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Treatment of Child Offenders Under the Child Rights Law of Lagos State in Some Selected Custodial Institutions

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Abstract

The main objective of this study was to assess the care of children and child offenders in particular under the Child Rights Law (CRL) of Lagos State in some selected custodial institutions. The study adopted a triangulation approach to collect both primary and secondary data from four purposefully selected Special Correctional Centres between 7th July and 30th September, 2013. Social welfare officers in charge of these custodial institutions were interrogated. Findings revealed that only two Special Children's Centres had child offenders. Other results include poor living conditions, inadequate recreational facilities, regular visits from parents/guardians and formal and informal education as stipulated in section 52 and 224 (1) of CRL respectively. Major challenges were poor data base, poor security of the premises, shortage of skilled staff and lack of funds and awareness of the services of custodial institutions. Organisation of awareness campaigns, recruitment and capacity building for staff, improvement of living conditions to meet the CRL standard, among others, are recommended.

Key words: Child offenders, Child Rights Law, Juveniles, Lagos State, Special Correctional,Centres**.**

INTRODUCTION

In the past, there was no special protection to children because they were considered to be small adults. At that time, it was assumed that most adults and parents had the best interest of children at heart, thus there was no need to think in terms of children's rights (Akwara, *et al.* 2010 cited in Ogunniran and Nwanna, 2016a). It is a truism that children have been vulnerable right from time immemorial. They have been physically and sexually abused, maimed, killed, used in industries and child labour. The first conscious effort to grant them rights was the Minimum Age (Industry) Convention adopted by ILO in 1919 (Ogunniran and Nwanna, 2016a). Thereafter, there have been many other conventions notably Geneva Declaration on the Rights of the Child 1924, UN Declaration on the Rights of the Child 1959 and UN Convention on the Rights of the Child (CRC), 1989. CRC encapsulates the basic rights of children to survival, education, improved health conditions and

protection from all forms of abuse and exploitation and also requires that these rights are implemented by all nations.

In Nigeria, Children and Young People's Act (CYPA) with other related criminal laws were the main statutes on juvenile justice administration in Nigeria. The Act was promulgated to make provisions for the welfare of the young and the treatment of young offenders and establishment of Juvenile Courts. The CYPA did not provide for the welfare and rights of many children which fell outside its purview. Its legal provisions fell short of the rights afforded by the African Charter on the Rights and Welfare of the Child (ACRWC), CRC, and United Nations Standard Minimum Rules for the Administration of Juvenile Justice. Furthermore, some studies such as Alemika and Chukwuma (2001 cited in Ogunniran and Nwanna, 2016a), Nwanna and Akpan (2003 cited in Ogunniran and Nwanna, 2016a) have reported inadequacies in structures of juvenile justice administration and gross violation of the rights of child inmates in the custodial institutions. In March 1991 therefore, the Nigerian government ratified CRC and domesticated it in 2003 as Child Rights Act (CRA), This Act ushered in a new legal framework with catalogues of adequate protection of the rights of the children, in general, and of the child offenders in particular. This was adopted as the Child Rights Law (CRL) of Lagos State in 2007. Since the adoption of the law in Lagos State, it has not been evaluated to assess its efficacy in sustaining the welfare and rights of children in the custodial institutions. This lacuna informed this research.

Objectives

The broad objective is to examine the care of juveniles under the Child Rights Law of Lagos State in some selected custodial institutions specifically to:

- Determine the number of child offenders in some custodial institutions in Lagos State.
- Assess the treatment of juvenile offenders in some selected custodial institutions in Lagos State under the CRL.
- Identify the challenges faced by social workers in the implementation of CRL in Lagos State

Research Questions

- How many child offenders are in the selected custodial institutions in Lagos State?
- How are juvenile offenders treated in selected custodial institutions in Lagos State under the CRL?
- What are the challenges experienced by social workers in the implementation of the CRL in Lagos State?

LITERATURE REVIEW

Definition of Key Terms

Child

A child is defined variously by different regions of the country with different criteria. CYPA define a child as a person under the age of 14 years and a young person as a person who has attained the age of 14 years and is under the age of 17 years (Ogunniran and Nwanna, 2016b). In Nigerian juvenile justice system, laws distinguish between adult offenders and child offenders or children who are in need of care and protection with respect to criminal responsibility. Section 50 of the Penal Code of the northern Nigeria and Section 30 of the Criminal Code of southern Nigeria define a child on the basis of criminal responsibility, that a child younger than 7 years is considered not to be criminally

liable and presumed to be incapable of committing an offence (Abdulraheem-Mustapha, 2016). Under Sharia law, the age of criminal responsibility is determined either by puberty or if the person has attained the age of 18 years, except in the case of Zina (fornication or adultery), where the age of criminal responsibility is 15 years (Abdulraheem-Mustapha, 2016). CRA and other international instruments define a child as a person under the age of 18. Some northern states which have not yet domesticated CRA still use age of criminal responsibility while Akwa Ibom uses age of marriage which is pegged at 12 years for girls. Despite the CRA's position, Akwa Ibom State has set the minimum age for marriage at 16 years.

Child offender

Collins Dictionary (no date) defines a child offender as a child who has been found guilty of some offence, act of vandalism or antisocial behaviour before a juvenile court. In Nigeria, most juvenile offenders are children who have committed offences under laws which are also applicable to adults.

Child rights

Rights are fundamental human rights which are inalienable rights of all human beings. Child rights, therefore, are human rights with particular attention to the rights of special protection and care afforded to minors, including their rights to association with both parents, human identity, basic needs for food, universal state-paid education, health care and criminal laws appropriate for the age and development of the child, equal protection of the child's civil rights and freedom from discrimination on the basis of the child's race, gender, sexual orientation, gender identity, national origin, religion, disability, colour, ethnicity, or other characteristics (Amnesty International, 2008).

Child Rights Law

Law is the body of official rules and regulations, generally found in constitutions, legislations, judicial opinions, and the like, that is used to govern a society and to control the behaviours of its members, so, law is a formal mechanism of social control (Lindsell, 2008 cited in Ogunniran and Nwanna, 2016b). Child Rights Law therefore is the point where the law intersects with a child's life which includes juvenile delinquency, due process for children involved in the criminal justice system, appropriate representation, and effective rehabilitative services; care and protection for children in state care; ensuring education for all children (Ahearn *et al.,* 2007 cited in Ogunniran and Nwanna, 2016b).

Related Studies

Lucas, T. B. (2010) reported a study on the role of social work in juvenile justice system in Botswana particularly with emphasis on the provisions of the Children's Acts of 1981 and 2009 for dealing with juvenile offenders. The results indicated that structures, infrastructure and services associated with juvenile justice were either inadequate or non-existent. Probation services were provided by untrained personnel; probation rules and regulations were outdated; infrastructure such as attendance centres were not available and juveniles committed to prison sentences were not given specialised care and treatment consistent with their age and level of maturity. He concluded therefore that Botswana's juvenile justice system was profoundly underdeveloped.

Human Rights Watch in (1999) investigated the conditions and care of juvenile inmates in 2 urban prisons and 2 juvenile institutions in Pakistan. They interviewed children, directors of the institutions, judges, legal aid lawyers, and physicians. Results revealed that overcrowding was

pervasive, children were housed in dormitory-style barracks and slept either on the floor or on raised cement blocks, unhygienic environment and provision of education and vocational training was severely limited. Children committed to borstal home who had been sentenced to "rigorous" imprisonment worked in six hours shifts with antiquated equipment at tasks such as tailoring, carpet-weaving, and carpentry. The disciplinary measure most frequently imposed on children was solitary confinement for up to two or three weeks; they were deprived of any communication with their families during that time. The findings also revealed that several juveniles attending classes in the borstal had their legs in iron shackles, 17.4% of them had been punished through hard labour, food deprivation and being forced to stand in the hot sun or maintain uncomfortable positions. Human Rights Watch in (1999) therefore argued that all these inhumane treatment violated the provisions of the Convention on the Rights of the Child.

Nwanna and Akpan (2003) conducted a study on juvenile justice system with emphasis on sections 37 and 40 of CRC in the six geo-political zones of Nigeria. The research findings revealed a high level of violations and abuse of the children's rights and gross deficiencies in the administration of the juvenile justice system in Nigeria in terms of laws, policies, and practice. The juvenile justice system was characterized by low calibre of personnel, dilapidated and inadequate facilities and inadequate educational and vocational facilities and funding. There were gross violations of children's rights to care, protection. Children complained of being compelled to confess to guilt, abused and tortured. Horse whipping and frog jumping were used as measures of corporal punishment. The custodial institutions were more of punitive than reformative and rehabilitative. The findings also demonstrated that the system contravened the stipulations of the Articles 37 and 40 of CRC with impunity.

Validating the findings of Nwanna and Akpan (2003), Alemika *et al.* (2004) reported the implementation of the CRC in Nigeria. Their findings in the treatment of Juveniles by Custodial Officers revealed that about 40% of the respondents stated that they were verbally abused (43.5%); physically assaulted (39.1%) and threatened with beating by Custodial Officers. A high proportion of juvenile offenders were subjected to mental or psychological torture by means of threat of beating (45.9%), denial of food (30.0%) and long detention (31.7%). However, more than one half reported having adequate facilities for sleeping (58.5%); and materials for proper hygiene (51.0%), and (47.5%) claimed that they were properly fed. The provision of education, vocational training, and moral/religious education along with the safe custody of the offenders were grossly inadequate both in quantitative and qualitative terms, within the Nigerian juvenile institutions and the wider criminal justice system. Workshop facilities in the nation's juvenile institutions and prisons were in a state of obsolescence and un-serviceability. The problem of inadequate staff to teach as well as overcrowding also militated against the effective utilization of the even obsolete facilities in the workshops.

All these studies highlighted the challenges and inadequacies in the juvenile justice systems.

THEORETICAL PERSPECTIVES

Implementing effective social work practices or approaches within the social work field is extremely important to help promote change among client systems. Social workers utilize numerous approaches, theories and practices that are designed to facilitate change among clients. This work

is premised on an eclectic paradigm adopting three theories and a model namely ecological theory, attachment theory, political economy theory and good lives model.

The Ecological Perspective

Ecological perspective is a variant of social systems model formulated by Germain (1979 cited in Pardeck, 1988). Although rooted in systems theory and using systems concepts to integrate information, the ecological perspective provides a broader base from which to integrate theories from several disciplines and to more fully explore the nature of the relationship between the individual and the environment. For example, this perspective incorporates concepts from role theory (among many others) to explain how behaviour and relationships are affected by socio-cultural factors. From an ecological perspective, social roles determine not only how a person in a particular position behaves, but also how others behave toward that person. The systems model, as it applied to social systems, seemed to provide the social work practitioners with a means to view human behaviour through a wide lens that allowed for assessment of the client across a broad spectrum of human conditions—as a person, as a member of a family, and as a participant in the community and the wider society (DeHoyos & Jensen, 1985). The person-in-environment system becomes the unit of analysis (for example, the child in the context of family, school, or peers).

Attachment Theory

Attachment Theory was developed by John Bowlby (cited in McGrath, 2013) whose early work focused on children in institutional care, such as those being raised in orphanages after the Second World War and those denied contact with their parents during extended hospital stays. Attachment theory posits that attachment is a formative developmental process affecting all areas of a child's development. The nature and quality of a child's early attachment to a primary caregiver is a significant part of the foundation for adulthood, affecting the child's cognitive, emotional, psychological and social functioning (McGrath, 2013). If a child was made to feel safe and secure and was given appropriate attention and affection, then the child would develop future relationships and interact with others in a way that mirrored this positive relationship. Alternatively, a child who did not receive attention, affection or feel safe and secure was more likely to develop emotional and/or social problems and have a distorted or inaccurate view of others in future relationships and interactions. These individuals would develop a more negative psychological and emotional base. Attachment theory informed child welfare practice with children in custodial care and their families. Children who enter into custodial care present with complex behavioural issues, at times mental health issues, substance abuse issues and criminal activity among other behaviours that increase their risks of harm and vulnerability (Institute for Human Services, 2001 cited in Dubois, 2014). For such children, anxieties of rejection and worthlessness dominate mental scripts and behaviours (Sng, 2009 cited in Dubois, 2014). Children in care are frequently given labels such as manipulative or oppositional when they do not access or participate in the supports and services made available to them (Sng, 2009 cited in Dubois, 2014). Negative labels may also be attributed to a child in care by their peers and adults in the child's life such as workers, teachers, therapists, and social workers if there is a lack of understanding or awareness regarding the child's maladaptive attachment strategy influencing the exhibited coping behaviour (Finzi, *et.al.*, 2000 cited in Dubois, 2014). It therefore becomes imperative that social workers in the custodial institutions should conduct social inquiries, assessments and other social activities and understand the attachment relationships of the children under their care in order to reform and rehabilitate them effectively.

Political Economy Perspective Of The Service Delivery Organizations

Political economy perspective of the service delivery organizations was formulated by Garrow and Hasenfeld (2010). It is one of the variants of political economy theory with the ideology of economic nationalism, a situation where the state possesses all the power while individuals work to enjoy the economic benefits (Corporate Finance Institute (CFI), 2015-2019). This perspective states that human service organizations have two kinds of resources (a) legitimacy and power and (b) production resources such as money, clients and personnel in order to have an effective service delivery system (Garrow and Hasenfeld, 2010). Within a task environment, organizations and interest groups including clients have a potential stake in the organization either because they control important resources needed by it or because it can advance their own interests. The theory proposes that the organizations depend on resources controlled by external elements such as government, hence, the more the dependence on external element, the greater the influence of that element on the organization. Therefore, such organizations will reflect the constraints and contingencies imposed by those who control needed resources (Cress & Snow, 1996 cited in Garrow and Hasenfeld, 2010). It is quite common for social service agencies to obtain governmental contracts to deliver services such as child protection. To secure these contracts, the agencies may undertake several strategies, including (a) providing good treatment for clients which can demonstrate positive outcomes; (b) using unpaid or low-paid staff to save costs; and (c) including influential persons on their board of directors (Kramer & Grossman, 1987 cited in Garrow and Hasenfeld, 2010).

Extrapolating this theory into the case of implementation of Child Rights Law of Lagos State, in custodial institutions, the institutions depend more on the resources provided by Lagos State government which may or may not be sufficient for effective service delivery. This may reflect in the quality and number of personnel, quality of services rendered, etc. For instance, at the inception of the law in Lagos State, the then governor, Mr. Raji Fashola employed all manners of people to work in these institutions as social workers.

Political economy perspective has been criticised for undermining the importance of moral values and ideologies that transcend calculations of power and money in shaping organizational behaviour (Garrow and Hasenfeld, 2010).

Good lives Model (GLM)

The Good Lives Model (GLM) developed by Tony Ward and his colleagues in 2003 is a strengths-based approach to offender rehabilitation. Strengths-based approach assumes that every individual has identifiable strengths and by focusing on these strengths, clients can grow and overcome their difficulties. GLM augments the risk, need, and responsivity principles of effective correctional intervention (Andrews and Bonta, 2010 cited in Prescott, 2013) through its focus on assisting clients to develop and implement meaningful life plans that are incompatible with offending. This model offers a unique and comprehensive approach to the rehabilitation of sexual offenders but has gained international attention as a useful theory and practice model for general offender rehabilitation (Phifer, 2012). A central assumption of the GLM is that offending results from problems in the way an individual seeks to attain primary human goods e.g. happiness, relationships/friendships, and experiencing mastery in work and leisure activities. Identifying the primary goods that are most important to clients, and those that are implicated in the offence process, constitutes a fundamental component of assessment because treatment explicitly aims to

assist clients to attain these primary goods in personally meaningful, rewarding, and non-harmful ways in addition to addressing re-offence risk (Yates *et. al*, 2010 cited in Prescott, 2013). Within the GLM, in addition to representing risk factors for recidivism, criminogenic needs are conceptualized as obstacles that block or otherwise frustrate pro-social attainment of primary human goods. They are therefore directly targeted in treatment as a crucial step towards assisting clients to attain primary goods in their lives. In this way, clients become invested in the treatment process because treatment explicitly aims to assist them live a fulfilling life in addition to reducing and managing risk. Offenders want better lives not simply the promise of less harmful ones.

In summary, these theories will guide social workers in the care and treatment of children in their respective custodial institutions.

RESEARCH DESIGN

It was a cross sectional and exploratory survey

Study Settings

There are specialized institutions for the detention and treatment of juvenile offenders in Nigeria. These include Approved Schools, Remand Homes and Borstal Institutions. The Approved School system is traced back to 1933 when it replaced the reformatory and Industrial Schools of the 19th century, earlier reorganized in 1908 (Nwanna and Akpan, 2003). Approved Schools essentially catered for boys and girls who were more highly disturbed and less responsive to therapy. Reformatory and Industrial Schools were said to have been established in Nigeria first time at Enugu in 1933 following the British colonial pattern and later at Isheri and Military Street Lagos (Igbo, 1999:84). Generally the law establishing Approved Schools stipulates that only children between 10 and 16 years of age should be admitted to the Approved Schools. Deriving from the Borstal Institutions and Remand Centre Act (no. 32 of 1960) the Children and Young Person' Act (CYPA) also empowered Native Local Authority and Local Government Council to establish Remand Homes as stipulated in section 15 of the Act. The history of Remand Home establishment is as old as history of social welfare in Nigeria. Social welfare activity in an organized setting under the Lagos Colony came into being in 1942. By 1945, the first Boys' Remand Home was established in Military street, Lagos. This was eventually moved to No. 1, Industrial Avenue, Sabo, Yaba in the early 1960s. Also Bolade Boys' Remand Home had existed at Oshodi in the late 1960s. By 1976, the Remand Home in Yaba was merged with the existing home at Oregun.

Remand Homes were established to cater for juvenile offenders whose offences would attract imprisonment if they were adults. They were for short periods only and for serious offences. Remand Homes sharing most of the characteristics of prisons, serve as places where juveniles facing trial in a juvenile court were sent pending the final determination of their cases. Also juveniles who were taught to be beyond parental control or in need of care and protection were sent to remand centres until suitable foster homes were found for them. Ordinarily then, children in Remand Homes were usually there on transit. (Igbo, 1999:86-87 cited in Nwanna and Akpan, 2003). In recent times, these homes were re-christened Children Correctional Centres to serve the purpose of the CRL. For instance, in Section 238 subsection (4), the CRL prescribes that *"Children Correctional Centre shall be a place in which offenders shall be detained and given such training and instruction as shall be conducive to their reformation and re-socialisation, and the removal or reduction, in terms of their tendency to commit anti-social acts and such other acts which violate the criminal law".* In subsection (5),

"Special Children Correctional Centre shall be a place in which a child, who is found to be incorrigible or is exercising bad influence on other inmates detained in children correctional centre, may be detained".

There are five correctional centres in Lagos with two situated in one location i.e. Special Correctional Centre for Girls, Idi-Araba and Children's Correctional Centre, Idi-Araba. Four of them were investigated. They are: Special Correctional Centre for Boys, Oregun, Special Correctional Centre for Junior Boys, Birrel Street, Yaba, Special Correctional Centre for Boys, Isheri and Special Correctional Centre for Girls, Idi-Araba, Mushin Local Government. All the four Correctional Centres had the same administrative structure. The centres are under the headships of Principals followed by the Vice Principals. Others are Social Welfare Officers, teachers, vocational instructors, health workers, care givers, cooks, cleaners and security personnel. Social workers act as probation officers and correctional officers. They monitor the inmates' well being and carry out social investigations on each inmate. They also counsel the children and perform home tracing. They receive voluntary donations on behalf of the children and receive visitors, agencies, organisations, parents and guardians. Lagos State government is the major financier of the agencies through the Ministry of Youth, Sports and Social Development supported by philanthropists, Non-Governmental Organisation (NGOs), churches and mosques. They render assistance in terms of food, clothing, lectures and health sessions and so on. In all the Centres, daily activities commenced with morning devotion at 5.30 am and ran throughout the day to 10.00 pm when the children would go to bed.

Method Of Data Collection

Secondary data were collected via desk review of extant literature. Primary data were collected via Key Informant Interviews (KII) and observation. KII guide was constructed.

The main objective of institutionalization of children is to reform and rehabilitate them to become better citizens of their societies. This involves training and treatment. According to Section 224 (1), "*the objective of training and treatment of a child placed in an institution shall be to provide care, protection, educational and vocational skills with a view to assisting the child to be socially constructive and play productive roles in the society*. Furthermore, Subsection (2) states that "*a child offender in an institution shall be given care, protection and all necessary assistance, including social, educational, vocational, psychological, medical and physical assistance, that he may require, having regard to his age, sex, personality and in the interest of his/her development.* Based on these sections of CRL, the following questions were included in the KII guide: Whether the social workers were aware of the CRL; what services were provided for child offenders; the categories of children committed into the custodial institutions; number of child offenders in the institutions; the offences majority of them committed; the number of years child offenders spent in custody; the children's feeding pattern; how they were treated when sick; the number of children in a room/cell; and how often the parents or relations of the child offenders visited them. Other questions are: the type of punishment the children received when they violated the institution's rules; the types of education /training provided for the child offenders and the other vulnerable children while in custody and the challenges experienced in the implementation of the CRL.

Field work took place between 7th July and 30th September, 2013. Four experienced Research Assistants (RAs) were recruited because this is a part a larger study. The RAs were trained for one day to enhance the quality of the data collected. In each of the four custodial institutions, the

principal social welfare officer or welfare officer - in - charge was interviewed. This was because Section 184 (1) states *inter alia "where a child is accommodated in a children's home, it shall be the duty of the person managing the children's home to: (a) safeguard and promote the welfare of the child; (b) make such use of the services and facilities available for children cared for by their own parents as appears to that person reasonable in the case of the child; and (c) advise, assist and befriend the child with a view to promoting his welfare when he ceases to be so accommodated*".

Ethical issues were also observed. KII data were transcribed**.** Data were analyzed using content analysis

RESULTS

The social welfare officers were first of all asked if they were aware of the CRL. All of them admitted to be fully aware of the Child Rights Law in Lagos State. With respect to the services they rendered to the juveniles, shelter, behavioural modification/psycho-social treatment, social investigation, correctional services, education and training and rehabilitation and reformation were provided.

For the categories of children committed into the institutions, the respondents said the following categories were committed: children beyond parental control, children in conflict with the law /child offenders, children in need of care and protection including lost but found on the street, children in need of shelter i.e. the sexually and physically abused, vulnerable children and those who were orphaned, task force children/ children rescued on the road e.g. hawkers. This category of children was mainly for the Special Correctional Centre for Girls, Idiaraba, Mushin.

On the question of the number of child offenders in each Centre, this varies from one centre to another. For example, Oregun Centre had 18 boys, 4 in Idiaraba Centre for girls, while Birrel and Isheri had no child offenders. For Oregun and Idiaraba Centres, the major offences committed by the child offenders were stealing, burglary, robbery, prostitution, aiding and abetting etc although most of the offences were still under trial and not yet established and confirmed.

The study also wanted to know how many years children were supposed to spend in correctional institutions. Various periods were mentioned by the respondents. For Birrel and Isheri respondents, it was between 6 months and 3 years while for Idi Araba respondent, it was between 3 and 9 months. Birrel respondent added:

> *At most 3 years. Usually it is 6 months. CRL stipulates minimum of 6 months and maximum of 3 years in a correctional institution but usually the order expires every 6 months and it is renewed because normally a child cannot complete his education in 6 months.*

Isheri respondent was of the same opinion and had this to say:

Maximum of 3 years, minimum of 6 months. It depends on the offences e.g.

(i) Beyond parental control, the magistrate reserves the right to commit the child for the first six month of which the home report would be tendered in the next adjournment just to see the improvement in his character molding, so that he could be re-united with his family.

(ii) Care and protection, maximum of 3yrs because they have to go school and learn a trade or vocation e.g. shoe making, vulcanizer, furniture making or carpentry etc.

(iii) Children in the need of shelter, it depends on the ability and willingness of their parents or guardian to accept them after the social workers must have worked on them.

Oregun respondent opined that the number of years depended on the court and offence. He said "It depends on the court. It is the court that determines that. Some are one year. Some are two while some are more than that".

When asked about their feeding patterns, all the respondents stated that the children had three meals daily in all the correctional centres. The respondents claimed that when the children were ill, they would be taken to hospitals for treatment. Oregun custodial institution actually had a sick bay where the children would be given first aid treatment before the arrival of the doctors. Other centres were attached to one hospital or the other. They also claimed that they had some friends of the homes who were doctors that came to assess the children's health and helped to give treatment when the children were sick.

Hygienic environment is very paramount to the health of the inmates therefore the respondents were asked to state the number of children in a room. Their responses revealed that dormitory type of hostels was being operated against rooms. One dormitory contains between 25 and 30 children

About parental or guardians' visits to the institutions, all the respondents confirmed that the children were visited at least once a month. Section 224 (4) permits parents and guardian of child offenders placed in institutions to have the right of access to the children.

In case of type of punishment the child offenders received when they violated the institution's rules, the respondents mentioned cleaning of surroundings, picking of refuse, extension of chores, cleaning of toilets, confinement and finally counselling. It is only in one of the institutions i.e. Isheri where the respondents added cutting of grass and caning saying:

> *They cut grass and we suspend people that clean the toilets, bathroom and those that do kitchen works and we now put them there for certain numbers of days, and if they don't show remorse, then we cane them on their palms like six strokes.*

The respondents were asked to provide information on the types of education/training given to the child offenders while in custody. They reported that the children were given both formal and informal education and vocational trainings such as shoe making, tailoring, vulcanizing, Global System for Mobile communications (G.S.M) Telephone repairs, tie and dye, barbing, etc.

The respondents also reported that the children would receive after care services when released. Such services include monitoring and supervision, assistance to re-integrate into the society, moral and financial empowerment. Some would be equipped with relevant tools based on their chosen vocational training. Opportunities would be provided for them to write trade tests and acquire certificates.

The respondents were asked to evaluate their services. They rated themselves as being satisfactory. They described their relationships with the children as cordial like parents-child-relationships because they are the locus parentis.

With regards to challenges facing the custodial institutions, Oregun respondent said that the greatest challenge was medical. The respondent argued that a facility with over one hundred children should have a resident medical doctor for prompt treatment. Another challenge was funding Another challenge was funding and suggested that government should get support from the members of the public. According to Birrel respondent the major challenge was lack of awareness of the services of the correctional institutions. Others were poverty, bad living condition, financial constraint on the part of the parents which forced them to neglect and abandon their children coupled with the cosmopolitan nature of the state, bad addressing system and bad data base.

For Isheri respondent, funding, logistics lack of medical personnel were parts of the challenges. The respondent expressed some fears about security issues as he alleged that too many people came into the custodial institution on daily basis. The respondent said:

> *There is problem of funding. There is no utility van for hospital and market, no sick bay for sick children and competent medical personnel, no adequate security and influx of people into the home does not conform to the international standard.*

The respondents were asked to suggest ways to solve the challenges they were experiencing. All of them believed that CRL should be reviewed because there seemed to be too many flaws. Creation of awareness had been mentioned severally by the other justice administrators. Oregun respondents suggested recruitment of more professionals and capacity building among others. According to the respondent:

> *The government should probably recruit more professionals like psychologists to take care of their psycho-social needs, medical officers to reside within the home so that they can receive treatment on time. Training of social workers is also very important. They should train the social workers to upgrade them. Another thing is on the Child Rights Law itself. Those that formulated the CRL are not practitioners. There are so many flaws in the law like assigning responsibilities to wrong body. The procedure for guardianship and protection are initiated from the court and it shouldn't have been so. And there is no strict punishment for offenders of the law. There should also be a part of the law that will differentiate between formal and informal care. People are just establishing NGOs here and there saying they are giving care to children. This has to be strictly monitored. More so, in the CRL, there is no table of content and you find it difficult to locate what you are looking for.*

The Birrel respondent added improvement of the standard of living of the people, review of wages of workers, creation of good data base and correction of the addressing system for easy home tracing. The respondents also noted that the law did not take into cognizance the culture of the people that were directly affected by this law e.g. issue of extended family, guardianship and family relation.

The Isheri respondent opined that funds should be provided. There is need for private partnership with humanitarian service base organizations like they do in hospitals e.g. HIV/AIDS 'GHAIN' programme. Other suggestions are provision of utility/van for mobility purposes, functional/sick bay with medical personnel, provision of adequate and competent security personnel and competent staff with professional background. Government should come and assist in area of recreational activities, home like this place need to be spacious, giving of land to sister ministries should be discouraged e.g. giving of the football field to sports.

Discussion of Findings and Their Implications

Among the services rendered to the children is social investigation. This is validating ecological and attachment theories (Bowlby cited in McGrath, 2013) which posit that social workers need to do thorough assessments in order to diagnose the causes of the children's situations and thereby be able to reform and rehabilitate them.

Only Oregun and Idiaraba Special Children's Centres had child offenders i.e. eighteen and four respectively. This implies that the Centres served more as shelters than as detention homes for child offenders. The policy implication here is that more children are homeless, street children or beyond parental control.

Room occupancy rate is a good measure of healthy environment so the respondents were asked to state the number of children in a room. It was revealed that there were about 25 to 30 children in one dormitory. This could be satisfactory as long as the dormitories are not over crowded. The finding supports the finding of Human Rights Watch (1999) which observed that juvenile inmates in Pakistan custodial institutions were kept in dormitories. Secondly, personal observation revealed that the conditions in the Centres had improved tremendously. At the time of the study, they were found to be clean and fit for habitation. This is probably because in Section 167 (1a) the law mandates the state to provide accommodation for children under her care. This finding is contrary to the findings of earlier studies by Alemika and Chukwuma (2001), Nwanna and Akpan (2003) and Human Rights Watch (1999) where the conditions were found to be very poor and unhygienic. They looked better than the Approved Schools and Remand Homes of earlier years prior to the enactment of the CRL in Nigeria. Meal situations were observed to be satisfactory. The implication of all this is that CRL is indeed good and has improved the situation of children in conflict with the law and other vulnerable children under the custody of Lagos State.

Visits from relations are important aspect of treatment in these centres. The frequency of parental visits would enhance the speedy reformation of the children. The study found that parents and guardians visited inmates regularly as stipulated in section 52 of the CRL which *inter alia* says *(1) Where a child is in the care of the State Government or an appropriate authority, it shall, allow the child reasonable contact with: (a) the parents of the child; (b) a guardian of the child; (c) a person in whose favour a residence order was previously granted immediately before a care order was granted; and (d) a person who, had care of the child by virtue of an order made by Court.*

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The results showed that the punishments meted out to erring inmates included caning. Caning may be accepted as long as it does not cause any bodily harm. This is contrary to the inhumane treatment children in conflict with the law had received while in the Remand Homes and Approved Schools in Lagos State (Alemika and Chukwuma (2001); Nwanna and Akpan, 2003)

It was discovered that formal, informal education and vocational trainings were provided for the inmates. In section 224 (1), CRL states that "*the objective of training and treatment of a child placed in an institution shall be to provide care, protection, educational and vocational skills with a view to assisting the child to be socially constructive and play productive roles in the society"*. In view of this, education and vocational training are very germane to the successful rehabilitation of the children. It was observed that all the centres had schools with

Principals, Vice Principals, teachers and vocational instructors within their premises contrary to Approved Schools and Remand Homes days when the children had to go to schools outside the homes with inadequate number of instructors or none at all. All these results and observations demonstrate that the CRL has positive effects on the child justice system.

The findings revealed that when released, the children would be given after care services that equip them for proper re-integration into the society. Evaluation of their services showed that the respondents described their services as being satisfactory with cordial relationships with the children.

With regards to challenges facing the institutions, the study revealed the following lack of medical facilities, funding, lack of awareness of the services of custodial institutions, bad living conditions, bad addressing system, bad data base, lack of utility van for hospital, inadequate recreational facilities and market and inadequate personnel. All these challenges lend credence to the claims of political economy perspective of the service delivery organizations which states that organizations are resource dependent on external forces and hence are likely to have constraints in carrying out their duties (Cress & Snow, 1996 cited in Garrow and Hasenfeld, 2010).

RECOMMENDATIONS

Based on the findings, the following are recommended:

- Parents should take proper care of their children and should not abdicate their caring role.
- Enlightenment campaigns, seminars and workshops should be organized to create awareness of the services of the Children's Correctional Centres.
- More professionals e.g. psychologists, medical personnel, social workers should be recruited while capacity building should be organized for the employed social workers
- Government should endeavour to establish a sick bay in each of the institutions and employ at least nurses to take care of the sick inmates before the arrival of doctors.
- Living conditions in Birrel Correctional Centre should be improved to meet the CRL standard.
- Security men should be employed to guard the premises of these custodial institutions..
- Government should call upon private individuals, philanthropists and corporate organizations to partner with them in funding the institutions.
- Recreational facilities should be provided in each of the institutions.
- Utility vans, at least one, should be provided in each Correctional Centre to help in their routines.
- Seminars and workshops should be organized for the general public about the rehabilitation of children who had been in custody for easy re-integration into the larger society after discharge.

- Parents of children in correctional institutions should be enlightened about the progress of their children from time to time so that they can easily accept the children when discharged
- Ministry of Women Affairs and Poverty Alleviation (MWAPA) has simplified the law and so it should be well disseminated.

CONCLUSION

Lagos State has started a commendable journey on the implementation of Child Rights Law in the State. Future Reform Agenda must pay particular attention to the key issues raised in this research.

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