INVESTIGATION INTO GUIDANCE AND COUNSELLING PROGRAMMES IN THE GHANAIAN PRISONS: A CASE STUDY OF KUMASI CENTRAL PRISON.

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DECLARATION

I hereby declare that this submission is my own work towards the M/Phil degree and that to the best of my knowledge, it contains no material previously published by another person nor material which has been accepted for the award of any other degree of the university, except where due acknowledgement has been made in the text.

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ABSTRACT

The upsurge of crime and its attendant fear and panic have been a very serious cause of worry among law abiding citizens in Ghana. Recidivism is on the increase as ex-convicts who are expected by the society to be reformed in prison and reintegrated to lead meaningful lives, only return to crime shortly after their release and find themselves back into prison in spite of the harsh punishment and counselling services received while incarcerated. The aims of the study were to identify the Guidance and counselling services offered prisoners in Ghana, adequacy and effectiveness of facilities available under the Guidance and Counselling programmes currently run at the prison; as well as the role monitoring and follow-up services play in the reformation of inmates and to identify whether the Counsellors available in the prison are competent and adequate while noting the extent to which Guidance and Counselling services can assist in reducing crime. The study also aimed to find and document the number of inmates in the Kumasi Central Prison and to analyse and discuss the strengths and weaknesses of the guidance and counselling programmes; appraise its effectiveness in the prison and advance possible ways of improving them so as to reduce crime and recidivism in Ghana. The Qualitative research method was used to obtain data which assisted the researcher to conduct in-depth investigation into the types of Guidance and Counselling Services offered in the Ghanaian Prisons. The methodology also aided in identifying the strengths and weaknesses in the Guidance and Counselling services offered prisoners. Furthermore it enhanced the collection of data, making of cogent and logical conclusions and recommendations. Stratified random sampling was used to select the population for the

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study. The investigation revealed that the major setback in the Guidance and Counselling section of the Ghana Prisons is the lack of competent and adequate professional counsellors in the prison. Further findings indicated that, there are no separate offices for the counsellors or a counselling room available and no privacy is observed during counselling sessions. Besides, the prison is over populated and crowded making it absolutely difficult for counsellors to meet counselling demands of inmates. The public is in the dark as to the activities of the Prison Administration in terms of reformation of prisoners. The Prison Administration is to educate the public through the media about their activities for the public to appreciate their strength and assist in addressing their weaknesses. The Government should make the Prison service attractive to the youth to enable the Prison Administration recruit staff with the requisite professional qualification and knowledge in Guidance and Counselling.

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CHAPTER ONE

INTRODUCTION

1.1 Overview

The chapter touches on the Background to the Study, Statement of the Problem, Objectives and Research Questions/Hypothesis. Further, the chapter discusses the Delimitation, Limitations; Definition of Terms and Importance of the Study.

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1.2 Background to the study

In Ghana, people are identified by their family, clan and ethnic group. A clan is a cluster of families who share common values and mostly live in the same community. Each family in a clan is identified by a unique name which identifies an individual to a particular family in the clan. Names and families play important roles in the lives of Ghanaians; therefore, individual members of such groups protect the name and identity of their families. Hence, antisocial behaviours such as theft, rape, murder etc. are strongly objected to. Offenders are arraigned before the family courts for settlement and if the case is beyond their power; it is referred to the chief for settlement.

Here punitive measures such as fines and sanctions were meted out to culprits who have committed minor offences. However, serious cases such as persistent stealing, adultery are given stiffer punishment or banishment from the community, to serve as deterrent to others. Owing to the social effect of punishment and the destruction of the family name and integrity, people learnt to live in conformity with community values and norms. Members of the community have

learnt to keep the social order living in peace so as to promote the social cohesion of the people. Deviants are stigmatized and mostly live in isolation. These deviants who refused to change and live in conformity with the social order, are stigmatized and banished as a sign of protest to their antisocial conducts. Eventually, they converged to become bandits who rob from community to community and become social nuisance, disturbing the peace of the people.

The advent of Western education and culture in Ghana, the Ghana Police Service was established and mandated to meet the security needs of the citizens by protecting life and property. The police also arrest and prosecute offenders at the law court so as to keep the social order and cohesion of the public. In the same vein, the law courts of Ghana were also given the mandate to offer fair trial to offenders arraigned before them and those found guilty, are given various punishments ranging from fines to custodian sentences which are to be served in hard-labour to serve as deterrent to others. Further, the Prison Service of Ghana is designed to accept and accommodate prisoners jailed by the courts to serve their various jail sentences in-hard-labour. The jail sentence which is to be served in-hard-labour is meant to be a deterrent enough to alert people about the punitive measures attached to crime. Unfortunately, some offenders, in spite of the severe punishment, remain in the cycle of crime, hence, defied the deterring aspect of the harsh punishment given them and continue to commit more crimes after their release from prison.

This study intends to investigate the guidance and counselling programmes employed in the Ghanaian Prisons and their effectiveness to reducing the menace of crime. Further, guidance and counselling service is to be identified as a model or a tool for crime combat. It will also assist criminals who have found themselves entangled in the cycle of crime due to social stigma; as a

result of their persistent criminal activities and the subsequent jail, divorce themselves from their deplorable state and input their respective quotas to social development.

1.3 Statement of the Problem

The upsurge of crime in Ghana is a noted cause of worry to many law abiding citizens. In spite of the tremendous efforts advanced by the police and other security agencies to reduce the menace of crime and its resultant fear and panic in the populace, activities of crime is rather on the increase as daily reports of crime in the Newspapers and the electronic media carry headline publication of crime in the various locations of Ghana. The police who serve as the conveyance belt of the criminal justice system of Ghana arrest offenders of the law and arraign them before the law courts. After trial, those found guilty of the offence are sentenced to various jail terms which are to be served in- hard-labour. The harsh prison sentences pronounced on offenders of the law was meant to serve as deterrent. However, after their release from prison some ex-prisoners continue to commit serious crimes without recourse to the harshness of the punishment suffered while in prison. Even though they go through some kind of Guidance and Counselling programmes meant to enhance their reformation, a preliminary investigation seems to indicate that the Guidance and counselling programme at the Ghanaian Prisons leaves much to be desired.

This study therefore seeks to investigate and evaluate the kind of guidance and counselling programmes or services offered prisoners in the Ghanaian prisons, and if

possible advance suggestions for improving the system. This will assist prisoners rediscover themselves as human beings with potentials to make meaningful contributions to social order and cohesion.

1.4 Objectives

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1. To find and document the number of inmates in the Kumasi Central Prison.
2. To identify the facilities and the administrative structure of the Guidance and Counselling programmes and examine their roles and functions in the Ghanaian Prisons.
3. To identify, analyse and discuss the strengths and weaknesses of the Guidance and counselling programmes at the Kumasi Central Prison, appraise its effectiveness in the prison and suggest possible ways of improving them.

1.5 Research Questions

1. What services are offered under Guidance and Counselling services to prisoners in Ghana?
2. Are the facilities and the administrative structure under Guidance and Counselling programmes currently being run by the Prisons Service adequate and effective?
3. What roles does monitoring and follow up services play in the reformation of

prisoners?

4. Does the Prison Service have competent and adequate counsellors?
5. To what extent can Guidance and Counselling services reduce the rate of crime?

1.6 Delimitation

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This study is limited to the Guidance and Counselling programmes undertaken by the Kumasi Central Prison and the Department of Social Welfare of Ghana-Kumasi.

1.7 Limitation

Failure of some respondents to return the questionnaires administered to them and some respondents were afraid to give out information to the researcher.

1.8 Definition of Terms

The following technical words or terms have been explained as per usage by the researcher as follows: *Guidance and Counselling*: a professional assistance offered to individuals in need to assist them to make choices from the available options so as to effect a change in their prevailing situations for them to have a better life.

Guidance: Professional assistance that can be offered publicly.

Counselling: Professional assistance that cannot be offered public but in privacy to ensure confidentiality of the client.

Client: an individual in need of a professional assistance.

Counsellor: a trained individual who is highly educated in the field of psychology, sociology and philosophy.

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Counselling room: a room assigned solely to the counsellors to meet with clients only to listen skilfully to them without interference.

Counselling session: is the interaction between clients and their counsellors in the counselling room to share and pour out their difficulties for professional assistance.

Confidentiality: the bond secret between the counsellor and the client.

After-Care-Agent: a Social Worker assigned to prison as the welfare officer.

Social Worker: a staff from the Social Welfare Department trained to assist individuals with behavioural difficulties in the communities to adjust and find their social equilibrium.

Follow-up Service: is the service offered by counsellors to monitor the level of progress made by their clients.

Crime: a breach of the criminal law for which exist a penalty

Criminal: a person who has been sentenced to prison for breaking the criminal law of the land.

Prison: a building by the state where individuals who have breached the law are kept for a period or for life.

Prisoner/*Convict/Inmate*: an individual lawfully committed to prison by a court of law.

Remand Prisoner: a person facing trial at the court who has been committed into prison to reappear on the adjourned date for judgement or continuation of the trial.

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Ex-Convict/Ex-Prisoner: a prisoner who has been released from prison custody after serving the terms of imprisonment.

Recidivist: an ex-prisoner who after his/her release commit a crime and is sentenced back to prison for the new offence.

Stigma: the discrimination and scorn meted out to individuals with behavioural problems.

Cycle of Crime: the inability of criminals to stop committing crime.

Shariah /Shari: is an Arabic word meaning the way or path to water source.

Shariah Law/Shari Law: is the religious law that has its root in Quran and this is practice in Islamic countries where the principles of the Quran is strictly adhere to.

Quran: is the religious text for Islam.

Hadith: the sayings of the Prophet Muhammad (Peace be upon Him).

Sunnah/Ijma/Qiyas: Islamic religious laws interpreted by sections of Islam.

Hudud Offences: six major offences according to Sudanese Criminal Act of 1991.

Ridda or Apostasy: this is the rejection of the Islamic Faith by a Moslem.

Zina or Adultery: sexual intercourse outside marriage.

Qazf or False accusation of un-chastity: this is accusation of un-chastity that is expressed or imputation of adultery.

Hariba: This means Arm robbery.

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Seriqa Hadia: this means Capital Theft of property of high value which is equivalent to 4.25g of gold or its monetary value as determined by the Chief Justice.

Sharb Al Khamr: drinking of alcohol or anything intoxicant.

Dia/Blood money/Compensation: in murder trial the judge has no power to give pardon unless the deceased family who has the power to pardon the offender and if the deceased family agreed to pardon the offender will have to pay compensation called *DIA* to the family. The dia consist of 100 camels of different ages or their monetary value as may be determined by the Chief Justice. The dia is multiplied by number of victims and not the number of offenders.

1.9 Importance of the Study

- The study would equip the Ghana prisons Service to adopt the appropriate Guidance and Counselling programmes that will facilitate reformation and reintegration of the prisoners into society.

- Again, it will enable the stakeholders and the administrators of the Ghana Prisons Service to add importance to Guidance and Counselling services and provide the standard facilities and administrative structure which will render the programme effective at the Ghanaian prisons.
- It would also be of tremendous benefit to the Ghana police Service, the Judicial Service and the Department of Social Welfare as well as prison inmates. The study would serve as a resource material and also as a means of reducing crime.

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1.10 Organization of the rest of the text

Chapter Two focuses on review of available related literature to the study. Chapter Three comprises the general methodology of the work. It touches on the research designed, population for the study, sampling methods applied. It further looks at the instruments used in collecting and analysing the data. Chapter Four dealt with presentation and discussion of the findings. The final Chapter, Chapter five, gave a summary, conclusions and recommendations to the entire thesis.

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CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.1 Overview

This chapter consists of the History of Ghana Prison, Prison, Types of Prisons and Correctional Institutes, Types of Prisoners, Penal System in Ghana, Sharia Law, History of Guidance and Counselling in Prisons, the role of the Social Welfare Department among Prisoners, Gender issues in the prison, and Human Rights and treatment of prisoners.

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2.2 The History of Ghana Prison

The traditional Ghanaian communities did not have official prison system until the British Council of Merchants established a net work of harsh prisons in forts such as the Cape Coast castle in the mid nineteenth century and by 1850, four of these prisons held in their custody 129 inmates who worked in the road gangs. The 1860 Prison Ordinance, outlined regulations for the welfare and safekeeping of prisoners. Later, ordinances enacted further defined the nature of the colony's prison regime, or separate system which required solitary by night, penal labour and a minimum diet. In the early 1900s, the British colonial Administration took over the country's prisons and engaged Europeans to work as guards in the prisons. However, Ghanaians systematically, took over the position of these colonial officers after the Second World War and in 1962; the Ghanaians completely took over the administration of the Prisons.

The first Ghanaian Governmental Administration, led by Dr. Kwame Nkrumah and his Conventional Peoples Party (C.P.P) eventually became a one party system; where the prisons were used to punish political opponents, hence the Nkrumah's regime gave little attention to reforms at the Ghanaian Prisons. In 1966 when the CPP Government was overthrown by the National Liberation Council (NLC), there was a dramatic change as to the reformation of the prisons. The leadership of NLC empowered a civilian commission to conduct thorough investigations into the prison set up and come out with recommendations for improving the system. The Commission eventually came out in 1968 with their report and findings that outlined series of setbacks in the prison system. Out of the country's 29 prisons as of the time, nine were judged unfit for human habitation and two were only suitable for police lockups; 13 were useful only for short-term detention. The NLC failed to execute the recommendations of the commission because of corruption and incompetence due to which the prisons were left in bad state with poor ventilation, poor sanitation and very poor kitchen facilities.

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2.3 Prison

A prison, Correctional Institution and penitentiary are places where people who are physically confined and usually deprived of a range of personal freedoms and rights. Prisons are conventional institutions that form part of the criminal justice system of a country. Imprisonment or incarceration is a legal penalty imposed by the state on people who breach the law of a state. The prison has a remand section, where a criminal suspect

who has been charged with a criminal offense or is likely to be charged may be held on remand in prison if s/he is denied or unable to meet bail conditions or is unable or unwilling to post bail. A criminal defendant may also be held in prison while awaiting trial or trial verdict and if found guilty, the criminal defendant will be convicted and may receive a custodian sentence requiring imprisonment. The prisons are also used as a tool of political repression to detain political prisoners, prisoners of conscience and enemies of the state during the regimes of authoritarianism. Prisoners of war may also be detained in prison during periods of war or conflict. A prison system is the organizational arrangement of the provision and operation of prisons and depending on their nature may invoke a correctional system. Even though people have been imprisoned throughout the history of humankind, prisoners have also been able to perform prison escapes. Acts Chapter 5:23 ... found the prison securely locked and guards at post but all the prisoners gone.

For most history, imprisoning has not been a punishment in itself but rather a means of detaining criminals until corporal or capital punishment was meted out to them. The notion of modern prisons where incarceration is used as a means of punishment started in London in the 19th century as a result of the views of Jeremy Bentham. Furthermore, the first modern prisons of the early 19th century were known by the term "penitentiary" as the name suggests the goal of these facilities was that of a penance by the prisoner, through a regime of strict disciplines and silent reflections and perhaps forced and deliberately pointless labour on the tread wheels. Nevertheless, in the late 19th century,

prisoners' rehabilitation through education and skilled labour was introduced and has become the standard gaol of prison administration.

2.4 Types of Prisons and Correctional Institutions

The levels of security within a prison system are categorized differently around the world, but tend to follow a distinct pattern. Most developed countries divide prisons into separate security classes depending on the inmate population and the security needed to keep them under control.

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2.5 Super-Max Security Prison

As the name implies, this type of prison holds the 'worst of the worst' criminals and terrorists who pose a serious threat to national security. It is beyond maximum prison. The inmates in Super-Max prison have their individual cells and are kept in lockdown for 23hrs.in a day whilst their meals are served through chuck holes in the cell door. Each prisoner is allowed an hour a day to do exercise out of cell alone. They are not allowed to interact with other inmates and under constant surveillance by means of close-circuit television cameras.

2.6 Maximum Security Prison

Is a custody level in which the design and construction as well as inmate classification reflect the need to provide maximum external and internal control and supervision of prisoners, primarily through the use of high security perimeters and extensive use of internal physical barriers and check-points. Inmates therein, present serious escape risks

and pose serious threat to themselves, colleague inmates, as well as the staff and above all the smooth and orderly administration of the institution. Therefore, supervision is of a direct and constant nature.

2.7 Medium Security Prison

Is a custody level where the design and construction as well as inmate classification reflect the essence of providing both secure external and internal control and supervision of the prisoners. Those accorded to this status may present a moderate escape risk and threat to inmates, staff, and the orderly day to day running of the institution. Supervision in this regard is direct and constant. Here, increased job opportunities and programme exist for prisoners who are willing to comply with the institutional rules and regulations.

2.8 Minimum Security Prison

Is a custody level in which the design, construction, and inmate classification reflect greatly, the aim of the institution in assisting the inmate to retain a greater sense of personal responsibility and autonomy while still provide for supervision and monitoring of their behaviour and activity levels. Inmates within this classification are considered a less risk to their colleagues, staff or the public at large. Here, mandated programmes have been designed to reflect their potential reintegration to their respective communities. They are under constant and direct supervision by staff members where their additional access to the community is restrained.

2.9 Military Prison

Prisons form part of military systems in a jurisdiction such as America. Such facilities are used to hold prisoners of war, unlawful combatants, members of the military found guilty of serious crime and individuals whose freedom is deemed a national or international security risk and where humanity is perceived to be at higher risk.

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2.10 Correctional Institution

Correctional Institution is the Prison for juvenile delinquents, people under 17years or 18yearrs, depending on the jurisdiction are known as young offender institutes or similar designation and hold minors who have been remanded into custody or serving sentence. Juvenile delinquency refers to antisocial or illegal behaviour by children or adolescents. Most legal systems prescribe specific procedures for dealing with juveniles, such as juvenile detention centres. Many countries have their own legal age specifying when children are deemed legally responsible for their actions for a crime as Mensa-Bonsu (2008) held that a child under 12years is incapable of committing criminal offence in Ghana. In addition, a minor is any child under 18 years of age and when they commit any criminal offence; they are not to be detained in adult cells or prisons but rather in correctional homes where their daily conduct can be monitored with the hope of reshaping their life to suit communal standards and reintegrated into societal life. Countries such as Canada may try and sentence a juvenile as an adult, but have them serve their sentence in a juvenile facility until they reach the age of maturity, at which time they would be transferred to an adult facility. There are a multitude of different

theories on the causes of crime, most if not all of which can be applied to the causes of youth crime. Youth crime is a major issue and is an aspect of crime which receives great attention from the news media and politicians. The level and types of youth crime can be used by commentators as an indicator of the general state of morality and law and order in a country, and consequently youth crime can be the source of moral panics. Theories on the causes of youth crime can be viewed as particularly important within criminology. This is firstly because crime is committed disproportionately by those aged between fifteen and twenty-five. Secondly, by definition any theories on the causes of crime will focus on youth crime, as adult criminals will have likely started offending when they were young. Usually, a delinquent will do to someone else what has been done to them. A Juvenile Delinquent is one who repeatedly commits crime. According to these juvenile delinquents sometimes have mental disorders or behavioural issues such as post traumatic stress disorder or bipolar disorder, and are sometimes diagnosed with conduct disorder partially as a result of their delinquent behaviours.

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2.11 Types of Prisoners

Prisons accommodate variety of inmates who fall under deferent criminal profiles, and are committed to prison to serve sentences slapped on them by a competent court of jurisdiction. Others are also committed to prison for other reason such as being on remand where s/he is expected to appear before the court on the date which the case has been adjourned or postponed to. This group is called the *remand prisoner*. A court may also commit to prison a person facing criminal trial and the judge in his discretion is convinced that, the accused person may abscond, will commit him/her to prison to enable

the court pronounce judgement in the case. This type of prisoner is *trial prisoner.* A person becomes a *convict prisoner* if legally found guilty by a court after trial and a custodian sentence is pronounced on him/her. In other developments, individuals who are involved in first degree felony such as murder or manslaughter may be committed to serve the rest of his life in prison therefore, becomes *life prisoner*. A *condemned prisoner* is the person who has been committed to prison to serve a sentence of death by shooting, by firing squad, by hanging his neck or by execution through lethal injection or by electric-chair. A *political prisoner* is a person committed to prison on political grounds and often the ground for such imprisonment is of a controversial nature. Thousands of men, women, and even children are in prisons around the world, not because they have committed violence, theft, or broken drug laws, but because they spoke against their government. They are political prisoners who did not even intended to cross their nation's leaders - they just happened to get in the way of schemes of which they were not even aware. Some of them have become leaders in their countries, like Nelson Mandela of South Africa. Many of these Political prisoners are people of tremendous courage and inner strength, like *Chinese dissident Liu Xiaobo who won the 2010 Nobel* Peace award as well as an imprisoned Nobel Peace Prize winner, Aung San Suu Kyi who urged the world, "Please use your liberty to promote ours" *Psychiatric Prisoners* -Many prisons have psychiatric facilities to house inmates who have been diagnosed with variety of mental disorders. A *Psychiatric prisoner* is therefore, a prisoner who has been committed to prison psychiatric facility for mental disorders.

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2.12 Selection of Prisoners

Prisons usually cannot select their prisoners; they have to accept whoever is sent to them by the court or the legal authority. They can, however, choose their staff. It is essential that the staff should be carefully selected, properly trained, supervised and supported. Prison work is demanding. It involves working with men and women who have been deprived of their liberty, many of whom are likely to be mentally disturbed, suffer from addictions, and others have recidivist tendencies (Coyle, 2002).

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2.13 Penal System in Ghana

Before the advent of British imperial rule, Ghanaians were governed by traditional laws, this sought to maintain social equilibrium and to ensure communal solidarity and social relations among the peoples. Objectives of the traditional legal system were not aimed at deterrence or the rehabilitation of offenders; individuals found guilty were sentenced to paying compensation to victims and also made to atone for their misdeeds by performing the requisite animal sacrifice and this led to equity and communal peace and survival. However, the British imposed upon Ghana's traditional society's criminal laws and penal systems to keep the multitude in check rather to keep and preserve the social equilibrium of the people. The creation of the Gold Coast as the Colony of the British in 1874 saw the gradual improvement and reformation in the legal and the penal system as compared to the penal laws developed by the Council of British Merchants between 1828-1842 which was used to abuse and alienate the Gold Coasters. Nevertheless, the application of traditional laws in dealing with criminal activities has drastically disappeared. In 1961 the Criminal Law which is statutory and based on a criminal code has been administered in

the courts. This has its root in British common law, the doctrines of equity and general status which were in force in 1874 in Britain.

2.14 Criminal Code/Penal Code

Harper (2005) defined penal code as body of laws relating to crime and its punishment. In Ghana the criminal jurisdiction is controlled by the Criminal code (Act 29) of 1960. This legal document defines what constitute a crime in Ghana as well as prescribed the requisite punishment for such acts. Two of the three categories of offenses cited in the Criminal Code concern offenses against the individual. The third category includes a series of offenses against public order, health and morality, and the security of the state as well as piracy, perjury, rioting, vagrancy, and cruelty to animals. Several offenses reflect Ghana's traditional laws, including drumming with the intent to provoke disorder, cocoa smuggling, and settlement of private disputes by methods of traditional ordeal.

A crime is the commission of an act prohibited or the omission of an act required by the penal code of an organized state. There can be no crime unless there is an advance notice of the above behaviour prohibited or required (Swanson, Chamelin and Cerrito, 1996) The above is buttressed by Bartol and Bartol (2005) which says, crime is any behaviour or an act in violation of the law for which there exist penalties upon conviction and therefore, criminal behaviour is the kind of behaviour in violation of a criminal code or law. Further, Attafuah (2008, p.3) suggested that "crime is behaviour which the law will punish".

All nations of the world have coded laws identifying certain behaviours or conducts as criminal. These laws serve as the standard for which individuals within that state conduct and monitor their lives. Those individuals who conform appropriately to such prescribed standards are said to be law abiding therefore, good citizens because their daily activities do not breach the law. However, citizens who lead lives without proper regard to the laws prohibiting such conducts, therefore, breaking the laws are said to be law breakers, unpatriotic; and when such persons are arraigned and convicted by the law courts of the land to the various punishment suitable to the offence committed they are then called criminals.

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To a large extent, prohibition of conduct is relative, as cultural differences play a paramount role in determining what conduct is acceptable in a community depending upon the premium placed on certain characteristics within the community. What might be acceptable in one region would be a prohibited act in another where punishment will be awarded. However, some of the first coded laws can be traced to the Israelites who were theocratic and were given written laws through Moses their leader, Exodus chapter 20.

Section 1 of the Criminal Code of Ghana Act 29 of 1960 defined crime as "any act punishable by death or imprisonment or fine". Mensah-Bonsu (2001) argued that the issue of what constitutes a crime is a problematic one and besides, this definition is particularly not a healthy one since the individual has to determine in advance as to whether his/her action is criminal or not. To this, I do agree because traditional law allows a man to take more than a wife however, Section 262 of the Criminal code Act 29 of 1960 forbids anyone to take more than a wife and defaulters may be committed to prison (Mensah-Bonsu,2001). Nonetheless, ignorant of the law is said to be no defence.

However, other jurisdiction where Islamic Faith is the predominant religion, the Shariah law is practiced. Shariah is a system of laws based on the Quran (the religious text for Islam), Hadith (sayings of the Prophet Muhammad) Sunnah, Ijma, and Qiyas. It is the Islamic religious law as interpreted by various sectors of Islam. The term Sharia means "way" or "path to water source" and it is the legal framework within which the public aspects of life are regulated for those living in a legal system based on Muslim principle (UNAMID, 2010).

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2.15 The Shari/ Shariah Law and Criminal Offences

According to UNAMID Training Manual (2010, pp.30-31) Shariah law accords special status to six types of criminal offences known as the *Hudud.* Special significance is also given to murder and offences of causing wounds and hurt in respect of which special penalties may be imposed. These six Hudud offences according to the Sudanese Criminal Act of 1991 are Apostasy (Ridda). This is rejection of the Islamic faith by a Moslem. Adultery (Zina) Sexual intercourse outside marriage (Sec. 145). Here, the punishment most severe is death by lapidating or stoning. Lesser penalties like whipping, imprisonment or fine may also be applied. False accusation of un-chastity (Qazf) that is expressed or imputation of adultery (Sec.157) which amounts to defamation and the punishment is whipping, imprisonment, fine or compensation. Arm Robbery (Hiraba). Robbing involving the use of a weapon (sec.167) attracts the most severe death penalty by crucifixion or lesser punishments of cross-amputation (right-hand and left-foot),

imprisonment, fine or compensation. Capital Theft (Seriqa Hadia) of property especially of high value equivalent to 4.25 grams of gold or its monetary value as will be determined by the Chief Justice (about $57 at current value) (sec. 170) This offence is punishable by amputation of the right hand for the first offender and seven years imprisonment for the second attempt. Drinking of alcohol (Shorb Al Khamr) (Sec.78) Alcohol is defined by section 03 of the Sudanese Act of 1991 as any intoxicant of which the drinking of a small or large amount whether in a pure or mixed form causes intoxication. Murder can be punished by a range of penalties including death by hanging, imprisonment and fine. Uniquely, if the family of the deceased insist, the penalty should be of death then it shall be death. If they decide to pardon then compensation called *Dia* shall be paid. Thus 100 camels of different ages or their equivalent in monetary terms as may be determined by the Chief justice. Here, the compensation or dia is multiplied by the number of victims and not the number of offenders. The court cannot remit by pardon and the penalties of retribution of Hudud is execution unless the victim or relatives of victims decide to pardon, (UNAMID, 2010).

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2.16 Criminal Court

Criminal Court procedure is guided by the Criminal Procedure code of Act 30 of 1960. This document saw several amendments. In Ghana as in British Law habeas corpus is practiced and the courts have power to grant bail to suspects and accused person arraigned, Ghana courts do not use grand juries, but, in accordance with constitutionally guaranteed fundamental rights, defendants charged with a criminal offense are entitled to a trial by jury. (Article, 19 of 1992 Constitution of Ghana).

In Ghana five degrees of offenses are identified. Capital offenses, to which the maximum penalty is death by hanging, these are murder, treason, and piracy. First-degree felonies are punishable by life imprisonment or twenty-five years imprisonment and this is limited to manslaughter, mutiny, arm- robbery and rape. The Second-degree felonies are punishable by ten years imprisonment and this includes intentional and unlawful harm to persons, perjury, stealing. Misdemeanours, which are punishable by various terms of imprisonment, include assault, harbouring criminal, unlawful assembly, official corruption, riot, bigamy, deceiving a public officer. The fifth category is public nuisances which include offences like selling of unwholesome food, hindering the burial of dead body and throwing rubbish in street, (Mensa-Bonsu, 2008). Increased penalties apply to individuals with a prior criminal record. Corporal punishment is not permitted. Punishments for juveniles are subject to two restrictions: no death sentence may be passed against a juvenile, and no juvenile under the age of seventeen may be imprisoned.

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2.17 History of Guidance and Counselling in Prisons

Guidance and counselling dates back to ancient times as in 250 BC, the early Egyptians were concerned and guided their people to maximise their potential; as was the case of the early Greek communities who sought to train and develop their members so that they can become useful to themselves and their communities. It is also noted that parents of ancient Rome served as role models to their children and dependants by encouraging them to choose occupations that will enhance the full development of their potentials for the overall benefit of their society, (Taylor and Buku, 2006).

Guidance and counselling in modern times, dates back to as early as 1907, when Jesse Davis implemented the first guidance and counselling programme at Centre High School in Detroit, Michigan. Guidance counselling experienced a rise in popularity in the years leading up to the Great Depression. Although the field experienced a brief decline, Guidance and counselling as a profession has been a staple of American education and system since the 1940s. Counsellors do not only assist students, they also provide assessments of students with behavioural problems and coordinate with teachers to address these problems, (http//www.ehow.com retrieved out 10-10-2010).

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Though there are a plethora of definitions by various writers; Peeku (1991) opined that, guidance is a systematic professional process of helping the individual through educative and interpretive procedure to gain a better understanding of his/her own characteristics and potentialities and to relate him/herself more satisfactorily to social requirements and opportunities. Taylor and Buku (2006, p. 10) expressed the view that "guidance is a programme designed to help the individual to make diligent and useful decisions of life and to relate well with people". The stand of these authors to a large extent is highly applicable to the prisoners' situation of lost of self esteem and being at war with themselves which amply manifest the lost of themselves, to themselves.

Prison inmates are some of the most maladjusted people in society. Most of the inmates have had too little discipline or too much, some have come from broken homes and have no self-esteem; which makes them insecure and at war with themselves and as well with their respective societies (Szumski, 1985). This negative indicator was identified; as (http//www. pqasb.pqarchiver.com retrieved out 15-10-2010) confirms that 5th Dec.1956

Walter Wallack a prison warden told the board of Wallkill State Prison at a meeting that punishment, per se never reformed any inmate rather more emphasis should be placed on Guidance and counselling by professionals. The importance of counselling to inmates can never be over emphasised as it is a helping service geared towards developing a relationship between the counsellor and the counselee. Pietrofesa, Hoffman and Splete (1984) have counselling as a relationship between a professionally trained and competent counsellor and an individual seeking help in gaining greater self understanding to improve his decision making, behaviour changing skills for problem solving solution and for developmental growth. Makinde (1990) buttressed this further that counselling is the heart of the work of guidance and counselling; as it is concerned with the feelings, attitudes and emotional dispositions of the individual about himself and the situation facing him/her leading to modification of one's behaviour in the environment.

Human beings are free moral agents and emotional hence, are controlled by the power of their mental abilities. The state of the mind dictates the activity an individual engages in which eventually, determines the character formation. Most prisoners have not learnt moral values or learn to follow daily norms because most of them had self training from the street where the rule of survival of the fitters dictated the pace. Dobb (1994) holds the opinion that when law breakers are labelled criminals, they enter the phase of secondary deviance where they admit that they are criminals or believe the position of their criminality when they enter the phase of secondary deviance then violence is perpetrated in the community. Mahatma Gandhi (1869-1948) a political and spiritual leader of India and one of the leading voices of the doctrine of Non-Violence once said, "Non-Violence

is the greatest force at the disposal of mankind"(UNAMID LOTUS Massage of 2-10-2010), and is observed every 2nd October as the International Day of Non-Violence by the United Nations (U.N). Crime and its negative effects can only be reduced when effective service of guidance and counselling is employed at the prisons to redirect the consciousness of inmates to realise their capabilities and weaknesses so as to make informed decisions for their good and that of the society.

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The power of guidance and counselling service to change life is epitome in April 23rd 2005 when a long-sentenced prisoner after going through several sessions of guidance and counselling; sought redress from the judge on the premise that, during the time of his conviction he was only a 19yrs old trapped in an environment infested with drugs and alcohol which has no facility for guidance and counselling necessary to steer him way from such a setting. The above has given credence to Brammer (1988) that the goal of guidance and counselling is to bring change in lifestyles, increase awareness or insight, understanding, relief from suffering and changes in thoughts and self-perceptions.

Guidance and counselling services in the prisons is meant to assist the inmates to reform themselves by making relevant decisions that will repair the deficiencies in them so that they can return to society and become productive members. While safety and security are paramount in prisons, the Prison Administration also has a responsibility to provide inmates with opportunities to participate in programmes that can provide them with the skills they need to lead crime-free lives after release. These programmes should provide many self-improvement avenues, such as work in prison industries and other institutions,

vocational training, education, drug abuse treatment, religious observance, parenting, anger management, guidance and counselling, and other programs that teach essential life skills. According to Szumski (1985) this kind of programmes will provide skills and habits that will replace the sense of hopelessness which prisoners have.

In sociology, one of the major theories of delinquency is differential association. This means that some people learned their ways from undesirable people who they were forced to be in association with and this association warps their thinking and social attitudes (Cressey, 1955). The differential association theory emphasizes that a person is more likely to become a criminal if the people who have the greatest influence upon them are criminals (Doob, 1994). In conclusion, Bennett (1978) has advanced a suggestion that the best technique used in reform and rehabilitation of criminals is counselling which is of two types; Individual and group counselling.

Individual or Personal counselling is to assist the clients in resolving personal issues that may be preventing them from achieving their potential and everything discussed with a counsellor is legally confidential . Bennett (1978) indicated that "individual counselling is costly as compared to group counselling" Makinde (1990) opined that "the major components of counselling are in the field of education, vocation, personal or psychological which are delivered in personal or in group counselling".

Group Counselling involves a small group of people (usually 6-10) who meet together, along with one or two Counsellors to talk about their struggles and problems. These

groups can take a variety of forms. Some focus on a specific topic or problem, while others address a number of different concerns.

When people come into a group and interact freely with other group members, they tend to recreate those difficulties that brought them to counselling in the first place. Under the skilled direction of the group facilitators, the group is able to give support, offer alternatives, or gently confront the individual. In this way, the difficulty is resolved, alternative behaviours are learned, and the individual develops new social skills or ways of relating to people.

Group counselling has been found to be a very effective means of treatment and, in some cases, the best form of treatment for a particular individual or a particular type of concern. Bennett (1978) suggested that group counselling is to develop positive peer pressure that will influence its members which has absolute advantage over personal counselling. This is so because, clients learn more about how they are perceived by others and experience a sense of acceptance and belonging. They will also discover that they are not alone in the difficulties they are experiencing as they hear ideas from others which enhance their ability to make decisions and solve problems. This association will enable them to experience the benefit of being helpful to others and learn to constructively express their feelings and ideas to others. More so, they get encouragement by observing the successes of others. The responsibility for confidentiality is shared among the group leaders and all group members.

2.18 The Role of the Social Welfare among Prisoners

Social Work is the professional activity of helping individuals, groups or communities to enhance or restore their capacity for social functioning and creating social conditions favourable to this goal. Social work is distinguished from other professions in the helping field. It is in the area of expert knowledge where the emphasis of its practice is placed on the relationships that people have with others within the communities and the society at large (Dale, et al, 2006). Social Welfare Department is an aspect of Social work directed at rendering social services to individuals and social wellbeing. It focuses on the strengths, weaknesses and capabilities and resources of their clients as regards the larger environments. The Social Welfare, being a social work field of helping and relationship development, conducts its operations on clients system. This clientele include the individual, groups, families, corporate organisations and communities.

The prison being a heterogeneous community of criminals with varied crime portfolios, the contribution of the social workers at the prisons is of an intervention. This is so because, they use the advanced knowledge and skills in social work practice to analyse, intervene and evaluate the circumstances of inmates. They involve inmates who are their clients in working relations and identifying their needs, problems and what they can do and other wise. They also gather information on inmates who they assess and draw the appropriate service delivery required in individual situation as well as groups. The Social Welfare Department at strategic level, after critical analysis draw up empirically structured interventions to be implemented at the prison for the wellbeing of the prisoners

so that they can be effectively reintegrated into the society. This interventions or programmes advocate and provide for leadership in ethical lifestyles, respect for diversity in the prison community. They also evaluate the effectiveness of interventions and measure their effectiveness as to whether they are yielding the anticipated responses. Since the focus of social work is to reciprocate the relationship between people and the environment, the social worker at the prison contribute their skills, experience and technical know-how to empowering inmates to access social and economic justice at their disposal. A prisoner as an individual is identified as the smallest unit of society because it functions with internalized social norms and refers to its social actions by means of the reflexive process. Thus, the individual human being requires a sense of self in order to function as part of a social organization.

The major role of the Social welfare Department among prisoners is to identify the individual need of prisoners so as to apply the necessary professional assistance in addressing these needs. Dale et al (2006) opined that need pertains to an internal stimulus of genetic origin, a source of motivation directed at the survival and development of the human. Further, they identified a hierarchy of needs that forms the foundation for a hierarchy of values. These include *survival, safety and security, social belonging, self-esteem and self actualization*. These needs are positioned in a hierarchical level from those that are most basic and related to the satisfaction of survival imperatives such as food, water and shelter; to self actualization thus, the realization of one's unique potential.

Survival Needs are the physiological requirements of the prisoners as regard their basic nutrition, safe air for breathing and good water. Once the survival needs are satisfied the individual becomes conscious of his security and safety and the necessity for protection of his possessions and this can be a dominant indicator for directing his/her behaviour. When safety and security needs are met, then the need of belongingness and love comes to the fore. When the satisfaction for these needs are not forth coming, some human beings develop inferior complexes and will be tempted to devise their own means of attracting recognition to themselves thereby engaging in anti social activities resulting to crime. On the contrary, when love and belonging needs are adequately addressed the need for self esteem arises. Self esteem needs are self-respect and respect from others which is synonymous with the idea of mastery and a sense of competency. Dale, et al., (2006) again expounded that it is not enough to be loved and possess a sense of belonging rather, the need to have a good feeling about oneself in order to possess self-esteem. Most prisoners have lost their self esteem as a result; they have lost themselves to themselves. Self-Actualization needs are growth related and due to environmental differences, only few individuals are able to have this need completely satisfied to explore their maximum potentials. This need include wholeness, completeness, beauty, truth, uniqueness, and self- sufficiency. These needs are adequately, individual and personalized and can only be satisfied by the individuals when he holds the mindset that satisfaction and accomplishment gained is largely due to his/her individual efforts. Social workers at the prisons direct their expertise to assisting inmates to have their basic or deficiency needs satisfied so that they can have ability to regain their self esteem so as to attain the level of self -actualization. Unfortunately, the social structure and lack of the

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appropriate facilities at the prisons especially African Prisons, are rendering the aim of the Social workers at the prisons a myriad.

2.19 Gender issues in the Prisons

Gender refers to the social differences between men and women. This includes roles, status, expectations, power, privileges, rights and opportunities as defined by culture, traditions, society, or religion that are learned from infancy. Gender thus refers to socially constructed roles, responsibilities, relationships, status and privileges assigned to women, men, girls and boys in a given culture or location. These roles are learnt, very dynamic and changeable and vary from one culture to another (UNAMID Training Manual, 2010). Cronje (2005) posited that Prison is unquestionably one of the most sex-segregated of all social institutions. Experience in a number of countries has shown that women can carry out the normal duties of a prison officer just as well as men. Indeed, in situations of possible confrontation the presence of women staff can often defuse potentially volatile incidents. It is common practice that on first admission to prison all prisoners are given a full body search. Women prisoners should only be subjected to body search by female officers else that will amount to gross abuse or sexual harassment. The right to respect of privacy, so far as personal and body search is concerned, effective measures should ensure that such searches are carried out in a manner consistent with the dignity of the person who is being searched. Persons being subjected to body search by State officials, or medical personnel acting at the request of the State, should only be examined by persons of the same sex. There are a few situations, such as supervision of sanitary areas

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and carrying out personal body searches, in which the member of staff involved, should be of the same gender as the prisoner.

Culture is distinctive hence the management of prisons should do proper gender mainstreaming that is to develop organizational strategies which will involve gender perspective to all their operations and never be gender blind; that I mean they should not lack the perspective to recognize the different needs of female and male prison inmates. Mostly African prisons lack gender sensitiveness on the premise that, prison being a punishment oriented institutions inherited from the colonial masters has since lived with such outdated ideologies of humiliating the offending party. This is evidenced in the construction of prison accommodations and other facilities in the prisons. Women prisons for instance were built without any consideration to the needs of women as to visit by their children, families and love ones. Due to such variables, it is confidently said that gender discrimination is prevalent in prison especially African Prisons with regards to Ghanaian Prisons. Further, it is important to better understand female inmates as the number of Women comprise a small percentage of the national prison population and are often ignored in corrections research and programmes and policies that are effective with men are implemented in women's facilities with the assumption that they will work for women, too. But because they do not consider gender differences, these programmes are often not effective.

Therefore, it is imperative for the Prisons Administration to draw programmes that will be gender responsive which will reflect a greater understanding of the prison

communities role to society which will be accomplished by focusing attention on the relationship of the external and internal cultures, rather than by trying to understand the prison as an institution isolated from the larger society.

2.20 Human Rights and Treatment of Prisoners

Human Rights refer to the Supreme, inherent, and inalienable rights to life dignity, and self development. It is concerned with issues on both civil and political rights, and economic, social and cultural rights founded on internationally accepted human rights obligations (UNAMID Training Manual, 2010). The Universal Declaration of Human Rights (UDHR) of 1948 defined Human Rights as those rights which are inherent in our nature and without which we cannot live as human beings. It also refers to the basic rights and freedoms to which all humans are entitled which include among others civil and political rights such as, the right to life and liberty, freedom of expression and equality before the law; and economic, social and cultural rights including the right to participate in culture, the right to food, the right to work and the right to education among many other rights. Article (1of UNDHR) stipulates that ‘‘all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood’’. When people think of prisons they tend to consider their physical aspect: walls, fences, a building with locked doors and windows with bars. In reality the most important aspect of a prison is the human dimension, since prisons are primarily concerned with people. The two most important groups of people in a prison are the prisoners and the staff who look after them. The key

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to a well managed prison with assured respect for the human rights of inmates is the nature of the relationship between the staff and prisoners.

2.21 The Role and Responsibility of Prison Officers

In democratic societies the law underpins and protects the fundamental values of society. The most important of these is respect, for the inherent dignity of all human beings, whatever their personal or social status. However, one of the greatest tests of this respect for humanity lies in the way in which a society treats those who have broken, or are accused of having broken, the criminal law. These are people who themselves may well have shown a lack of respect for the dignity and rights of others. Prison staffs have a special role on behalf of the rest of society in respecting their dignity, despite any crime which they may have committed to treat prisoners in a manner which is decent, humane and just. They are to ensure that all prisoners are safe so that the dangerous prisoners do not escape and also to make sure that there is good order and control in prisons; to provide prisoners with the opportunity to use their time in prison positively so that they will be able to resettle into society when they are released. These they are to do in respect to the international standards dictating their operations.

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2.22 What the International Instruments say concerning Prisoners

International Covenant on Civil and Political Rights, Article (10) says "all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person." Code of Conduct for Law Enforcement Officials, Article (2) "in the performance of their duty, law enforcement officials shall respect and protect

human dignity and maintain and uphold the human rights of all persons." Standard Minimum Rules for the Treatment of Prisoners, Rule 46 (2) "the prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used". Standard Minimum Rules for the Treatment of Prisoners, Rule 48 All members of the personnel shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.

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This principle of respect for all human beings, whatever wrong they might have done for which they have been incarcerated, was highly articulated by Nelson Mandela, a famous former prisoner and ex-President of South Africa, Mandela (1994) … "A nation should not be judged by how it treats its highest citizens, but its lowest ones." The import is that a nation cannot fully claim to be democratic unless the prisoners' condition and treatment conform to the internationally accepted standards and without an ethical context, managerial efficiency in prisons can take a path that leads ultimately to the barbarism.

2.23 Human dignity of Prison Inmates

Criminals who are detained or imprisoned do not cease to be human beings, no matter how serious the crime of which they have been accused or convicted. The court of law or other judicial agencies that dealt with their cases decreed that they should be deprived of their liberty, not that they should forfeit their humanity. Prison staff should never lose sight of the fact that prisoners are human beings. They must continually resist the

temptation to regard the prisoner merely as a number rather than as a whole person. Nor do prison staffs have any right to inflict additional punishments on prisoners by treating them as lesser human beings who have forfeited the right to be respected because of what they have done or are accused of having done.

Maltreatment of prisoners is always legally wrong. In addition, such behaviour lessens the very humanity of the member of staff who acts in such a way. There is the need for prison administrations and prison staff to work always within an ethical context and within the principles of the International instruments relating to the treatment of prisoners. Persons who are detained or imprisoned retain all their rights as human beings with the exception of those that have been lost as a specific consequence of deprivation of liberty. The prison authority and prison staffs need to have a clear understanding of the implications of this principle. Some issues are very clear. There is, for example, a total prohibition on torture and deliberately inflicted cruel, inhuman or degrading treatment. There has to be an understanding that this prohibition does not merely apply to direct physical or mental abuse. It also applies to the totality of conditions in which prisoners are held.

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2.24 Human Right Conditions in African Prisons

Prior to examining the size of the prison population in Africa, a word must be said about the physical conditions in which such populations are maintained. It should come as no surprise that prisons throughout Africa languish in disrepair. According to Sarkin (2009), the prison buildings are old, poorly ventilated, with inadequate sewage systems. Such

conditions are ripe for the transmission of communicable diseases. Prisoners often lack space to sleep or sit, hygiene is poor, and food and clothing are inadequate. Amid such decay and deprivation, overburdened prison staff has found it difficult to supervise prisoners or provide higher standards of sanitation and nutrition.

Sarkin (2009) further revealed that in Africa, resource scarcity at several levels of the justice system results in prison overcrowding. For example, while African prisons may not house as many prisoners as their counterparts in other parts of the world, the shortage of police and judges has been credited with the surging number of pre-trial or remand prisoners who comprise the vast majority of inmates of many African nation. African prisons at times house crowded cells where inmates sleep in shift.

Confined and crowded living quarters also lead to sexual assault and suicide. Human Immune Virus/Acquired Immune Syndrome related deaths in prison have risen exponentially in the past decade. "In 2002, for example, at least 100 Ghanaian prisoners died of malnutrition and diseases resulting from lack of sanitation and overcrowding" (Sarkin, 2009, p.10).

2.25 Ghana's Prisons are Human Warehouses

"Notwithstanding the threats to security and safety posed by overcrowding, African courts have been slow to enforce prisoners' rights to sufficient space" (Sarkin, 2009, p.8). Adu (2009) holds the view that Ghana's prison facilities where criminality is expected to end have become revolving corridors for recidivism. As sad but unfortunately, the current

47 prison facilities across the country, whatever form they take, do not seem to correct, rehabilitate or treat criminal offenders to become useful citizens at the end of their jail terms. They rather make them more embittered because of degrading human conditions such as lack of food, water, clothing, poor medical facilities and lack of detergents for inmates to wash and bath. He further suggested that the prisons in Ghana serve as warehouses for real human beings who have been detained by the state.

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Chapter five of the 1992 Ghanaian Constitution outlined the Fundamental Human Rights and Freedoms of, citizens and their protection against abuse of basic human dignity, including any cruel, inhuman or degrading treatment that is likely to detract from dignity and worth. However, overcrowding nature of the prisons in Ghana as well as the total neglect of attention to the human rights needs of the prisoners is rather a paradox as Ghana has ratified most international treaties and conventions in relation to the right of detained persons.

2.26 Forfeited Rights of Prison Inmates

There has to be careful consideration of what rights are to be forfeited as a consequence of the deprivation of liberty. The right of freedom of movement (Universal Declaration of Human Rights, Article13) is obviously restricted by the nature of imprisonment, as is that of free association (UDHR, Article 20). According to the study of Coyle (2002) even these rights are not completely removed since prisoners are rarely held in total isolation and, when they are, there has to be very good and specific reason. The right to family contact (UDHR, Article 12) is not taken away but its exercise may well be restricted. A father, for example, does not have unrestricted access to his children, nor they to him, in a

prison setting. The ability to create and to maintain a family (UDHR, Article 16) is another right which is dealt with in different ways indifferent jurisdictions. In some countries prisoners are not allowed to have any intimate relations with partners or spouses; in some they may have sexual relations under very limited conditions; in others they are allowed to have virtually normal relations for specific periods of time. The rights of mothers and children to family life require special consideration. The right of everyone to take part in the government of his or her country directly or through freely chosen representatives (UDHR, Article 21) may also be restricted by imprisonment. Article 25 of the International Covenant on Civil and Political Rights indicates that this right is to be exercised by voting in elections. In some jurisdictions prisoners who have not yet been convicted are eligible to vote; in others all prisoners may vote. In other countries, no-one who is in detention is allowed to vote in elections and the prohibition on voting may even extend to those who have served their sentence and left prison because their names were not included as the result of their incarceration prior to registration of voters

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2.27 Mechanism to Ensure Human Rights of Inmates

To achieve the various declarations for human rights for inmates requires great skill and personal integrity of prison Staff to carry out their work in a professional manner. This means first of all that men and women who are to work in prisons need to be carefully chosen to make sure that they have the appropriate personal qualities and educational background. They then need to be given proper training in the principles that should underline their work and in the human and technical skills that are required. Throughout

their careers they should be given the opportunity to develop and expand these skills and to keep up to date with the latest thinking on prison issues.

According to Coyle (2002) Prison staff generally work in an enclosed and isolated environment which, over time, can make them narrow and inflexible. The way they are trained and managed needs to be designed to guard against this insularity. Prison Staffs need to remain sensitive to changes in the wider society from which their prisoners come and to which they will return. This will be particularly important where prisons are remotely sited and staffs live in accommodation attached to the prison. Further Coyle (2002) carry the view that, prison staff are held in lower regard than other people who work in the criminal justice field, such as the police. This is often reflected in the pay of prison staff, which in many countries is very low. As a consequence it is often very difficult to recruit properly qualified staff to work in prisons. In order to attract and to retain high quality personnel it is essential that salary should be set at a proper level and that the other conditions of employment should be the same as in comparable work elsewhere in the public service. In many countries there is little public knowledge about prisons, prison staff, or their work. While society generally recognises the intrinsic worth of health workers and teachers, prison staffs do not attract similar public esteem. Government ministers and senior prison administrators should consider arranging programmes of public education and should stimulate media interest to educate society about the important role which prison staffs have in safeguarding civil society.

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CHAPTER THREE

METHODOLOGY

3.1 Overview

This chapter discusses the research design, library research, and population for the study, data collection instruments, types of data that is primary and secondary data. Further, the chapter also touches on the administration of instruments, data collection procedures and finally, data analyses plan.

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3.2 Research Design

Qualitative and quantitative research approaches were used to collect data for the study. Data gathering was triangulated using Case Study, Descriptive, and Sampling methods. Triangulation is often used to indicate that more than two methods are used in a study with a view to double or triple checking of results. This is also called cross examination. The idea is that one can be more confident with the result if different methods lead to the same result as each method is a line of light therefore the use of more than two methods yields multiple lines of sight leading to verification of the subject being investigated. Thus, allowing for diversity of perspective into the end result (Berg, 2007). For further illumination, Frankfort-Nachmias & Nachmias (1996) are of the view that the use of triangulation will reduce the researchers over dependency on certain methods to test knowledge in some fields. If a researcher uses only one method, the temptation is strong to believe in the findings. To a large extent, it is agreeable to opine that if an investigator uses two methods, the results may well clash and validity and credibility will be in

distress. However, by using three different research approaches to get an answer to one question, the belief is that two out of the three methods will produce answers that will fit into almost the same range. Nevertheless, if the outcome yields three unfounded results, then the only option for the researcher is to start all over again. Finally, the aim of triangulation in qualitative approach is not simply the combination of various kinds of data as posit by Fielding and Fielding (1986,p.31) that it is "an attempt to relate them in order to counteract the threat to validity identified and increase the credibility and validity of the results."

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Several efforts have been made by scholars to define triangulation. Cohen and Manion (2000, p.254) defined triangulation as an attempt to map out, or explain more fully; the richness and complexity of human behaviour by studying it from more than one standpoint. Altrichter, Feldman, Posch and Somekh (2008) say that "triangulation gives a more detailed and balanced picture of the situation". In buttress, O'Donoghue and Punch (2003) hold that, triangulation is a method of cross-checking data from multiple sources to search for regularities in the research data.

There are four basic types of triangulation identified and these are *Data triangulation.* This involves time, space, and persons. *Investigator triangulation*- involves multiple researchers in an investigation. *Theory triangulation*- involves using multiple theoretical positions in the interpretation of the phenomenon rather than using simple perspectives in connection with the same objects. *Methodological triangulation*- involves using more than one method to gather data, such as interviews, observations, questionnaires, and documents (Denzin, 1978)

Triangulation is a powerful technique that facilitates validation of data through cross verification from more than two sources. In particular, it refers to the application and combination of several research methodologies in the study of the same phenomenon. It can be employed in both quantitative strategy of founding the credibility of qualitative analyses. It becomes an alternative to traditional criteria like reliability and validity and it is the preferred line in the social sciences. By combining multiple observers, theories, methods, and empirical materials, researchers can hope to overcome the weakness or intrinsic biases and the problems that come from single method, single-observer and single-theory studies.

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3.2.1 Qualitative Research Method

Qualitative research is a method of inquiry appropriated in many different academic disciplines, traditionally in the social sciences, but also in market research and further contexts. Qualitative researchers aim to gather an in-depth understanding of human behaviour and the reasons that govern such behaviour. The qualitative method investigates the *why* and *how* of decision making, not just *what, where, when*. Hence, smaller but focused samples are more often needed, rather than large samples. Qualitative methods produce information only on the particular cases studied, and any more general conclusions are only hypotheses thus informative guesses and can be used to verify which of such hypotheses are true (http// www.en.wikipedia.org retrieved out 25-09-2010).

Leedy and Ormrod (2005) opined that qualitative research allows for detail description that reveal the nature of certain characteristics such as situation, settings, processes,

relationships, systems of people or subjects being investigated. Further, qualitative approach, enables the researcher to gain new insights about a particular phenomenon and allows the development of new concepts or theoretical perspectives about that phenomenon for the discovery of the problems that exist within the setting of such phenomenon. It also gives room for verification so as to allow the researcher to test the validity of certain assumptions, claims, positions or theories and make generalizations within a real world context. In addition, qualitative research method provides the means through which the investigator can judge the effectiveness of policies, practices or innovations that will qualify for a standard evaluation. Fraenkel and Wallen (1996) agreed that qualitative research methodology is context sensitive thus, it is geared towards the quality of a particular activity than in how often it occurs; this approach is interested in the quality of relationships, activities, situations and materials associated with the subject of study.

Qualitative research approach focuses on phenomena that occur in natural settings. That is, in real-life situations. It also involves studying those phenomena in all their complexity as such researchers using this approach rarely try to simplify what they observed in their study but rather, they acknowledge the various dimensions and layers therefore, try to portray findings in their multifaceted form (Leedy and Ormrod, 2005). To buttress, Berg (2007) admitted that, qualitative approach seeks answers to questions by critically examining various settings and the individuals who inhabit such settings; and is most interested in how humans arrange and conduct themselves as well as making sense and meaning of their surroundings through symbols, rituals, structures and social

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roles. More so, its procedures allow the means of accessing unquantifiable facts about the actual people being observed by the researcher through talking to them or to people represented by their personal traces such as letters, photographs, newspaper accounts, diaries and many more. These therefore, make it possible for researchers using this technique to share in the understandings and perceptions of others and to explore how people structure and give meaning to their daily lives in respect of their relative environments.

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Qualitative research thus refers to the meanings, concepts, definitions, characteristics, metaphors, symbols and description of things. This methodology lends itself to the quality of relationships, activities, situations or materials and it is interested in the quality of a particular activity than in how often it occurs or how it would otherwise be evaluated (Jack and Norman, 1996).

3.2.2 Advantages of Qualitative Methodology

Quality is the essence of good things in life and quantity deals primarily with the number and amount of things in life. The above discussion adequately emphasized the important role qualitative method play in research endeavours. One of the most important advantages of this approach is that, it is not associated with high-tech gadgets as compared to quantitative techniques. It provides perspectives that can easily prompt recall of half forgotten sights, sound and smells because it is involve with the natural setting of subjects of research (Berg, 2007).

Qualitative Methodology aimed at studying the real world situations as they unfold naturally, non manipulative, unobtrusive and none controlling. In addition, it has a unique inductive analysis stand. Thus, the immersion in the details and specifics of the data so as to discover important categories, dimensions, and interrelationships that begins through exploring with genuine open questions rather than testing theoretical deductive hypotheses. Fraenkel and Wallen (1996) talk about the holistic perspective of qualitative methodology which means the complete phenomenon under investigation is fully understood as a complex system hence, premium is put on its complexities which are addressed. Data collection is done in detailed and in depth description of events, enquiries and the privilege to employ the experiences of others into the work. Also, the researcher has the opportunity to have direct contact with people and have insight into their situation thus, helping the researcher to use her experience to understand the phenomenon being studied. Further, investigators using this approach are of the view that each individual case is unique and special therefore, give attention according to its merit.

Sight should not be lost on the matter that, qualitative methodology is context sensitive so places findings in their respective position. That is either, in social, historical or temporal context and highly emphatic on neutrality which calls for the researcher's own experience and insight as part of the relevant data. It can be said that, qualitative methodology is very flexible as it is open to adapting to new enquiries as understanding deepens or the situation change and it avoids being locked into very rigid designs that prevent responsiveness to follow new paths of discovery as they unfold.

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Qualitative method is a non-numerical data collection or explanation based on the attributes of the graph or source of data, cases can be selected purposefully, according to whether or not they typify certain characteristics or contextual locations. Data analysis can take a wide variety of forms; and it differs from quantitative research in its focus on language, signs and meaning. In addition, qualitative research approaches analyze holistically and contextually. Qualitative methods are used for exploration or for explaining puzzling quantitative results. Establishing content validity is seen as one of the major strengths of qualitative research. Qualitative approaches have the advantage of allowing for more diversity in responses as well as the capacity to adapt to new developments or issues during the research process itself. In sum, qualitative research is often used for answering certain important questions more efficiently and effectively than quantitative approaches.

This is particularly the case for understanding how and why certain outcomes were achieved and not just what was achieved but also for answering important questions about relevance, unintended effects and impact of programmes as to whether expectations were reasonable or whether the processes operate as expected and many more.

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3.2.3 Disadvantages of Qualitative Methodology

In spite of the numerous advantages exhibited by using qualitative methodology few setbacks have been identified. According to Berg (2007), qualitative approach takes much longer time and also it requires a greater clarity of goals during the stages of design and cannot be analyzed by computer programmes hence, manually done. Its application is at times criticized as being none scientific and invalid. Berg (2007) further contends that, qualitative methodologies have not predominated in the social sciences. Fraenkel and Wallen (1996) hold the position that qualitative method lacks predetermined constraints on outcomes and complete objectivity is highly impossible for it is full of subjectivity therefore undermines credibility of its outcome. Qualitative data is usually difficult to graph or display in mathematical terms. The Researcher's role receives greater critical attention because in qualitative research the possibility of the researcher taking a neutral or transcendental position is seen as more problematic in practical terms. Hence qualitative researchers are often exhorted to reflect on their role in the research process and make this clear in the analysis.

While qualitative research can be expensive and time-consuming to conduct, many fields of research employ qualitative techniques that have been specifically developed to provide more succinct, cost-efficient and timely results. (http// www.en.wikipedia.org retrieved out 25-09-2010).

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3.2.4 Case Study

The use of the case study was pioneered by Sigmund Freud in his lengthy and detailed observations with his patient who helped him develop the use of free association (www.answers.com retrieved 26-11-2010). Case study is known as a triangulated research strategy (www.nova.edu retrieved 26-11-2010) and is an aspect of qualitative research methodology and gives room for the study of a particular individual, institution, programmes or event to be investigated in depth for a specific period of time. It is defined as a "research strategy based upon an empirical inquiry that investigates a phenomenon within its real-life context," (http//www.en.wikipedia.org retrieved out 25-09-2010).

Leedy and Ormrod(2005) are of the view that, case study is especially suitable for learning more about a little known or poorly understood situation for example life in prison communities in Ghana. Researchers collect extensive data on the individual, institution, or programmes or events on which investigation is conducted. Fraenkel and Wallen (1996) stressed the view that, case study assists in identifying any noticeable patterns or regularities in the subject of investigation. Berg (2007) tends to endorse the fact that case study can provide a deep understanding of phenomenon, events, people and organizations and in essence open the door for a sense making processes created and used by individuals involved in such settings. Another perspective to the dimensions of sense making is brought to the fore by Weick (1995) who assets that, it is a manner in which individuals, groups or organizations make sense of stimuli with which they are confronted and how they deal with what is heard, perceived and interpret this into information by their own action and by solving problems of others through interaction

with them. Further, Yin (1984) defines the case study research method as an empirical inquiry that investigates a contemporary phenomenon within its real-life context when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used. In support for the harmonious positions of the various authorities in favour of case study, Kumekpor (2002) also states that Case Study method is the investigation aims at studying the facts of a particular case from all aspects and angles. It is thus, a critical and systematic examination into the circumstances and factors that resulted in a particular condition, situation, occurrence or event. From the above premises, it is well adduced that qualitative methodology is the appropriate design for conducting in depth enquiries into the circumstances and conditions prevailing as regards the guidance and counselling programmes at the Ghanaian Prisons and in particular, Kumasi Central Prison as a case study.

Case study research excels at bringing us to an understanding of a complex issue or object and can extend experience or add strength to what is already known through previous research. Case studies emphasize detailed contextual analysis of a limited number of events or conditions and their relationships .Many Researchers have made use of the case study research method for many years across a variety of disciplines. Social scientists, in particular, have made wide use of this qualitative research method to examine contemporary real-life situations and provide the basis for the application of ideas and extension of methods, (http//www.ischool.utexas.edu retrieved out 24-11-2010)

In this approach the researcher is to establish a firm research focus to which s/he can refer over the course of study of a complex phenomenon or object. The researcher

establishes the focus of the study by forming questions about the situation or problem to be studied and determining a purpose for the study. The research object in a case study is often a programme, an entity, a person, or a group of people. Each object is likely to be intricately connected to political, social, historical, and personal issues, providing wide ranging possibilities for questions and adding complexity to the case study. The researcher investigates the object of the case study in depth using a variety of data gathering methods to produce evidence that leads to understanding of the case and answers the research questions. Case study research generally answers one or more questions which begin with "how" or "why." The questions are targeted to a limited number of events or conditions and their inter-relationships. A key strength of the case study method involves using multiple sources and techniques in the data gathering process. The researcher determines in advance what evidence to gather and what analysis techniques to use with the data to answer the research questions. Data gathered is normally largely qualitative, but it may also be quantitative. Tools to collect data can include surveys, interviews, documentation review, observation, and even the collection of physical artefacts, (http//:www.ischool.utexas.edu retrieved out 24-11-2010).

Case studies are multi-perspectives analyses or have multi spectrum effects. This means that the researcher considers not just the voice and perspective of the actors, but also of the relevant groups of actors and the interaction between them. This very aspect is a salient point in the characteristic that case studies possess; (www.nova.edu retrieved on 24-11-2010) has identified some specific types of case studies and these are *Exploratory* cases which are sometimes considered as a prelude to social research. *Explanatory* case

studies may be used for doing causal investigations. Descriptive cases require a descriptive theory to be developed before starting the project in all of the above types of case studies, there can be single-case or multiple-case applications. It is *Intrinsic* when the researcher has an interest in the case and becomes *Instrumental* when the case is used to understand more than what is obvious to the observer and finally it is Collective when a group of cases is studied.

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In spite of the numerous benefits available by the application of the Case study approach in research investigations few limitations have been identified thus; General, theoretical knowledge is more valuable than concrete, practical knowledge. It is also argued that one cannot generalize on the basis of an individual case and, therefore, the case study cannot contribute to scientific development. The case study is most useful for generating hypotheses, whereas other methods are more suitable for hypotheses testing and theory building. The case study contains a bias towards verification, which is a tendency to confirm the researcher's preconceived notions. It is often difficult to summarize and develop general propositions and theories on the basis of specific case studies (http//www.en.wikipedia.org retrieved on 25-09-2010).

3.2.5 Descriptive Research Design

Descriptive research design is a scientific method which involves observing and describing the behaviour and characteristics of a phenomenon without influencing it in known as statistical research because it describes data and characteristics about the population or phenomenon being studied (http//:www.en.wikipedia.org retrieved 18-11-2010). It is used to find answers to the questions of who, *what*, *where*, *when* and *how* of

the subject of investigation. The term descriptive research refers to the type of research question, design, and data analysis that will be applied to a given topic, (Rao, 2008). Descriptive research does not fit neatly into the definition of either quantitative or qualitative research methodologies, but instead it can utilize elements of both, often within the same study. Descriptive research can be either quantitative or qualitative. This approach involves gathering data that describe events and then organizes, tabulates, depicts, and describes the data collection. It often uses visual aids such as graphs and charts to aid the reader in understanding the data distribution; and this is because the human mind cannot extract the full import of a large mass of raw data, descriptive statistics are very important in reducing the data to manageable form. When in-depth, narrative descriptions of small numbers of cases are involved, the research uses description as a tool to organize data into patterns that emerge during analysis. Those patterns aid the mind in comprehending a qualitative study and its implications (http//www.aect.org retrieved 18-11-2010). Many scientific disciplines especially social science and psychology use this method to obtain a general overview of the subject (http//www.experiment-resources.com retrieved 19-11-2010). The understanding of this type of research is to describe the data, situation and characteristics of what is being studied just as it is (Leedy and Ormrod, 2005). Further the rationale is to study frequencies, averages, and other statistical calculations (http//www.NationalChildrenStudy.gov). To confirm the above statement, Leedy and Ormrod (2005) say that this type of research holds onto a particular aspect of behaviour and the occurrences of such behaviour that is quantified in some way. Therefore, they opined that although this research is highly accurate, it does not involve changing or

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modifying the phenomenon being studied nor gather the cause and effect relationship behind the situation. Descriptive research is often conducted when a researcher is on a fact finding mission and wants to gain a better understanding of the topic as discussed by Rao (2008). An example of such topics is the tradition of Ghanaian Prison communities.

Descriptive research is used to obtain information concerning the current status of the phenomena to describe what exists with respect to variables or conditions in a situation. The methods involved range from the survey which describes the status quo, the correlation study which investigates the relationship between variables, to developmental studies which seek to determine changes over time. Although the data description is factual, accurate and systematic, the research cannot describe what caused a situation. Thus, Descriptive research cannot be used to create a causal-relationship, where one variable affects another. In other words, descriptive research can be said to have a low requirement for internal validity (http//www.enwikipedia.org retrieved 19-11-2010).

In short descriptive research deals with everything that can be counted and studied. But there are always restrictions which are that; the investigation must have an impact to the lives of the people around you (www.en.wipedia.org retrieved 19-11-2010). For example, finding the types of Guidance and counselling services available to inmates in Ghanaian prisons. Here the reader of the research or the policy makers within the Ghanaian Prison Service will know what inputs that are needed in relation to Counselling services within the prisons.

It is obvious that some subjects cannot be observed in any other way especially in their natural environment without distorting or affecting them. Nonetheless, Descriptive research design allows critical observation without affecting normal behaviour of the subject. It is also useful where it is not possible to test and measure the large number of samples needed so Leedy and Ormrod (2005, p.198) are of the opinion that a subset or sample of that population will be studied and the end result obtained is used to draw generalisations of the entire population.

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Taking cognizance of the above discussions the researcher is comfortable to assert that this research approach will be greatly beneficial to anthropologists, psychologists and social scientists because in their discipline they observe natural behaviours without affecting them in any way. Here, the phenomenon under investigation will be located in an absolutely natural and undisturbed natural environment; and it is used as a pre-cursor to quantitative research designs, that is, the general overview is giving some valuable pointers as to what variables are worth testing quantitatively.

The few noted setbacks of Description research design are that since there are no variables tested or manipulated, there is no way to statistically analyze the results. So some scientists regard this type of study as very not reliable and unscientific. Besides, the results of observational studies are not repeatable, and so there can be no replication of the experiment and reviewing of the results. The results from a descriptive research can in no way be used as a definitive answer or to disprove a hypothesis but, if the limitations are understood, they can still be a useful tool in many areas of scientific research (http//www.experiment-resouces.com retrieved 19-11-2010).

3.3 Library Research Conducted

The researcher visited the following public and institutional libraries in Ghana and Darfur in Sudan to collect and compile information for the study. These are KNUST main Library, College of Art Library and Art Education library all in KNUST in Kumasi. The University of Education library, Kumasi Campus, Ashanti Library in Kumasi; The British Council Library in Kumasi; Ghana Police College Library in Accra, University of Ghana Libraries, Accra and the Africa Union-United Nations Hybrid Operation (UNAMID) libraries in Al-Fasher and Al- Geneina Darfur- Sudan.

The investigator besides the above mentioned libraries made use of the internet and also visited the Kumasi Central Prison to tap information from the Senior Prison officers, Prison inmates as well as the After- Care agents from the Department of Social Welfare assigned to the prison and sought information relating to the research. Further efforts were made to the Kumasi Central Police station where ample information was again gathered.

During these visits the researcher advanced efforts tremendously, through the assistance of the Librarians and resource persons to make notes, photocopies where necessary from reports, theses, journals, periodicals and books. Further, audio recordings were made through interaction with resource persons with information relevant to the progress of the study. In addition, it is worth noting that materials and information gathered were of high premium and the relevancy is update.

3.4 Population for the Study

The population for the study is heterogeneous therefore stratified random sampling was used to select the accessible population for the study. In identifying the various strata of the target population, 30% from each stratum of the population were used. The advantage is that it increased the likelihood of fair representation and virtually ensured that any key characteristics of individuals in the population were included in the same populations in the sample (Fraenkel and Wallen, 1996). Furthermore, stratified sampling stands out prominently as a better choice because it overcomes the problem of unequal representation (Rao, 2008). Also, stratification gives room for homogeneity of representation in each stratum of the population as compared with the total universe. Estimates made based on each stratum become more accurate and realistic. More so, stratified sampling allows for in depth study of specific characteristics of particular aspects of a population and at the same time taking a general investigation of the population as whole (Kumekpor, 2002). The total population for the study is 140.

3.4.1 Sampling Method

Sampling is that part of statistical practice concerned with the selection of an unbiased or random subset of individual observations within a population of individuals intended to yield some knowledge about the population of concern, especially for the purposes of making predictions based on statistical inference (Leedy and Ormrod, 2005). "Sampling is an important aspect of data collection" (Rao, 2008, p.103). It is also a finite part of a statistical population whose properties are studied to gain information about the whole. Further understanding of sampling is that, it is the act, process, or technique of selecting a

suitable sample, or a representative part of a population for the purpose of determining parameters or characteristics of the whole population and the subset of a population. Researchers draw their data from many sources and the particular entities they select comprise their sample and the process of selecting them is called sampling. When dealing with people, it can be said to be a set of respondents thus, people selected from a larger population for the purpose of a survey Leedy and Ormrod (2005).

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3.4.2 Stratified Sampling

Stratified random sampling technique was used to select the population for the study. Stratification is an appropriate procedure for dealing with a heterogeneous population. In statistics, stratified sampling is a method of sampling from a population. When sub-populations vary considerably, it is advantageous to sample each subpopulation (stratum) independently (Rao, 2008).

Stratification is the process of grouping members of the population into relatively homogeneous subgroups before sampling. Here, the strata should be mutually exclusive and every element in the population must be assigned to only one stratum. The strata should also be collectively exhaustive where no population element can be excluded (Fraenkel and Wallen, 1996).

Then random or systematic sampling is applied within each stratum. This often improves the representativeness of the sample by reducing sampling error. It can produce a weighted mean that has less variability than the arithmetic mean of a simple random sample of the population (www.en.wikipedi a.org retrieved on 26-11-2010). Further

credence is that, stratification makes it possible to carry in-depth investigations of specific characteristics of particular aspects of the population while making a general study of the population as a whole. It provides an additional degree of accuracy to the results (Kumekpor, 2002)

The population of study was categorised into four namely:

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(a) Superior Officers of the Kumasi Central Prison.

(b) Guidance and Counsellors of the Kumasi Central Prison and Kumasi Central Police Station.

(c) Social workers from the Department of Social Welfare in Kumasi.

(d) Selected number of prisoners from the Kumasi Central Prison.

The total number that was selected from each group was: Category A- 30, Category B-50, Category C- 30 and Category D-30 respectively

POPULATION LEVEL

Category A-30
Superior officers of the Kumasi Central Prison. Stratum 1
Category B -50
Guidance and Counsellors of Kumasi Central Prison and Kumasi Central Police Station.

Stratum 2
Category C-30 Social Workers from the Social Welfare Department in Kumasi Stratum 3
Category D-30 Selected number of prisoners from the Kumasi Central Prison. Stratum 4

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EQUALIZATION LEVEL

Stratum 1 30	Stratum 2 50	Stratum 3 30	Stratum 4 30

RANDOMIZATION

Stratum 1 30% of 30 9	Stratum 2 30% of 50 15	Stratum 3 30% of 30 9	Stratum 4 30% of 30 9
Randomized	Randomized	Randomized	Randomized

Sample from Stratum 1	Sample from Stratum 2	Sample from Stratum 3	Sample from Stratum 4

SAMPLE

Total strata from 1, 2, 3 and 4

9+ 15 + 9 + 9 = 42

DATA LEVEL

DATA COLLECTED FROM SAMPLES = 42

Fig. 1 Schematic Overview of Stratified Random Sampling

Therefore, accessible population is 42.

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3.5 Data Collection Instruments

The instruments used to gather data for the study were interview, observation and questionnaire.

3.5.1 Interview - Is basically a set of questions to be answered by the subject of the study. It is conducted orally and the answers to the questions are recorded by the researcher or someone trained by the researcher. The advantages of interview are that the interviewer can clarify any questions that are obscure and also ask the respondent to expand on answers that are particularly important or revealing (Fraenkel & Wallen 1996). The researcher conducted personal interviews with prisoners so as to have facts relating to biographical information of the prisoners as well as the kind of guidance and counselling programmes offered them in the prison. Their beliefs and perspectives in life and about their situation; as well as their feelings, and motives of their experiences in prison. Again, information of their present and past behaviours was unfolded and their thinking of their respective standards of behaviours was also uncovered.

The researcher used interview to gather primary data for the study. This enabled her to have first hand information and also have interaction with the sample population for the study. The interview created a greater confidentiality possible because of the personal contact made with the interviewee. It also gave flexibility for follow-up questions and gave the chance to interviewee to clarify question.

The honesty level of interviewee is adequately assessed by the researcher; and also the instrument has a higher return rate.

3.5.1 Observation

Observation is the ability of the researcher to critically look into happenings within or around the environs of the subject under study. Leedy and Ormrod (2005) states that, qualitative researcher may make observations either as a relative outsider or as a

participant observer. Observations in qualitative study are intentionally unstructured and free-flowing. The researcher shifts focus from one thing to another as new and potentially significant objects and events present themselves. The basic advantage of conducting observations in this manner is flexibility. The researcher can take advantage of unseen data sources as they surface.

The instrument was used so that the investigator can observe the facilities available for offering counselling services in the Kumasi Central Prison. Also, the instrument enables her to assess the relationship between inmates and their counsellors. Besides, observation made it easy for the researcher to conduct herself appropriately while in the prison.

3.5.2 Questionnaire

Questionnaire is simply a paper-sheet or a few paper-sheets containing a number of questions printed, typed or cyclostyled. These questions usually are very carefully drafted keeping in view the main object, nature and scope of the problem under investigation (Rao 2008). For further understanding of questionnaire, Fraenkel and Wallen (1996) were of the view that the subjects or respondents respond to questions by writing or, more commonly, making an answer sheet.

Questionnaires designed for the study were of three sections. Section A was designed to illicit information from the superior officers from the Kumasi Central Prison, Guidance and Counsellors from the Kumasi Central Prison and Kumasi Central Police Station. Section B went for the After-Care Agents from the Department of Social Welfare

assigned to the Kumasi Central Prison and Section C was designed for a selected number of prisoners from the Kumasi Central Prison.

Section A covered the respondents' motivation as counsellors, the type of counselling offered prisoners, the categories of prisoners offered counselling services and benefits clients derived from their counselling relationships and services as regard re-integration.

The section B was to gather information from the respondents as to their mandate and role in the Kumasi Central Prison, whether they have a permanent workspace at the prison. The section further, was used to solicit information on their motivation to discharge their duty and the number of days they meet with their clients in the prison; as well as who and where they direct their constraints when faced with difficulties. Section C however, extracted information about the criminal record of the respondents, their family background and whether they were in relationship or have spouses and children. It also dwelled on whether they have spouses or family members visiting them in prison; and if they ever received any form of counselling in prison and their relationship with their counsellors and whether the respondents have received any education either formal or non-formal while in prison. It also touched on the challenges and benefits derived after the counselling services and also the problem of recidivism. The questionnaire was very flexible to enable the respondents to openly express their views and opinions as well as to advance their inputs.

The researcher used the questionnaires to illicit information because they were easy to be administered confidentially which ensured the honesty of the respondents in answering the questions.

3.6 Types of Data

Forms of data used in the study were primary and secondary data.

3.6.1 Primary Data

The primary data were gathered directly from the superior Prison officers, Counsellors of the Kumasi Central Prison and Kumasi Central Police Station, After-Care Agents from the Social welfare Department and inmates of the Kumasi Central Prison as to:

(a) The kind of Guidance and Counselling services that were offered to prisoners in the Kumasi Central prison.

(b) The kind of facilities available for Guidance and Counselling programmes currently being run by the Prisons Service and their adequacy and effectiveness.

(c) The effectiveness of monitoring and follow up services play in the reformation of prisoners.

(d) The competencies and constraints of counsellor in the prison.

(e) The effectiveness of Guidance and Counselling services in reducing the rate of crime and recidivism.

3.6.2 Secondary Data

The Secondary Data dealt with data obtained from documentary sources, including reports, books, internet, journals, theses and newsletters.

3.7 Administration of Instruments

3.7.1 Administration of Questionnaires

A total of 100 copies of the questionnaire were distributed among the accessible population of the study thus, the superior officers of the Kumasi Central Prison, the counsellors of the Kumasi Central Prison and the Kumasi Central Police station, After-Care Agents of the Social Welfare Department assigned to the prison and selected number of inmates in the Kumasi Central prison. A copy of the questionnaire was read and explained to inmates who cannot read and their respective responses were recorded. However, educated inmates responded to the questionnaire themselves. No questionnaire was administered through mail, or email. The researcher personally dministered them and also collected them by herself within a given time.

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3.7.2 Interview Conducted

The medium of communication was Asante Twi and English language. Prisoners who could not express themselves in the English language were conducted through the interview by means of the Asante Twi.

However, in conducting personal interviews for the Superior officers of the Kumasi Central Prison, the Guidance and Counsellors of the Kumasi Central Prison and Kumasi Central Police Station as well as the Social workers from the Department of Social Welfare, the researcher used the English language.

3.7.3 Observation

The researcher played the role of an observer during the primary stages of interaction with counsellors and officials of the Prisons Service, Police Service and Social Workers from the Department of Social Welfare, which enabled her, discover their methods of operation. Further, a critical observation was made by observing the inmates and their comportment and interaction with the counsellors; as well as the environment of the counsellors and prisoners in the Kumasi Central Prison.

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3.8 Data Collection Procedure

The preliminary strategies used in mobilizing data for the study begun with the review of the related literature, thereafter, request through official letters, were dispatched to head of institutions where the accessible population were located. Request of interaction were sent to the Director of the Ghana Prison Service for permission to have academic interaction with the Superior Prison Officers at the Kumasi Central Prison, the Counsellors of the Kumasi Central Prison as well as the inmates of the said prison. The same request was also addressed to the Ashanti Regional Commander of Ghana Prison to permit and allow the researcher to have contact with the acceptable population.

Permission was also sought from the Ashanti Regional Police Command for the researcher to interview and administer copies of questionnaire to the Counsellors at the Kumasi Central Police Station. The Ashanti Director of Social Welfare was also contacted through an official letter for a permission to interview and administer copies of

questionnaire to the After-Care Agents assigned Counsellors to the Kumasi Central Prison.

Observation, Questionnaire and Interview were used to gather data from the population which consisted of four categories (A,B,C, and D) which was made up of Superior Officers of Kumasi Central Prison, counsellors of the Kumasi Central Prison and Counsellors of the Kumasi Central Police Station; After-Care Agents from the Social Welfare Department and selected number of inmates in the Kumasi Central Prison. A total population of 42 respondents were arrived at after sampling.

Both primary and secondary sources of information were obtained, and ascertained, described and analysed critically and facts interpreted. Moreso, conclusions were drawn and recommendations made to bring attention to the significance of Guidance and Counselling in the Kumasi Central Prison as well as the relevancy of the counselling programmes available to prisoners.

The details of this will appear in the next chapter (chapter four).

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CHAPTER FOUR

PRESENTATION AND DISCUSSION OF FINDINGS

4.1 Overview

This chapter presents and discusses strengths and weaknesses associated with the guidance and Counselling programmes in the Kumasi Central Prison. The chapter also analyses and interprets the facts gathered.

4.2 Types of Guidance and Counselling Programmes Available to Inmates

The Kumasi Central Prison has a structure to offer personal and group Guidance and Counselling to inmates. The counselling section has a counselling structure to offer educational, vocational and personal or psychological counselling to the inmates. These services are to be offered in either personal or in group forms.

Educational counselling was to assist inmates who are assessing tuition in Senior High and Junior High education in the Prison school located within the walls of the Kumasi Central Prison, to be able to adjust and choose the right subjects that suited their interest. Further, the Vocational counselling was meant to assist inmates to choose the right vocations available to them within the prison and also to help them adjust to the comprehensive nature of these vocations and; also to appreciate the dignity of working so that they can fully be on their own when released from prison. In addition, Personal

counselling is offered to inmates to assist them to make choices that will cause changes in them.

Unfortunately, there was nothing appreciable to show for the execution of this documented structure of counselling. It is more of a proposal than an activity since there were no physical structures put in place for the counselling section to function. The type of counselling that was effective was the Orientation/Interview programmes for new prisoners and prisoners who were soon to be released. This shortfall was seen as alarming and a dent to the successful implementation of the concept of reformation and reintegration of prisoners into the society for them to live normal lives. This neglect is evidenced that the low premium is placed on Guidance and Counselling in the prison. Moreso, it fully advertised the Criminal Justice System of Ghana as an adversarial type where due punishment is awarded for crime committed and the emphasis is on the offender and punishment and not the victim of the crime.

Guidance and Counselling is an important aspect of life. This is the case because the aim is to assist individuals appreciate their situation and make choices offered by counsellors so that they can effect a positive change that will eventually affect their immediate community and the society at large. It should be respected that most inmates got incarcerated due to no fault of theirs so even as criminals they are still victims. Example is the inmates who experienced single parenthood as a result of divorce of their parents or inmates who lost their parents at a tender age and there were no support for them and through peer pressure ended in prison. The research has therefore established that the

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Counselling section of the Kumasi Central Prison is a skeletal section without office, and inadequate counselling staff.

4.3 Inadequate Professional Counsellors

Counselling, or psychotherapy, is a professional relationship that is focused on personal problems. The counselling relationship differs from friendships. Unlike friends, counsellors are objective. Counsellors do not give specific advice or tell their clients what to do. Instead, they function as professionally skilled listeners who help to clarify issues, and discover the true wishes and feelings of their clients. Their domain is to deal effectively with problems and challenges such as anxiety, depression, interpersonal/relationship concerns, low self-esteem, eating disorders, drug abuse and sexual abuse and violence related matters that affects their clients. Counselling as a helping relationship is set out to ultimately and productively achieve these specific goals. That is to offer possible options to clients for them to make choices that will effect a change in their prevailing situations. This implied that, counsellors need to be educated so as to give this assistance with the aim to helping their clients, to learn to deal more effectively and appropriately in relation to the stimuli or the realities of their situation. This research has established that there are only three professional counsellors employed by the Ghana Prison Service who are Senior Prison officers assigned to the Kumasi Central Prison and three After-Care-Agents from the Department of Social Welfare also assigned to the prison as welfare officers.

Counselling is a discipline and not advice giving forum because it is a two way communication between the client and the professional counsellor. Observation made through the respondents of the questionnaire administered revealed that, most Senior Prison Officers of the Kumasi Central Prison and other officers who have been offering counselling services to inmates were offering only pieces of advice instead of counselling them. This to a large extent can cause emotional upsets as these pieces of advice may be offensive to them. Furthermore, the advice would not address deeper aspects of situations because it could be ignored and would not lead to self actualization of the inmates.

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Coyle (2002,p.14) opined that "Prison staff are held in lower regard than other people who work in the criminal justice field, such as the police. This is often reflected in the pay of prison staff, which in many countries is very low". As a consequence it is often very difficult to recruit properly qualified staff to work in prisons. In order to attract and to retain high quality personnel it is essential that the Ghana government set salaries at a proper level and the conditions of employment at the Prison Service should be the same as compared to the public service. The work of the prison staff should be made attractive so that the youth with the requisite qualification will get recruited into the service. Coyle (2002) further observed that there is little public knowledge about prisons, prison staff, or their work. While society generally recognises the intrinsic worth of health workers and teachers, prison staffs do not attract similar public esteem. Government ministers and senior prison administrators should consider organising programmes of public education and should stimulate media interest to educate society about the important duty prison

staffs have played in safeguarding civil society. There is the urgent need therefore, that the Government of Ghana and allied organization including the Ghana Prison Service to recruit qualified counsellors to discharge their professional service to inmate which will go a long way to reduce the recidivism in the prisons.

4.4 Social Welfare Department (After-Care Agent)

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The Social Welfare Department has a responsibility of seeking the welfare of inmates in prison with the sole aim of assisting in social integration. After-Care Agents are social workers assigned to the Kumasi Central Prison to work closely with the Prison Counsellors to render welfare services to prisoners. The After-Care Agents are the link between the prisoners and their relatives and function predominantly as the internal welfare officer.

4.4.1 Duties and Responsibilities of After-Care Agents in the Prison

The Prison based Social Workers are legally required to meet with prisoners to assess their needs. This is in order to support them with their prison sentence and work towards their release. They are to provide support and encouragement to inmates and reduce the offending rate so that the general public is protected from harm. The After-Care Agents work to address offending behaviour of prisoners and prepare prisoners for a successful return to the community.

The After-Care officer is required to talk with prisoners and find out more about them and their situation. This include information about family contacts, planned accommodation, health, offending behaviour, risk factors and what help prisoners can be offered, both before and after release. The aim is to assist prisoners to making positive changes to their lifestyle and behaviour. They also prepare reports as required for the Parole Board, and have regular contact with community-based Social Workers and other resources. All information and behaviour that relates to a prisoner's past offending or that places a prisoner at risk of committing further offences may be shared with other prison staff, community-based social work, and the Parole Board. They may also share some information with agencies that may work with prisoners after their release from prison. Importantly, they are duty bound to pass on any information that they receive which could indicate that a prisoner is a potential risk of harm to him/herself or to others. The prison Social workers keep information about prisoners in a file that is kept within the prison and it accompanied the prisoners if they are transferred to another prison.

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According to Dadzie (2009, p.82) "the After-Care Officer interviews and also finds surety for prisoners". This is an indication that the social worker attached to the prison has very important functions to play in relation to the welfare of inmates. Nonetheless, interviews granted the researcher, has shown that the importance of a prison social worker has been played down. This is so because no motivation is granted them. Besides, their number as compared to the increasingly, high prison population is just too low and has increased the workload on them and so they cannot perform very professionally. The researcher can authoritatively state that, if this very issue of motivating the Prison Social

worker is not addressed properly and timely, the important role these officers are to play in order to reintegrate prisoners will be a mirage and the entire Ghanaian society will be at risk.

4.5 Lack of Counselling Room

Counselling is personal, private and confidential as such counselling services are to be offered in privacy. Guidance is however, less personal, and can be done publicly. Counselling sought to develop personal working relationship between the counsellor and the client. Owing to professional observance of ethics by the counsellor; absolute confidentiality between the parties is eventually developed because discussions are held in private whether in personal or group counselling where group members have the responsibility to keep discussions and outcomes in secret.

The research has revealed that there is no single Counselling-room in the Kumasi Central Prison. The Counsellor's office is a general office shared among four Senior Prison officers and there is no privacy. This is an indication that effective counselling where privacy is ensured cannot take place in the prison as every discussion held will be in the open as other members of the office will be privy to the information discussed. This is a big setback in relation to the principles of privacy; confidentiality leading to intimate working relationship between counsellors and their clients is concerned. This position will render counselling services ineffective as it will be very difficult for inmates to confidently and adequately, express their feelings, thought, emotional conflicts and anxieties to the counsellor. Conversely, the counsellors will not also be able to discharge

professionally, what is required of them due to intrusions of others therefore rendering the counselling environment hostile and not conducive to both parties due to lack of concentration, confidentiality and privacy.

Counselling being the interaction between a person handicapped in some way and in need of help; and the counsellor being a professional trained in helping people with handicapped situations. The Counselling section of the prison needed to be provided with counselling rooms where inmates will feel safe to talk with professional counsellors about their concerns or problems; no matter how minor or serious, which might be a personal or prison related concerns. More so, the counselling approaches must be tailored to fit the individual inmate's situation. The counsellors should focus on stabilization and assisting inmates to return to their normal functioning on their release from prison. This should be the case in the prison because the object of counselling is to assist in resolving personal issues that may be preventing people from achieving their potentials. Hence there is the need for inmates to have privacy with their counsellors so that they can pour out their anxieties and complexities which might include depression, relationship difficulties, eating problems, stigma, drug or alcohol use, interpersonal conflicts and stress. There is the urgent need for the government and cooperate bodies to update the counselling unit of the prison if they hope or dream to reduce crime to the lowest. The counselling section is the major player in reformation hence the need to address these concerns to enable the officers to play their quota to the reformation of prisoners.

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4.6 Overcrowding in the Kumasi Central Prison

Overcrowding of inmates was one of the major setbacks observed through the research. The Kumasi Central Prison, a colonial legacy constructed in 1925 to house approximately 800 inmates has been overstretched over the years due to escalating and ever growing inmate's population of the prison. As of 4th February, 2011, the total prisoners' population stood at 1754. Out this number, 1462 were Convicted Prisoners. Remand prisoners were 265; Trial Prisoners were also 27 and a grand total of **1754.** Whereas, the accepted number is 800 inmates.

Sarkin (2009) indicated that overcrowding is perhaps the single most pressing concern facing African prisons which has its roots in the continent's colonial past and the prisons have always been at or above capacity nearly since their inception.

It was therefore adduced that the physical conditions of old buildings and poorly ventilated with inadequate toilet facilities that served as accommodation for these high numbers of prisoners is no surprise since it was a colonial legacy designed to punish instead of correction. The Prisoners' population in the Kumasi Central Prison is alarming and this is an indication that the inmates lack space to sleep or sit, and the hygiene will be very poor since the space for this huge number was meant for 800 prisoners now deficit of 954 prisoners struggling for space. The huge prison population is an index to a stretched and overburdened prison officers and this will make it difficult for them to supervise prisoners to which Counsellors are no exception.

It is important to acknowledge the fact that inmates in prison are still human beings and their right to dignity extended far beyond the fact that they are prisoners. Where such recognition is lacking there will be a real danger that human rights will be abused.

Inmates still retained all their rights as human beings with the exception of those that have been lost as a specific consequence of deprivation of liberty. There is, for example, a total prohibition according to Coyle (2002,p.32-33) on "torture and deliberately inflicted cruel, inhuman or degrading treatment". The import is that, this prohibition did not only apply to direct physical or mental abuse but also applied to the totality of conditions in which prisoners are held.

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The Prison Officers who manage inmates are also human beings and should be treated as such. The prison environment is not comfortable and very hostile to the work of a prison officer and intimidating. For instance, the high population is an indication that the Officers will be over working coupled with narrow nature of the prison; and in the account of the three qualified Counsellors in addition to the three After-Care officers making a total of six counsellors attending to the counselling needs of 1754 prisoners. With this disparity in numbers, it will be very difficult for them to be able to address their needs and assist the inmates.

4.7 Lack of logistical Supply

Ideally, the Counselling section of the Kumasi Central Prison was to be fully equipped with logistical inputs such as vehicles, computers, offices with furniture and impress for

their use in the case of emergency. Unfortunately, the research has established that the Counselling section cannot boast of an office let alone the mentioned items. The criminal Justice System of Ghana is adversarial. This meant that the criminal justice is not victim oriented but punishment oriented and do not address the need of the victim of the crime but rather, it is interested in punishing the offending party. This was amply observed through the downplay of the counselling section even though the Kumasi Central Prison in principle adheres to the concept of reformation and integration but in it was deficient in practice which is a paradox. Counselling is an integral part of reformation and re-integration of prisoners into society for them to function appropriately in conformity with societal norms and values. Based on these needs Counsellors were to be given the necessary inputs to enable them to effectively perform their duties and responsibilities towards the inmates with the objective of effecting a positive change in them. Through interviews conducted and questionnaires administered, it was established that, there is no single vehicle allocated to the unit and beside there were no computers or enough furniture for the counsellors. The After- Care officer shared the only desk with the Counsellor. The Social Worker being the Welfare Officer for the inmates will not be able to discharge his duties because he has no office of his own which was an indication that, he could not do his work well as much as he would try. Running of errands was at a difficulty since there was no vehicle for the section or impress issued to them. This has shown that, important matters relating to inmates that were to be carried outside the precinct of the prison will be postponed. To a large extent, this will affect follow up of discharged prisoners to monitor their level of integration and acceptance by their

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relatives and the society at large; and also difficult to monitor the progress or otherwise of the trade acquired in prison. This development will affect follow up and increase recidivism.

The Prison Service has to come out with concrete policies that will address the logistical setbacks at the Counselling section if it aims at achieving the goal of reformation and re-integration of prisoners into normal life; as this cannot be achieved without Guidance and Counselling. Society and cooperate bodies like the churches, banks and philanthropists and Non Governmental Organizations (NGOs) as well as good spirited individuals should take the challenge to assist in supplying these logistics for the section.

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4.8 Inadequate Follow Up Services

Szumski (1985, p.20) stated that "prison inmates are the most maladjusted people in society". That is why it was very imperative for continued supervision and correction. The Social Worker at the prison duty is to give Follow Up services to discharged inmates from prison and write progress report on them. It was realised that most discharged or ex-prisoners were not given the follow up service due to logistical constraints. This was seen as a very big setback in relation to reintegration of ex-prisoners who were to be assisted because of their long stay in prison to adjust to the realities of the society to be on their own. The community of the ex-prisoners also needed education and explanation on the stand of the ex-prisoner for them to be able to accept them back as community members. Society would like criminals to emerge from prison reformed, educated and

ready to enter the workforce and become productive members of their community. Rehabilitated prisoner is not the one who learns to survive well in prison but one who succeeded in the world outside prison on release.

The reformatory programmes in the prison such as the acquisition of employable skills were to be based on the activities outside the prison. This means, for example, linking the work that prisoners do in prison to the work possibilities outside. Prisoners were being helped to these skills and capacity to earn a living and support their family, in view of the discrimination that ex-prisoners were likely to face when trying to get job.

The After- Care officers were to make arrangements for the inmates during their incarceration for their jobs and also assist them find accommodation to settle after they are released and to create a form of social structure which will help them to be re-accepted into society. It will be very difficult to achieve this in the Kumasi Central Prison because of the constraints of logistics, qualified Counsellors and other prison staff coupled with severe overcrowding in the prison. There is the need for adequate equipment and other logistical needs to be provided to update the section for them to render follow up services to the ex-prisoners else the idea of making a safe community for the society especially children will be unattainable.

4.9 Recidivism

The shortage of trained and qualified counsellors and other prison staff have made it

difficult to reform and reintegrate ex-prisoners into society. Research has established that there is the problem of recidivism in the Kumasi Central Prison as the result of the deductions made from personal interviews and the questionnaires administered. This singular problem has drawn attention to the fact that, inmates were either not reformed while in prison or those who were reformed but were not properly reintegrated into society.

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Recidivism simply means ex-prisoners committing more crimes and sentenced back to prison. Under the normal circumstance, the community expected that after prisoners have undergone harsh punishment in prison; they were to be reformed and reintegrated into society to lead meaningful and productive lives; and lead crime free lives and not to return to a putrid place like prison. This to some extend has not been achieved due to the following suggested variables that were seen to have militated against the aim of reintegration. Thus:

a. The limited number of qualified counsellors to work in the prison. This has gone a long way to increase the workload on the very few counsellors available in the prison. The low personnel strength at the Counselling section of the prison had made it difficult for few to work toward the few job opportunities outside the prison so as to link the inmates with the world outside the prison. Further, these counsellors were unable to reach all inmates who required their services to prepare them adequately to be strong and live beyond the society's hostile reception that would be meted out to them when they leave and are on their own.
b. There were no effective training and education that suited social life outside the

prison. Most of the training of employable skills in the prison was almost obsolete with insufficient and almost obsolete machines and workshops. There was no modern equipment for the training. The few job training available was carpentry, kente weaving, masonry, general electrical, plumbing, shoemaking, doormat making, blacksmithing, bakery, crocheting and dressmaking. There was no computer laboratory in the prison to give training in Information and Computer Technology (I.C.T.). Dadzie (2009,p.48) posited that "Ghana Prison Service is not able to give the prison inmates adequate vocational training skills". Most of the above do not meet the interest of the youth who formed the majority in prison. The overcrowding and the high prison population have also made it difficult for the counsellors and the social workers to provide any comprehensive programmes for the inmates in the prison.

c. No financial assistance programmes to help released prisoner who have acquired employable skills in prison. On their release from prison and after making fruitless efforts to get employed, and no financial assistant from government or relatives they end up desperate and revert to committing crime and get themselves back to prison.

d. Most prisoners have no friends or families after their release because most friends and family members shun their company due to the label ex-prisoner. This position put constraints on the ex-convicts as to how to feed, clothe and house themselves since there was no support from any where they may end up committing more crime so as to survive.

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e. Prisoners who got incarcerated because of drug abuse and drug related crimes may quickly turn to crime if not well supported through proper counselling and well prepared to face life outside the prison. Some of them continue with their drug use even while in prison and if no support they will continue with crime to support their addictiveness and may end up in prison again.

To have these concerns addressed, the government should liaise with the Ghana Prison Service, psychologists and educationists to develop strategies that will reduce the menace of recidivism. The Ghana Prison administration should also consider developing partnerships with civil society and educational organizations in the community in order to increase education and public awareness about employable skill available in the prison and also job opportunities available to ex- prisoners. The media should also be brought in to give public awareness about the good work being done in the prison to reform prisoners.

Intensive public education will assist the society to have a change perception about the released prisoner as a reformed person. This will also reduce the level of stigma attached to ex-prisoners with its attendance scorn for them to be accepted back by their love ones, relatives, friends and the society as a whole.

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4.10 No Motivation for Counsellors and Inmates

Ideally, counselling environment was to be friendly and not intimidating and assured of confidentiality. The study has established that the environment and space created for

counselling in the prison is so intimidating in such a way that, inmates find it difficult to approach the Counsellors for any counselling services. This was built on the premise that the inmates felt shy to speak about their emotional imbalances amidst a cloud of people who were not supposed to hear. This was the case because the counsellors do not have their freedom of workspace and shared a general office as their counselling room. This observation has made a lot of inmates to retreat and manage their difficulties within themselves and by themselves without talking to professionals for assistance. The crowding nature of the prison is also a factor. Most inmates were scared to talk to the counsellors with the fear that their information will be divulged to their colleague prisoners as well as Prison officers and the consequence of them becoming laughing stock at the prison. Therefore, they were never motivated or persuaded to speak to the counsellors due to the counselling environment in the prison.

The Prison Counsellors very conversant with the ethics of their counselling profession get handicapped to offer service to the inmates in the presence of other colleagues with different professional portfolio even though they are senior officers. In the event of intrusion, they were left with no option but to postpone or reschedule the appointment. To a very large extent, the consistent crisscrossing of their job has served as a non motivation to their profession as counsellors and not as prison officers. The attendance high clientele level was observed to be another spine of setback that served as non-motivating to the counsellors. As much as the counsellors have tried to meet the counselling needs of the inmates, their large numbers has made it impossible to reach all

of them. As such they are not able to effectively perform their duties as required of them. To avert this trend, the Prison administration should redraw their strategies in terms of reformation and reintegration and place a higher premium on the work of the Prison counsellors in reforming maladjusted prisoners to conform to society.

4.11 Achievement of the Kumasi Central Prison

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The Prison Officers in the Kumasi Central Prison were able to control the high prison inmates population of 1462 Convicted inmates, 265 Remand prisoners and 27 Trial Prisoners making a grand total of 1754 prisoners as of 4th February, 2011 to comport themselves within the prison walls. Though the fact remained that the Ghana Prison Service as compared to their counterparts in other economies like Europe and America are well resourced. However, due to the structure of their training, professionalism was displayed at its best. The researcher observed a large number of inmates clustered in front of a small space

That served as the courtyard of the inmates' accommodation. Further observation revealed that there was a symmetry known to the prisoners and no one crossed to where the guards were. Most of the prisoners walked, stretched themselves and after a while, they left and a new set came in. These prisoners used the limited space as though they were in rotation but this was done unconsciously and there was no difficulties attached.

Further observation established by the research was the interaction between inmates and the prison officers were very cordial. These depositions were made because of the professional training of the officers. Further, in spite of the large inmates population,

there were no confrontation observed among inmates rather, they were seen to have adjusted to the prison environment. It is the believe that the Prison Service will be able to function according to the constitutional and legal demands, if appropriately resourced with equipment and materials needed for the smooth performance of their work.

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CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Summary

Guidance and Counselling is a cradle to grave affair as every human being requires the services of a counsellor at moment in life to be able to make choices, adjustments that will bring a positive change in their situations for them to have a better life. The concept of reformation, rehabilitation and reintegration of prisoners into society is not an easy task. Therefore, the cooperation of all and sundry including the Ghana government, Parliament, schools, the family system, churches, N.G.Os and benevolent organizations, cooperate bodies, the media and every facet of the general Ghanaian society, as well as the Ghana Prison Service need to get awoken to the reality of the importance and the need for Guidance and Counselling in the Ghanaian Prisons. They should offer the necessary assistance to the Guidance and Counselling section of the prison to enable them discharge their professional duties and responsibilities in reforming prisoners.

The efforts advanced by Prison Counsellors and the Social workers to assist inmates have a change mindset to cause a positive change in their individual lives is yielding less results. This is linked up with the inability of the Prison Service to attract qualified staff with the requisite professional knowledge and understanding of counselling principles. This lapse is traceable to the government of Ghana's failure to adequately resource the

Prison institution with the capital base necessary to provide the logistical inputs for the smooth administration of the Prison. This has inevitably, led to unprofessional counsellors in the prison (Prison Officers) playing the role of counsellors and given advice instead of counselling to the inmates.

The lack of separate building or structure for the Counselling section of the prison has put unlimited and none quantified hardship and stress to the work of the Counsellors as they are aware of the shortfall and under the circumstance could do nothing as the Prison service is a regimental institution and individuals cannot do anything without proper approval from their superiors.

The researcher has also observed overcrowding as one giant setback that has affected the function of Guidance and Counselling in the prison. Due to the large prison population, the few Counsellors available find it very difficult to offer their services coupled with the lack of counselling rooms in the prison which is an affront to the principle of privacy and confidentiality. Inmates felt very shy to speak to their counsellors amidst a host of Senior Prison officers who are not counsellors; an indication that they could not open up or have the courage to speak to counsellors about the emotional anxieties and complexities that they experienced.

Some Human Rights of inmates were observed to be compromised therefore denied. Inmates were denied certain rights by the courts due to the offences committed hence their incarcerations deprivation of the right to free movement and right to certain choices. It however did not stop them from enjoying the rest of their rights. The right to dignity

and respect as human beings; the right to speech, privacy, fresh air and other necessities of life and many other rights were to be enjoyed because they are inherent even though prisoners. The observation made was that the overcrowding at the prison has denied the inmates of the Right of Dignity and Respect as human beings. The absence of the counselling room for the counsellors has also denied inmates of their rights to speech and privacy as they are unable to access counsellors because of the presence of other officers sharing office with the counsellors. Besides, the large prison population was observed as a factor to air pollution in the prison which is detrimental to good health for inmates which is fertile to acquiring communicable disease.

The Criminal Justice of Ghana being adversarial has interest in punishment than victims. Criminals have been thrown into prison to suffer the penalty of their crimes hence little premium is placed on inmates as victims therefore the services of Guidance and Counsellors have been down played in the prison. Even though the public wants the inmates reformed and reintegrated successfully into the society, the structure prerequisite for assisting the inmates is not available which render the concept of reformation and reintegration through counselling a mere lip service.

The Prison Service has not been able to inform the public intermittently through the media about what goes on in the prison in terms of their reformation programmes available to inmates in prison. This has affected the relationship of the ex-prisoners and their families as well as the public which has led to rejection due to the label of ex-convict or ex-prisoner. The family and the society not educated about the transformation

the ex-prisoners have gone through find it difficult to accept them back into the family and through the frustration of hunger, homelessness, joblessness and stigma find themselves committing crime and back to prison as the safe haven. Further, recidivism has increased because the government of Ghana did not put any effective structures or policies for dealing with the ex- prisoners. The Social Welfare Department which was to do the reconnection of ex-prisoners and their families for the acceptance of ex-prisoners is ill-resourced and only exists as a silhouette of its past.

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5.2 Conclusions

The findings of the research have established that setbacks of Guidance and Counselling in the Kumasi Central Prison were as the result of the Government of Ghana, the Ghana Prison Service and the entire society's inability to support the Counselling section of the Prison Service. The government who has the major responsibility and duty of resourcing the Prison Service has to some extent failed its duty by less resourcing the institution. The Prison Service like any of the security services has the duty of ensuring the security of the populace and need government support to empower them do their work effectively. Crime is a threat to the Ghanaian society so the Prison Service and the Social Welfare Department are to be well resourced to make these two institutions attractive to the youth so that qualified staff can be recruited to reduce the problem of recidivism.

The administration of the Prison Service has not placed premium on Guidance and Counselling services leading to reformation in the prison and therefore has not provided

the necessary inputs for their work. The inmates have not been attracted to receive counselling services due to lack of counselling room. The Counsellors are not equipped with logistics to function effectively in the prison. The designed counselling programmes are not accessible in the prison due to the lack of structure therefore; the Counselling section exists in a skeletal form. The Prison Service has not developed rapport with the public through the media so the public is in the dark of what has been going on in the prison. The researcher is of the opinion that the Prison Service should develop working relationship with the media and educate the public of their achievements, failures and constraints/challenges.

The family members of ex-prisoners discriminate against them because of their prison label and also to protect their family name they do not want to accept them in order not to tarnish their family prestige acquired through the family name. This affects their quick and successful reintegration. This situation extends to the society who also shows discrimination towards them by refusing to employ them even though qualified. The ex-prisoners are to be assisted by their family members, churches, philanthropists through showing love and motivation to enable them regain themselves and live useful lives to become successful in their communities.

The reformation and rehabilitation of prisoners through Guidance and Counselling will become successful when the above positions are upheld to enable the inmates who are the most maladjusted individuals to regain themselves and break the cycle of crime they got themselves into.

5.3 Recommendations

1. The Ghana Prison Service should be removed from the Ministry of Interior and given a separate ministry like the Ministry of Prisons to spearhead the affairs of the prisons. This will enable the concerns of the Prison Service to be addressed adequately.

2. The Government of Ghana should increase the annual budget allocated to the Prison Service to enable them expand the prison facilities and build separate structure fully equipped with the requisite infrastructure and logistics. This will help the Prison Counselling Section to be able to function well.

3. The Prison Administration should develop interventions that will make the prison work attractive to the youth with counselling qualifications to be employed to solve the problem of professional Counsellors in the prison.

4. The Social Welfare Department should be well resourced to live up to their duties and responsibilities towards Ghanaians by reforming, rehabilitating and reintegration of inmates. The After-Care Agents assigned to the prison should be provided with logistics such as vehicles, offices, computers and the like to make their work very effective. The Social Welfare Department, now a silhouette of its past need to be revamped by the government and made attractive for the employment of the youth. This will go a long way to cause an increase in the number of the Social Workers in the prisons.

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5. The Prison Service should also provide counselling rooms in the prison to enable the Counsellors have privacy with inmates. This will help inmates to open up and reveal problems' affecting them knowing that confidentiality between them and their counsellors is assured.

6. Overcrowding in the prison has been as the result of the downplay of the Human Rights of inmates. The Government through the Ministry of Justice and the Chief Justice should develop mechanisms to check the delay of cases at the law courts. Frequent adjournment of cases leading to remand of inmates should be reduced. Further, non custodian sentences should be introduced so as to reduce the number of prison inmates. New innovations to punishment should be introduced where perpetrators of minor offences will be sentenced to community work such as cleaning of the streets or working in a state farm or doing laundry in Government Hospitals to serve as deterrent to would-be offenders since punishment is meant to deter. These punishments should be carried out for a period of two to three hours in a day for period of their sentences.

7. The Ghana Prison Service and the Social Welfare Department are to be provided with logistical supplies by the Government to enable them discharge and perform their functions well. The Counsellors section should be supplied with inputs of computers, furniture, offices, vehicles and impress for Counsellors to be self dependent and to function as such.

8. The Follow-Up services were not effective because the After-Care officers do not

have the means to do so. Therefore if the logistical needs are provided as indicated above, these officers will give this service to inmates and ex-prisoners with ease so as to monitor their progress of reintegration and successes made at their jobs and families.

9. Funds should be provided so that tools, equipment and seed money should be provided to inmates who have acquired job skills to enable them establish home industries to practice their trade. Soon to released inmates should be educated and advised to form micro groups after their release to practice their trade which will enhance their loan acquisition from the banks. Social Workers should supervise and give intermittent professional advice and moral support to them; which will motivate them to be self dependent. Social Workers should also liaise and educate families and the society as whole to accept the ex-convicts as reformed individuals and assist in their integration by empathising with them and encourage them to practise their trade. The families should be further encouraged to interact effectively with them and not discriminate against them. When this is done, it will go a long way to reduce the conflict associated with integration of ex-prisoners and the stigma they experience.

10. The Prison Administration should develop working relationship with the media houses and use the media to inform the public about their strengths and weaknesses in terms of logistics and other needs and appeal for public support both in kind and in cash. The Prison Service should also educate the public about

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their progress made in reforming, rehabilitating and reintegration of prisoners into society and if possible use successfully reintegrated ex-prisoners with their consent as resource persons to have the public educated.

11. Churches, N.G.Os, Cooperate bodies, philanthropists and the general public should come out to assist the prison perform their duties well by providing the necessary inputs to enhance their work. Security should not be the sole responsibility of government but a collective responsibility. So also, the reformation, rehabilitation and reintegration of prisoners and ex-prisoners should not be seen as the duty and responsibility solely for the government. The prison being the home or transition for some criminals need the attention of all because the criminals imprisoned for the safety of society if not properly managed will return from prison more dangerous and sophisticated than before. Therefore, the entire society has a duty to empower the Prison officers and Prison Guidance and Counsellors who are experts in handling criminals to manage these criminals in their custody to turn out reformed to meet the expectation of society. The government to some extent cannot do it alone hence the need for cooperative support of all and sundry in promoting Guidance and Counselling in the Ghanaian Prisons.

12. The government of Ghana through the Ministry of Interior, the Ministry of Justice and the Ministry of Employment and Social Welfare as well as the Ministry of Finance and Economy Planning should come out with interventions

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and support the Ghana Prison Service by increasing their budget. Non Governmental Organisation, Churches, philanthropists and the general Ghanaian community should also come out and assist the Prison Service in cash and in kind since the government cannot do it alone.

The researcher is of the hope that, when the above recommendations are put into use, the problem of recidivism in the Ghanaian prisons will be reduced to the minimal as inmates will come from prison reformed and rehabilitated and easy to be reintegrated into society to lead normal lives which will lead to increase productivity of the youth in Ghana.

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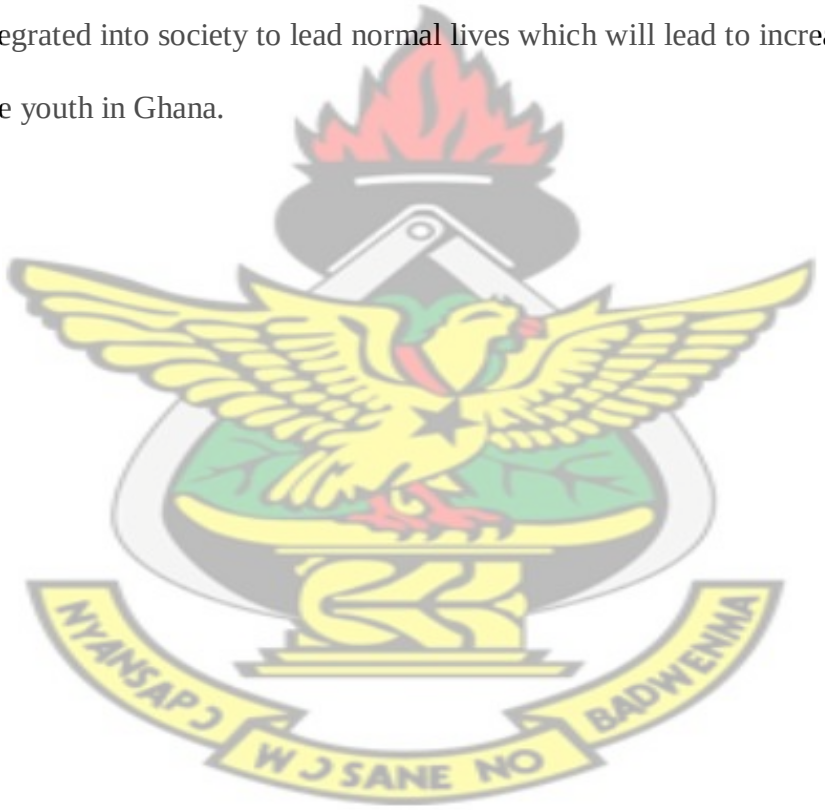

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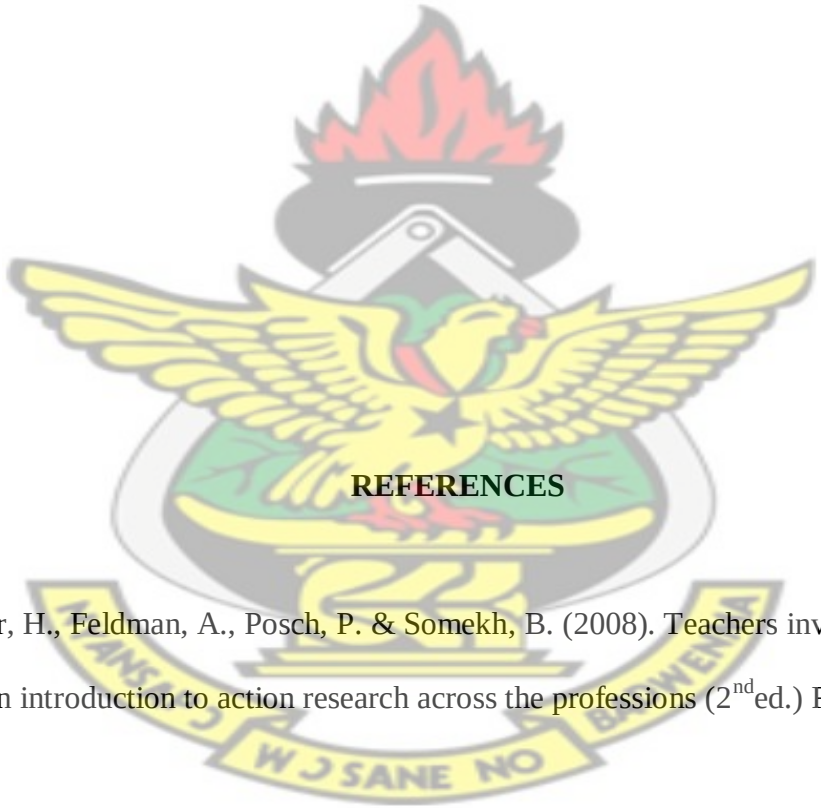

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APPENDICES

APPENDIX: A

SAMPLES OF QUESTIONNAIRES

TOPIC:

INVESTIGATION INTO GUIDANCE AND COUNSELLING PROGRAMMES IN

GHANAIAN PRISONS: CASE STUDY AT KUMASI CENTRAL PRISON.

This questionnaire is designed to collect information from counsellors of the Ghana Prisons Service, Ghana Police Service and After Care Agents of the Social Welfare Department on their Counselling Services as well as the type of Counselling Services offered to prisoners in prison for M/Phil degree. Please respond to each item according to the direction given. Your answers will remain confidential and only group summary will be reported. Thank you greatly in advance.

Personal Details

Name:

Position/ Schedule:

Rank:

No. of years served:

Station:

Please thick your field.

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Prison Counsellor, Police Counsellor.

1. Why do you give counselling services to the criminals?

.....

2. When do you give them counselling services?

.....

3. What type of counselling services do you offer the criminals?

.....

.....

4. Which categories of criminals need counselling?

.....

.....

5. How often do you counsel your clients (criminals)?

.....

……

6. Where do you offer the counselling services?

……

……

7. When do you give counselling to the prisoners?

……

……

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8. List 03problems encountered during counselling sessions.

a……

b……

c……

9. State 03 problems encountered as a counsellor after giving the services to your clients (criminals)

a……

b……

c……

10. State 03 benefits that your clients derived from counselling.

a……

b……

c……

11. Do you write progress report on those you counsel? Yes/ No.

12. Do you do follow-up to find out whether your clients have improved upon their situation? Yes/ No.

13. If no, why?

……

……

14. Are you motivated by your employer as a counsellor? …….....

15. Are you impressed by the outcome of your counselling services?

…….....

16. Have your counselling services reduce the tendency of crime commitment of your clients? Yes/ No.

17. If yes, give 02 examples.

a.…….....

b.…….....

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18. Have you been able to reintegrate your clients (criminals) into normal society through the counselling services? Yes/ No.

19. If yes, give 02 examples

a.…….....

b.…….....

20. Have your clients (ex-convicts) been accepted by their societies? Yes/No.

If yes, give 02 examples.

a.…….....

b.…….....

21. Do you have a counselling room? Yes /No.

If yes, how appropriate and confidential is it?

…….....

…….....

22. What is the most effective counselling type you have observed as a counsellor?

…….....

…….....

23. Why is it the most effective to you?

……

24. How many counsellors do you have in your department? .....

25. Is the number adequate? .....

26. Any suggestion on how to improve upon counselling services in your department?.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

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THANK YOU

QUESTIONNAIRE FOR SOCIAL WELFARE (AFTER CARE OFFICER

1. Are you officially assigned by tour outfit to the prison?
2. What role do you play in the prison as an After Care Officer?

   .....

   .....

3. Do you have a permanent office?

   .....

   .....

4. How often do you go to the prison?

.....

.....

5. Do you encounter any difficulties in performing your duties in the prison?.....
6. Who do you contact when in difficulties?
7. Mention some of the common challenges faced in the prison.

.....

8. Do you also offer counselling services to the prisoners? Yes/ No
9. Why do you give counselling?.....

.....

10. Suggest 03 ways of improving counselling services in the prison.

.....

.....

.....

QUESTIONNAIRE FOR INMATES IN THE KUMASI CENTRAL PRISON

Please do answer the following questions appropriately.

1. What offense have you committed to be imprisoned?
   .....
2. How many years have you been committed to prison?
   .....
3. How long have you served in prison?
   .....
4. Is this your first time in prison? Yes/ No.
5. If no, state the number of times you have been sentenced into prison.
   .....
   .....
6. Do you have a spouse? (wife/ husband or boyfriend/girlfriend) Yes/No

7. Do you have children? Yes/No. If yes how many?
   .....
8. Are you still maintaining your marriage or in relationship? Yes/No.
9. If no why?
   .....
   .....
10. Do your spouse and children visit you in prison? Yes/No.
11. If no why?
   .....
   .....
12. If yes how many times in a week?
   .....
13. What type of sentence are you serving?
   a. Death sentence. b. Life sentence.
   c. 10yrs and above in hard labour. d. 10yrs below in hard labour. e. Others.
14. Have you ever received counselling whilst in prison? Yes/No.
15. If no, why? .....
16. If yes, was it by a Prison Counsellor or by After Care Agent? Underline.
17. How many times have you received counselling?
   .....
18. How is your relationship with your counsellor? a. Cordial. b. Official. c. Hostile.
19. Did you receive the counselling service in the counselling room? Yes/No.
20. If no, where?
   .....
21. Were you forced to be counselled? Yes /No.
22. What was your experienced after you received counselling?
   .....
   .....
   .....
23. Have you received any education or training whilst in prison? Yes /No.
24. Underline the type of education, a. Vocational training. b. Basic Education. c. SSS.
25. What is your educational background?.....
26. What is your sex? Female/Male.

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