used to test the relationships was Pearson's Product Moment Correlation (PPMC) for all correlation analyses. PPMC was used since all tests sought to obtain or know the correlation coefficient or the relationships between and among the variables of measure.

6 RESULTS

6.2 Table of Results

VARIABLES	CA	RA	IT	PF	LS	CC
CA Pearson (<i>r</i>)	1	-.467**	.281**	.415**	-.223**	.044
Significance	.997	.997	.000	.017	.003	.060
N	289	289	289	289	289	289
RA Pearson (<i>r</i>)	-.467**	1	-.305**	.000	.162**	.026
Significance	.997	.997	.000	.000	.006	.660
N	289	289	289	289	289	289
IT Pearson (<i>r</i>)	.281**	-.305**	1	.140*	.216**	.245**
Significance	.000	.000	.000	.000	.000	.455
N	289	289	289	289	289	289
PF Pearson (<i>r</i>)	.415**	.000	.140*	1	-.175**	.111
Significance	.000	.000	.000	.000	.000	.000
N	289	289	289	289	289	289
LS Pearson (<i>r</i>)	-.223**	.162**	.216**	-.175**	1	.200**
Significance	.003	.006	.000	.000	.000	.001
N	289	289	289	289	289	289
CC Pearson (<i>r</i>)	.044	.026	.245**	.111	.200**	1
Significance	.060	.660	.455	.000	.001	.000
N	289	289	289	289	289	289

Table 2:
PPMC analysis showing the relationships between and among Recidivism Attitude and correlated variables

** Correlation significant at the 0.01 level (2-tailed)

* Correlation significant at the 0.05 level (2-tailed)

Table 2 above presents the following PPMC findings:

1. Correlation with other variables presents Case Adjudicated (CA) as having the following relationships:
 - i. it has a significant positive relationship of $r = .415^{**}$ with Procedural Fairness (PF);
 - ii. it has a significant positive relationship of $r = .281^{**}$ with Imprisonment Term (IT);
 - iii. it has a significant negative relationship of $r = -.467^{**}$ with Recidivism Attitude (RA);
 - iv. it has a significant negative relationship of $r = -.223^{**}$ with Length of the sentence (LS);
 - vi. it has a non-significant $r = .044$ with Crime Committed (CC).
2. Correlation Coefficient of Recidivism Attitude (RA) with other variables presents the following relationships:
 - i. it has a significant positive relationship of $r = .162^{**}$ with the Length of Sentence (LS);
 - ii. it has a significant negative relationship of $r = -.467^{**}$ with Case Adjudicated (CA);
 - iii. it has a significant negative relationship of $r = -.305^{**}$ with Imprisonment Term (IT);
 - iv. it has a non-significant relationship $r = .000$ with Procedural Fairness (PF);
 - v. it has a non-significant relationship $r = .026$ with Crime Committed (CC).

3. Correlation with other variables presents Imprisonment Term (IT) as having the following relationships:
 - i. it has a significant positive relationship of $r = .245^{**}$ with Crime Committed (CC);
 - ii. it has a significant positive relationship of $r = .281^{**}$ with Case Adjudicated (CA);
 - iii. it has a significant positive relationship of $r = .216^{**}$ with Length of Sentence (LS);
 - iv. it has a significant positive relationship of $r = .140^*$ with Procedural Fairness (PF)
 - v. it has a significant negative relationship of $r = -.305^*$ with Recidivism Attitude (RA).
4. Correlation Coefficient of Procedural Fairness (PF) with other variables presents the following relationships:
 - i. it has a significant positive relationship of $r = .415^{**}$ with Case Adjudicated (CA);
 - ii. it has a significant positive relationship of $r = .140^{**}$ with Imprisonment Term (IT);
 - iii. it has a significant negative relationship of $r = -.175^{**}$ with Length of Sentence (LS);
 - iv. it has a non-significant relationship $r = .000$ with Recidivism Attitude (RA);
 - v. it has a non-significant relationship $r = .111$ with Crime Committed (CC).
5. Correlation with other variables presents Length of Sentence (LS) as having the following relationships:
 - i. it has a significant positive relationship of $r = .216^{**}$ with Imprisonment Term (IT);
 - ii. it has a significant positive relationship of $r = .200^{**}$ with Crime Committed (CC);
 - iii. it has a significant positive relationship of $r = .162^{**}$ with Recidivism Attitude (RA);
 - iv. it has a significant negative relationship of $r = -.175^{**}$ with Procedural Fairness (PF);
 - v. it has a significant negative relationship of $r = -.223^{**}$ with Case Adjudicated (CA).
6. Correlation Coefficient of Crime Committed (CC) with other variables presents the following relationships:
 - i. it has a significant positive relationship of $r = .245^{**}$ with Imprisonment Term (IT);
 - ii. it has a significant positive relationship of $r = .200^{**}$ with Length of Sentence (LS);
 - iii. it has a non-significant relationship $r = .111$ with Procedural Fairness (PF);
 - iv. it has a non-significant relationship of $r = .044$ with Case Adjudicated (CA);
 - v. it has a non-significant relationship $r = .026$ with Recidivism Attitude (RA).

7 DISCUSSION AND CONCLUSION

In general, the study reviewed procedural justice theory to help identify issues of importance for those operating the Nigerian justice system and penal institutions. They include the judiciary, court judges, and those running the prison service. The discussion was centred on prisoners' concern for judicial processes and abiding by the law, their lifestyle and life events in free society and in incarceration and their perceptions of recidivism as an attribute or identity. The study examined the perceived fairness of court operators in terms of the judgements they gave based on the types of crimes committed, cases adjudicated, imprisonment terms, length of sentence, as relates to adherence to the law. The foregoing is similarly countenanced by the behaviour that follows, in particular, the implications of a recidivism attitude. The findings of the analysis appear below.

All of the correlation statistical tests among the six variables of measure on the perception of procedural justice and fairness were significant (see Table 2). Observation showed that Imprisonment Term (IT) has a significant negative relationship ($r = -.305^{**}$) with Recidivism Attitude (RA). This suggests the term of imprisonment influences prisoners' recidivism attitude. For prisoners, this may substantially explain why they re-offend despite being given the maximum prison term, even in their first-time prison experience. This result confirms the findings of Orsagh and Chen (1988) which suggest that a U-shaped linear association exists between the term of imprisonment and recidivism. The study is supported by the findings of Simourd and Olver (2002) showing that a criminal attitude is widely accepted when punished as an indispensable element in an effort to reduce offenders' further criminal behaviour.

The prisoners' perception of procedural justice being used in advocacy by the court in adjudicated cases (AC) and its relationship with recidivism attitude (RA) was also tested, where the following was found: Adjudicated Case (AC) has a significant negative relationship ($r = -.467^{**}$) with Recidivism Attitude (RA). This implies that cases adjudicated have a strong influence on a prisoner's recidivism attitude. In support of this finding, Adetula et al. (2010) previously observed that the penal institutions and subsystems (that is the justice department, the police, and prisons) and their operations and the ways they administer justice were believed to bring about the breeding and enhancement of criminal behaviour vis-à-vis a recidivism attitude rather than serving deterrence, repentance, reform and reconciliatory purposes (when adjudged in a manner that was unacceptable). Hence, by holding such grievances in mind, prisoners react negatively among themselves and ex-prisoners react negatively to people in free society, which does not enhance confidence in physical and conceptual society (Adetula et al., 2010). The third finding was the perception of procedural justice measure with the crime committed (CC) and the imprisonment term (IT), where a significant positive relationship of ($r = .245^{**}$) was recorded. The fourth finding shows that Procedural Fairness (PF) has a non-significant relationship ($r = .000$) with recidivism attitude (RA). This result indicates the neutral impact of these variables on each other. Although the test result could not confirm the relationship between procedural fairness (PF) and recidivism attitude (RA), the direction of this relationship

suggested that the lower the perceived fairness in a court case judgement, the higher the risk of adopting a recidivism attitude, the lower the perpetration of crimes, the more likely a prisoner would hold on to the view the court had applied procedural justice fairness and the more likely they would not hold the court responsible for their woes. This result is supported by the views of Tyler (1990) and Tyler and Huo (2002), to the effect that an important factor influencing the development of prisoners "views about legitimacy are their judgments about the fairness of the manner in which the police and the courts exercise their authority. Such procedural justice judgments are found to both shape reactions to personal experiences with legal authorities" (Tyler, 1990; Tyler & Huo, 2002).

Length of the sentence (LS) in relation to recidivism attitude (RA) was also considered. A relationship of ($r = .162^{**}$) was established between them, i.e. Length of sentence and recidivism attitude (RA). This result indirectly supports Thibaut and Walker (1975) contention that, irrespective of the outcome of a trial, the participants would be more willing to accept the judge's decisions if the trial procedure was seen as fair; also when their liberty is at stake, as is true in felony cases (Casper et al., 1988) and when people are incarcerated (Sparks et al., 1996).

Finally, crime committed (CC) has a significant positive relationship of ($r = .200^{**}$) with the length of the prison sentence (LS). Nagin et al. (2009) support this finding, reiterating that imprisonment term was significant and anchored to the duration of time (short, medium or long). This implies that crime committed, term of imprisonment, cases adjudicated and length of the sentence were subject matters contained in prisoners' recidivism attitude.

In conclusion, the results given in Table 2 succinctly portray the following:

All variables were shown to be significantly related, except for a few ones that were tied to affect and emotions like crime committed, case adjudication and procedural fairness. This means that a scale can be developed on this basis to serve as a measure of a court procedure and to address the prisoners' concept of recidivism attitude.

Despite the limitation on the reach of the research sample and obtaining enough information from them for reasons of key points' security vulnerability, the officer in charge who served as the link resource person was very cooperative in getting necessary and just enough data for the research, there was no language barrier in the oral interview and useful suggestions and advice were given by both the prisoners and prison operatives.

Second, the study only focused on the relationship between the variables, not the actual problems of the prison yards, criminal justice or the prisoners themselves. The fact the research was limited to the south west of Nigeria is also seen as a limitation because it might not allow the researcher to generalise the result to all Nigerian prisoners. Hence, future researchers have a variety of options to choose from in their quest for knowledge on recidivism problems. For example, they could widen the scope of the research and use a larger sample.

It is obvious that the study result was able to identify a social context to define the object of study – recidivism attitude – and that the procedures can be used as treatment measures. By definition, recidivism is a stigma used to describe the identity of a prisoner who accepts imprisonment as a way of life and an escape

route to achieve one's lifestyle and life event expectations in the cover of the prison yard, without obeying the rules of maintaining public orderliness. Taken as a model of treatment, recidivism is identifiable as measures in case adjudication, procedural justice, court fairness, the imprisonment term, crime committed and length of sentence and vice versa.

As a matter of national urgency, the judiciary should encourage judges to make greater use of procedural justice and fairness in handling their cases. They should take advantage of the available non-custodial sanctions in the penal statutes, especially for first-time offenders and those convicted of non-violent and minor crimes.

A penal policy that holistically addresses the treatment of offenders at each stage along the justice hallway should be clearly spelled out.

Nigerian authorities should urgently consider establishing separate detention facilities for Awaiting Trial Persons (ATPs), especially first-time prisoners.

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About the Author:

Gabriel Agboola Adetula, PhD, is a lecturer and researcher in the fields of general and applied psychology. He is an associate professor at the Department of Pure and Applied Psychology, Faculty of Social and Management Sciences, Adekunle Ajasin University, Akungba-Akoko, Nigeria. E-mail: ade_adetula@yahoo.com