



...Promoting Human Rights

LAWYERS ALERT AND THE DECRIMINALIZATION OF PETTY OFFENSES IN NIGERIA



Introduction and Background

The decriminalisation of petty offences is a core component of Lawyers Alert's work on human rights and access to justice. This focus is particularly important because petty offences disproportionately affect poor, vulnerable, and marginalised populations, often bringing people into contact with the criminal justice system for conduct linked to poverty, survival, or social exclusion. The principle underlying the global campaign to decriminalise petty offences is clear: **poverty is not an offence.**

Petty offences are generally understood as low-level offences other than felonies or misdemeanours and include offences such as loitering, hawking, alms-seeking, minor traffic violations, and vagrancy-related provisions. Many of these provisions are colonial-era remnants that continue to criminalise conduct associated with poverty and homelessness. As a result, petty offences can disproportionately expose already vulnerable populations to arrest, detention, prosecution, fines, and other forms of criminal justice system abuse. In Nigeria, 69% of awaiting-trial inmates are reportedly

in the justice system for petty offences, highlighting the significant contribution of these offences to pretrial detention and prison congestion.

Beyond their impact on individuals, the continued criminalisation of petty offences has wider implications for the justice system and public resources. The state expends significant resources on the arrest, prosecution, detention, and processing of people accused of low-level offences. In contrast, prolonged pretrial detention contributes to congestion within correctional and detention facilities. Decriminalisation therefore represents not only a human rights imperative but also an opportunity to promote more proportionate, efficient, and non-custodial approaches to justice.

The reform agenda is further supported by regional human rights standards, including the African Court's Advisory Opinion on vagrancy laws, which called on African States to review and repeal laws that criminalise status, poverty, or conduct in ways that are inconsistent with human rights obligations. Lawyers Alert's advocacy therefore seeks to translate these regional standards into concrete legislative, policy, judicial, and enforcement reforms in Nigeria.

A major challenge to effective advocacy for decriminalisation has been the limited availability of systematic and disaggregated data on violations associated with petty offences. Lawyers Alert has sought to address this evidence gap through LadockT, its web-based human rights documentation tool, which captures and analyses reported violations associated with petty offences across Nigeria. Working with trained partners and community-based actors, the system documents cases and generates data disaggregated by variables including the type of offence, location, age, and sex. This evidence helps identify patterns and trends, inform advocacy priorities, strengthen strategic litigation, and support engagement with policymakers and justice sector institutions.

The combination of evidence generation, legal empowerment, access to justice, movement building, advocacy, and strategic litigation positions Lawyers Alert to address petty offences not merely as individual legal violations, but as a structural justice and governance issue. Its approach seeks to move Nigeria away from the criminalisation of poverty towards a rights-based, proportionate, and people-centred justice system.

KEY INTERVENTIONS AND APPROACHES

Lawyers Alert's interventions to address the criminalisation of petty offences in Nigeria are multi-layered and mutually reinforcing, grounded in evidence generation, movement-building, advocacy, and strategic litigation.

Evidence Generation and Knowledge Production

A central pillar of the intervention is generating credible, verifiable evidence on petty offences and associated human rights violations. Lawyers Alert developed and manages LadockT, a web-based human rights documentation tool that systematically captures violations associated with petty offences across Nigeria. Through trained partners and

community-based actors, violations are documented, verified, and analysed by variables such as location, age, sex, and offence type.

The evidence generated through LadockT has helped address long-standing data gaps and provides a foundation for evidence-driven advocacy, policy engagement, strategic litigation, and programme design. The longitudinal nature of the data also enables Lawyers Alert to identify emerging patterns and trends and assess changes in the nature and geographical distribution of violations over time.

Movement Building and Coalition Strengthening

Recognising that sustainable reform requires collective action, Lawyers Alert helped build a national movement to decriminalise petty offences. This culminated in establishing the Alliance for the Decriminalisation of Petty Offences in Nigeria (ADPON), bringing together more than 50 state and non-state actors.

Through convenings, joint planning, knowledge sharing, and a shared advocacy agenda, ADPON provides a platform for coordinated national and sub-national engagement on reforming petty offences. The coalition strengthens collective advocacy and creates a broader constituency for legislative, policy, and institutional reform.

Legal Literacy and Public Awareness

Lawyers Alert implements grassroots and digital legal literacy initiatives to empower communities most affected by petty offences. Market outreach, community engagements, and engagement with faith-based settings help demystify the law, strengthen rights awareness, and encourage individuals and communities to challenge unlawful arrests and detention.

Complementary media and digital campaigns—including radio, television, print, and social media—have expanded public awareness and helped shift narratives away from punitive responses to poverty and towards rights-based and proportionate approaches to justice.

Access to Justice and Free Legal Representation

At the individual level, Lawyers Alert provides free legal representation to persons charged with petty offences, including through interventions at police stations, correctional centres, prison decongestion initiatives, and court representation.

This intervention directly mitigates the immediate harms associated with criminalisation, including unlawful detention and prolonged pretrial detention, while also generating practical evidence and lessons that inform broader legal and policy reform efforts.

Strategic and Public Interest Litigation

Beyond individual cases, Lawyers Alert uses strategic litigation to challenge the legality and constitutionality of petty offence and vagrancy provisions. Cases filed before the ECOWAS Community Court of Justice seek determinations on the compatibility of

such laws with applicable human rights standards, with the potential to generate broader regional and national legal impact.

Strategic litigation therefore serves not only to secure remedies for affected individuals but also to challenge systemic legal frameworks and build jurisprudence that advances decriminalisation.

Institutional and Policy Advocacy

Lawyers Alert engages State Houses of Assembly, Attorneys-General, police authorities, and other justice and security institutions to promote legislative and institutional reform. Evidence generated through LadockT supports advocacy to repeal or amend problematic laws, promote non-custodial approaches, and advance rights-respecting enforcement practices.

Judicial and institutional engagements have also focused on strengthening understanding and application of regional human rights standards, including the African Court's Advisory Opinion on decriminalising petty offences.

PROGRESS AND WAY FORWARD

Lawyers Alert has recorded significant progress in advancing the decriminalisation agenda. Evidence generated through LadockT has informed legislative processes, including the introduction of bills to decriminalise petty offences in states such as Benue and Bauchi. ADPON has grown into a national coalition that provides a platform for coordinated advocacy and engagement on reform.

Institutional and public attention to non-custodial approaches to petty offences has also increased. Magistrates' courts in some states have publicly committed to non-custodial approaches, while community legal literacy and media engagement have increased public awareness of rights and reporting of violations.

Lawyers Alert's COVID-19 interventions further demonstrated the adaptability of its approach, as the organisation responded to emerging forms of criminalisation and contributed to prison decongestion efforts at federal and state levels.

In the future, Lawyers Alert's work will focus on translating advocacy gains into deeper and more sustainable legislative and institutional reforms. Priorities include securing additional state-level legislative wins, strengthening judicial buy-in, expanding non-custodial justice mechanisms, improving enforcement practices, and consolidating ADPON as a sustained accountability and reform platform.

The evidence ecosystem around petty offences also needs strengthening through expanded geographic coverage, improved routine documentation and verification, longitudinal analysis, and translating evidence into accessible policy briefs, advocacy products, and reform recommendations. This will ensure that future interventions remain responsive to emerging trends and are grounded in robust evidence.

CONCLUSION

Grounded in data documentation, movement building and coalition strengthening, legal aid, public awareness, advocacy, strategic litigation, and capacity building, Lawyers Alert's work on petty offences represents a comprehensive approach to addressing the criminalisation of poverty in Nigeria.

The approach's strength lies in how its interventions reinforce one another. Evidence underpins advocacy; legal aid provides direct protection and generates practical learning; movement building creates collective influence; strategic litigation challenges systemic legal barriers; and public awareness strengthens demand for reform.

Together, these interventions demonstrate a clear progression from documenting individual violations to influencing law, policy, institutions, and public perceptions of justice. Lawyers Alert's work therefore contributes not only to protecting individuals affected by petty offences but also to broader efforts to build a more proportionate, inclusive, accountable, and human rights-based criminal justice system in Nigeria.



Lawyers Alert hosts a radio programme to create awareness on petty offences. Lawyers Alert holds a sensitisation meeting on petty offences