

**UNIVERSITY OF GHANA
COLLEGE OF HUMANITIES**

**PRISONER SOCIAL REINTEGRATION IN GHANA THROUGH CHRISTIAN
SOCIAL SUPPORT AND RESTORATIVE JUSTICE**

**BY
TETTEH JAMES TEYE
(10704299)**

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DECLARATION

I hereby declare that this thesis, with the exception of identified materials quoted from other scholarly works that have been fully acknowledged, is a record of an essentially original research work done by me under the supervision of Dr. Lawrence Boakye and Dr. Harry Kwaku Agbanu.

.....
James Teye Tetteh
(Student)

.....
Dr. Lawrence Boakye
(Supervisor)

.....
Dr. Harry Kwaku Agbanu
(Supervisor)

ABSTRACT

Research has shown that the main challenge of prisoners remains how they will readapt to life in the community after their release. This is always a huge adjustment for prisoners to make, especially after a long sentence, and where a number of factors come into play.

As pointed out by Zehr, the Western (criminal) justice system which views crime as a violation of law other than of relationships, is beset with difficulties as victims, offenders and community members often feel that justice does not adequately meet their needs. Restorative justice, therefore, seems to suggest a remedy where victims and their offenders have their hurts and wounds addressed so that both they and the community are healed. Similarly, in recent times, religiosity in the prisons has been seen as a strong force for social solidarity and a source of support for prisoners while in incarceration and when they go on discharge.

This study sought the views of 150 Ghanaians randomly sampled from targeted subgroups of the population through interviews and questionnaire to examine the role of social support and religiosity towards prisoners' reintegration as well as the strengths of restorative justice in ensuring peaceful coexistence.

The expressed opinions and shared knowledge by respondents point to the fact that our society cannot be devoid of crime, and that the presence of repeat offenders in our prisons is indicative of the fact that imprisonment (punishment) alone cannot reform people who often fall foul to the law. Restorative programmes do play a vital role in the rehabilitation of offenders.

The study does confirm that prisoners' reintegration is enhanced through the influence of religious instructions and material support from a prisoner's religious group. Consequently, the study recommends that preparations for reintegration must begin immediately after incarceration.

DEDICATION

I dedicate this work to my wife, Ruth Esi Tetteh, and my children, who, despite their busy schedules, worked tiredly to support me through the nights and the dawns to complete this work.

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To this end, I can only look in gratitude to the strong hands that spurred me on. Without the help of God, I could not have lived to undertake this project. Glory be to God for making this project a reality.

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CHAPTER ONE

GENERAL INTRODUCTION

Given the pervasive nature of social deviance, research have shown that society cannot be devoid of crime. The fact that laws have been made to prevent crime and yet people always break them, presupposes that there is something in human nature that demands attention other than punishment. What should matter, therefore, is how to assist people who fall foul to the law at one time or the other to learn from their mistakes and re-adjust. This Chapter of research conducted on Prisoner Reintegration in Ghana through Christian Social Support and Restorative Justice covers background of the study, statement of the research problem, research objectives, research questions, relevance of the study, scope of the study, theoretical framework, review of relevant literature, methodology, organisation of the study and operational definition of terms.

1.1. Background of the Study

The idea of using prison sentencing to correct criminal behaviour has existed for a long time now. Through rehabilitation programmes, prison inmates learn to become law-abiding citizens. Imprisonment, therefore, is a means of punishing wrong-doers and of protecting citizens from them. However, the underlying principle of the prison system is that of 'improving' the individual to play a fit and proper part in society.¹

Generally, the purposes for which people convicted of crime are incarcerated are retribution, deterrence, reformation and protection of society. These factors are emphasised differently in various countries. For instance, while some countries or societies are mostly

¹ Anthony Giddens, *Sociology*, 2nd Ed. (Polity Press: Cambridge, 1996) p. 138

inclined to enforcing the retributive effect of punishment, others predominantly pursue the reformation of the offender and proceed to provide various programmes to achieve that purpose. Yet, some other countries weigh the various offences and prescribe effects in accordance with the merit of the offence.

Research has shown that though retribution is the most fundamental element in the penal action while deterrence, for practical reasons, the most indispensable, the reformative element is considered the most valuable in the effects which it produces, and that which alone confers upon the others the full quality of justice.² However, the ultimate goal of imprisonment does not limit itself to the reformation and rehabilitation of the prisoner. It is to ensure that the prisoner is able to reintegrate into society after release from prison. In other words, imprisonment would seek to correct what went wrong in the life of the prisoner, and provide the necessary treatment, educational, moral and vocational training with a view to enabling them reintegrate into society when on release.³ Reintegration means the process of restoring prisoners to society after release from prison, to the extent that they do not re-offend.

For any proper social reintegration of the prisoner to take place, modern philosophy of the penal system requires conducive prison environments such that prison conditions are not too different from those of society. Prisoners are no longer to be physically maltreated as was once the common practice. Imprisonment in itself is punishment, and not for punishment. Prisoners are to be provided for so they would be able to participate in all the reformation and rehabilitation programmes in the prison to ensure their smooth re-entry.

² M. D. Jenkins, *Prison and Prison Reform*, in D. J. Atkinson and D. H. Fields, Eds, *New Dictionary of Christian Ethics and Pastoral Theology* (Inter Varsity Press: Nottingham, UK, 1995), p. 668

³ R. Adeniran, *Prisoners caught in vicious cycle*. In *Africawatch*, 2012, pp. 52-54

Unfortunately, however, unlike developed nations, many countries are not able to make their prison conditions meet the required standard to support proper prisoner rehabilitation. For instance, prisoners in most developing nations live in overcrowded conditions, and have to accept strict disciplinary procedures and the regimentation of their daily lives. Thus, living in these conditions tends to drive a wedge between the prison inmates and the outside society, rather than adjusting their behaviour to the norms of that society.⁴

Subsequently, prisoners have to come to terms with an environment quite distinct from ‘the outside’ and the habits and attitudes they learn in prison are quite exactly the opposite of those they are supposed to acquire. For instance, they may develop a grudge against the ordinary citizenry, learn to accept violence as normal, gain contacts with seasoned criminals which they maintain when freed, and acquire criminal skills about which they previously knew little. It is, therefore, not surprising that rates of recidivism – repeat offending by those who have been in prison before – are disturbingly high.⁵ As a result, Anthony Giddens reports that over 60 per cent of all men set free after serving prison sentences are rearrested within four years of their original crimes. He maintains that the actual rate of reoffending might be presumably higher than this as some of those returning to criminal activities are not caught.

Comprehensive social reintegration strategies, therefore, ought to treat the contributing factors that lead to the large number of crimes that are committed by persons who have served a term of imprisonment and failed, upon their release, to successfully integrate into the community as law-abiding citizens.⁶ For the safety of the community, it is mandatory that governments and communities work out appropriate interventions for the assistance of ex-

⁴ Anthony Giddens, *Sociology*, 2nd Ed. (Cambridge: Polity Press, 1996), p. 138

⁵ Anthony Giddens, *Sociology*, 2nd Ed. (Cambridge: Polity Press, 1996), p. 138

⁶ curtgriffiths.com

offenders to aid their reintegration in such a way that they do not reoffend. Consequently, policy makers and policy implementers now put much premium on identifying programmes and strategies that would help prison inmates successfully reintegrate into their communities when they are released from prison.

Ghana is not different from countries which use prisons to reform or rehabilitate prisoners for their eventual reintegration. For instance, Section 1 (1) of the Prisons Service Act, 1972, NRCD 46 states the functions of the Ghana Prisons Service (GPS) thus: “it shall be the duty of the Prisons Service to ensure the safe custody and welfare of prisoners and whenever practicable to undertake the reformation and rehabilitation of prisoners”.

However, the efforts of the Ghana Prisons Service in reforming prison inmates through various programmes to prepare them for reintegration have not yielded much result. The Service has not been able to carry out the function of reformation and rehabilitation effectively. Adeniran quotes Assistant Superintendent of Prisons (ASP), C. Atsem, the Chief Public Relations Officer of the GPS at the time as saying that “to some extent, our reformation and rehabilitation programmes are not enough to get the people, or some of them fully reformed...”⁷

Ampiauw reports Hinchliffe who indicates in a research conducted in Ghana by Amnesty International that prisoners are facing conditions which do not meet international standards and therefore need reforms. In that report, he makes reference to J. Welsh, a researcher on health and detention with Amnesty International, London branch, as saying that

⁷ R. Adeniran, Prisoners caught in vicious cycle, In *Africawatch*, 2012, p. 53

“there are training schemes within the prison system in Ghana, but these are undercut by the poor conditions, limited range of activities for prisoners and the shortages of resources”.⁸

Adeniran also indicates that in Ghana, a combination of strict sentencing guidelines, budget shortfalls and punitive philosophy of corrections have made contemporary prisons much less likely to rehabilitate their inmates. The result is an explosive growth in the prison population and at most, a modest effect on crime rates.

Lamenting the frustrations of the Ghana Prisons Service in its reformation attempts towards prisoners’ reintegration, W. K. Asiedu, the then Director-General of the Service, states in a speech thus:

It is worth noting that the prison system is the only enterprise that succeeds by its own failures. Our prison populations grow larger and larger. Often, some people come out of prison worse than they went in. Some get released, reoffend, return to prison, get released again, commit more crimes, get sentenced again and get stuck in the cycle of recidivism – the revolving door of crime, prison and release. This situation, at times, compels society to suggest that prisoners should never be allowed to come back to society and that government should put up more prisons.⁹

As a result of the inability of the Prisons Service to fully reform and rehabilitate prisoners, a Deputy Director of Prisons (DDP) and the Eastern Regional Commander of the Ghana Prisons Service/ Officer-in-Charge of the Nsawam Medium Security Prison, Mr. S.K.B Rabbles, in 2014, posits as follows:

The successes of the prisons in Ghana are measured in relation to the number of remand and convicted prisoners in custody, the number of deaths, injuries or escapes as well as the activities in which inmates are involved. This should not be the case! Successes of the prisons should be measured in terms of their efficacy in reducing criminal behaviour and the extent to which they succeed in developing and educating prisoners to enable them reintegrate into society as law-abiding citizens.¹⁰

⁸ Charles K. Ampiaiw, Contributions of Christian Outreach Ministries in Transforming Prison Inmates in Ghana, (Unpublished Mphil Thesis), 2013, p. 2

⁹ In his speech delivered in 2008 at the Prison Ministry of Ghana Retreat held at the Presbyterian Women’s Training Centre, Abokobi.

¹⁰ In his address delivered to members of the Pentecost Prison Ministry at the Pentecost Convention Centre, Gommoa Fetteh.

The situation is worsened as the Department of Social Welfare (DSW) which is supposed to collaborate with the Prisons Service in the work towards prisoner reintegration is faced with challenges that over the years render it ineffective. Although the Department is supposed to take up from the prisons and link the ex-offender to pro-settlement programmes being run by government within the community, “it has not been able to deliver on its mandate due to lack of logistics, limited budgetary allocation and inadequate staff”.¹¹

1.2. Statement of the Problem

The 10-Year Strategic Development Plan (2015 – 2025) of the Ghana Prisons Service focuses on a shift in emphasis in its prison system from mere safe custody to the correction and treatment of inmates. Consequently, the Prisons Service has put premium on the reformation and rehabilitation functions which hitherto used to be considered non-core, as its pivotal functions, forming the benchmark for measuring the performance of the Service along the international standards.¹²

The 2018 Annual Report of the Prisons Service (unpublished) reveals that the average population of prisoners in Ghana during the year was 13,971, out of which there were 1,505 repeat offenders and recidivists. The recidivists have come and gone out of prison several times. Moreover, this figure only reflects those rearrested by the police due to their re-offending. As pointed out by Giddens, the actual rate of reoffending is presumably higher than what is always recorded as some of those returning to criminal activities are not caught.

¹¹ Remarks made in an interview with the researcher by Mr. Daniel Nona, Director of Social Welfare.

¹² The document “The Ghana Prisons Service Ten-Year Strategic Development Plan (2015-2025)”, p. 3

Yet, to date, there is no authentic governmental policy framework giving direction for social reintegration of prisoners.¹³ Existing Laws still prevent ex-offenders from securing gainful employment within the public domain.¹⁴ The Ghana Prisons Service is facing numerous challenges in its reformation and rehabilitation drive which is supposed to set the basis for an effective reintegration of prisoners.¹⁵

The religious groups that do outreaches to the prisons in Ghana are doing well in helping the inmates transform, although these groups are either not well organised to establish a formidable social intervention for prisoners or the re-entry strategies of government have failed to consider them as a support to reintegration.¹⁶ Besides, the justice administration in Ghana is yet to formalise and structure restorative justice practice as an alternative or a complementary approach to justice, depending on the merit of each case.¹⁷

So far, existing literature on studies done on prison inmates in Ghana is predominantly in the areas of contributions of Christian outreach ministries in transforming prison inmates, deplorable conditions in the prisons and factors leading to delayed access to justice by remand prisoners. Little has been done in the area of the effect of religiosity, social support and restorative justice on prisoners' social reintegration.

This study, therefore, sought to explore areas where the Ghana Prisons Service could collaborate meaningfully with the faith-based organisations and the churches that do outreaches to the prisons for the social reintegration of prisoners. In doing this, the study

¹³A submission made by Mr. S.K.B. Rabbles in a response to a questionnaire item.

¹⁴ R. Adeniran, Prisoners caught in vicious cycle, In *Africawatch*, 2012, p.54

¹⁵ Charles K. Ampiaaw, Contributions of Christian Outreach Ministries in Transforming Prison Inmates, (Unpublished Mphil Thesis), p.1

¹⁶ In an address delivered in 2014 by Madam Matilda Baffour-Awuah, Director-General of the Ghana Prisons Service, at Prison Ministry of Ghana Retreat at Presbyterian Women's Training Centre at Abokobi.

¹⁷ James T. Tetteh, Restorative Justice: The Ghanaian Experience, (Unpublished M.A Thesis, 2007), p. 81

would examine the cumulative effect of social support, religiosity and restorative justice practices in the reintegration of prisoners into society.

1.3. Research Objectives

The main objective of the study is to explore areas of collaboration for social reintegration of prisoners. Specifically, the study sought to:

- 1.3.1. assess the reformation and rehabilitation programmes of the prisons to determine their effectiveness for prisoners' reintegration;
- 1.3.2. examine the role of social support and religiosity in prisoners' reintegration;
- 1.3.3. discuss the strengths of restorative justice for peaceful coexistence; and

1.4. Research Questions

The study sought to consider the following questions:

- 1.4.1. How effective are the reformation and rehabilitation programmes of Ghana Prisons in prisoners' reintegration?
- 1.4.2. What kinds of social support do prisoners get while in incarceration and on release?
- 1.4.3. What role do religious belief and involvement play in prisoners' reintegration?
- 1.4.4. What are the strengths of restorative justice over the Western (criminal) justice system in prisoners' reintegration?
- 1.4.5. How can the Ghana Prisons Service collaborate with stakeholders to run an effective social reintegration?

1.5. Relevance of the Study

The implications of this research would be far reaching in finding ways of supporting prisoners to reintegrate into society upon release. The analysis of findings in this research as

well as suggestions based on the principles of restorative justice, if understood and adopted by the players in the justice administration in Ghana, would give a great sigh of relief to them, offenders, victims and the community as well. This is because the restorative justice practices have the propensity of addressing the needs and the hurts of both offenders and victims so as to bring total healing to them and the community. This would ensure prisoners' reintegration to a large extent.

1.6. Scope of the Study

The study looked at the programmes and activities being carried out in the prisons in Ghana that are directly aimed at reforming and rehabilitating prison inmates. The study paid particular attention to the activities of faith-based organisations and the churches that often organise outreaches for the prisons to find out the extent to which they assist prison inmates and ex-offenders in the area of social support, faith building and restorative justice for their reintegration. The study was narrowed to the Nsawam Medium Security Prison, the Nsawam Female Prison, the James Camp Prison and the Senior Correctional Centre.

The rationale for the choice of these prisons stemmed from the fact that the Nsawam Medium Security Prison has all the categories of male prisoners in Ghana; the Nsawam Female Prison has all the categories of female prisoners in Ghana; the James Camp Prison has all the features of a camp prison in Ghana; and the Senior Correctional Centre is the only prison facility for juvenile offenders in Ghana.

1.7. Theoretical Framework

Although the study was conducted in the area of religion, it was multi-disciplinary in approach and drew strengths from several perspectives in order to achieve the intended

purpose. The theoretical framework adopted for the study is based on the work of sociologist Emile Durkheim in *The Elementary Forms of Religious Life* in which he defines religion in terms of a distinction between the sacred (apart) and the profane (routine), and stresses the fact that religions are not just a matter of belief, but that all religions involve regular ceremonial and ritual activities, in which a community of believers meets together. In Durkheim's view, ceremony and ritual are essential to binding the members of groups together, and that in collective ceremonies, a sense of group solidarity is affirmed and heightened.¹⁸

Durkheim explains that collective ceremonials reaffirm group solidarity at a time when people are forced to adjust to major changes in their lives. This, according to him, is why members of a religion are found not only in regular situations of worship, but on occasions of various life crises at which major social transitions such as birth, marriage and death are expressed. The strong social networks formed in religious communities should be extended to group members in times of difficulty.

From the concept of group solidarity is derived what is termed "social support", which is the view and practice that one is cared for, has help accessible from other people, and that one always belongs to a supportive social network. The supportive resources could be tangible or intangible, informational, emotional, or companionship.¹⁹ In other words, social support could be explained as the different kinds of assistance that people receive from others, which include the physical and emotional comfort they are given by their family, friends, co-workers and others in times of need.

¹⁸ Anthony Giddens, *Sociology*, 2nd Ed. (Cambridge: Polity Press, 1996), p. 465

¹⁹ <https://macses.ucsf.edu.socsupp>

The concept “restorative justice” suggests God’s real nature - God is just;²⁰ God is merciful;²¹ God is love²² and enjoins men to live together in peace²³ (theological) - as well as society’s regain of its original peace and harmony (sociological). Human social life is shaped by norms and mores, and in a secular state, mores are given legal backing to become laws. Chapman maintains that the Good Lives Model of restorative justice is a very positive, strength based approach, which seeks to promote the factors associated with desistance since its ethos point towards restoration of resources required to protect ex-offenders from reoffending.

Zehr posits that restorative justice provides a conceptual framework to affirm and legitimise what was good about traditions and, in some cases, develops adapted models that operates within the realities of the modern legal system. It also provides a concrete way to think about justice within the theory and practice of conflict transformation and peacebuilding since most conflicts revolve around, or at least involve, a sense of injustice. The principles of restorative justice, therefore, provides a concrete framework for addressing justice issues within a conflict.

1.8. Review of Relevant Literature

Research has shown that reintegration processes are multi-faceted and, thus, need a comprehensive approach. In addition to any well-defined reformation and rehabilitation programmes in the prisons, social support, prisoners’ religiosity and restorative justice have been identified as key contributing factors to the reintegration of ex-offenders.

²⁰ 2Chronicles, Chapter 12, Verse 6

²¹ Daniel, Chapter 9, Verse 9

²² 1John, Chapter 4, Verse 16

²³ 1Thessalonians, Chapter 5, Verse 3

Travis et al maintain that positive reintegration outcomes are attained when factors predisposing a person to criminal behaviour are addressed in a holistic fashion and when the physical and social needs of offenders are supported both within the prison and after the offenders' release. In other words, the inability of many prisoners to reintegrate into society after a period in prison, most of the times, is a result of certain predisposing factors that have not been addressed well.

Rakis points out that when social, psychological and material support is not provided at the time of the release of prisoners, it becomes difficult for them to break the cycle of release and re-arrest. He reports that a majority of convicted offenders have at least one prior conviction, either in youth or adult court and, among recidivists nearly one-third have a prior conviction and nearly 75 percent have multiple prior convictions.

Consequently, Fox maintains that in recent years, more emphasis has been placed on designing comprehensive interventions, based on a continuity of care, to provide consistent assistance to offenders within and beyond prison. There is, therefore, a recognition that preparation for reintegration should commence before the prisoner's release. After their release, interventions should support their immediate transition from the prison to the community, reinforce the gains achieved through in-prison treatment and continue until a successful reintegration is achieved.

There is evidence that religiosity has a correlation with decreased crime rate, and to a large extent, prisoners' reintegration. Hilton, Fellingham and Lyon state that people who are highly involved in religion have less risk of suicide than people with low level of religious involvement. According to Hilton et al, religious involvement implies involvement in public, but not private religious practices.

Based on the hypothesis that certain religious beliefs may offer protection from suicide, Walker and Bishop opine that a higher level of intrinsic religiosity, defined as internalising religious beliefs and meanings, is associated with a lower level of suicidal ideation. For instance, in times of serious life threatening crises, people plunge their hope in their religious faith for solace.

Durkheim submits that collective ceremonials in religion reaffirm group solidarity at a time when people are in crisis and are compelled to adopt new ways of life that they might not be comfortable with. This, according to him, is why adherents of a religion are found not only in regular situations of worship, but on occasions of various life crises at which major social transitions such as birth, marriage and death are expressed. The strong social networks formed in religious communities should be extended to group members who, for instance, might find themselves in prison, for the purposes of worship and support.

In an alternative explanation based on the work of Durkheim on religion's strong social networks of solidarity, Stack and Wasserman report that the strong network formed in the religious communities may reduce a person's risk of suicide by increasing the person's social support. King, Hampton, Berstein and Schichor state that religiously affiliated students were less likely to have attempted suicide than students who were not religiously affiliated.

There is an emerging phenomenon in some of the major prisons in Ghana where the churches that make outreaches to the prisons actually list inmates as members of their churches and try to support them throughout the period of their imprisonment and when they are released. According to Chief Officer Henry Martey of the Chaplaincy Unit of the Nsawam

Medium Security Prison, “what one needs is to register and participate in the activities of such churches any time they come.”²⁴ This is what the researcher refers to as “religiosity”.

Once they are identified as belonging to one religious group, members become closely knit and begin to share things in common. At times, the rich among them spend their own money in catering for group members. There is group cohesion leading to what Emile Durkheim refers to as social solidarity. Members of the group have constituted themselves into Bible study and discipleship subgroups and pursue their lessons with all the needed seriousness. They sanction members who do not behave in accordance with the prison regulations as well as their bye rules.

For instance, in the Nsawam Medium Security Prison where this phenomenon is clearly observed, there are prisoners strictly belonging to the Roman Catholic Church, the United Church comprising members of the Protestant churches, the Seventh Day Adventist Church, the Church of Pentecost, the Church of Christ or the Jehovah Witnesses. In prison, group members are bonded together by their dogma and participate even more strictly in the observances of their churches than those in free society.

Some other churches and non-governmental organisations that do outreach ministry to the prisons in Ghana include the Assemblies of God, the Charismatic Evangelistic Ministry, the Challenge Enterprises of Ghana, Prison Fellowship International, the Prison Ministry of Ghana and the Gateway International Ministry. The contributions of these prison ministries towards the rehabilitation and eventual reintegration of prisoners cannot be over-emphasised.

²⁴ This was said in an interview with the Officer on prisoners’ religiousness

On release after serving their sentence, serious members of these religious groups have less difficulty in reintegrating into the larger society due to the support they get from such churches. Some are assisted with funds to find accommodation, some are helped to find jobs while others are employed directly by the churches. The Prison Ministry of Ghana has over the years assisted a number of these prisoners in the areas of accommodation and job.

Meanwhile, based on its therapeutic effect, restorative justice practice has come as an attempt to address the limitations of the criminal justice system and set the basis for genuine reintegration. Johnston and VanNess are of the opinion that restorative justice practices can teach, heal, repair and restore victims, perpetrators as well as their communities.

This approach to justice has its beginnings from the 1970s when a variety of programmes and approaches emerged in thousands of communities and many countries throughout the world to offer choices within or alongside the existing legal system. Then, starting in 1989, New Zealand has made restorative justice the hub of its entire juvenile justice system. Later, in other countries, restorative justice began as an effort to deal with burglary and other property crimes that are usually viewed (often incorrectly) as relatively minor. Today, however, restorative approaches are available in some communities for the most severe forms of criminal violence such as death from drunken driving, assault, rape, and even murder.²⁵

Today, restorative justice principles are applied in justice administration in many Western countries, including Canada. In his welcome address during a Restorative Justice Week in Canada in 2004, the Governor of Ontario, Adrienne Clarkson, speaking on the theme “Engaging Us All in the Dialogue, says:

²⁵ Howard Zehr, *The Little Book of Restorative Justice* (Intercourse: Good Books, 2002), pp. 3 &4

As a society, it is our responsibility to ensure that balance is achieved in the meting out of penalties and in the rehabilitation of people caught in the cycle of crime. We are obligated to encourage a supportive healing process for those who have been wronged. By opening the doors of dialogue, we learn more about the deep-rooted causes of this behaviour and can openly discuss the means to which we can achieve solutions. Restorative justice is about more than simply establishing a dialogue between victim and perpetrator – it is also about reinforcing the ties that connect us all as members of the community, as Canadians, and as human beings.²⁶

According to Adrienne Clarkson, restorative justice provides the forum where victims, their families and offenders could genuinely and respectfully talk about their hurts, their sorrows and their regrets for healing.

The process of reconciliation in achieving restorative justice in Africa's recent history began with the South African Truth and Reconciliation Commission set up to heal the wounds of the nation following the crumbling of the apartheid regime in the early 1990s.²⁷ Evaluating the South Africa's experience, Pulma Gobodo-Madikizela comments that "the work of the South African Truth and Reconciliation Commission was a unique process in that while it exposed the deeds of many perpetrators, it empowered victims in a way that no court has done. It made them the centre of its proceedings, honouring them while shaming the perpetrators".²⁸

Following South Africa's lead, African nations like Nigeria and Ghana which had for many years been ruled by military regimes, with their attendant grievous human rights abuses, also set up commissions to reconcile their people. The process in Ghana, which began in 2002

²⁶ In a presentation by Adrienne Clarkson as Guest of Honour during a Restorative Justice Week in 2004 in Canada.

²⁷ K. Asamoah Gyadu, "Reconciliation: An African Perspective, In *trinity Journal of Church and Theology* (Vol., XIV: Number 1, 2004), p. 1

²⁸ K. Asamoah Gyadu, Reconciliation: An African Perspective, In *Trinity Journal of Church and Theology* (Vol., XIV: Number 1, 2004), p. 1

with its official report submitted in 2005²⁹ is yet to be investigated to ascertain the extent to which it has actually restored justice.

Significantly, most offenders currently languishing in prison in Ghana would be released and return to the community once they have ‘done their time’ in prison. In showing how justice could be made restorative, Jim Consedine suggests that “we need to discover a philosophy that departs from punishment to reconciliation, from vengeance against offenders to healing of victims, from alienation and harshness to community and wholeness, and from negativity and destructiveness to healing, forgiveness and mercy.”

By the very nature of the traditional (Western) justice system operatives, most of these needs of the victim, the offender and the community, are hardly addressed. The state is lacking in ‘solving’ all these problems, and as a result, true justice is eluding those who really need it to ensure peaceful coexistence of both victim and offender after the latter has come on release from prison.

As pointed out by Dave Umfreville, “restorative justice is addressing the hurts and the needs of the victim and the offender alike in such a way that they and the community are healed.”³⁰ Here, the idea that the community must be looked on as the ultimate ‘customer’ and as a true partner in the production of justice is the first and foremost aspect of restorative justice that sets it apart from the traditional (Western) justice system.

Rod Carter opines that the community is always betrayed any time a crime is committed because crime steals and vandalises the peace of the community. When this happens, there is an urgent call, under the restorative model, on offenders to place on

²⁹ Ghana’s Reconciliation Commission (NRC) Report, 2005

³⁰ Dave Umfreville, *The Real World of Restorative Justice Ministry*, 1st Ed (Dallas: Tyndale Charitable Trust, 2003), p. 11

themselves obligations to take full responsibility for the offence and take steps to right the wrong by doing reparation, making apology, delivering restitution and making a solemn pledge not to reoffend. These processes ultimately restore the peace of the community and put confidence in community members with regard to the security of the community.³¹

Restorative justice is a biblically based paradigm that is founded on a call to the ministry of reconciliation. As pointed out by Joseph Jones in his article entitled ‘Restorative Justice Ministry Paradigm’ in *Effective Jail and Prison Ministry for the 21st*

Century:

We no longer see men as the world sees them, but see them through the eyes of Jesus. Man has committed the crime of high treason against God. The penalty is death. Punishment is deserved, but the great mediator brings justice to the earth. This new justice is not retributive in nature, but redemptive. This justice brings healing to relationships with God and the community of man.

Beyond what is known and practised in the traditional justice system, God has His own view of justice and an expectation of us so far as justice is concerned. God’s view of justice seems to include something other than punishment of wrongs committed against God and man. As Job discovered, justice was more complicated than simply receiving punishment for the wrongs he had done and blessings for living a righteous life. He thought he knew the nature of justice. He probably taught his children the same principles that governed his life. His thinking was not contrary to the wisdom of the day as observed in the responses of his friends concerning why bad things happen to people. It revealed the consistent concept of justice. Job struggled because he could not identify any wrong in himself that would offend God or man. Operating from his personal concept of justice, he began to question God’s fairness. In the end, God gave Job a new revelation about justice.

³¹ In his presentation at the opening of Restorative Justice Training Seminar at Queen’s Theological College, Queen’s University, Kingston, Ontario, Canada.

God questioned Job: “Would you discredit my justice? Would you condemn me to justify yourself?”³² This statement suggests that Job knew little about the justice of God. Job’s revelation of God was a revelation of God’s justice. He eventually confessed: “Surely I spoke things I did not understand, things too wonderful for me to know.... My ears had heard of you but now my eyes have seen you...., I despise myself and repent in dust and ashes.”³³ Job’s response shows his rejection of his previous view of simplistic, retributive justice (which we, too, so often embrace) and acceptance of God’s more complicated notion of justice.

Throughout the Scriptures, the terms justice and righteousness are paired. When Job saw the righteousness of God, he also saw the justice of God. This same justice is revealed in Isaiah when the prophet spoke of the coming Messiah: “Here is my servant, whom I uphold, my chosen one in whom I delight; I will put my Spirit on him and he will bring justice to the nations.”³⁴ When Jesus the Messiah brought justice to the nations, He also brought righteousness. The two concepts appear to be inseparable in the Scriptures.

God’s attributes are one. We cannot separate His love from His mercy, His faithfulness from His wrath, His Justice from His righteousness. Jesus is not only spoken of as the justice of God, but also as the righteousness of God: “The Spirit of the Lord is on me, because he has anointed me to preach good news to the poor. He has sent me to proclaim freedom for prisoners and recovery of sight for the blind, to release the oppressed, to proclaim the year of the Lord’s favour.”³⁵

³² Job, Chapter 40, Verse 8 (NIV)

³³ Job, Chapter 42, Verses 3-6 (NIV)

³⁴ Isaiah, Chapter 42, Verse 1 (NIV)

³⁵ Luke, Chapter 4, Verses 18-19 (NIV)

The fulfilment of Christ's actions are reflected by Paul in his letter to the Romans: "When we were God's enemies, we were reconciled to Him through the death of his Son."³⁶ Therefore, when justice came to the nations it brought the righteousness of God which reconciled those who received him. Because we have been reconciled to God through Christ, he has given us the same ministry of reconciliation³⁷ "to proclaim freedom to the prisoner" and "release to the oppressed." The justice of God is, therefore, restorative in nature. This restoration is reflected in the Law that was given in the Old Testament, and the new commandment Jesus gives in the New Testament. Paul states that the law was our "schoolmaster" to bring us to Christ.³⁸ It was given, then, not just to provide a standard for determining punishment, but as a partial revelation of the justice and righteousness of God. When the word of God became flesh and lived among us, the consummation of the justice of God in the earth yielded righteousness. That righteousness led to our restoration in God's kingdom.

The law of *lex talionis*, an eye for an eye, was given to limit the revenge of a people without Christ. This law began to teach us that revenge was not part of the justice of God, and that punishment did not yield righteousness. Jesus came to fulfil the law and to provide a higher standard for those who would be restored. He stated: "You have heard that it was said, 'Eye for eye, and tooth for tooth'. But I tell you, do not resist an evil person..., Give to the one who asks..., Love your enemies and pray for those who do you wrong...."³⁹ The fulfilment of justice was not intended to give the offended what he deserved but to move him towards restoration through the power of love.

³⁶ Romans, Chapter 5, Verse 10 (NIV)

³⁷ 2Corinthians, Chapter 5, Verses 18-19 (NIV)

³⁸ Galatians, Chapter 3, Verse 24 (NIV)

³⁹ Matthew, Chapter 5, Verses 38-44 (NIV)

As stated earlier, a restorative justice paradigm suggests that crime is an injury to the individual who is engaged in the offense, an injury to the victim, and a disruption of peace within the community. When Adam sinned, he hurt himself, his family, his community and his relationship with God. From a restorative justice view, the goal in ministry is, therefore, to bring healing to hurts and injuries that occur when a crime is committed. Since several parties are injured, complete healing or restoration only occurs when the injuries to all parties are addressed.

What God requires of us is to do justice, to bring healing to the injuries that have occurred. He requires that we love one another as Jesus loves us, and to love our neighbour as ourselves. The prisoner who offended, the victim who is the brokenhearted (both of whom are captives as a result of an offence) and the community that have blinded eyes by a need for revenge are our neighbours. Jesus came to declare liberty to all and has given us the ministry of reconciliation. Biblical justice is restoration through righteousness to all who receives. Biblical justice is doing the right thing. It is what God did in sending His son and is what the Son did in giving His life. Biblical justice is what we do in commending men to be restored.

In this way, restorative justice is justice that heals relationships. As sin is the primary barrier between God, man and his community, so is crime an act that disrupts the peace of the community. The restorative justice paradigm suggests that crime is an injury to the victim, the offender and the community. Hence, the aim of the process of justice should be to correct the wrong, the conflict or the injury that has caused the damage.

By the time of their release, inmates were often frustrated and sometimes angry with the “system” which they viewed as unjust. So these victimisers began to view themselves as being victimised by a system. But these feelings of anger and frustration with the abstract

entity called the “system” or “state” was kept separate from what they considered to be part of their Christian walk. This new life in Jesus remained separated from the past hurts and injuries caused by their pre-Christian actions. These new creations in Christ Jesus felt little obligation to voluntarily address the injuries to the victims or the damages they had caused the community.

Jesus tells us that if we think our brother has offence against us, then we should go to our brother and settle the matter. He made this statement on the assumption that we all realise that if we have offended someone, then it was our responsibility to make things right. We are told: “Leave your gift there in front of the Alter. First go and be reconciled to your brother”⁴⁰ If we are commanded to go to our brother when we think he has offence against us, should any less be expected of us if we have offended others?

When we minister to the needs of the offender, we too easily forget that one of his/her needs is to be healed of the injury of the crime through repentance, forgiveness, and reconciliation. Part of that healing process is to right the wrongs as much as it is in the power of the offender to do so. This is the beginning of the restorative justice process in offender’s life. Though he often has made peace with God, his peace with the victim and the community is seldom addressed. When healing does not take place in these areas, we cannot expect that individual who was on fire for the Lord while incarcerated to continue that zeal without much difficulty.

The research on the impact of religiosity and crime is suggestive. Heavy participation in church attendance has been shown to have some impact on recidivism rates. Yet, a significant group of individuals who were very involved in prison chapel programmes returns

⁴⁰ Matthew, Chapter 5, Verse 18 (NIV)

to the criminal lifestyle. This is partially due to the lack of opportunity to repent of their criminal offences, and failure to attempt to make things right with the community and the victim(s) of their offence. Understandably, the offender does not always have the wherewithal to address the healing of their victims, but some attempt on their part to rectify the injury may act as an instruments for their own healing.

In a restorative justice paradigm, the offender at some point recognises the hurt he has caused and experiences shame for those actions which lead to repentance. Men can feel sorrow for getting caught or being or being locked up, but this isn't always godly sorrow that leads to repentance. Repentance goes beyond accepting Christ as personal Saviour, it is a decision to change behaviour and attitudes that are not consistent with the life of Christ. It is a willingness to surrender one's ways to the ways of Christ. The restorative justice paradigm suggests that the offender not only has to be restored through repentance, but he has to become a restorer through forgiveness.

Not only does the offender need to ask for forgiveness, he or she may also have to forgive others. The offender who often experiences "assembly line" justice in the courts finds it difficult to believe that justice has been served. Since, in most jurisdictions, more than ninety percent of the cases are plea bargained, offenders often feel railroaded through the courts. Although they may be guilty, there is little opportunity to tell their side of the story; in fact, there are few who show interest in listening to what led their offense. In some cases, even the defense attorney (court appointed) appears unconcerned and the offender views himself as just another case for the attorney. He knows that if he fails to accept the plea bargain, he risks receiving a harsher penalty if he demands a trial where he can tell his side.

The offender leaves court, his family and those things he values to serve his time, with little opportunity to address the victim who has harmed and can only apologise to his family for going to prison. When he arrives at the prison, he loses all autonomy. He is no longer allowed to make basic decisions for himself. He is told when to eat, when to work, where he can and cannot go. He sees himself as being subjected to one humiliation after another.

In addition to the loss of autonomy, he loses a sense of wellbeing and security. He is now forced to adapt to a violent culture where it is a violation of respect to touch another unless one has control over him. Status is gained through aggressive actions and knowing how to manipulate the system. The offender misses his family who may decide not to visit and he may choose not to see his children because prison is not a good place to bring them. In all, he loses his sense of trust in people because of what he endures every day. He may have been the victimiser when he starts in the system, but by the time of his release, he is frustrated, angered, distrustful and embittered.

This picture often describes the offended who has asked Jesus to be his Lord and personal Saviour. His relationship with the chaplain or religious volunteer is protected from these issues, but on occasions, these attitudes surface in prayer. A restorative justice paradigm suggests that not only is repentance important, but it also facilitates healing, the offender has to address the issues of forgiveness within his/her heart. The temptation is for the offender to pass judgment on those in the system he feels have offended him. The Apostle Paul addresses this barrier to restoration and healing, reminding us that "... for whatever point you judge the other, you are condemning yourself."⁴¹

⁴¹ Romans, Chapter 2, Verse 1 (NIV)

In his work as chaplain in Canadian prisons, Michael Giroux affirms the assertion that Restorative Justice revolves around the principles of reconciliation. In an article ‘Reconciliation: The Challenge of Prison Chaplains’ in *Restorative Justice: A Christian Perspective*, Giroux commenting on 2 Corinthians 5:18-20 of the Bible, states:

In my opinion, the greatest challenge facing prison chaplains today is the ministry of reconciliation. This is because the restorative justice approach takes place within the context of a helping relationship. All this is from God, “who reconciled us to himself through Christ, and has given us the ministry of reconciliation; that is, in Christ God is reconciling the world to himself, not counting their trespasses against them, and entrusting the message of reconciliation to us. We are ambassadors for Christ, and since God is making his appeal through us, we entreat you on behalf of Christ to be reconciled to God.”

This means that God takes the initiatives. Everything comes from God, who in Christ reconciles the world with himself. Thus, through our actions, our word and our presence, God reconciles.

As seen in indigenous communities across the world, the community accepts the responsibility for the administration of justice. In simple societies, the clan or tribe assists in reintegrating the offender and if necessary, the victim of the offence in the community. In this way, according to Joseph Jones, the community facilitates the healing process between broken relationships caused by crime. This is done with the notion that everyone is connected to the community and the actions of anyone affect the peace of the community.⁴² Thus, the community accepts the responsibility to restore peace.

Restorative justice approach to justice is not new to the Judeo-Christian community. Under Mosaic Law, the community was responsible for the administration of justice. An offence committed in the community required more than one witness. After judgement had

⁴² W. Thomas Beckner & Jeff Park, *Effective Jail & Prison Ministry For The 21st Century* (Regal Parkway: Eules, 1998), p. 18

been passed, the community was responsible for administering the punishment. An example of this could be seen in the Chapter Eight of John's Gospel where a woman was caught in adultery. The community was ready to administer punishment but Jesus' response was to confront the woman's accusers: "If any of you is without sin, let him be the first to throw a stone at her".⁴³ It was the right of the witness of the offence to cast the first stone, followed by the community's assistance but Jesus challenged the traditional thinking about justice and said those without fault should administer the punishment. Punishment is not restorative if it is done out of revenge or through retribution.

Above all, God has His standards in the area of justice, although in most cases, these standards of justice are not easily acceptable to mankind. God wants us to do justice by bringing healing to the injuries that have occurred. He requires that we love one another as Jesus loves us, and to love our neighbour as ourselves. The restoration of justice in this way would, in itself, promote everything that has to do with prisoners' reintegration.

1.9. Methodology

This is a qualitative research study using exploratory approach. It is intended to generate in-depth, "quality" information through the use of in-depth interviews, focus group discussions and observation to enable the researcher to truly understand public opinion of the research issues. It is a non-statistical research method. In this manner, Miles and Huberman (1994) maintain out that qualitative researchers can understand complex reasoning and dilemmas in much greater detail than only through results yielded by a survey.

⁴³ John, Chapter 8, Verse 7 (NIV)

Being exploratory in approach, the research explored the research questions in order to offer a final conclusion to the study conducted since the research was conducted to handle emerging problem areas which have not gained much attention. Thus, this research would lay the foundation for further research and data collection.

During the data collection, enough explanation concerning the objective of the study was given to the respondents, after which those who could read and write were given copies of questionnaire to respond to independently. Those who could neither read nor write had the items on the questionnaire read out to them in their local languages for them to express their responses accordingly. They were observed as they responded to the items.

1.9.1. Methods of Data Collection

1.9.1.1. Primary Sources

Primary sources included the use of in-depth interviews, observation of events and focus group discussions to obtain firsthand information. Thus, the data collection method involved the use of six carefully designed sets of questionnaire covering the research questions and face to face interviews of six cross-sectional categories of respondents. Being exploratory in approach, the questionnaires were both structured and unstructured, the structured with close-ended and open-ended items. The unstructured and the open-ended questionnaires were specifically structured that way to collect in-depth information and to gather data in areas that the researcher might have not thought of.

Though personal interviews are cumbersome and time consuming, they serve the best purpose for the collection of high-quality data, especially in sensitive subject matter interviews or when the questions are complex and the interview is likely to take time. Thus,

face-to-face interviews were conducted to offer a greater degree of flexibility for respondents to clarify issues and correct misconceptions. They also offer the researcher the opportunity to probe responses and to follow up on new ideas in a way that is just not possible with other methods.

For the purpose of getting further explanation on some issues that might be pertinent, the researcher used focus groups or guided small groups such as ex-offenders, prison authorities and personnel from the Department of Social Welfare for discussions. These groups were consulted as such because of the further and special information on the various aspects of the research topic that the researcher sought to acquire.

1.9.1.2. Secondary Sources

Based on the scope of the study, the researcher consulted different secondary sources, especially books and theses on prisoners' reformation, rehabilitation and reintegration as well as annual reports and relevant documents from the Ghana Prisons Service. Similarly, the researcher consulted books, articles, journals and newspaper editorials written on prisoners' religiosity, social reintegration and restorative justice practices.

1.9.1.3. Observation of Facts

Being a qualitative study, the researcher observed facts in their natural states as undisturbed. It is at times misleading to observe prisoners in incarceration, who appear to be well behaved, and conclude accordingly as compared to observing their real behaviour in conventional society. The researcher, therefore, observed fifteen ex-offenders who had reintegrated into society for two months after which they were interviewed to find out if what

was observed would be confirmed by way of their testimonies. According to Twumasi, this method enables the researcher to get the inside look to compare with the outside look.

1.9.2. Sample and Sampling Procedure

The study had a sample size of 150 made up of 60 prisoners, 15 ex-offenders, 45 prison officers, 10 top Prisons administrators, 10 personnel of the Department of Social Welfare and 10 volunteers from churches and NGOs that do outreaches to the prisons. The 60 prisoners form 20% of second offenders and recidivists who were sampled from the Nsawam Medium Security Prison, the Nsawam Female Prison, the James Camp Prison and the Senior Correctional Centre. The ex-offenders comprised 5 who got resettled through religiousness, 5 through social support and 5 through restorative justice or some form of arbitration.

The systematic sampling technique was used to select the 60 second offenders and recidivists from the four stations, whilst the purposive sampling method was employed to select all the remaining respondents to meet the study's needs.

The rationale for the choice of the four prisons for the research study is as follows: Nsawam Medium Security Prison is the largest prison with all the various kinds of prisoners, including second offenders and recidivists. It is, thus, a good representative of all the other prisons. Nsawam Female Prison is the largest female prison and the only female prison that singularly could produce the required numbers of female inmates needed for the study. James Camp Prison is representative of all the various camp prisons scattered across the country. The Senior Correctional Centre is the only holding facility of the Prisons for juveniles and serves a critical purpose for the research study due the youthful nature of the inmates there.

1.9.3. Data Analysis

The close-ended questions were analysed in terms of percentages and findings from the open-ended questions were summarised for discussion. The discussion was done with specific references to the effect of social support, religiousness and restorative justice approach to justice in Ghana as juxtaposed with the Western (criminal) justice system. Testimonies from ex-offenders who had successfully reintegrated and remarks by some interviewees were discussed thoroughly.

The researcher, in some instances, drew theological perspectives from the Bible as well as ideal sociological perspectives from every day events in analysing issues pertaining to justice. In other instances, ethical dimensions were explored, which in most cases, suggested solutions to some of the difficult puzzles concerning prisoners' reintegration.

1.10. Organisation of the Study

The report of the study covered five distinct chapters. Chapter One features the general introduction which highlighted background of the study, statement of the research problem, research objectives, research questions, relevance of the study, scope of the study, theoretical framework, review of relevant literature, methodology, organisation of the study and operational definition of terms.

In Chapter Two, the Ghana Prisons Service and the prison system were profiled. The discussion covered the beginnings of the penal system in Ghana, the concept, definition, types and causes of crime. It also featured punishment and its various types and purposes, the criminal justice system with special reference to Ghana's, the custody and welfare of prisoners.

Chapter Three examined the reformation and rehabilitation programmes taking place in the prisons in Ghana as well as an in-depth exposition on social support, religiousness and restorative justice attempts to justice. The report laid specific emphasis on what restorative justice involves, its principles, pillars and goals. The discussion ended with an evaluation of programmes, activities and practices in the prisons in relation to prisoners' reintegration.

In Chapter Four, the research data collected on the Ghanaian experience were analysed and fully discussed. The discussion covered the Ghanaian perception of social support, religiousness and restorative justice where their practices are commonly enforced and the problems associated with them.

Chapter Five offered the summary and conclusion of the study based on the in-depth discussion of the responses from the sampled population, and made some recommendations as well as suggestions for further studies.

1.11. Definition of Terms

- a) First offenders are persons committed to prison for the first time in their lives.
- b) Recidivists are persons committed to prison for more than two times.
- c) Victims of crime are persons ever affected by criminal act(s) resulting in the imprisonment of the offender(s).
- d) Ex-offenders or ex-prisoners are persons who have been lawfully released from prison to live a free life.
- e) Social support is the perception and actuality that one is cared for, has assistance available from other people, and that one is always part of a supportive social network.

- f) Religiousness means belonging to a religious group and actively participating in its activities.
- g) Restorative justice is an approach to justice whereby both victims and offenders have their hurts and wounds addressed so that they and the community are healed.

CHAPTER TWO

THE GHANA PRISONS SERVICE AND THE JUSTICE SYSTEM

This Chapter profiles the Ghana Prisons Service and the prison system. Its discussions cover the emergence of the penal system in Ghana, the concept, definition, nature, classes and causes of crime. The discussions also feature punishment and its various types and purposes, as well as the criminal justice system, with special reference to Ghana's.

2.1. Emergence of the Penal System in Ghana

Penal system in the Gold Coast (now Ghana) started in an irregular manner in the early 1800s when the administration of the Forts along the coast was in the hands of a Committee of Merchants, under the chairmanship of Captain George Maclean. In this jurisdiction, offenders were confined in what used to be the slave dungeons by their colonial masters.⁴⁴

By 1841, a form of prison had been established in the Cape Coast Castle where debtors were incarcerated. By 1850, there were prisons in four Forts, holding a total of 129 prisoners who were kept in chains. Later, the custodian roles of the early Prisons were fashioned out in the Prisons Ordinance of 1880 which consisted of a mere series of rules for safe keeping of prisoners.⁴⁵

The unsatisfactory state of the prisons led to the placing of the Prisons Department under the Police Administration in 1902. As the prisons grew larger, control of both the Police and the Prisons by one person became extremely difficult. Consequently in 1920, the Department of Prisons was separated from the Police and placed under Captain Cookson as

⁴⁴ www.ghanaprison.gov.gh

⁴⁵ www.ghanaprison.gov.gh

Inspector-General of Prisons. On 1st January, 1964, the Prisons Department ceased to be part of the Civil Service. The Service became autonomous and was re-named the Ghana Prisons Service.⁴⁶

2.2. The Ghana Prisons Service: The Recent History

The Ghana Prisons Service is the sole public institution in Ghana charged with the responsibility of “ensuring the safe custody and welfare of prisoners and as practicable undertake the reformation and rehabilitation of prisoners”.⁴⁷ It is one of the institutions in the criminal justice system charged with the protection of the public from those whose conduct would otherwise pose a danger to society. It ensures public safety through enforcement of prison sentences for persons convicted by the courts.

The Service is established and given its mandate by the provisions of the 1992 Constitution of Ghana, the Prisons Service Scheme of Service Administration of 17th January, 1989, the Prisons Service Act, 1972, NRC 46, the Prisons (Declaration of Prisons) Instruments, 1971 (L.I.22), the Prisons (Amendments) Regulations, 1970 (L.I.648), the Prisons Standing Orders, 1960, the Prisons Regulations, 1958 (L.I.412) and numerous guidelines which prescribe the standard of life a prisoner is entitled to.⁴⁸

With the shift in emphasis and the change in the philosophy of the Service from mere custody (warehousing of inmates) to the correction and treatment of offenders, the reformation and rehabilitation functions which hitherto were considered as non-core functions

⁴⁶ www.ghanaprison.gov.gh

⁴⁷ Prisons Service Act, 1972, NRC 46 document

⁴⁸ Ghana Prisons Service, 2010 Annual Report, p. 4

have become the pivotal functions of the Service, thus becoming the benchmark for determining the success of the Service in keeping with international standards.⁴⁹

The governing body of the Ghana Prisons Service is the Prisons Service Council which functions as an advisory and supervisory body. It advises the President of Ghana on matters of policy with regard to the organisation and maintenance of the prison system. It also sees to the efficient administration of the Prisons Service and the promotion of senior officers above the rank of Assistant Director of Prisons.

As of September 30, 2018, the Service had a total staff strength of 6,669 made up of 703 senior and 5,824 junior officers. The total number of male officers was 3,238, while that of the female officers was 1,726. Of the total were 860 recruits and 140 cadets under training at the Prison Officers' Training School (POTS).⁵⁰

The leadership of the Service, the Prisons Directorate, is composed of the Director General of Prisons, Deputy Director General of Prisons (Operations), Deputy Director General of Prisons (Finance and Administration), Director of Prisons (Finance and Administration), Director of Prisons (Human Resource Development), Director of Prisons (Welfare), Director of Prisons (Operations and Agriculture) and Director of Prisons (Technical and Services)⁵¹

The Service has forty-five (45) prison establishments located in all the ten regions of Ghana. At the apex is the Prisons Headquarters in Accra which houses the offices of the Director-General of Prisons and the two deputies, the five directors of Prisons and other principal office holders. Thus, the Headquarters is the administrative nerve of the Service

⁴⁹ The Ghana Prisons Service Ten-Year Strategic Development Plan (2015-2025) document, p. 3

⁵⁰ 2018 Prisons Service Annual Report (Unpublished)

⁵¹ Ghana Prisons Service Scheme of Service Administration

where prison policies are formulated for effective management of all prison establishments in the country. The other prison establishments are Prison Officers' Training School (POTS), the Senior Correctional Centre (SCC), the Ankaful Maximum Security Prison, the Nsawam Medium Security Prison, seven (7) Central prisons, seven (7) Female prisons, nine (9) Agricultural Settlement Camp prisons, three (3) Open Camp prisons and the Ankaful Contagious Diseases Prison (CDP).⁵²

The Service has the vision to build a world class Service to attain sustainable public safety through excellence in corrections management.⁵³ By its mission statement, the Service is committed to undertaking the safe custody, humane treatment, reformation, rehabilitation and reintegration of inmates to make them responsible, productive and law-abiding citizens to ensure public safety. In all these, cherished core values such as humanity, vigilance and fortitude guide the Service in the execution of its mandate.⁵⁴

The prison population in Ghana as of September 30, 2018, was 14,855 comprising 12,963 prisoners convicted of various offences and 1,892 being held on remand for their alleged involvement in crime. Of the total number, 162 were females, while 80.11% of the population fell within the age range of 18 and 35.⁵⁵

Statistically, the prison establishments countrywide were constructed to hold a total number of 9,875.⁵⁶ With such figures, the prisons exceeded their official maximum capacity by 50.43 % showing a high rate of overcrowding, especially in the Central prisons. This

⁵² Ghana Prisons service, 2010 Annual Report, p. 6

⁵³ Ghana Prisons Service, Ten-Year Strategic Plan (2015 – 2025), p. 4

⁵⁴ Ibid

⁵⁵ 2018 Prisons Service Annual Report (Unpublished)

⁵⁶ Ibid

situation is largely due to a high remand population as a result of the closure of some remand prisons which were in deplorable states, and so unsafe for keeping prisoners.

2.3. Challenges Confronting the Ghana Prisons Service

Although the Prisons Service is performing creditably in the areas of safe custody and welfare of prisoners as well as their religious observances, the prison system is faced with momentous challenges that hamper the ability of the Service to fully achieve its lawful mandate. These challenges are numerous and have been exacerbated due to an acute lack of resources of all kinds.

2.3.1. Old, Weak and Unsuitable Prison Structures

The concept of prison accommodation in Ghana predates the colonial era when the traditional court system was practised. Most of the prison structures were built by the traditional authorities to take custody of people found guilty of crimes awaiting their fate to be banished from the society, executed or given other forms of punishment. Other structures housing prisoners are Forts and Castles built by colonial masters between 1876 and 1920.

The consequences are that prisons in contemporary time tend to be dilapidated and their designs are not suitable for modern correctional programmes. For example, they are poorly lit, and they lack ventilation as well as space and privacy. Director-General of Prisons, Matilda Baffour Awuah, laments this condition when she states thus: “This situation is in contravention of Ghana Prisons Service Standing Orders, 1960” (which provides that at least

a prisoner should be entitled to 360 cubic feet of a well-ventilated space) “as well as the UN Standard Minimum Rules for the treatment of offenders.”⁵⁷

2.3.2. Overcrowding

Overcrowding has been a major challenge confronting the prison system in Ghana. This has come about as a result of limited space in the existing prisons partly due to the closure of some prison facilities and lack of alternatives to imprisonment. Other reasons are as a result of too many high sentences and a rise in remand prisoner population. As indicated earlier, with the current inmate population of over 14,855 as against an authorised maximum capacity of 9,875 prisoners, the prisons have overstretched their capacity by 50.43%.

Another factor that contributes to overcrowding is the use of too much long sentences by the courts. There is a high cost for housing prisoners serving long sentences between twenty (20) and one hundred and sixty (160) years. Majority of the prisoners in the Central prisons across the country, the Maximum Security Prison in Ankafu and the Medium Security Prison in Nsawam fall under this category.

Unfortunately, long sentences are not persuasive because they do not seem to deter since crime rate keeps going up. Long sentences only put a huge financial burden on the State and create a problem of overcrowding for the Prisons Service. It is doubtful whether long sentences passed on arrested colleagues of criminals have been able to scare or deter them from committing other crimes⁵⁸

⁵⁷ She said in a speech during the visit of the United Nations Special Rapporteur on Torture to Ghana in 2014.

⁵⁸ M. D. Jenkins, *Prisons and Prison Reforms*. In D. J. Atkinson and D. H. Fields (Eds) (Nottingham, UK: Inter Varsity, 1995), pp. 697 – 689.

According to Matilda Baffour Awuah, “the overcrowding in the prisons does not permit effective classification of inmates for the treatment of their offending behaviour. It also leads to more pressure on the already overstressed facilities available.”⁵⁹

In some of the Central prisons where the congestion is serious, there is an obvious lack of resources to provide the basic needs to ensure full human rights of prisoners. Matilda Baffour Awuah decries such situation does not augur well for the country, especially, as Ghana is a signatory to the United Nations Charter which prescribes the Standard Minimum Rules for the treatment of offenders.⁶⁰

Measures taken to decongest the prisons over the past few years included moving courts to the prison to provide speedy trial for those whose cases have been delayed. This intervention which started in 2007 has come to be known as the Justice for All Programme and over the past ten years, 4,287 prisoners have been tried, of which 1552 have been given bail, 166 convicted and sentenced to a definite prison term and 793 discharged.⁶¹

Another measure to decongest the prisons has been through the granting of amnesty. For instance, in July 2016, His Excellency, the President of the Republic, granted presidential amnesty to cover over 800 prisoners covering various categories such as first offenders whose offences were misdemeanours, the aged, those with prolonged sicknesses, death sentence to life imprisonment and lifers who had served ten years to begin a definite term of twenty (20) years.⁶²

⁵⁹ This was in her speech on the occasion of the visit of the UN Special Rapporteur on Torture.

⁶⁰ She said this in a speech delivered to the United Nations Special Rapporteur on Torture in 2014

⁶¹ These details were obtained from the Criminal Records Office (CRO) at the Prisons Headquarters.

⁶² 2016 Prisons Service Annual Report (Unpublished).

In order to facilitate the justice process with the aim of reducing the remand population in the prisons, a Unit has been created at the Prisons Headquarters and some of the Central prisons to run a chain-link programme or paralegal service to provide technical support to the judicial system so as to facilitate the review of the backlog of pending cases, and recommend actions to be taken.⁶³

Unfortunately, this is not persuasive because long sentences do not deter since crime rate keeps going up. Long sentences only put a huge financial burden on the State and create a problem of overcrowding for the Prisons Service. It is doubtful whether long sentences passed on arrested colleagues of criminals have been able to scare or deter them from committing other crimes⁶⁴

2.3.3. Inadequate Office Accommodation

The Service is confronted with lack of decent and adequate office accommodation for officers due to the fact that most of the prisons were built without consideration for office accommodation for officers. In most prisons, the few offices available are shared among many officers performing clerical and administrative duties. This adversely has the propensity to affect performance and lower morale.

Related to the challenge of inadequate office accommodation is the lack of decent accommodation for staff. Many senior officers now occupy accommodation facilities constructed for junior prison wardens during the colonial era, leaving in its trail a grave concern for discipline since these officers live in the same compounds with the junior

⁶³ This was contained in Matilda Baffour Awuah's Address to the UN Special Rapporteur on Torture in 2014.

⁶⁴ M. D. Jenkins, in Dictionary of Christian Ethics and Pastoral Theology, 1995, p. 689

officers.⁶⁵ The remaining officers are compelled to rent living room apartments in localities other than where the officers' quarters are situated, a situation that does not allow for the kind of regimented life intended for officers living in prison quarters.

2.3.4. Effect of Budgetary Constraints

Dwindling budgetary allocation is another major challenge faced by the Service. As a subvented organisation, the Service relies heavily on budgetary allocations from government and these funds, though inadequate, have to be stretched to cover feeding of inmates, clothing, healthcare, costs of fuel and maintenance of vehicles, general administrative expenditure such as stationery and logistics, among others. For instance, the Prisons Service required a total amount of Ghc 243,072,331.00 for effective operations (compensation of employees, goods and services and capital expenditure) in the 2018 fiscal year. However, Ghc 216,970,271.50 was provided leaving a shortfall of Ghc 9,105,371.90.⁶⁶ This makes it difficult for the Service to put up the required structures to strategically plan and implement its policies and programmes.⁶⁷ As a result, the Service is unable to perform to meet international standards as well as ensure an enhanced service delivery to prisoners alongside the required human rights expectations.

2.4. The Criminal Justice System of Ghana

Ghana's criminal justice system is broadly based on English Common Law, while the law relating to personal relationships and contracts is rooted in Ghanaian customary law. For instance, definitions of crime, rule of law, rules of natural justice, court system and sentencing

⁶⁵ This was in a brief by the Director General of Prisons, Emmanuel Adzator, to the Minister for the Interior at the Prisons Headquarters in 2016.

⁶⁶ 2018 Prisons Service Annual Report (Unpublished)

⁶⁷ Ibid

guidelines are based on the common law which incidentally still plays a major function within the body of laws in Ghana.⁶⁸

The procedure of trial, unlike the inquisitorial nature as practised by Civil law jurisdiction, is largely adversarial. Suspects are deemed to be innocent until proven guilty. Rights of accused persons are also jealously protected by the Constitution under Articles 13, 14, 15 and 17(1). Crimes in Ghana are either classified as misdemeanours or felonies with punishments ranging from a few penalty units to capital punishment as in cases relating to treasonable offenses and murder convictions.⁶⁹

The Supreme Court is the final court of appeal and has jurisdiction over constitutional issues. The Court of Appeal deals with appeals relating to the High Court, which has jurisdiction over all civil and criminal cases except where they concern treason. All but the most serious civil and criminal cases, and cases under family law, are heard in the circuit courts. These courts also deal with appeals arising from the district courts within their region. The least serious civil cases and most criminal cases come, in the first instance, before the district courts in which magistrates preside. There are also juvenile courts for those under 17 years of age.⁷⁰

Criminal justice, therefore, is the delivery of justice to those who have committed crimes. It involves both the procedure by which a person is convicted of a crime and the subsequent process through which the official organs of civil society work out the form of justice, the outcome of which is the infliction of punishment upon someone found guilty of

⁶⁸ Article 11, 1992 Constitution of Ghana

⁶⁹ Criminal Code, 1960 (Act 29)

⁷⁰ The Ghana Justice System, www.commonwealthgovernance.org

the commission of a crime.⁷¹ The main institutions of the criminal justice system are the law enforcement agencies, the courts and the agencies responsible for detaining and supervising offenders such as the prisons. Although these agencies are distinct, they operate together as the principal means of maintaining the rule of law within society.⁷²

For instance, an accused person's first encounter with the criminal justice system is normally with the law enforcement agency (or the police) which investigates the suspected offender and makes an arrest. When necessary, law enforcement agents are permitted to use some amount of force and other forms of legal coercion and means to bring about public and social order.⁷³

The police are mainly concerned with keeping the internal peace and security of the community by enforcing criminal law in keeping with their particular charge and authority. They effect the arrest of law breakers, investigate and frame appropriate charges against them after which they arraign them before the law court. When found guilty, the police escort the convicted to their confinement in prison. In some cases, persons admitted into prison under certain specific orders such as repatriation are handed over to the police after their release to see to that order.

The accused person's next encounter with the justice system is with the courts which serve as the place where disputes are settled and justice is administered. So far as criminal justice is concerned, every court setting comprises certain critical people whose roles are

⁷¹ Lyall, 1995, p. 274

⁷² W. LaVerne Thomas, *Sociology: The Study of Human Relationships*, 5th Ed. (Harcourt Bruce Company: Austin, 1995), p.54

⁷³ Arbetman Lee P. et al, *Street Law: A Course in Practical Law*, 4th Ed. (West Publishing Company: New York, 1990), p. 59

indispensable. These people are both professional and non-professional individuals referred to as the courtroom work group such as the judge, the prosecutor, the defence attorney, the bailiff and the clerk.⁷⁴

The judge or magistrate is a person elected or appointed, who is knowledgeable in the law, and whose function is to objectively administer the legal proceedings and offer a final decision to dispose of a case. The prosecutor or district attorney is a lawyer who brings charges against a person, persons or corporate entity. It is the prosecutor's duty to explain to the court what crime was committed and to detail what evidence has been found which incriminates the accused. A defence attorney counsels the accused on the legal process, likely outcomes for the accused and suggests strategies. It is the defence attorney's duty to represent the interests of the client, raise procedural and evidentiary issues, and hold the prosecution to its burden of proving guilt beyond a reasonable doubt.⁷⁵

Some cases can be disposed of without the need for a trial. If the accused confesses his or her guilt, a shorter process may be employed and a judgment may be rendered more quickly. Upon the determination of the case, offenders are then turned over to the correctional authorities, from the court system after the accused has been found guilty. Like all other aspects of criminal justice, the administration of punishment has taken many different forms throughout history. Earlier on, when civilisations lacked the resources necessary to construct and maintain prisons, exile and execution were the primary forms of punishment. Historically, shame, punishments and exile had also been used as forms of censure.

⁷⁴ Arbetman Lee P. et al, Street Law: A Course in Practical Law, 4th Ed. (West Publishing Company: New York, 1990), p.26

⁷⁵ Ibid

The most publicly visible form of punishment in the modern era is the prison. Prisons may serve as detention centres for prisoners after trial. For containment of the accused, jails are used. Early prisons were used primarily to sequester criminals and little thought was given to living conditions within their walls. In America, the Quaker movement is commonly credited with establishing the idea that prisons should be used to reform criminals. This can also be seen as a critical moment in the debate regarding the purpose of punishment.⁷⁶

It is evident from the discussions so far that the main task of the justice system of any country is the administration of justice, which is the process by which the legal system of a government is executed. Thus, the presumed goal of such administration is to provide justice for all those accessing the legal system. With respect to the criminal law, administration of justice involves all the various activities that are carried out to bring the substantive law of crime to bear or to keep it from coming to bear on persons who are suspected of having committed crimes. It refers to the rules of law that govern the detection, investigation, apprehension, interviewing and trial of persons suspected of crime and those persons whose responsibility it is to work within these rules.

The administration of justice is not limited to the courts; it covers officers of the law and others whose duties are indispensable for the smooth functioning of the courts. The administration of justice has the concern of ensuring that in accordance with the rule of law, the upholding of rights and punishment of wrongs are done in a fair, just and impartial manner.⁷⁷

⁷⁶ everything.explained.today.com

⁷⁷ Acts of Ghana, Criminal Procedure Code, 1960 (Act 30)

2.5. Crime

Criminal law designates certain conduct “criminal” and other conduct “noncriminal” based on decisions made by legislatures, which try to protect the public with regard to what most people believe is right and necessary for the orderly conduct of society. Certain acts are prohibited or commanded to protect life and property, preserve individual freedom, maintain the system of government, and uphold the morality of society. Ideally, the goal of law is to regulate human conduct so that people can live in harmony.⁷⁸

Generally speaking, the term “crime” can be defined as something one does or fails to do in violation of a law. It can also be behaviour for which the state has set a penalty. In modern criminal law, however, the term does not lend itself to a simple and universally accepted definition due to cultural diversity, although some statutory definitions have been provided for certain purposes. The most popular view is that crime is a category created by law. In other words, “something is a crime if declared as such by the relevant and applicable law.”⁷⁹

Crime wears many faces. It may be the young man snatching a lady’s purse or the career criminal planning a kidnapping. It may be the youth who steals a car for joyride or the car theft ring that takes it for later sale. It may be the professional criminal who profits from organised extortion or narcotics traffic, or a politician who takes a bribe. Crime may be committed by the professional person who cheats on tax returns, the businessperson who secretly agrees to fix prices, or the burglar who ransacks homes while the owners are at work.

⁷⁸ Lee P. Arbetman et al, *Street Law: A Course in Practical Law*, 4th Ed (Boulevard: West Publishing Company, 1990), p. 52

⁷⁹ J. Samaha, *Criminal Justice* (New York: Random House Inc., 1995), p. 34

Crime has both formal legal and informal sociological dimensions. The legal dimension- criminal law-consists of harms that legislatures declare criminal and for which the law authorises penalties. In other words, criminal law is the visible, written dimension to crime which is called Criminal Code in most countries. The sociological dimension-largely unwritten and less visible than criminal law - encompasses much that formal criminal law ignores. Henderson points out that the formal definition of crime is, thus, sometimes called the law in books, while the informal dimension is designated law in action.

The classifications of crime, according to criminal law, are considered in terms of harms against people, their property and reputations, and harms against society in general - the crimes against public order and morals. Not all such harms are crimes, however, and no consensus exists about what harms the criminal law ought to include. Moreover, the definition of crime varies from time to time, place to place, and among different groups in society at the same time and place. Criminal harm is not absolute but relative to time and place.⁸⁰

Formally, therefore, crime is a legal phenomenon because it is 'against the law' and has a prescribed punishment. Legislatures enact criminal statutes applicable to the whole society, while courts apply these statutes to individual cases, according to formally neutral legal principles. These procedures are followed systematically so that no particular organ of government acts in a manner that would be seem to jeopardise the other or take undue advantage of the law breaker.

Every crime has a specific definition peculiar to itself, and in addition, general principles govern criminal law as a whole. Samaha explains that these principles which are formally neutral to class, race, sex and religion, fall into three broad categories namely;

⁸⁰ J. Samaha, *Criminal Justice* (New York: Random House Inc., 1995), p.35

general principles of criminal liability, general principles of justification and excuse, and procedural principles.

While the principles of criminal liability deal with the material elements of crime, the principles of justification and excuse consider self-defence and insanity. The procedural principles include the constitutional protections against self-incrimination, unreasonable search and seizure, and cruel and unusual punishment. They also include the rights to jury trial, to confront witness and to have a lawyer as well as the guarantee of equal protection of the law that citizens' lives, liberty, and property cannot be denied without due process of law.⁸¹

Crime has been of major concern for long in both developed and developing nations. In 2016, more than 1.2 million serious crimes were reported to the police in the United States, an increase of 4.1 percent from the 2015 estimate⁸². The figure could be frightening today. The report indicates that crime rates were generally higher in urban areas. However, during the last few years, crime has grown fastest in suburbs and in rural areas.⁸³

In general, crime is not confined to any particular group, but youths between the ages of 15 and 24 commit more violent crimes than people in any other age group. Males commit six times as many crimes as females, although in recent years the crime rate has grown fastest among women.⁸⁴

The nature of behaviour regarded as criminal, the relative seriousness of different crimes, and the ways in which criminal activities are punished by State authorities have

⁸¹ J. Samaha, *Criminal Justice* (New York: Random House Inc., 1995), p. 36

⁸² Uniform Crime Report, 2016, p. 159

⁸³ www.archive.org

⁸⁴ J. Samaha, *Criminal Justice* (New York: Random House Inc., 1995), p.36

changed significantly over the past two or three centuries. For instance, in Ghana, armed robbery, murder and kidnapping which were not common some years ago now always take the front pages of national dailies. Also, Ghana's penal system has not executed the death penalty for a long time now, although the courts still sentence people to death.

Two major old categories of crime are felonies and misdemeanours. Whilst felonies are punishable by one or more years' imprisonment, misdemeanours are crimes punishable by fines or up to one year in jail. Thus, felonies are usually the most serious crimes, and they include robbery, forcible rape, aggressive assault, murder and non-negligent man slaughter, arson, narcotic offence, motor vehicle theft, burglary and defilement. Misdemeanours include drunken driving, suspicion, gambling, vandalism and disorderly conduct.⁸⁵

Most authorities agree that crime is a major problem. However, much disagreement exists over the causes of crime and what can be done about it. Among the reasons suggested for the high crime rate in America is rising population, inadequate police protection, permissive courts, unemployment, poverty, a breakdown in morals, lack of education, lack of parental guidance, an ineffective correctional system, little chance of being caught or punished, the influence of television and abuse of alcohol of drugs. This is not different in other countries, including Ghana.

The lack of agreement on the causes of crime indicates that they are many and complex. It is suggested that careful considerations should be made on each of the suggested causes and the possible solutions to the problem. Edward L. O'Brien and others posit that "perhaps the best that can be said is that disagreement exists over the causes of crime and that

⁸⁵ Lee P. Arbetman et al, *Street Law: A Course in Practical Law*, 4th Ed (Boulevard: West Publishing Company, 1990), pp. 61 &62

the solution to the crime problem is not simple.” For example, crime cannot be totally explained in terms of poverty, particularly if one considers that crime rose fastest in a country like America at a time when the number of people living in poverty was declining. In recent years, crime rates have risen fastest in suburbs and in other affluent areas in America. Furthermore, if poverty were the sole causes of crime, one could not explain why countries much poorer than the United States have less crime.

It is the view of many members of society that tough penalties such as the death sentence or long sentences may deter some people from crime, but, compared with the number of crimes, only a small number of people ever go to prison. Thus, there is changing perception that longer prison terms are not the answer. As reported by Giddens, countries which have abolished the death penalty do not have notably higher homicide rates than before. He maintains that although the United States retains the death penalty, homicide rates in the US are easily the highest in the industrialised world. It is, therefore, argued that the certainty of punishment is more important than the length of sentence.⁸⁶

Adequate police protection obviously has something to do with the crime rate, but studies show that simply increasing the number of police officers does not necessarily reduce the overall crime rate. Some experts point to peer-group pressure, family background, and declining morality as causes of crime, while others blame crime on the use of drugs or the influence of the mass media, which they claim glamorises criminal activity, particularly violence. Undoubtedly, family influences, a decline in moral standards, and drugs play a role in crime, but these factors are probably not a total cause either.

⁸⁶ Anthony Giddens, *Sociology*, 2nd Ed (Polity Press, Cambridge, 1996), p. 141

2.6. Punishment

When a person is convicted of a crime, the State has the right to punish the offender. The system of corrections includes the entire range of treatment and punishment options available to the State, including community corrections, halfway houses, jails, prisons or execution depending of the nature of the offence. In Ghana, however, the main punishments are payment of fines and imprisonment. Punishments are meted out, taking consideration of the nature and type of crime. In general, the less serious crimes attract less severe punishments such as community service, payment of fines and short periods in prison, whilst imprisonment for longer periods is enforced for the more serious ones.

Persons convicted of crime are taken through one form of punishment or the other for the purposes of retribution, deterrence, rehabilitation, incapacitation and restoration (or restitution). These include punishments such as the death penalty, life imprisonment, a term of imprisonment, public humiliation and payment of fine.

Punishment is commonly justified in terms of retribution. This is the oldest and most ancient form of justification of punishment. This is based on the view that a crime is a wrong that has to be righted, and the only way of righting it is by punishing the wrongdoer. The perception here is that, in every criminal activity, the offender typically benefits, while the victim loses. Therefore, punishment has been justified as a measure of retributive justice, in which the goal is to try to rebalance any unjust advantage gained by ensuring that the offender also suffers a loss.⁸⁷

⁸⁷ Howard Zehr, *Little Book of Restorative Justice* (Good Books: Intercourse, 2002), p. 58

Sometimes viewed as a way of ‘getting even’ like “an eye for an eye and a tooth for a tooth” with an offender—the suffering of the offender is seen as a desired goal in itself, even if it has no restorative benefits for the victim. Thus, one reason societies have administered punishments is to diminish the perceived need for retaliation.

According to Anthony Giddens, the purpose of punishment here is to make actual as well as prospective wrongdoers change their mind about wrongdoing and avoid it. The prospective wrongdoers vicariously learn a lesson from the pain of the punishment suffered by the offender and decide not to indulge in such crime. This justification of punishment is probably the most accepted of all because of the preventive intention associated with it. In his essay entitled “On Crimes and Punishments,”⁸⁸ Cesare Beccaria, a penal reformist, maintains that “the intent of deterrence is not to torture the criminal or to undo the crime but to prevent others from committing similar offences”.⁸⁹

Within the ambit of punishment for rehabilitation, crime is viewed as the consequence of certain deficiencies in the life of the offender, and not as a result of simply being criminal.⁹⁰ For instance, lack of employment or employable skills, illiteracy, peer pressure, alcoholism or poor parental upbringing can predispose a person to crime. In order to prevent the offender from committing any other crime in the future, opportunities are provided for them to make up for their deficiencies.

In these provisions, the stark illiterates are taken through educational programmes to acquire literacy and numeracy skills, the unskilled are provided employable skills through

⁸⁸ This essay was written in 1764 by Cesare Beccaria, but published in 1819 after his death

⁸⁹ shodhganga.inflibnet.ac.in

⁹⁰ Anthony Giddens, *Sociology*, 2nd Ed (Polity Press: Cambridge, 1996), p. 138

trade training, while those influenced by bad company are provided moral education to acquire appropriate moral attitude and life skills.⁹¹

The goal of punishment here is to rehabilitate offenders to enable them to overcome their offending behaviour and be law-abiding. This view sees imprisonment in itself as the punishment, and not for punishment. While in prison, it is ensured that offenders are free from all forms of punishment so they could avail themselves the rehabilitation programmes being offered by the prison.⁹²

The justification of punishment is that the offender's ability to commit further or future crimes is curtailed due to the fact that the offender has been separated from society by being placed in prison. Whatever the length of time in prison, it is understood that once the offender has been taken away from society, the probability that they could commit further crime if they had not been incarcerated, is totally removed.⁹³

The period of imprisonment, therefore, guarantees societal peace since by incarceration, the offender would not have the opportunity to reoffend. The permanent and irrevocable way of doing this is by the enforcement of death sentence. In some jurisdictions, banishment of the criminal to an unknown destination and the subsequent declaration of the person as a fugitive, are enforced.⁹⁴

Punishment for restoration takes the form of the offender "righting the wrong", or making restitution to the victim. It is used mostly for minor offences and community service

⁹¹ Ghana Prisons Service, 2009 News Magazine, p.1

⁹² Ibid

⁹³ Anthony Giddens, *Sociology*, 2nd Ed. (Polity Press: Cambridge, 1996), p.139

⁹⁴ Ibid

or compensation orders are examples of this sort of penalty. In restorative justice models, victims take an active role in a process with their offenders where the latter are encouraged to take responsibility for their actions to repair the harm they have caused by doing things such as rendering of apology, returning of stolen money or engaging in community service. The restorative justice approach aims to help the offender want to avoid future offences.⁹⁵

While society looks forward to the achievement of the purposes of punishment in the life of the offender, some key players in the justice system are perceived to be corrupt, thus making their actions inimical to true justice. The Justice System of Ghana, for instance, came under the attack of corruption in recent years leading to the investigation, prosecution, trial and dismissal of some staff of the judicial service, including judges.⁹⁶

On perceived corruption in the Judiciary in Ghana, Saminu refers to the president of the Western Nzema Traditional Area in the Western Region, Awulae Annor Adjaye's call on policy makers, the judiciary and the government to fight against corruption in the judiciary, and bluntly stating that "corruption is a the canker that is ruining our judiciary"⁹⁷.

The Human Rights and Administration Justice (CHRAJ) has also declared the Judiciary as the second most corrupt institution in the country, after the Ghana Police Service. However, Syme reports the Chief Justice, Mrs. Justice Georgina Theodora Wood as explaining that a clear distinction should be drawn between the roles played by personnel of the Judicial Service before labelling the entire Judiciary as corrupt. She explains that there

⁹⁵ Howard Zehr, *The Little Book of Restorative Justice*, p. 59

⁹⁶ December 8, 2015 Edition of Daily Graphics

⁹⁷ Charles K. Ampaw, *Contributions of Christian Outreach Ministries in Transforming Prison Inmates in Ghana* (Unpublished MPhil Thesis, 2013), p. 40

were 350 judges operating in the court system as against 5,000 members of staff working in the Judicial Service.

According to the Chief Justice, it is misleading to attribute corruption of the Judicial Service made up of several categories of people, such as bailiffs and clerks who execute daily transactions on behalf of the Service, to judges in the mainstream Judiciary. She maintains that the Judiciary is strategising to deal with the negative perception held by the public and some institutions against the justice system in the country to ensure that the country's image in the international community is not undermined.⁹⁸

Ocansey is disappointed in the backward return of the administration of criminal justice in Ghana which assumes the complainant is always right and the suspect always wrong; which incriminates innocent persons and the poor in particular; and adjourns cases for years while detaining people when they could be discharged for want of prosecution. He incriminates the Judiciary, the Police Service and the Attorney-General's Department in the administration of criminal justice. According to him, "there is gross injustice taking place daily on horrendous scale throughout the country. The first to perpetrate this is the Police. They have a proclivity for fabricating cases, and they do this without a twist of the skin."

Ocansey posits that the courts contribute to injustices by their cowardly acts, insensitivity and lack of judicial courage in discontinuing cases on a designated date if the accused were still untried. He was tempted to think that magistrates were shirking their responsibility of making sure they were briefed by the Police on the number of suspects in cells who had been arrested but not tried according to Section 16 of Act 29/60; and judges

⁹⁸ Charles K. Ampiaaw, Contributions of Christian Outreach Ministries in Transforming Prison Inmates in Ghana (Unpublished MPhil Thesis, 2013), pp. 40 &41

were not upholding the primacy of the rights of all persons to swift justice, so that bail was granted immediately it was obvious trial was not imminent.

He is of the opinion that there should be rethinking about people's attitude towards accused persons and suspects in the administration of criminal justice in Ghana "because most criminals come from the lowest stratum of society, and we the privileged do not give them a modicum of consideration and respect, but leave them at the periphery of society in the penumbra of gross injustice".⁹⁹ He appeals to the court to direct the Republic to procure a lawyer for an accused from Legal Aid, or solicit the aid of a lawyer in defending the accused for free if it is clear that they could not do so on their own.

⁹⁹ Charles K. Ampaw, Contributions of Christian Outreach Ministries in Transforming Prison Inmates in Ghana (Unpublished MPhil Thesis, 2013), p. 42

CHAPTER THREE

SOME PRO-REINTEGRATION PROGRAMMES IN GHANA PRISONS

The most critical issue of a prisoner after having served a prison term is that of successful re-entry into society. The issue becomes more serious when the prisoner has been in prison for a long period of time. This demands a real adjustment in life and behaviour patterns as well as relational adjustment in order to successfully reintegrate. Consequently, preparations for prisoners' reintegration have to commence, necessarily, soon after prisoners' admission to prison.

There are numerous reformation and rehabilitation programmes being run in the prisons in Ghana with the sole aim of preparing inmates for smooth reintegration when discharged. These start with provision of welfare needs of prisoners and continue with provision of formal education, non-formal education, vocational/trade training, chaplaincy and counselling services, religious and moral education as well as ICT. Besides, there is the general observation that belonging to a religious group and actively participating in its rituals play a significant role in shaping the character of the adherents.

There is also the provision of social support services for inmates through religious affiliations as well as restorative justice practices for prisoners upon request. This Chapter discusses the custody and welfare of prisoners, while assessing the prison programmes that are tailored for inmates' reformation and rehabilitation as well as their eventual social reintegration.

3.1. Custody of Prisoners

The first statutory function of the Prisons Service is to ensure the safe custody of prisoners. This includes ensuring that prisoners at all times, whether inside or outside the prison, do not escape from custody. This is achieved through ensuring the security of prison keys, locks, cells, halls, workshops and prison premises generally; accounting for prisoners by checking the number at regular times; searching of prisoners, officers, visitors and vehicles; supervision by day and night; and in some special cases, through the use of mechanical restraints. In other words, the primary objective of all prisons is the protection of society against dangerous persons convicted of crime.¹⁰⁰

A prisoner, according to Sanford Bates, may be defined as anybody lawfully committed to prison custody. Depending on the sentence or the state of the case, a person committed to the prison could be a remand, trial, convict, debtor, life, juvenile or condemned prisoner. It is the conviction that every prisoner might have been found guilty for an offence and consequently sentenced to serve a prison term.

3.2. Welfare of Prisoners

The welfare function of the prisons involves supplying prisoners their material and physical needs such as food, water, clothing, bedding, soap, medicine and other essentials for the maintenance of personal hygiene and good health. As a provision per Prisons Service Act, 1972, the Director General of Prisons is mandated to ensure that a prisoner is:

- (a) is regularly supplied with wholesome and nourishing food in quantities sufficient to maintain the prisoner in good health;
- (b) is at all times kept supplied with clothing, soap, bedding and any other necessities in quantities sufficient to maintain decency, cleanliness and good health;

¹⁰⁰ Jonathan K. Ampratwum, *A Useful Guide Book for Prison Officers* (Kumasi: Freedom Press Ltd, 2004), p. 8

- (c) is at all reasonable times permitted access to washing and toilet facilities sufficient to keep clean and decent;
- (d) is permitted to take daily exercise outside the cell during the hours of daylight for a period not less than one hour every day; and
- (e) is promptly supplied with the medicines, drugs, special diets or any other things prescribed by a medical officer of health as necessary for the health of that prisoner.¹⁰¹

Langley corroborates the provisions in the Prison Service Act on the health and welfare of prisoners. Under the Standard Minimum Rules for the Treatment of Prisoners, the following statutory provisions on basic human rights are conferred on prisoners:

All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, with due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation (Article 10).

All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times (Article 14)

Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served (Article 20.1).

The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed (article 25.1).

The medical officer shall regularly inspect and advise the Director upon:

- (a) The quantity, quality, preparation and service of food;
- (b) The hygiene and cleanliness of the institution and the prisoners;
- (c) The sanitation, heating, lighting and ventilation of the institution;
- (d) The suitability and cleanliness of the prisoners' clothing and bedding (Article 26.1)¹⁰²

Besides these basic provisions, prisoners are assisted to file appeals; they are allowed visits and correspondence privileges. In some prisons, radios, television and video programmes are provided for their information, education and entertainment. Games are organised for prisoners for recreation and physical fitness. The Chaplaincy Unit of the Service and a number of religious organisations provide religious services to the prisoners.

¹⁰¹ Prisons Service Act, 1972, NRCD 46 document

¹⁰² Document of United Nations Standard Minimum Rule for the treatment of prisoners.

3.2.1. Housing of Prisoners

All prisoners are taken through some form of counselling and orientation soon upon admission to enable them to come to terms with imprisonment. Those identified with psychological disorders are given special attention through further assessment and counselling. The basis for an ideal prison classification, reformation and rehabilitation is being piloted in the Nsawam Medium Security Prison where newly admitted prisoners are assessed to know the predisposing factors of their criminal behaviours, their security risks and their needs so as to determine their appropriate reformation and rehabilitation programmes whilst in the prison.

3.2.2. Prisoners' Healthcare Delivery

There are infirmaries in almost all the prisons to promote first aid. Serious cases are referred to the government central hospitals manned by specialist medical doctors. In Ankaful and Nsawam prisons where there are high security risk prisoners, there are clinics that cater for prisoners' health needs. According to the resident nurse at the Ankaful Maximum Security Prison, DSP Jennifer Addae, "the problem here is lack of equipment and drugs. The Prisons Administration is aware of the challenges and, thus has been working closely with religious groups and NGOs, together with support from Central government, to provide drugs and funds to improve the healthcare delivery of prisoners and staff."¹⁰³

3.2.3. Feeding of Prisoners

To improve the feeding of prisoners, the Prisons Administration is promoting farming to supplement the high feeding cost of prisoners which has arisen out of increase in prisoner

¹⁰³ She said this during a visit by the Medical Department of the Prison Ministry of Ghana in 2018.

population. According to the Deputy Director General of Prisons in charge of Finance and Administration, Madam Josephine Fredua-Agyemang, “vegetable farming is increased in all prisons to enrich prisoners’ diet. The situation is further improved as families of prisoners are encouraged to bring provisions and food items to prisoners to supplement their food.”¹⁰⁴ Although one could commend parents in the foregoing statement for their contributions towards the upkeep of their wards in prison, it is important to note that the welfare of prisoners is the sole responsibility of government. With the current situation, there would likely be a disparity in the living conditions of inmates whose families can afford to support and those whose families do not have the means of support.

3.2.4. Clothing and Bedding

Two uniforms per prisoner are supplied and they are allowed to wear their own clothes when necessary. NGOs and religious groups that visit the prisons donate clothing to the needy ones. Talking about the difficulty in meeting the needs of prisoners, the Director General of Prisons, Mr. Emmanuel Adzator, explains that “government is concerned about beddings of prisoners and so provides the funds for it. However, the good intention of government and the Prisons Administration is always offset by the constant increasing number of prisoners in custody.”¹⁰⁵

3.2.5. Toiletries

Soap is manufactured in some of the prisons in Ghana. These include Kumasi, Ankaful and Nsawam. Soap and disinfectants are supplied to prisoners as the laws of Ghana ensure that prisoners take their bath regularly. The Deputy Director General of Prisons in

¹⁰⁴ She said this during the 2018 Annual Meeting with officials of the Prison Ministry of Ghana.

¹⁰⁵ This remark was made in 2016 at an end of year meeting with leaders of churches and NGOs in prison ministry.

charge of Finance and Administration, Madam Josephine Fredua-Agyemang, emphasises that this provision is seen to have contributed to the spectacle of skin diseases going down drastically in the prisons.¹⁰⁶

3.2.6. Recreational Facilities

In the large prisons such as Nsawam and Ankaful prisons where there is enough space, there are facilities such as the football pitch, basketball and handball courts for inmates' recreational purposes. Prisoners are always engaged in competitions involving soccer, handball and basketball. In the small prisons where for lack of space these facilities could not be provided, the prisoners enjoy the greater part of the day interacting with one other playing indoor games such as ludo and playing cards.

3.2.7. Welfare of Women Prisoners

Women are housed separately in the prisons in Ghana in line with UN Rules and best practices. Ante-natal and pre-natal services are provided for pregnant women in the prisons. To ensure the wellbeing of both lactating mothers and their children in the prison until, in the opinion of a medical officer, the children are weaned, a Mother and Baby Unit has been set up at the Nsawam Female Prison to house them. This is helping in promoting the welfare and dignity of the feeding mothers and their children. Civil society groups provide assistance in the areas of free medical care, donation of soap, drugs, food and clothing.

3.2.8. Welfare of Juvenile Offenders

Persons below 18 years who violate the law are kept in the juvenile facility called the Senior Correctional Centre in order to insulate them from the negative effects of being in

¹⁰⁶ She made this remark in 2018 at a meeting with leaders of churches and NGOs in prison ministry.

adult prison. The inmates here are engaged in various trade training programmes, counselling, formal and religious education, all tailored to character formation, life skills and vocational skills acquisition and academic qualification to make their re-integration easy. In this regard, the Prisons Service collaborates with the Department of Social Welfare, child activists, NGOs and religious groups in catering for some of the needs of the inmates at the Centre.

3.3. Inmates' Educational Programmes

Education forms the basis for all reformation and rehabilitation drives in any prison system. It broadens prisoners' horizon and creates the opportunity for them to see various dimensions of life from which better choices could be made. Prisoners learn better ways of dealing with life crises and finding meaning in their choices as they reintegrate into society. Considered more broadly, for instance, there are courses that encourage prisoners to view the family and other personal relationships in a different way that may lead to better communication within families and a more positive, stable home environment.¹⁰⁷

Inmates' education is seen as very vital, which if properly pursued, could be of tremendous benefit to them in the sense that they would not only acquire employable skills that they have not had before, but also develop a different perspective about their lives. Starting since 2007, education of prison inmates has become one of the key areas the Prisons administration in Ghana has been focusing attention in preparing prisoners for reintegration.

These educational programmes being run in the prisons are in conformity with the standard of the national educational programme. The formal education component creates the opportunity for inmates who successfully completed primary six before incarceration or

¹⁰⁷ www.cepprobation.org

dropped out of school at the junior high school level to be enrolled in the junior high, while those who successfully completed the junior high before incarceration or dropped out of school at the senior high school level are enrolled in the senior high. Students of these programmes are prepared for the BECE and WASSCE for junior high and senior high schools, respectively.¹⁰⁸

The non-formal component takes care of the stark illiterates or those inmates who dropped out of school at very low levels of primary school. These are taken through the national literacy programme to enable them to acquire literacy and numeracy skills. They are also taken through lessons in economic empowerment, family planning and income generation. Those doing vocational programmes are prepared to sit for the NVTI examinations alongside their counterparts in the general public.¹⁰⁹

Some of the beneficiary prisons include the Nsawam Medium Security Prison, the Nsawam Female Prison, the Kumasi Central Prison, the Wa Central Prison, the Tamale Central Prison and the Senior Correctional Centre (SCC).¹¹⁰ While the Nsawam Medium Security Prison has all the components of the programmes being run, the other stations have either one or two components. It is expected that the successes of these programmes would eventually be extended to other prisons that are yet to benefit.

According to a Chief Superintendent of Prisons in-charge of Inmates' Education, Peter Afari Mintah, major collaborators in these attempts have been GIFEX (a government agency tasked to provide computer education and promote the use of ICT in the country), the UNDP and the Prison Ministry of Ghana. These organisations have assisted the programmes

¹⁰⁸ 2010 Prisons Service Annual Report, p. 1

¹⁰⁹ Ibid

¹¹⁰ 2011 Prisons Service Annual Report, p. 34

extensively since its inception with the provision of furniture, computers, textbooks and instructional materials.¹¹¹ For most of the years since its inception, the programmes have always had 100% pass at both the BECE and the WASSCE levels. In recent times, however, the Service recorded 90% success in the BECE results, although all the inmates at the Senior Correctional Centre and the Nsawam Medium Security Prison who took part in the examination passed and had Senior High School placement accordingly. They obtained grades ranging between 13 and 18.¹¹²

While preparations are being made to introduce a Bachelor's Degree component of the programme on distance education basis, quite a number of prisoners who have benefitted from such educational programme have proceeded to the universities upon release from prison. Currently, an ex-offender who came on discharge from the Nsawam Female Prison, is a final year student pursuing BA in English at the Ahmadu Bello University in Nigeria.¹¹³

These educational programmes, however, do not seem to be meeting fully the desired aspirations of the inmates. There are many challenges among which is limited space in some of the prisons due to overcrowding. In the words of Deputy Director-General of Prisons, S.K.B Rabbles, "overcrowded prisons strain the resources invested in them and achieve less success in rehabilitating prisoners, because they are reduced to 'coping' rather than fulfilling their primary, rehabilitative function".¹¹⁴

¹¹¹ He revealed this in an interview with the researcher on the progress of the Inmates Educational Programmes

¹¹² 2018 Prisons Annual Report (Unpublished)

¹¹³ The researcher is one of the individuals sponsoring Ms. Catherine John Mamman's education.

¹¹⁴ One of the comments made by SKB Rabbles on the Educational Programmes in an interview with the researcher

Despite inmates' success in the examinations they take at the end of the programmes, the certificates obtained may not necessarily guarantee them a job in the public service as legislation bars ex-convicts from applying for jobs in the public service for at least three years after their release. This legislation is a setback to the reformation of former prisoners. As quoted by Charles K. Ampiaaw, an ex-convict depressingly said that "finding work to do as ex-convict is difficult even with a qualification".

The programmes have no funding from government and thus, are plagued with lack of the requisite materials to make them run effectively. Some stations lack adequate space for practical works. J. Welsh, as reported by Hinchliffe, stresses that "there are training schemes within the prison system, but these are undercut by the poor conditions, the limited range of activities for prisoners, and the shortages of resources". He warns that "if we want to turn prisons into universities of crime, then that is exactly what they will become, unless we address reform".¹¹⁵ Adeniran also paints a gloomy picture thus:

The prisons across the country have failed to correct, rehabilitate or treat offenders to become useful citizens at the end of their jail terms as the government has shown little interest in prison issues. Too much emphasis is placed on the punitive rather than the reformatory functions of the prison system. It is not too difficult to gauge the commitment of governments in improving the lot of prisoners. The first giveaway sign is the amount of money committed to prisoners' rations. It is so meagre that it is akin to starving prisoners to death as a punishment for their criminal acts.¹¹⁶

Although these programmes are run to prepare inmates for smooth reintegration, not all inmates are susceptible to reform. Some have had their lives hardened by years of abuse and lifetime of hatred. Similarly, some inmates are rather hardened by the system because some social structures are not helpful to the cause of reforming them. These structures are entrenched in the constitution of the State which systematically work against prisoners. For

¹¹⁵ Charles K. Ampiaaw, *Contributions of Christian Outreach Ministries in Transforming Prison Inmates in Ghana* (Unpublished MPhil Thesis, 2013), p. 120

¹¹⁶ J. Adeniran, *Prisoners caught in vicious cycle*, In *Africawatch*, 2012, pp. 52-54

example, the fact that the State does not commit enough resources to reform or rehabilitate prisoners and, at the same time, does not guarantee prisoners employment in the government sector after they might have served their sentences is, in itself, a disservice to the programmes.

On the whole, however, such efforts are worthwhile since the more prisoners are given a chance to learn new skills and are trained in a profession or trade, the more it would give them an incentive to positively contribute to society. Education is preparation for life irrespective of what the certificates attained from it are used for.

3.4. Inmates' Skills Training Programmes

The Service has skills training in various forms as part of the programmes to prepare inmates for reintegration. All the prisons in Ghana have work programmes which prisoners are encouraged to participate in. Some of these training programmes include carpentry, tailoring, block-laying and concreting, auto mechanic, textile weaving, batik tie and dye, doormat weaving, soap making, bakery and agriculture. Apart from instilling in inmates work ethics, these various training programmes offer them the opportunity to acquire appropriate life and employable skills requisite for social re-integration. For instance, for the four prisons selected for this study, the Nsawam Medium Security Prison is into carpentry, tailoring, doormat weaving, soap making, draughtsmanship, blacksmithry and agriculture; the Nsawam Female Prison is into dress-making, bakery and batik tie and dye; the James Camp Prison is into block-moulding, tailoring, shoe-making, carpentry and agriculture; while the Senior Correctional Centre is into auto mechanic, carpentry, general electricals, plumbing and beads

making. The trade industry in James Camp produces artefacts such as bags, sandals and shoes for sale in Ghana and outside the country.¹¹⁷

Some of the inmates who are into these trades receive supports in the form of start-up capital and tools from churches and certain individuals when going on discharge. With these, they are able to establish themselves in the trades of the skills they acquired. The most common of such supports include the provision of sewing machines and basic carpentry tools.

3.5. ICT Training

There are ICT centres in sixteen prison facilities, including the Koforidua Local Prison, Kumasi Central Prison, Nsawam Medium Security Prison, Tamale Central Prison, Ankaful Maximum Security Prison, Nsawam Female Prison, Sunyani Central Prison, Navrongo Local Prison, WA Central Prison, Yendi Local Prison, Ho Central Prison and the Sekondi Central Prison. These are established to serve as avenue for the acquisition of skills by both inmates and officers. According to Chief Superintendent of Prisons in charge of the Inmates' Educational Programme, Peter Afari Mintah, about 850 inmates have benefitted from the programme since its inception.¹¹⁸ It is envisaged that beneficiaries of this skills training programme would channel what they would acquire to gainful employment when released from prison.

¹¹⁷ 2015 Prisons Service Third Quarterly Report

¹¹⁸ This was revealed in an interview with the researcher on the success of the Inmates' Educational Programmes so far.

3.6. Chaplaincy

Prisons chaplaincy plays a major role in preparing prisoners for the outside world. According to Very Rev. Anthony Brown, a Superintendent of Prisons and chaplain-in-charge of the Maamobi Complex cluster of prisons:

The role of the prison chaplain is to supervise other voluntary chaplains who come into the prisons to minister and to combine all the available resources in the prison to ensure a better reformation and rehabilitation of inmates. In other words, they are to be well reintegrated into society in order not to be a burden, but a blessing to themselves, their families, the society and the nation at whole.¹¹⁹

He maintains that it should be of special interest to all chaplains to see prisoners, who, in other words, were considered useless, become useful persons such as Onesimus in the book of Philemon in the New Testament. He concludes that “if the government, the prison officers and particularly the chaplains and volunteers are to play their proper roles, the nation would have recidivism rates reducing to the barest minimum”.¹²⁰

Prison chaplaincy mediates between the prisons and the religious organisations as well as other non-governmental organisations that offer to help the inmates in their journey to reformation and rehabilitation. Listing some of the roles of chaplaincy, Hometowu stresses the urgent need of chaplains to relate with stakeholders and specialists they could consult or recommend for needy ex-prisoners for consultation. He is of the view that chaplains should be in constant interaction with inmates, inmates’ families, professional staff, volunteers, and community members for the preparation of inmates for the outside world.¹²¹

¹¹⁹ He said this at the Chaplains’ & Chaplaincy Assistants’ Conference in 2017

¹²⁰ He made this comment in his presentation at the 2017 Chaplains’ & Chaplaincy Assistants’ Conference held at the Prison Officers’ Training School (POTS).

¹²¹ P. Hometowu, *Institutional Chaplaincy Work: Special Family Pastoral Ministry* (Takoradi, Ghana: St. Francis Press Ltd, 2004)

In the midst of differing religious beliefs and practices which are highly interwoven with cultural differences, the chaplain's role is to provide guidance and encourage inmates to be steadfast in their religious faith. With knowledge in counselling and pastoral care, chaplains endeavour to provide spiritual care to inmates during grieving for a loss, crisis intervention, conflict resolution, or when taking harsh decisions on certain serious matters in life.

On reintegration, Very Rev. Anthony Brown emphasises that prison chaplains are well aware of the concerns of discharged prisoners such as the kind of reception they will have from their families and friends, if someone will be there to welcome them at the gate, where they will live, where to go whenever they have a need, where to go to sign on for benefits, their employment issues, what to do when they run out of money, and if it will be obvious to other people that they have just been released from prison and need help. He informs that chaplains have churches, TV and other media to use in educating the general public to accept prisoners, especially when they are out of prison.¹²²

The chaplains also endeavour to, as much as possible, ensure that prisoners are able to stay in close contact with their families. Thus, since the family provides the kind of motivation and support that official agencies simply cannot, the chaplains ensure that the prison administration does everything possible not to break family ties.

3.7. Counselling Service Programme

Structured counselling services are offered in most of the prisons as part of the efforts to help inmates reform. Inmates who are terminally sick and need solace are counselled to be

¹²² He released this information in his presentation at the 2017 Chaplains' & Chaplaincy Assistants' Conference.

at peace with their Creator before they transit. Those with emotional and life threatening challenges are taken through well thought-out counselling sessions to help them overcome and proceed with life. Prisoners with marital problems have their spouses brought in upon their request for peaceful deliberations.

There is the Diagnostic Centre at the Nsawam Medium Security Prison where freshly convicted persons from the courts are housed for a period of 30 days during which they are assessed to know the predisposal factors of their criminality, their attending behaviour, their health and psychological issues, their strengths and weaknesses as well as how to plan their stay in prison. The first three days of their stay at the Centre are used for helping, especially the first offenders, to come to terms with imprisonment.

In an interview with Deputy Superintendent of Prisons who is in charge of the Diagnostic Centre, Daniel Duah Sowah, he testifies that “those inmates who have passed through the Centre to the main prison, are well behaved and do take part in all the reformation and rehabilitation activities selected for them”. He maintains that since the inception of the programme at the Centre, they were yet to see any of their graduates returning to prison after finishing the sentence.

3.8. Moral and Religious Educational Programme

Until recently, the main activity tailored to prisoners’ reformation has been that of chaplaincy. Churches and faith-based organisations have now partnered the Chaplaincy Unit in the prisons in providing moral and religious education to inmates. According to Samuel Asare, a former Executive Director of the Prison Ministry of Ghana:

The objective of the collective effort of these groups is to visit prison inmates, help to provide for their spiritual and physical needs, rehabilitate them, restore their dignity and empower them to be productive through the gospel of our Lord and Saviour Jesus

Christ who saves, sanctifies and equips for every good work. Most of their teachings, therefore, hinge on salvation and discipleship through character re-formation.¹²³

Merely locking prisoners away without attending to the inner spiritual forces that drive their behaviour has been realised to be of very little benefits. “Those of us in the prison setting know that our challenges are not men and women locked away in the prisons, but the criminal influences that rule those people’s lives”.¹²⁴

In the words of Bob Schwarz, Prison Ministry Director for the State of Colorado:

The answer to criminality is not building of more prisons. It is not locking up prisoners and forgetting about them. It is not even the enforcement of the death penalty, as studies have shown that even this does not effectively deter crime. The solution to this problem is the Gospel of Jesus Christ in the demonstration of power. Prisoners need regeneration, material and social support fully well, and Jesus has commissioned the church to reach beyond the barbed wire fences and steel bars to touch the lives of men and women accordingly.¹²⁵

Samuel Asare submits that the coming together of various churches for the collective effort has been able to reduce duplication of efforts and led to prudent utilisation of resources for the effective propagation of the gospel to prisoners. As a result of the combined efforts of these various religious groupings, quite a number of prisoners, including very hardened criminals, have come out of prison reformed, and are successfully integrated in the conventional society.¹²⁶

Some of the churches and religious groups involved in such outreaches include the Assemblies of God Church, the Roman Catholic Church, the Church of Pentecost, the Charismatic Evangelistic Ministry, the Prison Fellowship International, the Gateway International Ministry, Islamic groupings as well as the Prison Ministry of Ghana which

¹²³ He made these statements in an interview with the researcher on churches’ activities in the prisons.

¹²⁴ Thomas J. Beckner & Jeff Park, *Effective Jail & Prison Ministry in the 21st Century* (Regal Parkway, Euless, 1998):

¹²⁵ www.biblesnet.com

¹²⁶ He revealed this in an interview with the researcher on churches’ activities in the prisons

comprises members of the Christian Council of Ghana such as the Methodist Church Ghana, the Presbyterian Church of Ghana, the Anglican Church, the Baptist Church and Light House Chapel.

3.9. Social Support through Religious Group Affiliation

Most of the prison inmates get affiliated to religious groups which support them throughout the period of their imprisonment and when they are released. According to Chief Officer Henry Martey of the Chaplaincy Unit of the Nsawam Medium Security Prison, “what one needs is to register and participate in the activities of such religious groups any time they come.” Members of the group have constituted themselves into Bible study and discipleship subgroups and pursue their lessons with all the needed seriousness.

For instance, in the Nsawam Medium Security Prison, there are prisoners strictly belonging to the Roman Catholic Church, the United Church comprising members of the Protestant churches, the Seventh Day Adventist Church, the Church of Pentecost, the Church of Christ or the Jehovah Witnesses. In prison, group members are bonded together by their dogma and participate even more strictly in the observances of their churches than those in free society.

On release after serving their sentence, serious members of these religious groups have less difficulty in reintegrating into the larger society due to the support they get from such churches. Some are assisted with funds to find accommodation, some are helped to find jobs while others are employed directly by the churches. The Prison Ministry of Ghana has over the years assisted a number of these prisoners in the areas of accommodation and job.

3.10. Restorative Justice Practices

Employing restorative justice practices in complementing the efforts of the existing criminal justice system to help prisoners have successful reintegration has become an integral part of the preparations prisoners go through before their release in most developed countries. A structure showing clear-cut procedures is created and the opportunity is given to prisoners directly affected by a crime to decide how to deal with the consequences of the crime so they could live in harmony afterwards. In the absence of this opportunity, both offenders and victims usually have a real challenge trying to deal with the impact of the crime on their lives.

Until recently, restorative justice has been employed mostly to provide an alternative to imprisonment of people who have committed minor offences, in the hope that through the processes, they would realise how wrong their actions are and the possible consequences of such actions. Now restorative justice practice involves more serious crimes, especially those having to do with violence. This approach to justice has shown a great potential in preventing offenders from reoffending due to their acceptance of responsibility during the processes and the resolve to right the wrong done.¹²⁷ The fact that restorative justice practice provides the opportunity for offenders to show remorse following acceptance of guilt facilitates contact between the offenders and those affected by their actions, and eventually facilitates their reintegration into the community upon release from prison.

In the main, restorative justice is concerned about needs and roles.¹²⁸ Prisoners will eventually return to society to meet their victims and without restoring justice between them and their victims, it would be difficult for them to reintegrate. The restorative approach to

¹²⁷ Dave Umfreville, *The Real World of Restorative Justice* Ministry, 2003, p. 12

¹²⁸ *ibid*

justice, therefore, is an attempt to address the hurts and needs of victims, offenders and the community to ensure the reintegration of the prisoner after release from prison.¹²⁹

Restorative justice expands the circle of stakeholders in criminal cases beyond just the government and the offender to include victims and community members as well. This is because just as victims have hurts and wounds to be addressed, offenders also have needs to be met so that the peace of the community is restored.¹³⁰

Limiting the discussion to the core concerns of victims, offenders and the community, it is evidently clear that restorative justice has a central role to play in prisoners' reintegration.

3.10.1. Concerns of Victims

Of much concern to restorative justice is the inability of the criminal justice system to adequately meet the needs of crime victims although that is very important in ensuring a peaceful coexistence between them and their perpetrators in the community. Victims are often relegated to the background, or even abused by the justice process. Ministry from a restorative justice paradigm has to address the issues concerning the injury caused to the victim. In order for the offender to move toward complete restoration, he or she must deal with both the long and short term damages caused by his or her action.

In cases where there is a direct victim, the victim's pain needs to be addressed so the offender can see how his or her actions have affected and damaged the lives of other people. It is much easier to continue to offend an abstraction (the state), than it is to offend a person. To the degree possible, the offender should attempt to reconcile the damages that have occurred. Sometimes this is mandated by the courts through restitution, but the sense of

¹²⁹ Howard Zehr, *The Little Book Restorative Justice* (Intercourse: Good Books, 2002), p. 13

¹³⁰ Ibid

obligation should come from sincere commitment to make things right. In some instances, it may be appropriate for the offender to seek forgiveness either directly or indirectly through a mediation organisation or church. Sometimes a simple letter to the victim releases the offender to move toward restoration.

3.10.2. Concerns of the Offender

Offender accountability is the second major area of concern that gave rise to restorative justice. Although the criminal justice system ensures that offenders are held accountable by getting the punishment they deserve, little in the process encourages them to understand the consequences of their actions or to empathise with victims. On the contrary, the adversarial system requires offenders to look out for themselves as they are discouraged from acknowledging their responsibility and given little opportunity to act on this responsibility in concrete ways. Restorative justice practice encourages offenders to understand the impact of their behaviour by rethinking the harm they have done and urges them to take steps to put things right as much as possible.

3.10.3. Concerns of the Community

The offender needs to consider how his or her actions impacted the community. Each time an offence occurs in a community, it erodes the trust relationships between people and increases the element of fear. The offender seldom sees his or her part in increasing the fear in the community, yet the fact is that each offence that occurs reinforces the fear that another crime of its type will take place in the community. If someone becomes a victim of a burglary, most of the neighbours who hear about the event become concerned that they too may be

victims of a burglary. Their response is to become increasingly suspicious of other people and secure the home with extra locks, bars on the windows and increase outside lighting.

If the offender is a resident of the community, then there is a concern that others in the community might be victimisers. Neighbours become very cautious as to whom they will trust. If someone sells drugs, neighbours are concerned about their children becoming victims of the seller. If violence occurs, neighbours become more cautious about their movement and involvement in the community. When encouraged to reflect on this harm, offenders may begin to see that their actions are not isolated, and that their families as well as their neighbours and friends suffer as a result of their actions. They may begin to see that the crime problem in their neighborhood is not just due to “those other guys”, but that they are one of the other guys until they are committed to change.

3.10.4. Reintegration into the Community

Community members have needs arising from crime, and they have roles to play. Restorative justice advocates such as Judge Barry Start and Kay Prains argue that “when the State takes over in our name, it undermines our sense of community. Communities are impacted by crime and, in many cases, should be considered stakeholders as secondary victims.”¹³¹ Community members have important roles to play and may also have responsibilities to victims, to offenders, and to themselves. When a community becomes involved in a case, it could initiate a forum to work at these matters, while strengthening the community itself.

¹³¹ K. Prains, *Restorative Community Justice: Repairing Harm and Transforming Communities* (Anderson: Good Books, 2001)

Ministry through a restorative justice paradigm ends in the restoration of both the victim and the offender into the community. Crime could make victims feel isolated and offenders feel ostracised.¹³² Victims, having lost a sense of community stability, need assistance to go on with their lives. Offenders, who have been released from prison, need to become caring members of the community.

3.10.5. Restorative Justice Principles

There are principles that underline restorative justice, and these in general, are based upon an old, common-sense understanding of wrongdoing. Although it is likely to be expressed differently in different cultures, this approach is probably common to most traditional societies. In Ghana, it is the way many ancestors understood wrongdoing, which they had passed on to their offspring. It is that, crime is not seen as a violation of the law, but rather as a violation of people and of interpersonal relationship. Imbedded in violations are obligations which are centred on the need to put right the wrong.

Yet, what does justice require? As indicated earlier, Western societies' answer has focused on making some offenders get what they deserve. Restorative justice answers differently, focusing first of all on needs and obligations. The Western criminal justice system places so much importance on the punishment the offender must receive for having committed the offence that it does very little to compensate victims for their ordeals. This practice always leaves the victim with a lot of psychological, emotional, social and, in some cases, financial challenges to battle with.

¹³² W. Thomas Beckner and Jeff Park, *Effective Jail and Prison Ministry for the 21st Century*, 1998, p.26

The situation is different with the restorative approach to justice where much premium is put on the very person of the individual by carefully seeing to the needs of the victim and addressing them in such a way that peace is restored to the community as perpetrators take responsibility for the offence and victims forgive and accept perpetrators once again as people they could live with in the community. The table below depicts the comparisons.

Table One: Two Different Views on Justice¹³³

Criminal Justice	Restorative Justice
<p>Crime is a violation of law and the state.</p> <p>Violations create guilt.</p> <p>Justice requires the state to determine blame (guilt) and impose pain (punishment).</p> <p>Central focus is on offenders getting what they deserve.</p>	<p>Crime is a violation of people and relationships.</p> <p>Violations create obligations.</p> <p>Justice involves victims, offenders and community members in an effort to put things right.</p> <p>Central focus is on victim's needs and offender's responsibility for repairing harm.</p>

Table Two: Three Different Questions on Justice¹³⁴

Criminal Justice	Restorative Justice
<p>What laws have been broken?</p> <p>Who did it?</p> <p>What do they deserve?</p>	<p>Who has been hurt?</p> <p>What are their needs?</p> <p>Whose obligations are these?</p>

¹³³ Howard Zehr, *The Little Book of Restorative Justice* (Intercourse: Good Books, 2002), p. 21

¹³⁴ Ibid

The nature of questions often posed by restorative justice approaches apply to a wide range of situations. These guiding questions of restorative justice could help to reframe issues and to think beyond the confines that legal justice has created for society.

In some cases, this requires actual dialogue between these parties, as is often the case with victim-offender conferences. For example, in the Ghana's National Reconciliation approach, victims shared their stories with the general public, and to some extent, came to a consensus with government about what should be done.¹³⁵

Similarly, Paul William County observes that "if the victim is unwilling to participate, the effectiveness of restorative justice is diminished since the process depends on holding the offender directly accountable to the victim. Offences without a readily identifiable victim, such as truancy or marijuana possession, are less suitable for restorative justice than other crimes."¹³⁶

In any restorative justice practice, both the victim and the offender have to participate fully for the intended purpose to be achieved. The offender needs to accept responsibility for the harm caused and be prepared to right the wrong, while the victim recognises the remorsefulness of the offender and eventually forgives him or her.

In conclusion, it is clearly stated that the most critical issue of prisoners after having served prison terms is that of successful re-entry into society. The issue becomes more serious when the prisoner has been in prison for a long period of time. This demands a real adjustment in life and behaviour patterns as well as relational adjustment in order to successfully reintegrate. It becomes worst when prisoners know that they are coming to meet

¹³⁵ The National Reconciliation Commission (NRC) Report, 2005

¹³⁶ He is quoted in a presentation on the theme "Engaging Us All in the Dialogue", Restorative Justice Week, Canada, 20004

their victims face to face in the community. Consequently, preparations for prisoners' reintegration have to commence, necessarily, soon after prisoners' admission to prison. Once this is done, the social reintegration of prisoners is facilitated by accessing, continuing, practising and completing the programmes they started while in prison in the community.

Considering the importance of social reintegration, it could be argued that whenever imprisonment is to be enforced, the entire period should be for reformation and rehabilitation. This is important as most offenders serving prison terms will eventually come back to society upon release. If the prison systems are able to invest adequately towards the reformation and rehabilitation of the prisoners, they would have a better chance of reintegrating into the community upon discharge.

There is the provision of social support services for prison inmates through religious affiliations which is contributing to their successful reintegration upon released. Similarly, there is the notion that when prisoners have reconciled with their victims before they go on release they are likely to enjoy acceptance from both their victims and members of the community. The church as an accepting community could facilitate reintegration for the offender and the victim through restorative justice ministry since the secular community does not always address these issues.

CHAPTER FOUR

CHRISTIAN SOCIAL SUPPORT, RESTORATIVE JUSTICE AND PRISONER REINTEGRATION IN GHANA

The major challenge that confronts not only prisoners but also correctional institutions and governments has always been that of how prisoners would cope with life in the ever changing society without reoffending after they are released from prison. In most countries, support and preparation for prisoners to help them reintegrate into society after their release from prison are attached as much importance as the in-prison trade training programmes to improve prisoners' employable and life skills. These supports include planning for the financial uncertainty and the period of unemployment that prisoners might experience immediately after release.¹³⁷

In recent times, religiosity in the prison has also been seen as a strong force for social solidarity – a concept from which is derived the term social support, which is a perception and actuality that a group member is cared for, has assistance available from other people, and that one is always part of a supportive social network. As noted by Zehr, the Western (criminal) justice system which views crime as a violation of law other than of relationships, is beset with difficulties as victims, offenders and community members often feel that justice does not adequately meet their needs. Restorative justice, therefore, seems to suggest a remedy where victims and their offenders have their hurts and wounds addressed so that both they and the community are healed.

¹³⁷ www.cepprobation.org

Within the main objective of exploring areas of collaboration for social reintegration of prisoners in Ghana, the present study sought to assess the reformation and rehabilitation programmes of the prisons in Ghana to determine their effectiveness for prisoners' reintegration; evaluate some of the initial challenges prisoners face upon release from prison; examine the role of social support and religiousness towards prisoners' reintegration as well as the strengths of restorative justice for peaceful coexistence.

The study sought the views of targeted subgroups of the Ghanaian population through interviews and questionnaire. In all, 150 individual Ghanaians, comprising Prisons administrators, junior prison officers, volunteers of churches and organisations doing prison ministry, officials of the Department of Social Welfare, well reintegrated ex-offenders and recidivists, were randomly selected to respond to various questionnaire items. The results of the field research and their analyses are as follows:

4. Research Results, Analyses and Discussion

4.1. Question One: In your opinion what is prisoner reintegration?¹³⁸

Of the 150 respondents, 88.5% indicated that prisoner reintegration means addressing the needs of prisoners when they are discharged to enable them to resettle in society. This, indeed, paints the real picture of prisoner reintegration. The goal of imprisonment is successful reintegration without which the prison system is seen as failing to fulfil its mandate.

However, reintegration builds on the successes of preparations done while in prison. This is reflective of the 47.6% of the respondents who were of the opinion that prisoner

¹³⁸ This question, together with all others, could be found in the Appendix

reintegration means addressing the reformation and rehabilitation needs of prisoners while they are in prison. As indicated earlier, the process of reintegration starts from the prison through well thought-out reformation and rehabilitation programmes that provide knowledge and skills leading to behavioural and attitudinal change for meaningful life upon release.

This is imbedded in the United Nations' Standard Minimum Rules for the treatment of prisoners which clearly states that the use of prison to protect society against crime can only be successful "if the period of imprisonment is used to ensure, so far as possible, that upon his [or her] return to society the offender is not only willing but able to lead a law-abiding and self-supporting life."¹³⁹ The rehabilitative use of prison is, therefore, vital to achieving the foregoing ambition.

Interestingly, 16.2% of the total responses comprising 25% of recidivists and 13.4 % of reintegrated ex-offenders indicated that prisoner reintegration means letting prisoners know they have done wrong and forgiving them. The fact that none of the other categories of respondents shared this opinion suggests that prisoners view forgiveness as a major element in their smooth reintegration in society. After having served their full sentence, prisoners, upon discharge, would expect members of the society to put the past behind them and accept them for who they are.

The results further revealed that a fraction of junior prison officers as well as that of recidivists still sees the function of the prisons as retributive. The 3.8% of respondents coming from these two categories attested to this fact. Nevertheless, the current philosophy of the prisons the world over is corrections (reformation and rehabilitation) towards smooth

¹³⁹ The United Nations Standard Minimum Rule for the treatment of prisoners. This provision gives protection for prisoners' rights not to be trampled upon.

reintegration. Here, criminality is viewed as some kind of pathology that should be treated or a behaviour disorder that should be corrected through the appropriate psychotherapy. The ability of the prisons to assess the prisoner, know the causes of their offending behaviour and help them overcome makes prison an effective institution. In most countries, therefore, the name “prison” is changed to “correctional institution.” For example, countries such as Canada, USA and South Africa have changed the name “prison” to correctional centres to reflect the emphasis on reformation and rehabilitation of prisoners instead of mere custody.

Since each alternative response was supposed to have attracted a 100% in favour, the various percentage responses show the extent to which respondents perceived prisoner reintegration. The percentages also portray respondents’ level of understanding as far as the concept ‘reintegration’ is concerned. Table 3 below shows the summary of the responses to Questionnaire Item 1 as described:

Table 3

Response	Percentage						
	P. A	V. C.O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
a						7.5	1.9
b					13.4	25	16.2
c	70	90	10	60	13.4	47.5	47.6
d	100	90	100	100	86.6	77.5	88.5
e				5		7.5	3.8

P. A means Prisons Administrators; V. C. O means Volunteers of Churches and Organisations
O. D. S. W means Officials of Department of Social Welfare; and J. P. O means Junior Prison Officers

On the whole, it was clearly evident that respondents' perception about prisoner reintegration is in keeping with reality. Reintegration of the prisoner is supposed to take effect in society; hence, it is referred to as social reintegration. It is the assistance prisoners get before, during and after their release from prison. Preparing prisoners to be able to live to fit in society when on release should be given the needed attention by planning and working towards it from the commencement of the term of imprisonment.¹⁴⁰

In other words, social reintegration involves all the various forms of assistance which includes recreational, educational and cultural activities that are provided in the prison in a manner that respects each individual's human dignity and helps prisoners to resettle in society upon release from prison. The prisons and institutions working within the community towards prisoners' reintegration simply play complementary roles in that the pro-reintegration programmes that started in the prisons are built upon for full benefits when the prisoner is release.

4.2. Question Two: In your opinion, are the prisons carrying out reformation and rehabilitation of prisoners?

On the whole, 69.5% of the respondents were in the affirmative that the prisons are into reformation and rehabilitation, while the remaining 30.5% thought otherwise. Generally, the volunteers of churches and organisations in prison ministry, the Prisons administrators as well as the junior prison officers were 100% in their affirmation. This opinion was shared by 62.5% of recidivists and, together, they buttressed their claim by listing some of the pro-reformation and rehabilitation programmes taking place in the prisons.

¹⁴⁰ J. A. Wilson & R. C. Davis, "Good Intentions Meet Hard Realities: An Evaluation of the Project Greenlight Re-entry Programme" in *Criminology and Public Polity*, 2006, 5(2), 308

In the area of employable skills acquisition through trade training, they listed bead making, shoe-making, kente-weaving, electrical works, block moulding, batik tie and dye, soap making, dress making, carpentry, welding, plumbing, tailoring, handicraft, draughtmanship, masonry, auto mechanic and agriculture. With respect to general knowledge leading to pro-social behaviour, these categories of respondents listed religious and moral education, counselling, formal education and ICT programmes being provided by the prisons as efforts towards prisoners' reformation and rehabilitation.

The fact is that, governments could improve the prison system to meet the challenge of prisoner unemployment through the provision of education and work programmes that could be of great benefits to prisoners after release. Although the opportunities to integrate these work programmes into life outside the prison walls might be missed by some, the importance of such provision as an integral part of social reintegration cannot be compromised.

Surprisingly, 31.4% of the respondents indicated that reformation and rehabilitation activities are non-existent in the prisons. The group with this dissenting view is made up of 73.3% of ex-offenders, 60% of officials from the Department of Social Welfare and 37.5% of recidivists. Again, this is indeed surprising since the prisoners who are supposed to benefit from the various reformation and rehabilitation programmes are the same people making claims of their non-existence.

During an interview with a recidivist in the Nsawam Medium Security Prison, he made it clear to the researcher in plain words saying "I cannot fathom myself doing any other

work apart from engaging in armed robbery”.¹⁴¹ The interviewee was apparently in prison for the fourth time, and from all indications, he was only waiting for his sentence to end for him to go back and rob people. The statement by the recidivist seems to suggest that although the prisons are making available to prisoners programmes that would help them reform, not all of them might be interested in such programmes. As earlier pointed out, although these programmes are run to prepare inmates for their smooth reintegration, not all inmates are susceptible to reform. Some have had their lives hardened by years of abuse and lifetime of hatred.

Similarly, as indicated earlier in Chapter Two, some inmates get rather hardened by the system because of certain social structures which do not support their reformation. For example, the fact that the State does not commit enough resources to reform or rehabilitate prisoners and, at the same time, does not guarantee prisoners’ employment in the government sector after they have served their sentences, does not motivate them to participate in the prison programmes. The morale of those involved in prisoners’ reformation and rehabilitation would be raised if government expunges from the Criminal Code the aspect of the Law that bars ex-offenders from seeking employment from public institutions. Similarly, such action would, to a large extent, affect prisoners’ reintegration positively.

To some extent, the opinion shared by 60% of officials from the Department of Social Welfare that reformation and rehabilitation programmes are absent in the prisons could be understood. In an interview with one of them, it was revealed to the researcher that although the Department of Social Welfare has a responsibility of collaborating with the Prisons in matters of prisoner reformation, rehabilitation and reintegration, officials of the Department

¹⁴¹ The interviewee was in prison for the fifth time.

hardly visit the prisons in recent times due to lack of budgetary allocation and logistical constraints.¹⁴² These challenges are likely to influence their perception about what is going on in the prisons. Table 4 below shows the summary of the responses to questionnaire Item 2:

Table 4

Response	Percentage						
	P. A	V. C. O	O.D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	100	100	40	100	26.7	62.5	69.5
No			60		73.3	37.5	30.5

The fact is, a great number of the prisoners come from notorious and less privileged areas of the communities, and imprisonment is (sadly) often a unique opportunity for them to have their infrequently-met needs addressed. If these needs are not addressed in the right way, the prisoners would be left less prepared to be integrated into society, thus making them more likely to reoffend. Reintegration is also facilitated by assisting prisoners to maintain positive relationships with family and friends on the outside.

When asked how the reformation and rehabilitation programmes in the prisons could be improved to benefit prisoners on release, junior prison officers stated, among other things, that the Prisons Service should do proper needs assessment to know the right kind of rehabilitation programmes to run in the prisons for the full benefit of prisoners; that the Service should provide resources for the programmes; that prisoners should be engaged in productive ventures while in prison; that there should be follow up service to see how ex-

¹⁴² The Director of the Department of Social Welfare, Mr. Daniel Nona, made this revelation in an interview with the researcher.

offenders are performing in society; and that halfway homes should be adopted where serving prisoners left with a third of their sentence remaining could be moved into to finally prepare for their re-entry into society.

They stated further that the various workshops should be refurbished with the requisite equipment to enable many inmates to participate in their programmes; that government should adequately resource the prisons to ensure continuous running of their programmes; that stakeholders such as religious organisations, philanthropists, corporate bodies and NGOs should assist the Prisons Service since government cannot do it all alone; and that the prisons authorities should make use of prisoners' assessment forms to direct their sentence planning so as to ensure that their stay in prison benefits both they and the society.

In addition to these suggestions, they stated that recruitment of professionals to take charge of the reformation and rehabilitation programmes in the prisons, introduction of psychological programmes to provide behaviour therapy to inmates, reconstituting of the prison discharged boards to prepare inmates for the outside world, and strengthening of the collaboration between the Prisons Service and stakeholders on the issue of social reintegration, would go a long way to improve the system. This is so because whatever the case may be, the overwhelming majority of individuals currently serving various prison terms would be sent back to society, more often than not, to the very communities in which they committed the crime. This, then, makes the reformation and rehabilitation of prisoners something that cannot be compromised. The Prisons Service needs to ensure that education is given the much needed priority to rehabilitate prisoners before their release.

Particularly, the prisons could become more effective in their programme delivery if they could involve prisoners in discovering their individual educational priorities and

encourage them to show greater participation in such programmes. For example, the prisons may explore incentives that can be offered to prisoners for such participation, provide enough funding for the educational programmes, collect and collate better records about prisoners' educational background before their imprisonment, and use such records as a central measure of the effectiveness of their prison services.

4.3. Question Three: In your opinion, do prisoners get support from society when they are in prison?

Respondents gave a high indication that prisoners get support from society while in prison. On the whole, as high as 87.6% of respondents affirmed this, and indicated that individuals, civil society groups, non-governmental organisations and churches bring donations to prisoners. Some of the items listed by respondents that prisoners often receive as donations included toiletries, detergents, toothbrush, toothpaste, foodstuff, cooking oil, clothing, drugs and Bibles. Others indicated that some individuals, organisations and churches provide needed materials for the inmates' educational programmes.

The Prison Ministry of Ghana, the Gateway International Ministry, the Church of Pentecost, the Action Faith International and the Roman Catholic Church were listed as examples of churches and organisations that support prisoners in very substantial ways. Occasionally, some of these organisations and churches do embark on medical outreaches to the prisons to undertake medical screen for prisoners, treat those whose medical conditions are within their control and do referrals of serious cases to the general hospitals.¹⁴³

¹⁴³ The Second-in-command of the Nsawam Medium Security Prison released this information in an interview with the researcher after responding to the structured questionnaire items.

Respondents also revealed that some lawyers provide ministry to prisoners in the form of legal aid to inmates whose cases are pending at the courts but lack the funds to hire such service. This service is also extended to convicted prisoners who have genuine cases and need to make appeal but have no money.

The 12.4% of respondents whose responses were in the negative almost came entirely from the recidivists. This could be indicative of the perception many recidivists might have about what goes on in the prisons. They seem to care less about what the prisons have to offer. As one prison officer remarked, “one needs to have personal interaction with recidivists for one to appreciate the difficulties officers are going through trying to reform them. Recidivists have no aim; they have simply decided to be criminal”.¹⁴⁴ Table 5 below presents the summary of responses to questionnaire Item 3:

Table 5

Response	Percentage						
	P. A	V. C. O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	100	100	80	100	100	82.5	87.6
No			20			17.5	12.4

Society, indeed, needs to collaborate with the prisons in all efforts to channel prisoners’ period of incarceration into profitable ventures. The presence of family members, friends, the church and civil society groups in the prisons is a source of motivation to prisoners in their bid to reform. Prisoners place more value on their visitation than material things. As indicated by the Deputy Director-General of Prisons, Madam Josephine Fredua-

¹⁴⁴ The Chief Officer of the James Camp Prison made this remark in an interview with the researcher.

Agyemang, “the presence of family members and friends is therapeutic to the inmate visited and this contributes to their determination to change.”¹⁴⁵

As a general observation, prisoners get hardened in their stance against members of society when they realise that society hates them. In spite of their criminality and its negative effect on society, prisoners want to be shown love and they, in turn, look for the opportunity to reciprocate this love. It is incumbent upon prison authorities, therefore, to facilitate contact between prisoners and their families and friends, so that the socially isolating effects of prison are mitigated.

4.4. Question Four: In your opinion, does belonging to a religious group and participating in their activities help a prisoner to reintegrate in society?

As high as 88.6% of the respondents was in the affirmative that belonging to a religious group and participating in their activities help in prisoner reintegration. Without exception, all the Prisons administrators, the volunteers of churches and organisations and the ex-offenders sampled for the study shared this opinion.

Assigning reasons for their expressed opinion, respondents had a lot to share. One stated that “religious activities add desirable values to inmates’ lives which enable them to receive acceptability in society, and also, notable religious groups offer assistance to inmates to enable them resettle in the community”¹⁴⁶ Another stated that “members of religious groups provide social support for ex-convicts which goes a long way to prevent them from re-offending”.¹⁴⁷ Similarly, another respondent has this to say:

¹⁴⁵ She shared this information with the researcher after responding to the structured questionnaire items.

¹⁴⁶ A respondent from the junior prison officers’ group

¹⁴⁷ A respondent from the volunteers from churches and organisations’ group

Religious activities bring about change in character. Such activities help prisoners to transform and help in preparing them to accept and adapt to new behavioural changes, thereby adjusting to the values and norms of the society. Once one belongs to the group, one stands to benefit from the group as a whole, and from the individual members of the group. Belonging to such groups may also open up opportunities for prisoners when they are discharged.¹⁴⁸

The fact that 22.5% of the recidivists was the highest percentage that expressed the opinion that belonging to a religious group and participating in their activities has nothing to do with reintegration, has much to reveal. As pointed out by a Chief Officer at the James Camp Prison:

The mindset of the recidivist is not pro-reintegration. What the majority of them know is to finish their sentence, go back to society, indulge in criminal activity, get arrested and prosecuted, get convicted and come back to prison, finish the sentence, go back to society, get into crime..... and the cycle continues. As such, belonging to a religious group is not their priority. They have no end to their criminality.¹⁴⁹

From all indications, it sounds reasonable to think that most recidivists place less value on reformative programmes or any group activity that would take them away from crime. There is a seeming perception that all they pride themselves in as they come and go out of prison is to master their skills for more criminality.

This perception is confirmed by the backgrounds of the recidivists used for the study. Their prison records show that of the 60 recidivists sampled for the study, only 13 of them had been to prison for the third time. The remaining 47 had been in prison for at least four times.¹⁵⁰ It can be said without any uncertainty that of the 5% recidivism rate in Ghana, majority of them are the same people who have been mastering themselves in criminality. Such prisoners might have first gone to prison for committing minor crimes such as stealing, but as they stay longer in prison through re-offending, they learn how to commit more serious

¹⁴⁸ A respondent from the reintegrated ex-offenders' group

¹⁴⁹ The Chief Officer made this remark in an interview with the researcher after responding to the structured questionnaire items.

¹⁵⁰ This information could be found on the Prison Form 2 (small) of all prisoners

crimes such as armed robbery. Table 6 below shows the summary of the responses to questionnaire Item 4:

Table 6

Response	Percentage						
	P. A	V. C. O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	100	100	90	85	100	77.5	88.6
No			10	15		22.5	11.4

Churches and faith-based organisations have now partnered the Chaplaincy Unit in the prisons in providing moral and religious education to inmates. According to Samuel Asare, a former Executive Director of the Prison Ministry of Ghana:

The objective of the collective effort of these groups is to visit prison inmates, help to provide for their spiritual and physical needs, rehabilitate them, restore their dignity and empower them to be productive through the gospel of our Lord and Saviour Jesus Christ who saves, sanctifies and equips for every good work. Most of their teachings, therefore, hinge on salvation and discipleship through character re-formation.¹⁵¹

The research on the impact of religiousness and crime is suggestive. According to Joseph Jones, heavy participation in church attendance has been shown to have some impact on recidivism rates. He states that a significant group of individuals who were very involved in prison chapel programmes is less likely to return to criminal lifestyle.¹⁵²

This sense of belonging emanating from religious affiliation and practices in the prisons has become an everyday observance in the major prisons in Ghana, especially the Nsawam Medium Security Prison where the population is large and religious outreaches by

¹⁵¹ He made these statements in an interview with the researcher on churches' activities in the prisons.

¹⁵² Joseph Jones, "Restorative Justice Ministry Paradigm" in *Effective Jail & Prison Ministry for the 21st Century*, p. 23

churches are very common. Prisoners here have “registered” with the various churches that come in for worship purposes as their members and follow their dogmas to the letter in return for some kind of support and care.

Predominantly, there are two religious faiths being professed in the prisons, which are the Christian and the Islamic faiths. To consolidate the gains of these religious persuasions, there are a number of Christian and Muslim chaplains employed by the Prisons Administration on full-time basis to help both officers and inmates in their spiritual growth and development. Thus, the engagement of chaplains in the prisons explains, to a very large extent, the recognition of the importance the Prisons Service has placed on religion in the shaping and directing of human behaviour.

Just like the Quran of the Moslems, the Christian Bible has many instructions for Christian believers that guard against crime (sin) which true adherents are expected to obey. For instance, there is what is referred to as the ‘ten commandments’ in the Book of Exodus of the Bible where the believer’s behaviour pattern is directed in terms of some specific dos and don’ts that would make believers be at peace with God and their neighbours. Instructions such as “you shall not murder; you shall not commit adultery; you shall not steal; you shall not give false testimony against your neighbour....”¹⁵³ are therapeutic enough to turn believing prisoners’ minds from crime if they are really professing the Christian faith.

As a result of this, there are the Roman Catholic Church, the Church of Pentecost, the Seventh Day Adventist Church, the Church of Christ, the Jehovah Witnesses and the United Church comprising the Methodist Church Ghana, the Presbyterian Church of Ghana, the Anglican Church, the Lighthouse Chapel and other churches belonging to the Christian

¹⁵³ Exodus, Chapter 20, Verses 13-16

Council of Ghana as well as Moslem groups fully operating in the prisons. Each of these churches and groups has its members who are bonded and influenced by their beliefs and practices.

In an interview with Chief Officer Henry Martey of the Chaplaincy Unit of the Nsawam Medium Security Prison, he explained to the researcher that members of these churches do enjoy some form of welfare provision in the form of spiritual and material support whilst in prison and, in some cases, when they go on release. He revealed that a number of ex-offenders had been accepted and helped to get employment by these churches when they went on discharge.¹⁵⁴

Of the ex-offenders who participated in responding to questionnaire items of this study, 87% indicated that they were supported by their churches to resettle. This is what one of them stated:

In my case, the Pastor of my church assisted me to reach out to the family of my victim, and they forgave me and prayed that my reformation will affect society positively. My church also provided me with all the support I needed including a stable salary to enable me cater for my needs. I received all the social support I needed from society to help me reintegrate, and I am happy. The church gives me a sense of acceptance and love. It has helped me to realize the wrong I did for which I have repented. The church has given me hope, reason to live and never to go back to my offence.¹⁵⁵

Of course, religions, especially the Christian religion, gives hope. In difficult situations when one feels there is nothing that could be done, the Bible encourages through the Prophet Jeremiah saying: “For I know the plans I have for you, declares the Lord, plans to prosper you and not to harm you, plans to give you hope and a future”.¹⁵⁶ These words are as

¹⁵⁴ He made these statements in an interview with the researcher on prisoner religiousness

¹⁵⁵ Remarks made in an interview with the researcher by one of the ex-offender respondents.

¹⁵⁶ Jeremiah, Chapter 29, Verse 11

soothing as they are encouraging in any bad situation, and some churches are doing what they can to activate these words in the lives of ex-offenders.

4.5. Question Five: In your opinion, is it important to support prisoners initially when they are released from prison?

All categories of respondents indicated that it is important to support prisoners during the initial period of their release. This perception gives great hope since its practicability would help reduce recidivism to the barest minimum. According to the 2018 Prisons Annual Report (unpublished), Ghana's recidivism rate is 5% and the Prisons Service is working assiduously to reduce it.

Giving reasons for their affirmation that prisoners should be supported initially after release, respondents stated that such support would put discharged prisoners on the correct footing to fit into society. They explained that prisoners need social support groups and their families to assist them with residential accommodation and work to enable them to earn legitimate living. Other supports suggested by respondents included the kind of support that is given in the form of start-up capital to help prisoners get established in the trade they learnt whilst in the prison; providing them with machines and tools for their work; or helping them to continue with their education.

Another kind of recommended by respondents is family acceptance of the released prisoner. This is key for the smooth reintegration of the prisoner. The family plays a very important role in the reintegration of the prisoner. A stable and welcoming home environment could be a base of strength for prisoners as they face the real task of finding a new job and

adapting to a new socially acceptable lifestyle ‘on the outside’. This is more obvious with prisoners who have been in prison for a long time.

The importance of family contact is more realised as the family is perceived to have the capacity to reinforce most of the potentially rehabilitative interventions of the prisoner. It does this by practically providing support and reinforcing the motivation and the tenacity of prisoners in pursuing rehabilitation goals¹⁵⁷. Accepting the prisoner back into the family without any restrictions and showing him or her love leaves the prisoner with that emotional relief necessary for social reintegration. Table 7 below shows the summary of responses to Item 5:

Table 7

Response	Percentage						
	P. A	V. C. O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	100	100	100	100	100	100	100
No							

Prisoners’ needs when released from prison are individual and usually complex. However, the need of recognition as unique individual with a potential to change, may apply to majority of prisoners. Other possible common needs may include ducation, employable skills, job, stable housing and healthy relationships with supportive individuals who would provide good life counsel for the prisoner. There is also the need to strengthen the gains made in the prison by following up and consolidating them. When these needs are met, it becomes difficult for majority of these ex-offenders to reoffend.

¹⁵⁷ Thomas W. Beckner and Jeff Park, *Effective Jail and Prison Ministry for the 21st Century*, 1998, p. 27

4.6. Question Six: Does society have a stake in the reintegration of the prisoner at all?

As high as 90.5% of the respondents affirmed that society indeed has a stake in prisoners' reintegration. Some backed their position with the assertion that since society is the "ultimate abode" of all prisoners, it is vital that society plays a role that would enable the prisoner to feel a sense of belonging when released. Others stated that society is a major stakeholder, in that the actions of prisoners have direct or indirect effect on members of the society. Whether prisoners behave positively or negatively depends on how society treats them.

Respondents indicated that it is the responsibility of members of society to accept prisoners when they are released and assist them to successfully reintegrate after spending time in prison. Respondents further indicated that society needs to have a forgiving mentality, eschew discrimination against prisoners and rather encourage efforts of organisations engaged in reintegration activities. Additionally, respondents expressed the need for society to show prisoners unconditional love, provide them with care and assist them to meet their initial survival, safety and social needs when on release, irrespective of their crime.

The fact that 18.5% of recidivist respondents were of the opinion that society does not have a stake in prisoner reintegration seems to reveal their perception about society. Most recidivists think society is not performing its responsibility so far as prisoners' reintegration is concerned. In an interview with one recidivist respondent, it is revealed that "most often than not, members of society stigmatise ex-offenders and do all they can to discriminate against

them in public. Some family members even hate to see their blood relations from prison and do everything possible to send them back to prison”.¹⁵⁸

The foregoing claim was corroborated by a few of the inmates who said they had suffered similar fates because their family members had declared them unfit to belong to them. This is an unfortunate situation which is being experienced by a growing number of ex-offenders. Once a person unfortunately gets into the grips of the police, gets prosecuted and subsequently sentenced to serve one prison term, it becomes difficult for most families to accept such a person back into their fold. Table 8 below presents the summary of responses to questionnaire Item 6:

Table 8

Response	Percentage						
	P. A	V. C. O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	100	100	90	85	100	81.5	91.5
No			10	15		18.5	8.5

It is always the expectation of society that it would see a significant change from prisoners when they come back from prison, yet a lot of prisoners do not have the resources, support and motivation to make this change and consolidate it for the realisation of the goals of imprisonment. Society does receive the prisoner with the kind of heart that is welcoming, but instead contributes immensely towards the construction of more prisons to keep prisoners far away. Such attitude leads to the criminalisation and economic and social exclusion of an

¹⁵⁸ According to this recidivist, he was innocent of the crimes for which he was incarcerated in the last two prison terms. He claimed that his own family members framed up charges against him and the police also believed and apprehended him.

increasing number of people, who would not be able to contribute anything to nation building, and whose upkeep would be a burden on others. This has been the pattern in Ghana for a long time, and the cost to the prisoner, the innocent family of the prisoner as well as society itself is huge. Moreover, the prevailing bad conditions of imprisonment do not solve any problem as they fail to address the predisposing factors that cause the offending behaviour. Society has a stake in what goes on in the prisons since all the people in prison came from society and they would definitely go back to society after serving their sentence.

Through a well-planned and administered prison system, if society is able to address needs to meet victims' and its own expectations of offenders, this would serve the purpose of reintegration. In most cases, offenders are given the opportunity to show remorse for the offence they have committed and then take steps to correct the harm the offence has caused. The real expression of remorse is observed most clearly through a positive change in the offender's behaviour. If the appropriate needs are not met, society would be seen as pouring resources into an ever-increasing void, leading to further exclusion of offenders.

4.7. Question Seven: In your opinion, do prisoners get specific supports to enable them to resettle when they are on release from prison?

It was clear from the responses of all the categories of respondents that prisoners in Ghana do not receive the needed support that would make them readjust to society upon their release. As high as 71.4% of the 150 respondents affirmed this opinion and backed their claim with the assertion that most prisoners in Ghana have challenge with acceptance, accommodation, work, feeding or seed money to start their own businesses, and as a result, many of them reoffend and find themselves back in prison.

Only 28.6 % of the respondents expressed the opinion that prisoners get support when they are released from prison. One respondent who also shared this opinion indicated that lately some individuals as well as corporate bodies have been resettling prison inmates who have learnt certain skills whilst in prison and want to establish themselves in their skill-related trades. He cited an example of a donation of a fully equipped hairdressing saloon that was made for one female inmate on discharge from the Nsawam Female Prison.¹⁵⁹

The incidence of benevolence cited above, definitely, cannot meet the support needed by the great number of prisoners coming out of prison. As high as 80% of ex-offenders and 72.5% of recidivists showed that prisoners do not get support when released from prison. This gives cause to worry since these two categories of respondents might be expressing exactly what they feel.

Most prisoners face problems in keeping a stable home when they enter prison, and a great number of them return to society with no proper housing. For some, the mere fact that they have been imprisoned alone is enough justification to be denied access to meaningful accommodation when discharged from prison. As such, providing the necessary assistance to enable ex-prisoners have a chance to access accommodation and gain employment is of paramount importance as it would help prevent reoffending. Moreover, prisoners' ability to manage their own finances plays an important role in achieving the full purpose of social reintegration. Responses from the recidivists confirm the assertion that most prisoners who get supports such as housing, work and family acceptance immediately they come out of prison are usually able to reintegrate without reoffending. On the other hand, those who lack

¹⁵⁹ This information was made available to the researcher by a female prison officer at the Nsawam Female Prison after responding to the structured questionnaire items.

such initial support find the process of reintegration difficult and easily relapse into re-offending. Table 9 below reveals the summary of responses to questionnaire Item 7:

Table 9

Response	Percentage						
	P. A	V. C. O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	40	40	20	35	20	27.5	28.6
No	60	60	80	65	80	72.5	71.4

Therefore, establishing the structures such that preparations and support for prisoners would be made to help them reintegrate successfully into society deserves a needed attention. Also, expanding and intensifying the availability of training to improve prisoners' financial skills and thereby help them to successfully overcome the initial period of unemployment that may follow release is of paramount importance. This forms one of the main initial challenges that most prisoners face which, if not overcome, compels them to reoffend.

The first few weeks after release from prison form the most critical period in the life of the prisoner. Any little support that would enable them to avoid reoffending to solve such initial problems goes a long way to strengthen them to brace up for the kind of future society expects of them.

4.8. Question Eight: Is it necessary for victims of crime to meet with their assailants for the purpose of reconciliation?

Responding to the above question, all Prisons administrators and volunteer church representatives answered in the affirmative. Ex-offenders and recidivists were divided on

whether offenders could meet with their victims for reconciliation purposes. 80% of junior prison officers stated that they could do so. Similarly, 70% of the officials from the Department of Social Welfare indicated that it could be possible for victims and the community to accept the offender back, although 30% thought that such acceptance would depend on several conditions, including the type of crime committed, whether the offence is habitual, whether the offender has shown remorse and has initiated a reconciliation process, and whether the victim would have been adequately compensated.

Generally, respondents expressed the view that bringing victims and their assailants together for the purpose of reconciliation is the best thing to do since most victims might be harbouring resentments against their assailants and be looking for an occasion to revenge, leading to further crimes.

By the time of their release, they were often frustrated and sometimes angry with the “system” which they viewed as unjust. So these victimisers began to view themselves as being victimised by a system. But these feelings of anger and frustration with the abstract entity called the “system” or “state” was kept separate from what they considered to be part of their Christian walk. This new life in Jesus remained separated from the past hurts and injuries caused by their pre-Christian actions. These new creations in Christ Jesus felt little obligation to voluntarily address the injuries to the victims or the damages they had caused the community.

Jesus tells us that if we think our brother has offence against us, we should go to our brother and settle the matter. He made this statement on the assumption that we all realize that if we have offended someone, then it is our responsibility to make things right. We are told:

“Leave your gift there in front of the Alter. First go and be reconciled to your brother.”¹⁶⁰ If we are commanded to go to our brother when we think he has offence against us, should any less be expected from us if we have offended others?

When we minister to the needs of the offender, we too easily forget that one of his/her needs is to be healed of the injury of the crime through repentance, forgiveness, and reconciliation. Part of that healing process is to right the wrongs as much as it is in the power of the offender to do so. This is the beginning of the restorative justice process in offender’s life. Though he or she often has made peace with God, his or her peace with the victim and the community is seldom addressed. When healing does not take place in these areas, we cannot expect that individual who was on fire for the Lord while incarcerated to continue that zeal without much difficulty.¹⁶¹

Generally, the perception that victims should be compensated and restored to their former states rated highest through all categories of respondents. Specifically, the restoration of victims’ material, if possible, and psychological states was very predominant in the responses, which is indicative of the concern Ghanaians have for people in crisis.

With the exception of the recidivists, all categories of respondents suggested that the process of reconciling the victim and the offender could take place outside the traditional Western court system. They explained that this was, and still is, the practice in traditional Ghanaian societies. Such assertion by respondents that restorative justice practices are present in traditional Ghanaian societies was corroborated by an elderly man who in an interview with

¹⁶⁰ Matthew, Chapter 5, Verse 24 (NIV)

¹⁶¹ Joseph Jones, Restorative Justice Ministry Paradigm, p. 23

the researcher lamented the kind of justice administration in Ghana and its effect on prisoner reintegration thus:

During the pre-colonial era, the Gold Coast (now Ghana) predominantly administered justice through the traditional council where chiefs and their elders played important roles as judges. Crime was viewed as a disturbance of community peace and so offenders, together with their victims, were summoned at the chief's palace for peaceful settlement. Offenders were made to accept full responsibility of their actions, and in most cases, made restitution. These processes seemed to restore justice as both victim and offender easily accepted each other afterwards.¹⁶²

The above statement is indicative of restoration of justice and is, indeed, a clear departure from what pertains to the criminal justice system where the entire crime is viewed as a violation against the State and, and the offender must be punished accordingly by imprisonment. This does not bring the healing so desired to set a better foundation for prisoners' reintegration

Respondents also revealed special needs of offenders which included protection by the police, repentance, forgiveness by victims, the acceptance of self, reformation, rehabilitation and reintegration into society. These are clear needs which are well addressed through restorative justice practices. The need of repentance necessarily involves acceptance of responsibility and the possible urge to make restitution. This would automatically lead to forgiveness on the part of victims. Similarly, considering oneself with self-worth asserts one against anything that would bring disgrace to the self.

Recidivists' perception concerning their needs does reveal the primary pre-occupation of a criminal. Police protection against public attack on the criminal featured most in their responses. This gives the indication that offenders, although aware of their criminal activity, still want to be protected against attacks. This shows that offenders also do have needs that

¹⁶² This was revealed by Nene Atiapah of Old Ningo during an interview with the researcher.

should be addressed. It was the view of respondents that offenders be taken through moral and spiritual adjustment, and be helped to gain employment when they come out of prison.

The responses and reasons assigned so far form the main subject matter in restorative justice practices. This is so, as the need for the offender to take responsibility and make restitution as well as that of the victim to forgive and reconcile with the offender is paramount in restorative justice processes. For restorative justice, justice begins with a concern for victims and their needs, while it emphasises offender accountability and responsibility. It seeks to repair the harm as much as possible, both concretely and symbolically. Table 10 below shows the summary of responses to questionnaire Item 8:

Table 10

Response	Percentage						
	P. A	V. C. O	O. D.S.W	J. P. O	Ex-offenders	Recidivists	Overall
Yes	100	100	70	80	40	60	71.4
No			30	20	60	40	28.6

An example was cited of a few restorative justice practices carried out for offenders and their victims in the Nsawam Medium Security Prison which informed government's decision to pardon some prisoners in the past. One of such beneficiaries was one Kwesi Agyemang, popularly known as G-Man, who shot and killed a taxi driver and was subsequently placed on the death row at the Nsawam Medium Security Prison. Through restorative justice practice, the wife of the deceased was brought into the prison on a number of occasions to meet with G-Man. In such meetings, G-Man accepted responsibility for the

crime, showed remorse and pledged to do compensation. The woman, on the other hand, had the chance to ask questions and at the end expressed her willingness to forgive G-Man.¹⁶³

If it is possible, ensuring that all prisoners have opportunities voluntarily to make amends for the harm they had done, either through victim offender mediation or through service to the whole community, would go a long way to make ex-offenders acceptable when they return to society. Also, if offenders have the opportunity to respond to the harm done by imprisonment such as, for many prisoners, the loss of housing, employment, financial stability and the damage to their family relationships, they would learn to appreciate the need to refrain from crime.¹⁶⁴

4.9. Question Nine: When can it be said that justice has been restored?

Generally, respondents indicated that justice could be said to have been restored when the victim is satisfied with the punishment meted out to the offender, or when all the wrongs done to the victim are corrected and the necessary compensation is made. They perceive reconciliation between victim and offender as the possible consequence of restored justice

Officials from the Department of Social Welfare strongly shared the opinion that restored justice could take place when the victim is well compensated and the offender duly punished, and indicated further that justice is restored mostly when the law has taken its due course and the relationship between victim and offender is restored. Prisons administrators, however, cautioned that justice cannot be restored without fair trial, with the offender accepting responsibility and undergoing punishment, where necessary.

¹⁶³ The researcher himself was the chaplain and part of the mediation team at the Nsawam Medium Security Prison

¹⁶⁴ www.cepprobation.org

Similarly, recidivists agreed with the other respondents that real justice could be said to have been restored when both victim and offender are satisfied with the verdict of the courts. One of them stated that “justice is said to be restored when the offender accepts his responsibility for the offence, is corrected, and the victim is compensated for the wrong done to them”.¹⁶⁵

A careful juxtaposition of respondents’ understanding of true justice and restored justice reveals that respondents did not see any difference between the two. This presupposes that respondents’ actual perception of justice has been restorative justice, although Ghana is formally operating the criminal justice system due to Western influence through colonisation. Within the ambit of criminal justice, true justice is said to have taken place when the offender has been paid duly for the offence committed. In restorative justice, however, true justice is said to have taken place when the victim and his or her perpetrator have had their issues fully resolved with the involvement of the community, both have accepted to live in peace as before and the offender has consequently refrained from reoffending. In the event where the offender goes to offend another person, true justice cannot be said to have taken place in the first instance.

The research on the impact of religiosity and crime is suggestive. Heavy participant in church attendance has been shown to have some impact on recidivism rates. Still, a significant group of individuals who were very involved in prison chapel programmes returns to the criminal lifestyle. This is partially due to the lack of opportunity to repent of their criminal offenses, and failure to attempt to make things right with the community and the victim(s) of their offense. Understandably, the offender does not always have the wherewithal to address

¹⁶⁵ A statement by one of the recidivist respondents after responding to the structured questionnaire items.

the healing of their victims, but some attempts on their part to rectify the injury may act as an instruments for their own healing.

In a restorative justice paradigm, the offender at some point recognises the hurt he or she has caused and experiences shame for those actions, - a shame and sorrow which leads to repentance. Men could feel sorrow for getting caught or being locked up, but this is not always godly sorrow that leads to repentance. Repentance goes beyond accepting Christ as personal Saviour, it is a decision to change behavioural attitudes that are not consistent with the life of Christ. It is a willingness to surrender one's ways to the ways of Christ. The restorative justice paradigm suggests that the offender not only has to be restored through repentance, but he has to become a restorer through forgiveness.¹⁶⁶

Not only does the offender need to ask for forgiveness, he or she may also have to forgive others. The offender who often experiences "assembly line" justice in the courts finds it difficult to believe that justice has been served. Since, in most jurisdictions, more than ninety percent of the cases are plea bargained, offenders often feel railroaded through the courts. Although they may be guilty, there is little opportunity to tell their side of the story. In fact, there are few who show interest in listening to what led their offense. In some cases, even the defense attorney (court appointed) appears unconcerned and offenders view themselves as just another case for the attorney. They know that if they fail to accept the plea bargain, they risk receiving a harsher penalty if they demand a trial where they can tell their side of the story.¹⁶⁷

¹⁶⁶ Joseph Jones, *Restorative Justice Ministry Paradigm*, p. 24

¹⁶⁷ Ibid

Offenders leave court, their families and those things they value to serve their sentence, with little opportunity to address the victims they have harmed and can only apologise to their families for going to prison. When they arrive at the prison, they lose all autonomy. They no longer are allowed to make basic decisions for themselves. They are told when to eat, when to work, where they can and cannot go. They see themselves as being subjected to one humiliation after another.

In addition to the loss of autonomy, they lose a sense of wellbeing and security. They are now forced to adapt to a violent culture where it is a violation of respect to touch another unless you have control over them. Status is gained through aggressive actions and knowing how to manipulate the system. They miss their families who may decide not to visit and they may choose not to see their children because prison is not a good place to bring them. In all, they lose their sense of trust in people because of what they endure every day. They may have been the victimisers when they started in the system, but by the time of their release, they are frustrated, angered, distrustful and embittered.

This picture often describes the offended who has asked Jesus to be his or her Lord and personal Saviour. His or her relationship with the chaplain or religious volunteer is protected from this issues, but on occasions these attitudes surface in prayer. A restorative justice paradigm suggests that not only is repentance important, but facilitates healing, the offender has to address the issues of forgiveness within his/her own heart. The temptation is for the offender to pass judgment on those in the system he or she feels have offended him or

her. The Apostle Paul addresses this barrier to restoration and healing, reminding us that "... for whatever point you judge the other, you are condemning yourself."¹⁶⁸

4.10. Question Ten: At what stage can it be said that an ex-offender has successfully reintegration into society?

Some of the responses received from the various categories of respondents were that:

Ex-offenders would be said to be successfully reintegrated into society when they have established themselves and have become productive and law-abiding citizens who could contribute to the socio-economic development of the country; when they are fully accepted by members of the society and given due recognition as people without blame; when they could freely live and earn their living legitimately in the society; and when they exhibit acceptable behaviour in conformity with the norms of society and are gainfully employed as could be testified by members of society.¹⁶⁹

Respondents further indicated that successful reintegration is achieved when "society accepts the ex-offender and the latter establishes themselves without reoffending"¹⁷⁰ and "when the ex-offender leads a meaningful life devoid of crime and practises the vocation they have acquired to make a decent living"¹⁷¹ Evidently, the foregoing statements are revealing and do make heavy demands on every fabric of society. Whilst it is required of the ex-offender to put all the pro-social and employable skills they acquired in prison to good use and avoid criminality, the general society is expected to accept the ex-offender and provide them with the necessary support to make them succeed.

Making the necessary provisions to ensure that prisoners' re-entry after their sentence is properly managed is, therefore, of paramount importance. This is done by keeping a balance between managing ex-offenders and the important goal of connecting them to

¹⁶⁸ Romans, Chapter 2, Verse 1 (NIV)

¹⁶⁹ Summary of responses to questionnaire Item Ten

¹⁷⁰ An isolated response to questionnaire Item Ten

¹⁷¹ An isolated response to questionnaire Item Ten

services and opportunities that would lead to stability after the initial shock of leaving the structured prison life of regimentation.

To achieve full reintegration, recidivists expressed challenges about societal stigmatisation of and discrimination against ex-offenders, lack of employment opportunities, lack of accommodation, lack of initial financial support, lack of equal rights and opportunity with members of society in job acquisition, inability to get good friends for good guidance, lack of recognition by the family, lack of requisite knowledge and employable skills, societal rejection, and wrong accusation of the ex-offender in any new criminal issues. Recidivists justified that the presence of these challenges compels them to reoffend and go back to prison.

A typical response by one recidivist to the question on challenges that compel ex-offenders to reoffend is as follows:

The fact that prison is regarded as a dumping ground for criminals whilst not all prisoners are criminals; the fact that the prison system in the country focuses too much attention on punishment rather than reformation and rehabilitation although imprisonment in itself is punishment and, thus prison is not a place for further punishment as society sees it; the fact that some attitudes towards prisoners by some prison officers can be tantamount to human rights abuse; and that there are no job opportunities for prisoners on release, it will be difficult for prisoners to have full reintegration.¹⁷²

The above statements are indeed the realities to deal with if any nation wants to reduce the rate of recidivism by improving prisoners' reintegration. Frantic efforts have to be made to ensure that prisoners' reintegration is properly planned and that prisoners are given the necessary support to overcome the initial challenges when they are released from prison.

Suggesting how government could effectively ensure social reintegration of the prisoner, officials from the Department of Social Welfare responded that government needs to put in more efforts to train prisoners to acquire skills so that when they come out of prison,

¹⁷² A typical response of an ex-offender regarding difficulties they face when released from prison.

they could earn a living by themselves; government should start aftercare services and educate the populace to accept prisoners when they are released; government should institute appropriate programmes in the prisons and provide enough funding to run them; government should ensure that there is a social welfare system that could provide the needed support and professional aftercare for released prisoners, and that social workers should be involved from the day a prisoner is imprisoned to the day of discharge.

Truly, no programme in the prisons can receive the needed support if it does not have governmental backing. Government has to start for the church, NGOs, civil society groups and well-meaning individuals to support. This is more important as the Ghana Prisons Service is a government subvented organisation, and, therefore, is responsible to government for all that happens in the prisons. Government's commitment to and involvement in prison programmes through funding serve as a motivation not only to persons operating within the prison system, but also to the larger society.

In conclusion, it is clear from the responses so far that respondents understand the issues of social reintegration of prisoners. Their responses reveal that they have high expectations from government towards the reformation and rehabilitation of prisoners to ensure prisoners' reintegration when they come out of prison. Respondents also recognise the contributions churches and other religious organisations are making in the area of prisoners' reintegration. Similarly, respondents stress the need for the prisons to make frantic efforts to reduce the actual difficulties prisoners face in accessing potentially rehabilitative educational services which can be continued in the communities when they are released. For instance, educational programmes and courses using computers and the internet could be linked to

educational and vocational training programmes outside the prison walls for prisoners to achieve maximum benefits when they are released.

Respondents place premium on the adoption of restorative justice practice as an integral part in the preparation of prisoners for reintegration. In doing this, however, respondents recommend that care should be taken not to oblige offenders and victims to meet since that could potentially inflict further emotional harm. They maintain that it would not be appropriate to force a person to feel regret, guilt or to make restitution. The person should be willing to do so, and in this regard, the system should honour it in order to have a positive impact both in addressing harm and in ensuring reintegration. The willingness of both parties to be in mediation, therefore, serves as the springboard for the restorative justice processes.

CHAPTER FIVE

SUMMARY AND CONCLUSION

5.1. Summary

Problems prisoners face in getting reintegrated into society after their release from prison often compel civil society to have a second look at the very meaning of justice. Since the beginning of the nineteenth century, a formal, institutionalised criminal justice system that heavily relies on incarceration has developed. In most cases, this justice system merely confines prisoners for the period of their sentences without taking them through processes to equip them for the drastic changes to their lifestyle that society would expect of them after their release. Nevertheless, reintegration should consider how the administration of justice addresses its social dimensions; that is to say, how a justice system might identify and address the social harm that can be both a contributing cause and an effect of crime. The preparation of prisoners for a return to society, therefore, is something that should be envisaged and worked towards from the very beginning of a term of incarceration.¹⁷³

This study - *Prisoner reintegration through social support, religiousness and restorative justice in Ghana* - mainly examined the role religiousness, social support and restorative justice practices play on prisoners' reintegration in Ghana. It examined in detail the Ghanaian experience in the extent to which restorative justice is conceptualised, its practical benefits and its evaluation as an alternative to retributive justice in some cases, or when used in conjunction with the Western legal system of justice administration. In doing

¹⁷³ www.cepprobation.org

this, the study examined the effect of the reformation and rehabilitation programmes in the prisons on prisoners' reintegration.

Using recidivist prisoners from the Nsawam Medium Security Prison, the Nsawam Female Prison, the James Camp Prison and the Senior Correctional Centre (SCC), ex-offenders who are well integrated in society, Prisons administrators, junior prison officers, volunteers of churches and organisations in prison ministry and officials from the Department of Social Welfare, the study led the researcher to investigate into programmes, activities, practices and provisions that are pro-prisoner reintegration and the extent to which these are effective in achieving their purposes.

The study did confirm that the prisons in Ghana have various reformation and rehabilitation programmes available to inmates for the provision of knowledge, skills and attitude for social reintegration. These include the provision of formal education, non-formal education, vocational training, skills' training programmes, religious and moral education for character re-formation.

The study, however, found out that these programmes, though vital for the rehabilitation of inmates, are faced with a number of challenges, including the lack of funding, lack of modern machines and tools, poor patronage due to fear of not getting employment with accompanying certificates and lack of appropriate workshops due to limited space in some prisons.

Respondents' expressed opinions and shared knowledge about the concepts of social support, religiousness and restorative justice in relation to prisoner reintegration showed clearly that they have fair knowledge about what these are, what should go into reintegration

to make it work, the extent to which reintegration is being achieved in Ghana and, indeed, the contributions of religiousness, social support and restorative justice in that regard.

The general observation of the presence of religious affiliations in the prisons by which prisoners' reintegration is enhanced through the influence of religious instructions and material support from the group was confirmed. Motivated by the concept of social solidarity, members of a particular group see themselves as one, and do everything possible to help others who are in need. Some ex-offenders who functioned as respondents in this study corroborated this finding through their responses.

It is equally established that restorative justice do address questions untouched by the conventional, adversarial system of criminal justice. Thus, responses from questionnaire and interviews in the study seemed clearly obvious that one of the most universally accepted aspects of restorative justice is its emphasis on the healing of relationships among victim, offender, and community. This supports the growing canon of literature which attests that restorative justice model regards crime as a violation of people and relationships as it is concerned with addressing the hurts of victims, the harms of the community and the needs of offenders, respectively.

Given the pervasive nature of social deviance, society cannot be devoid of crime. The fact that laws have been instituted to prevent crime and yet people always break them presupposes that there is something in the humankind that demands attention other than punishment. The presence of recidivists in prisons is indicative of the fact that imprisonment (punishment) alone cannot reform people who often fall foul to the law. Most criminals might be aware of the consequences of their actions and yet do little to prevent them. This might stem from the fact that they might have real needs that should be identified and addressed.

Since restorative justice encourages acknowledgement of wrongdoing, it provides increased potential for prevention of future relational conflicts and crime while supporting and validating victims' concerns. The word 'restorative' recognises that the goal is to restore relationships, rather than simply to determine guilt. Yet, this means more than putting things back the way they were if the relationship was damaged in the first place.

In Ghana, restorative justice practices are adopted in settling disputes mostly in the typically rural (traditional) societies where the courts of the chief and his council of elders are of great service. In the semi-urban and urban areas, most domestic disputes are withdrawn from the police stations for amicable settlement at home. Such restorative processes require that wrongdoers make reparation to the victim, themselves and the community while recognising the harm they had done and being actively involved in making things right.

Here, relationships are thought of as a fabric that is torn by an act that is primarily a violation done to another community member. Patching of relationships is not an 'invisible mending', since one can clearly see where it has been mended. There are after effects that cannot be undone in most cases. These effects are felt most directly by victim, family, and friends of the person harmed. However, there is an erosion of trust and harmony within the broader community just as the mended fabric has scars remaining evident though regains some of its functionality.

Individuals who minister to the offender should look for opportunities to address the issues of damage caused by the offender. The assistance of the offender through the process of healing entails addressing the issues of damage. Those who minister in these situations should assist the offender in developing a plan of action to address the harms that had occurred. Chaplains and lay ministers could direct the offender and victims to resources that

would assist him/her to resolve the issues of harm or damage. The Church is a critical component of the restorative justice ministry paradigm since the secular community does not always address such issues.

This restorative justice paradigm is another way to look at jail and prison ministry. Christians need to view crime not always as sin, but as harm, hurt or damages to individuals who make up the community. This view helps in approach to the ministry of reconciliation. Community peace is shattered when a crime occurs, victims endure emotional, physical and spiritual pains, while offender becomes shackled into a lifestyle that perpetuates fear and distrust.

Communities are becoming captives of fear and victims of crime. The criminal justice system is impotent in crime prevention, even with the increase incarceration with efforts to be tougher on crime. The current system often encourages the offender to be more embittered upon his or her release than when he or she entered the system, and provides little opportunity for public repentance. The issues of crime are, therefore, never resolved. Resolution has to go beyond incarceration.

Ministry to offenders and victims is a mandate of the church. We are called to love our neighbours as ourselves. Our neighbours are those who have offended us as well as those whom have been offended. A restorative justice paradigm demands that ministry should be holistic. It should consider both offender and victim; it attempts to meet the spiritual as well as the physical emotional needs of those involved; and it addresses offenders when they enter prison as well as when they are released. Restorative justice is the type of justice that brings resolution, healing and reconciliation to the problem of crime.

5.2. Conclusion

It becomes evidently clear that the responses of the Ghanaians used for the research are in affirmation of the contribution of social support and religiosity in prisoners' reintegration. In the prisons, adherents to particular religious faith hold themselves together as one body and are supported by their mother organisation as well the wealthy among them in time of need. The religious instructions they receive during their meetings and celebrations help in guiding their way of life positively. The influence of such instructions continue to reflect in the lives of the serious ones even when they are released from prison.

Respondents revealed a strong desire for a formal adoption of restorative justice principles in the justice administration system in Ghana. All respondents, for instance, generally suggested that in any crime situation, victims must have their needs and hurts addressed as offenders accept responsibility of the crime, and take realistic means to make the wrong right, so that they and the community are both healed. The situation whereby crime is viewed as a violation of the law and offenders must simply serve prison terms without recourse to the victim of the crime, cannot foster peace between the victim and the offender even after the latter has served his or her prison term.

It is imperative that in any crime, the offender at one time or another shows remorse and apologises or pays restitution to the victim and asks for forgiveness. This process has the propensity of healing the wounds of the victim and offers the opportunity for the offender to know that he or she has been forgiven. By so doing, both victim and offender can live together in peace and the community, which, for all this while has been a spectator, would regain its peace and harmony. This is the strength of restorative justice over the traditional criminal justice system.

5.3. Recommendations

Based on the findings of this study, it is recommended that, for prisoners' reintegration to be effective so as to reduce recidivism rates in Ghana, government should prioritise inmates' educational programmes and provide funding for them; the Ghana Prisons Service should review some of the rehabilitation programmes to meet the needs of inmates; the Service should extend the programmes to other prisons based on needs assessment; and that the Service should give incentives to prisoners participating in such programmes to enhance participation.

It is also recommended that the churches and the other religious groups that are having solidarity with prisoners on fragmented bases should come together from time to time to be encouraged by the Prison Service and be guided in their service to know the boundaries of the operations. This collaboration needs to be strengthened in order to yield the desired benefit envisaged.

Furthermore, it is suggested that, for Ghana's justice administration to improve, knowledge in the concept of restoration justice should be deepened among the Ghanaian justice operatives and the system be formally adopted to take care of minor offences (misdemeanours) while running side by side with the present Western criminal justice system in dealing with serious offences (felonies). This, it is envisaged, would bring true justice to victims, offenders and the community alike, and would play a major role in ensuring prisoner reintegration.

It is equally recommended that this study be used as a basis for an inclusion of the subject 'Restorative Justice' in the Religion Departments of the universities in Ghana since

such institutions have the needed propensity and the impetus to do further research on it and share the knowledge with justice administrators in particular, and the general public (inquiring minds) in general.

5.4. Suggestions for further study

For the purpose of this study, a larger population was not targeted. Also, cultural differences and the urban-rural settings in relation to restorative justice practices were not covered. It is suggested that future studies should devote some attention to these areas in order to determine whether the findings would make any significant difference as compared to those of the present study.

Furthermore, in the selection of ex-offenders, future studies should include those who have just come out of prison and are in the transitional period of coming to terms with the pressures of life instead of only those who have fully resettled.

Finally, the research material for respondents should be extended to cover more areas not addressed in this study so as to bring to light more unprecedented details. It is envisaged that if these are done, such a study might yield more worthwhile results.

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APPENDIX

APPENDIX I: QUESTIONNAIRE ON PRISONER REINTEGRATION IN GHANA

THROUGH CHRISTIAN SOCIAL SUPPORT AND RESTORATIVE JUSTICE

RESPONDENTS: PRISONS ADMINISTRATORS

DEMOGRAPHIC DATA

Sex : Male____ Female____

Marital Status: Married____ Single ____ Divorced ____ Separated____

Occupation: _____

Place of Residence: Town_____ Location_____

SPECIFIC DATA

Instruction

To each of the following questions, there are suggested answers. Please, choose in your opinion those ones that best answer the questions. For Q1, you could choose more than one response. For all others, please, choose only one.

1. In your opinion, what is prisoner reintegration? (You can choose more than one response.
 - a) The State punishing prisoners for their offences
 - b) Letting offenders know they have done wrong and forgiving them
 - c) Addressing the reformation and rehabilitation needs of prisoners while they are in prison
 - d) Addressing the needs of prisoners when they are discharged to enable them to resettle in society
 - e) Making prisoners do hard work to give back to society

2. In your opinion, is the prison carrying out reformation and rehabilitation of prisoners?

- a) Yes
- b) No

If your response to Q.2 is Yes, kindly list some of the reformation/rehabilitation activities and indicate how effective they are.

3. In your opinion, do prisoners get support from society (such as toiletries, detergents, legal aid) when they are in prison?

- a) Yes
- b) No

If your response to Q.3 is Yes, kindly list some of the supports.

4. In your opinion, does belonging to a religious group and participating in its activities help a prisoner to reintegrate in society?

- a) Yes
- b) No

If your response to Q. 4 is Yes, kindly indicate some of the ways in which this belongingness helps. If your response is No, kindly give your reason(s).

5. In your opinion, is it important to support prisoners initially when they are released from prison?

- a) Yes
- b) No

If your response to Q.5 is Yes, kindly indicate what kind of initial support they need. If your response is No, please give reasons.

6. Does society have a stake in the reintegration of the prisoner at all?

- a) Yes
- b) No

If your response to Q.6 is Yes, how is the society involved?

7. In your opinion, do prisoners get specific supports to enable them to resettle when they are released from prison?

- a) Yes
- b) No

If your response to Q.7 is Yes, kindly list some of these supports.

8. Is it acceptable for victims of crime to meet with their assailants for reconciliation purposes?

- a) Yes
- b) No

Please, give reasons for your choice of answer

9. When could it be said that justice has been restored?

10. At what stage could it be said that an ex-offender has successfully reintegrated into society?

11. How could the Prisons collaborate with agencies and civil society for effective prisoner social reintegration?

**APPENDIX II: QUESTIONNAIRE ON PRISONER REINTEGRATION IN GHANA
THROUGH CHRISTIAN SOCIAL SUPPORT AND RESTORATIVE JUSTICE
RESPONDENTS: REPRESENTATIVES FROM VOLUNTEER CHURCHES**

DEMOGRAPHIC DATA

Sex : Male____ Female____

Marital Status: Married____ Single ____ Divorced ____ Separated____

Occupation: _____

Place of Residence: Town_____ Location_____

SPECIFIC DATA

Instruction

To each of the following questions, there are suggested answers. Please, choose in your opinion those ones that best answer the questions. For Q1, you could choose more than one response. For all others, please, choose only one.

1. In your opinion, what is prisoner reintegration? (You can choose more than one response.
 - a) The State punishing prisoners for their offences
 - b) Letting offenders know they have done wrong and forgiving them
 - c) Addressing the reformation and rehabilitation needs of prisoners while they are in prison
 - d) Addressing the needs of prisoners when they are discharged to enable them to resettle in society
 - e) Making prisoners do hard work to give back to society

2. In your opinion, is the prison carrying out reformation and rehabilitation of prisoners?

- a) Yes
- b) No

If your response to Q.2 is Yes, kindly list some of the reformation/rehabilitation activities and indicate how effective they are.

3. In your opinion, do prisoners get support from society (such as toiletries, detergents, legal aid) when they are in prison?

- a) Yes
- b) No

If your response to Q.3 is Yes, kindly list some of the supports.

4. In your opinion, does belonging to a religious group and participating in its activities help a prisoner to reintegrate in society?

- a) Yes
- b) No

If your response to Q. 4 is Yes, kindly indicate some of the ways in which this belongingness helps. If your response is No, kindly give your reason(s).

5. In your opinion, is it important to support prisoners initially when they are released from prison?

- a) Yes
- b) No

If your response to Q.5 is Yes, kindly indicate what kind of initial support they need. If your response is No, please give reasons.

6. Does society have a stake in the reintegration of the prisoner at all?

- a) Yes
- b) No

If your response to Q.6 is Yes, how is the society involved?

7. In your opinion, do prisoners get specific supports to enable them to resettle when they are released from prison?

- a) Yes
- b) No

If your response to Q.7 is Yes, kindly list some of these supports.

8. Is it acceptable for victims of crime to meet with their assailants for reconciliation purposes?

- a) Yes
- b) No

Please, give reasons for your choice of answer

9. When could it be said that justice has been restored?

10. At what stage could it be said that an ex-offender has successfully reintegrated into society?

11. How could the church collaborate with the Prisons to ensure social reintegration of prisoners? Are there challenges?

**APPENDIX III: QUESTIONNAIRE ON PRISONER REINTEGRATION IN GHANA
THROUGH CHRISTIAN SOCIAL SUPPORT AND RESTORATIVE JUSTICE**

RESPONDENTS: OFFICIALS FROM THE DEPARTMENT OF SOCIAL WELFARE

DEMOGRAPHIC DATA

Sex : Male____ Female____

Marital Status: Married____ Single ____ Divorced ____ Separated____

Occupation: _____

Place of Residence: Town_____ Location_____

SPECIFIC DATA

Instruction

To each of the following questions, there are suggested answers. Please, choose in your opinion those ones that best answer the questions. For Q1, you could choose more than one response. For all others, please, choose only one.

1. In your opinion, what is prisoner reintegration? (You can choose more than one response.
 - a) The State punishing prisoners for their offences
 - b) Letting offenders know they have done wrong and forgiving them
 - c) Addressing the reformation and rehabilitation needs of prisoners while they are in prison
 - d) Addressing the needs of prisoners when they are discharged to enable them to resettle in society
 - e) Making prisoners do hard work to give back to society

2. In your opinion, is the prison carrying out reformation and rehabilitation of prisoners?

- a) Yes
- b) No

If your response to Q.2 is Yes, kindly list some of the reformation/rehabilitation activities and indicate how effective they are.

3. In your opinion, do prisoners get support from society (such as toiletries, detergents, legal aid) when they are in prison?

- a) Yes
- b) No

If your response to Q.3 is Yes, kindly list some of the supports.

4. In your opinion, does belonging to a religious group and participating in its activities help a prisoner to reintegrate in society?

- a) Yes
- b) No

If your response to Q. 4 is Yes, kindly indicate some of the ways in which this belongingness helps. If your response is No, kindly give your reason(s).

5. In your opinion, is it important to support prisoners initially when they are released from prison?

- a) Yes
- b) No

If your response to Q.5 is Yes, kindly indicate what kind of initial support they need. If your response is No, please give reasons.

6. Does society have a stake in the reintegration of the prisoner at all?

- a) Yes
- b) No

If your response to Q.6 is Yes, how is the society involved?

7. In your opinion, do prisoners get specific supports to enable them to resettle when they are released from prison?

- a) Yes
- b) No

If your response to Q.7 is Yes, kindly list some of these supports.

8. Is it acceptable for victims of crime to meet with their assailants for reconciliation purposes?

- a) Yes
- b) No

Please, give reasons for your choice of answer

9. When could it be said that justice has been restored?

10. At what stage could it be said that an ex-offender has successfully reintegrated into society?

11. How could government effectively ensure social reintegration of prisoner? What are some of the challenges?

**APPENDIX IV: QUESTIONNAIRE ON PRISONER REINTEGRATION IN GHANA
THROUGH CHRISTIAN SOCIAL SUPPORT AND RESTORATIVE JUSTICE
RESPONDENTS: JUNIOR PRISONS OFFICERS**

DEMOGRAPHIC DATA

Sex : Male____ Female____

Marital Status: Married____ Single ____ Divorced ____ Separated____

Occupation: _____

Place of Residence: Town_____ Location_____

SPECIFIC DATA

Instruction

To each of the following questions, there are suggested answers. Please, choose in your opinion those ones that best answer the questions. For Q1, you could choose more than one response. For all others, please, choose only one.

1. In your opinion, what is prisoner reintegration? (You can choose more than one response.
 - a) The State punishing prisoners for their offences
 - b) Letting offenders know they have done wrong and forgiving them
 - c) Addressing the reformation and rehabilitation needs of prisoners while they are in prison
 - d) Addressing the needs of prisoners when they are discharged to enable them to resettle in society
 - e) Making prisoners do hard work to give back to society

2. In your opinion, is the prison carrying out reformation and rehabilitation of prisoners?

- a) Yes
- b) No

If your response to Q.2 is Yes, kindly list some of the reformation/rehabilitation activities and indicate how effective they are.

3. In your opinion, do prisoners get support from society (such as toiletries, detergents, legal aid) when they are in prison?

- a) Yes
- b) No

If your response to Q.3 is Yes, kindly list some of the supports.

4. In your opinion, does belonging to a religious group and participating in its activities help a prisoner to reintegrate in society?

- a) Yes
- b) No

If your response to Q. 4 is Yes, kindly indicate some of the ways in which this belongingness helps. If your response is No, kindly give your reason(s).

5. In your opinion, is it important to support prisoners initially when they are released from prison?

- a) Yes
- b) No

If your response to Q.5 is Yes, kindly indicate what kind of initial support they need. If your response is No, please give reasons.

6. Does society have a stake in the reintegration of the prisoner at all?

- a) Yes
- b) No

If your response to Q.6 is Yes, how is the society involved?

7. In your opinion, do prisoners get specific supports to enable them to resettle when they are released from prison?

- a) Yes
- b) No

If your response to Q.7 is Yes, kindly list some of these supports.

8. Is it acceptable for victims of crime to meet with their assailants for reconciliation purposes?

- a) Yes
- b) No

Please, give reasons for your choice of answer

9. When could it be said that justice has been restored?

10. At what stage could it be said that an ex-offender has successfully reintegrated into society?

**APPENDIX V: QUESTIONNAIRE ON PRISONER REINTEGRATION IN GHANA
THROUGH CHRISTIAN SOCIAL SUPPORT AND RESTORATIVE JUSTICE**

RESPONDENTS: EX-OFFENDERS

DEMOGRAPHIC DATA

Sex : Male____ Female____

Marital Status: Married____ Single ____ Divorced ____ Separated____

Occupation: _____

Place of Residence: Town_____ Location_____

SPECIFIC DATA

Instruction

To each of the following questions, there are suggested answers. Please, choose in your opinion those ones that best answer the questions. For Q1, you could choose more than one response. For all others, please, choose only one.

1. In your opinion, what is prisoner reintegration? (You can choose more than one response.
 - a) The State punishing prisoners for their offences
 - b) Letting offenders know they have done wrong and forgiving them
 - c) Addressing the reformation and rehabilitation needs of prisoners while they are in prison
 - d) Addressing the needs of prisoners when they are discharged to enable them to resettle in society
 - e) Making prisoners do hard work to give back to society

2. In your opinion, is the prison carrying out reformation and rehabilitation of prisoners?

- a) Yes
- b) No

If your response to Q.2 is Yes, kindly list some of the reformation/rehabilitation activities and indicate how effective they are.

3. In your opinion, do prisoners get support from society (such as toiletries, detergents, legal aid) when they are in prison?

- a) Yes
- b) No

If your response to Q.3 is Yes, kindly list some of the supports.

4. In your opinion, does belonging to a religious group and participating in its activities help a prisoner to reintegrate in society?

- a) Yes
- b) No

If your response to Q. 4 is Yes, kindly indicate some of the ways in which this belongingness helps. If your response is No, kindly give your reason(s).

5. In your opinion, is it important to support prisoners initially when they are released from prison?

- a) Yes
- b) No

If your response to Q.5 is Yes, kindly indicate what kind of initial support they need. If your response is No, please give reasons.

6. Does society have a stake in the reintegration of the prisoner at all?

- a) Yes
- b) No

If your response to Q.6 is Yes, how is the society involved?

7. In your opinion, do prisoners get specific supports to enable them to resettle when they are released from prison?

- a) Yes
- b) No

If your response to Q.7 is Yes, kindly list some of these supports.

8. Is it acceptable for victims of crime to meet with their assailants for reconciliation purposes?

- a) Yes
- b) No

Please, give reasons for your choice of answer

9. When could it be said that justice has been restored?

10. At what stage could it be said that an ex-offender has successfully reintegrated into society?

11. What role has social support, religiosity or reconciliation attempts played in your reintegration?

**APPENDIX VI: QUESTIONNAIRE ON PRISONER REINTEGRATION IN GHANA
THROUGH CHRISTIAN SOCIAL SUPPORT AND RESTORATIVE JUSTICE**

RESPONDENTS: RECIDIVISTS

DEMOGRAPHIC DATA

Sex : Male____ Female____

Marital Status: Married____ Single ____ Divorced ____ Separated____

Occupation: _____

Place of Residence: Town_____ Location_____

SPECIFIC DATA

Instruction

To each of the following questions, there are suggested answers. Please, choose in your opinion those ones that best answer the questions. For Q1, you could choose more than one response. For all others, please, choose only one.

1. In your opinion, what is prisoner reintegration? (You can choose more than one response.
 - a) The State punishing prisoners for their offences
 - b) Letting offenders know they have done wrong and forgiving them
 - c) Addressing the reformation and rehabilitation needs of prisoners while they are in prison
 - d) Addressing the needs of prisoners when they are discharged to enable them to resettle in society
 - e) Making prisoners do hard work to give back to society

2. In your opinion, is the prison carrying out reformation and rehabilitation of prisoners?

- a) Yes
- b) No

If your response to Q.2 is Yes, kindly list some of the reformation/rehabilitation activities and indicate how effective they are.

3. In your opinion, do prisoners get support from society (such as toiletries, detergents, legal aid) when they are in prison?

- a) Yes
- b) No

If your response to Q.3 is Yes, kindly list some of the supports.

4. In your opinion, does belonging to a religious group and participating in its activities help a prisoner to reintegrate in society?

- a) Yes
- b) No

If your response to Q. 4 is Yes, kindly indicate some of the ways in which this belongingness helps. If your response is No, kindly give your reason(s).

5. In your opinion, is it important to support prisoners initially when they are released from prison?

- a) Yes
- b) No

If your response to Q.5 is Yes, kindly indicate what kind of initial support they need. If your response is No, please give reasons.

6. Does society have a stake in the reintegration of the prisoner at all?

- a) Yes
- b) No

If your response to Q.6 is Yes, how is the society involved?

7. In your opinion, do prisoners get specific supports to enable them to resettle when they are released from prison?

- a) Yes
- b) No

If your response to Q.7 is Yes, kindly list some of these supports.

8. Is it acceptable for victims of crime to meet with their assailants for reconciliation purposes?

- a) Yes
- b) No

Please, give reasons for your choice of answer

9. When could it be said that justice has been restored?

10. At what stage could it be said that an ex-offender has successfully reintegrated into society?

11. What were some of the challenges you faced that made you reoffend?