

Lawyers Alert and the Decriminalization of Petty Offenses in Nigeria 2024 to 2025

BACKGROUND



Petty Offenses are offenses other than felonies or misdemeanors, primarily targeting the poor and underserved in any society. They are offenses that are the relics of colonialism and criminalize behaviors such as: Wandering/Loitering, Disobedience to Parents/Constituted Authorities, Alms seeking, Hawking, Public Display of Affection, Violation of Traffic/Wrong parking, Commercial sex work, Indiscriminate disposal of waste, Sexual minorities, Rogue/Vagabond

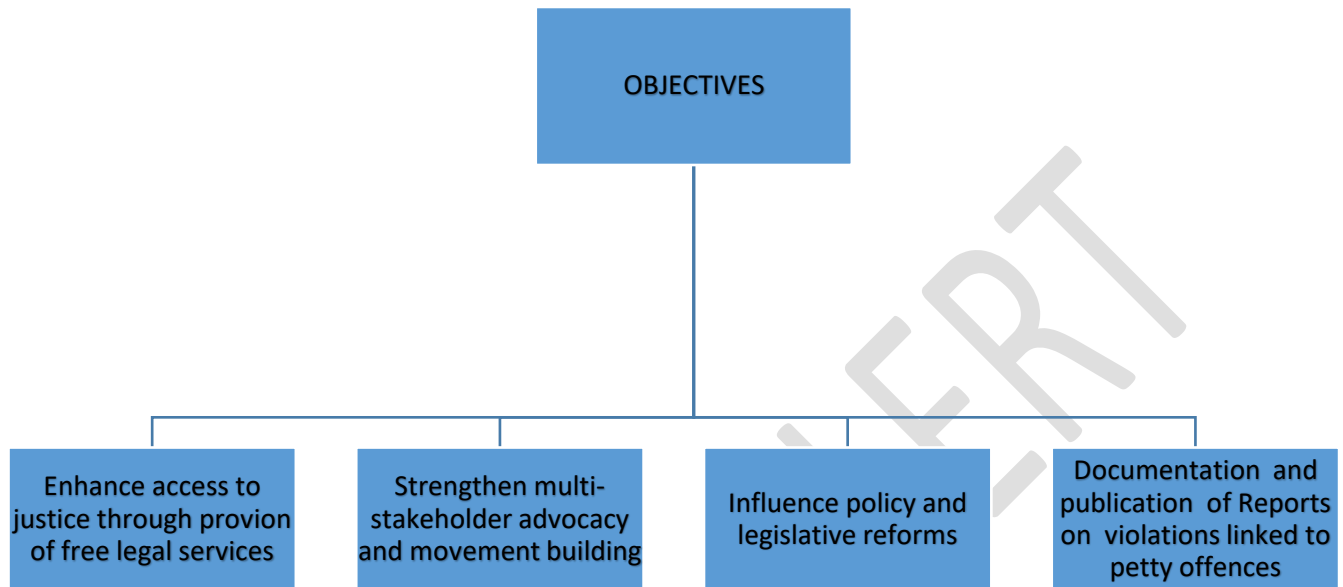
Petty offences in Nigeria largely target poor and vulnerable populations and are often rooted in colonial-era laws like the Penal and Criminal Code. These offences have been widely recognized as contributing to human rights violations, prison congestion, and systemic inequality

Evidence generated from Lawyers' Alert online documentation tool LADOCT shows that a significant proportion of persons in correctional facilities are awaiting trial for minor offences, reflecting how petty offences disproportionately affect economically disadvantaged individuals.

Against this background, Lawyers Alert, as a member of the African Petty Offences Decriminalization Campaign Movement, has continued to play a pivotal role in the campaign against the criminalization of petty offences in Nigeria through legal interventions, documentation, advocacy, and movement-building following the periodic publication of the latest violation report for 2022 to 2023. https://www.lawyersalertng.org/files/ugd/644c10_be934490fef9431fbf247ec7507f3c33.pdf

LAWYERS ALERT'S PETTY OFFENSES DECRIMINALIZATION EFFORTS IN NIGERIA

Lawyers Alert's intervention efforts are guided by the following objectives:



ACTIVITIES/INTERVENTION

Legal Representation and Strategic Litigation

Lawyers Alert provided direct free legal assistance to beneficiaries affected by petty offences, including:

- Release of 7(Seven) men who were arrested and detained over petty offences and have spent over a year in prison without arraignment or trial, including +Salisu, a 23-year-old man, who was unjustly detained for over a year in Makurdi over petty offenses and was not returned to court after his arraignment. Forgotten in custody and losing hope, his case was revived when Lawyers Alert Nigeria encountered him during a prison decongestion visit to the Makurdi correctional facility. Through Lawyers Alert's free legal services, he was released on October 10, 2025, restoring his freedom and giving him a second chance at life. Link for full story <https://www.facebook.com/share/p/17xyiAkFLA/>



Legal Officer of Lawyers Alert and Petty Offence Victim after his acquittal in court

- 15 cases involving members of the LGBTQ+ community in Benue and Plateau States who were charged with offences of cross-dressing as a woman under the penal code of Northern Nigeria and public disturbance for holding gay parties.
- 25 displaced and distressed individuals in Area 7, Garki, Abuja, who relied on street hawking for survival after fleeing insurgency in North-Eastern Nigeria. These individuals were arrested and their goods seized by a Joint Task Force (Comprising different security Forces), necessitating legal intervention. Lawyers Alert successfully secured the release of the affected individuals and the return of their goods, reinforcing the organization's commitment to protecting vulnerable populations and promoting social justice.
- Filing of strategic litigation at the ECOWAS Court against the Federal Republic of Nigeria, challenging the constitutionality of petty offence laws particularly certain provisions of the Penal Code and Criminal Code which criminalize acts such as hawking, loitering, vagabondage, cross-dressing, and other status-based offences that disproportionately target vulnerable populations.

Capacity building of religious policing institutions



Lawyers Alert on 28- 30 April 2025, conducted a high-level training for Hisbah personnel on focusing on human rights, ethical conduct, and effective community engagement in enforcing minor offenses. Hisbah is an Islamic religious police body that enforces moral codes, dress, and religious regulations with the support of the Kano State Government. The training targeted strategic actors within the Commission, including 8 Commandants and 8 Officers-in-Charge of Women’s Units

from metropolitan LGAs, 5 Assistant Commander Generals, and departmental heads in Legal, ICT, and Women’s Mobilization. The training aimed to reduce prosecutions for petty offences related to dress code and hairstyles, promote awareness of human rights, and enhance enforcement practices. These efforts have led to increased awareness among Hisbah officers and the release of several individuals previously charged with minor offences, contributing to the broader goal of decriminalizing poverty in Nigeria.



Participants Group Photograph

Continued Documentation of Violations

Lawyers Alert continues to use its online documentation tool (**LadockT**) to collect and analyze data on human rights violations arising from petty offences in the 36 states of Nigeria, including the Federal Capital Territory. This tool allows the organization to capture timely and accurate data, track trends in petty offence prosecutions, and generate reports that support advocacy, legal interventions, and policy reform efforts across Nigeria. To see the latest periodic publication of violations related to Petty Offences, use the link below

https://www.lawyersalertng.org/_files/ugd/644c10_be934490fef9431fbf247ec7507f3c33.pdf

Legislative Advocacy and Engagement

Within the period under review, Lawyers Alert intensified advocacy efforts at national and sub-national levels. This advocacy engagement led to the securing of a letter of initiation from the Bauchi State House of Assembly inviting Lawyers Alert to train them on the decriminalization of petty offences. This training of the House of Assembly will lead to legislative reforms, i.e., the repeal or amendment of laws criminalizing poverty offences in Bauchi State, thereby promoting the campaign against the criminalization of petty offences in Nigeria.

Advocacy Visit to Hisbah Commission on Petty Offences Reform

On 14 October 2024, Lawyers Alert paid an advocacy visit to the Hisbah Commission in Kano State to discuss issues around petty offences and rights-based religious policing enforcement. The team led by Bamidele Jacobs (Director of Legal Services, Abuja) and Her Worship Hajara Hamza (Kano State), met with the Hisbah leadership. During the engagement, the team highlighted its experience in grassroots mobilization and human rights education, emphasizing the importance of community engagement in improving trust and ensuring fair treatment of individuals, especially those affected by petty offence enforcement.

The Hisbah Commission, represented by Deputy Commander Sheikh Mujahideen Aminudeen, welcomed the proposal and acknowledged the need for partnerships to address concerns around human rights violations and improve public confidence.

The visit resulted in strengthened trust between both institutions and the establishment of a collaborative partnership, with agreement to commence plans for rights-based policing training aimed at improving the handling of petty offences within the community.



Deputy Commander Sheikh Mujahideen Aminudeen and Lawyers Alert's team

KEY ACHIEVEMENTS

- Provided free legal support to LGBTQ+ individuals and displaced persons affected by petty offence prosecutions.
- Strengthened evidence base for decriminalization advocacy through data collection and reporting
- Increased stakeholder awareness and engagement on the impact of petty offences.
- Trained Hisbah officers in Kano State on human rights and ethical enforcement of minor offences.
- Filed a case at the ECOWAS Court challenging unconstitutional petty offence laws in Nigeria.

CHALLENGES

- Petty offences disproportionately target economically disadvantaged individuals, reinforcing inequality
- Limited political will for law reform
- Continued arbitrary arrests and enforcement practices.
- Resource constraints affecting the scale of interventions.
- Some state institutions and policing bodies resist decriminalization due to social, cultural, or political factors.

RECOMMENDATIONS

- Repeal or amendment of laws criminalizing petty offences
- Adoption of non-custodial sentencing frameworks at the National and subnational levels
- Strengthening data systems and documentation mechanisms
- Increased government and donor support for justice sector reforms
- Continued public sensitization and stakeholder engagement

CONCLUSION

Petty offences in Nigeria remain one of the major barriers to social justice, disproportionately affecting the poor and marginalized. Through a multifaceted approach of legal representation, strategic litigation, capacity building, documentation, and advocacy, Lawyers Alert has made significant strides in mitigating the impact of these laws and promoting human rights. Law reforms, strengthened enforcement of ethical policing, and sustained advocacy are essential to fully decriminalize petty offences, reduce systemic inequalities, and protect the rights and dignity of vulnerable populations across Nigeria.

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