

LAWYERS ALERT AND THE DECRIMINALIZATION OF PETTY OFFENSES IN NIGERIA

Introduction

The decriminalization of petty offences is an aspect of Lawyer Alert's thematic area of human rights and access-to-justice. In Nigeria, 69% awaiting trial inmate's population are caught in the web of the justice system for petty offenses. Petty offences such as loitering, hawking, alms-seeking, minor traffic violations, and vagrancy-related provisions are largely colonial relics that criminalize poverty and disproportionately target poor, vulnerable, and marginalized groups. In Nigeria, these offences significantly contribute to arbitrary arrests, prolonged pretrial detention, prison congestion, and systemic human rights violations, while diverting state resources from addressing serious crimes and developmental priorities.

By advocating for the decriminalization of petty offences, Lawyers Alert confronts entrenched structural injustices within Nigeria's criminal justice system, promotes non-custodial and rights-based approaches to justice, and supports the alignment of national laws and practices with regional and international human rights standards. These efforts are consistent with the African Charter on Human and Peoples' Rights and the principles of the African Commission on Human and Peoples' Rights (ACHPR) on the decriminalization of petty offences.

KEY INTERVENTIONS AND APPROACHES

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

a. Evidence Generation and Knowledge Production

The central pillar of this intervention is the provision of credible, verifiable data on petty offences. Lawyers Alert developed and manages *LadockT*, a web-based human rights documentation tool that systematically captures violations associated with petty offences across Nigeria and published the first data on Petty Offences in Nigeria. Through trained partners nationwide, violations are documented, verified, and analyzed by variables such as location, age, sex, and type of offence. This evidence base has addressed long-standing data gaps and strengthened rights-based, evidence-driven advocacy for reform.

b. Movement Building and Coalition Strengthening

Recognizing that sustainable reform requires collective action, Lawyers Alert facilitated the emergence of a national movement for decriminalization of petty offences. This culminated in the establishment of the *Alliance for the Decriminalization of Petty Offences in Nigeria (ADPON)*, bringing together over 50 state and non-state actors. Through convening's, joint planning, and a shared advocacy agenda, ADPON has become a platform for coordinated national and sub-national engagement on petty offences reform.

c. Legal Literacy and Public Awareness

Lawyers Alert implements extensive grassroots and digital legal literacy campaigns to empower communities most affected by petty offences. Market outreaches, community engagements, and faith-based settings are used to demystify the law, build rights awareness, and encourage resistance to unlawful arrests. Complementary online campaigns and media engagements—radio, television, print, and social media—have expanded reach to millions, normalizing public discourse on decriminalization and shifting narratives away from punitive responses to poverty.

d. Access to Justice and Free Legal Representation

At the practice level, Lawyers Alert provides free legal representation to persons charged for committing petty offences, particularly through police stations, correctional centres, prison decongestion initiatives and Court Representation. This intervention directly mitigates the harms of criminalization while generating practical insights that inform broader reform advocacy.

e. Strategic and Public Impact Litigation

Beyond individual cases, Lawyers Alert deploys strategic litigation to challenge the legality and constitutionality of petty offence and vagrancy provisions. Cases filed before the ECOWAS Community Court of Justice seek pronouncements on the incompatibility of such laws with human rights standards, with the potential for far-reaching regional impact.

f. Institutional and Policy Advocacy

Lawyers Alert engages state Houses of Assembly, Attorneys-General, police authorities, and quasi-security bodies, using LadockT data to support law reform, non-custodial sentencing, and rights-respecting enforcement practices. Judicial engagements have also focused on mainstreaming the African Court's Advisory Opinion on decriminalization of petty offences.

PROGRESS AND WAY FORWARD

Lawyers Alert has recorded significant progress. Evidence generated through LadockT has informed legislative processes, including the introduction of bills to decriminalize petty offences in states such as Benue and Bauchi. ADPON now functions as a coherent national coalition driving reform. Magistrates courts in some states have publicly committed to non-custodial approaches for petty offences.

Public awareness has increased markedly, with communities better informed about their rights and more willing to report violations. Media ownership of the issue has grown, with independent reporting amplifying advocacy messages. Importantly, Lawyers Alert's COVID-19 interventions demonstrated the adaptability of this initiative, responding to emergent forms of criminalization and influencing prison decongestion policies at federal and state levels.

Going forward, Lawyers Alert's interventions is geared towards deeper legislative wins, expanded judicial buy-in, and the normalization of decriminalization as a governance and development issue. Emphasis will be placed on sustained state-level reforms, strengthening non-custodial justice mechanisms, and consolidating the petty offences movement as a permanent accountability platform

CONCLUSION

While grounded in data documentation, Movement Building and Coalition Strengthening, legal aid, advocacy visits, litigation, and capacity building, the impact of Lawyers Alert's work on petty offences is transformative, influencing law, policy, and societal perceptions of justice. Each intervention reinforces the others, creating coherence across evidence, practice, policy, and public discourse. Together, they demonstrate a clear progression toward dismantling the criminalization of poverty and entrenching a human rights-based approach to justice in Nigeria.

Lawyers Alert's work on the decriminalization of petty offences therefore represents a strategic, evidence-driven, and rights-centered effort to reform Nigeria's criminal justice system, promote social inclusion, and protect the rights of marginalized populations.