



LAWYERS ALERT

**UPDATED FINDINGS ON PETTY OFFENCES VIOLATIONS IN
NIGERIA**

IN

PARTNERSHIP WITH

OPEN SOCIETY INITIATIVE FOR WEST AFRICA (OSIWA)

SEPTEMBER, 2020

INTRODUCTION

Petty Offences are basically those offences that were created by colonial masters in attempt to have a strong hold on people and right to self-expression and determination. In some instances, petty offences are said to be “victimless” i.e. where no one suffers any injury, yet, the actor is said to have committed an offence and is sent to jail. Others define it as those offences that do not necessarily deserve custodial sentences. Examples of petty offences including hawking, loitering, begging, etc.

Undoubtedly, violations associated with petty offences are an issue owing to the fact that they are associated with gross human rights violations and wears the face of poverty in Nigeria. Human Rights abuses are deep and entrenched with regard to Petty Offences. The poor are denied opportunities to earn a living thereby exacerbating crime. What is the measure of injury as a people? How often does this happens and where? Are women more affected than men? What are the age dynamics? How do we approach these issues from an informed position?

In April 2020 Lawyers Alert provided answers to the above in our first report on human rights associated with petty offences in Nigeria. Six months later we are updating the report with the second report. Data is obtained from our partners CSOs across Nigeria, persons enjoying free legal services from our network of lawyers and the media. These data are fed into our web-based tool, LADOCK-T that automatically analyses the data across locations, types, age, trends etc. The interesting about the online tool used is that it is configured to cover the 774 local governments’ areas of Nigeria and therefore, goes to the grassroots and rural areas, where the issue are.

Lawyers Alert by this resource is filling the gap for advocacy that is based on scientifically obtained Data. Advocates of Decriminalization of petty offences will find this resource very helpful and useful as will scholars and students of issues surrounding petty offences.

This updated violation report in Nigeria throws up interesting data which will serve as a huge resource for actors in Nigeria towards the decriminalization and declassification of petty offences in Nigeria.

The highest percentages of violations are from Lagos, Plateau, FCT, Benue, Bauchi and Anambra, that have a combined percentage of over 90%. Violations according to types of petty offences which includes Wandering/Loitering, Breach of Promise, Disobedience to Parents/Constituted Authority, Violation of Traffic Rules/Wrong Parking, Indiscriminate Disposal of Waste, Alms Seeking, Commercial Sex Work, Sexual Minorities, Hawking, Public Display of Affection

and Rogue/Vagabond, has Disobedience to Parents/Constituted Authority as the highest closely followed by Wandering/Loitering and Rogue/Vagabond.

Over 27 petty offences indicators were measured with respect to violations and the total findings are combined in this report. These includes: Unlawful Arrest, Rape/Sexual Assault, Battery, Verbal Abuse, Molestation, Torture, Corporal Punishment, Blackmail, False Imprisonment, Exploitation of Personal Belongings, Denial of Legal Representation, Starvation/Food Deprivation, Damage of Vehicle (Deface of Vehicle), Seizure of Vehicle Plate Number, Sealing of Premises, Exorbitant Fine, Stigmatization, Incarceration, Emotional Abuse, Harassment, Extortion, Confiscation of Property, Detention, Forced Eviction, Invasion of Privacy and Seizure of Goods.

We will continually update on these violations for programmatic interests, advocacy and informed application for policy making. Also, it is hoped that the document will prove to be a vital resource for those who desire precise and up to date data regarding petty offences, will help highlight the dangers that the poor and indigent in the society are exposed to, and will be used enhance and promote a more robust legislative process aimed at declassifying and decriminalizing petty offences.

We acknowledge Open Society Initiative for West Africa (OSIWA) for believing and supporting this project. We are obliged to several individuals and organizations who referred cases to us.

Rommy Mom
President, Lawyers Alert.

VIOLATION ANALYSIS BASED ON TYPES OF PETTY OFFENCES

Petty offences violations in this report was captured and documented using the below which was agreed on by Civil Society Groups and Activists working on petty offences in Nigeria. They include;

- Wandering/Loitering
- Disobedience to Parents/Constituted Authorities
- Alms seeking
- Hawking
- Public Display of Affection
- Violation of Traffic/Wrong parking
- Breach of promise
- Commercial sex work
- Indiscriminate disposal of waste
- Sexual minorities
- Rogue/Vagabond

In this reporting period, **Disobedience to Parents/Constituted Authority** ranked highest as evidenced by the charts below with 31% closely followed by. **Wandering/Loitering and Rogue/Vagabond** with 25% respectively. **Commercial Sex Work** ranked third with 10% and this was primarily high in Benue State, Nigeria given the enforcement of curfew owing to the COVID-19 pandemic and the need for women to eke a living. **Hawking and Sexual Minorities** are both captured at 3% respectively. Even though hawking will appear to be low at 3%, it is usually targeted at dehumanizing the hawkers who are poor and have no means of survival. Items gotten from the hawkers are usually destroyed. **Breach of Promise** in this reporting period ranked fifth at 2%, **Violation of Traffic/Wrong Parking** at 1%. Violations associated with Indiscriminate Disposal of Waste, Alms Seeking and Public Display of Affection had an insignificant reportage of less than 1% in this reporting period.

The below charts reflect the above;

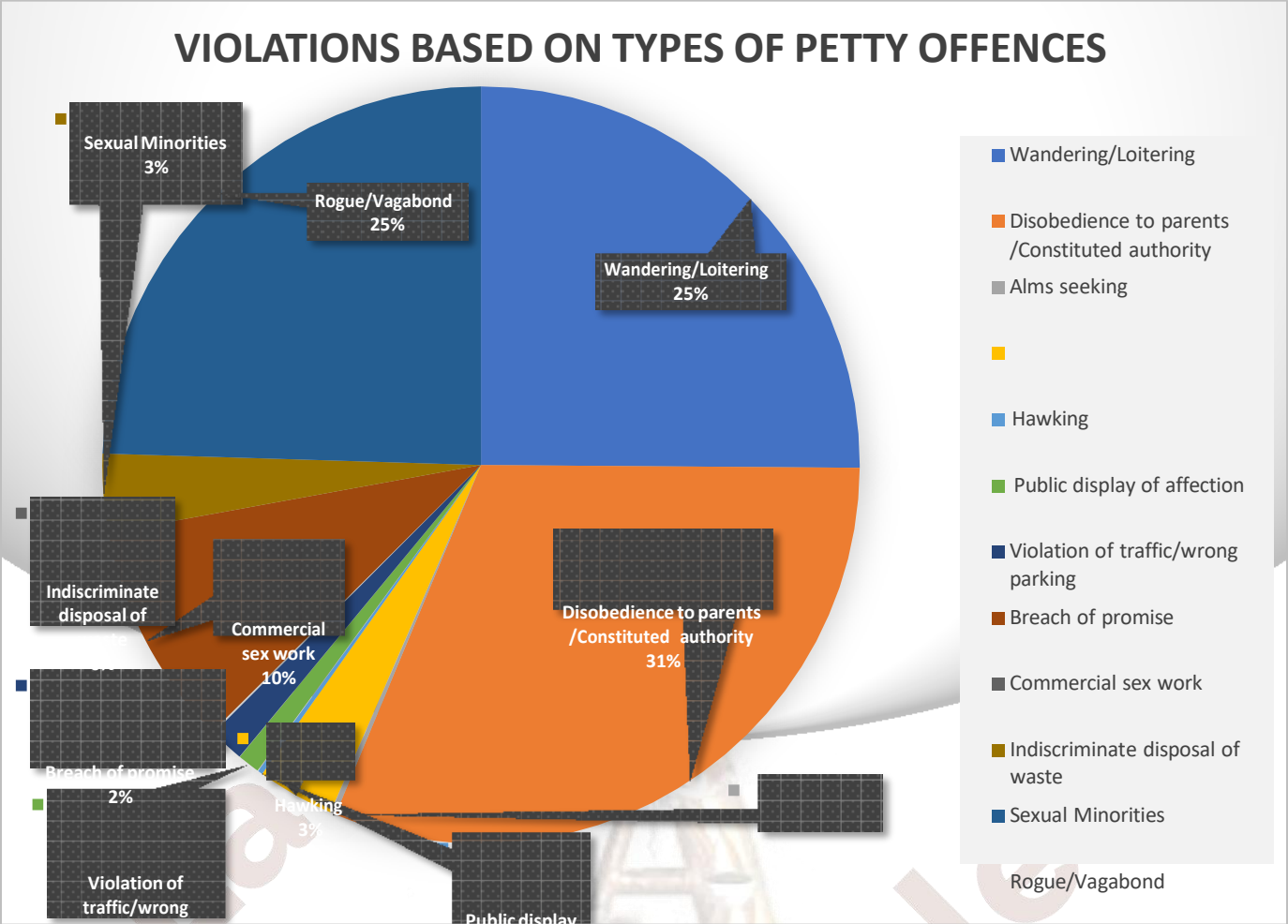


Fig 1: Violations based on types of Petty Offences.

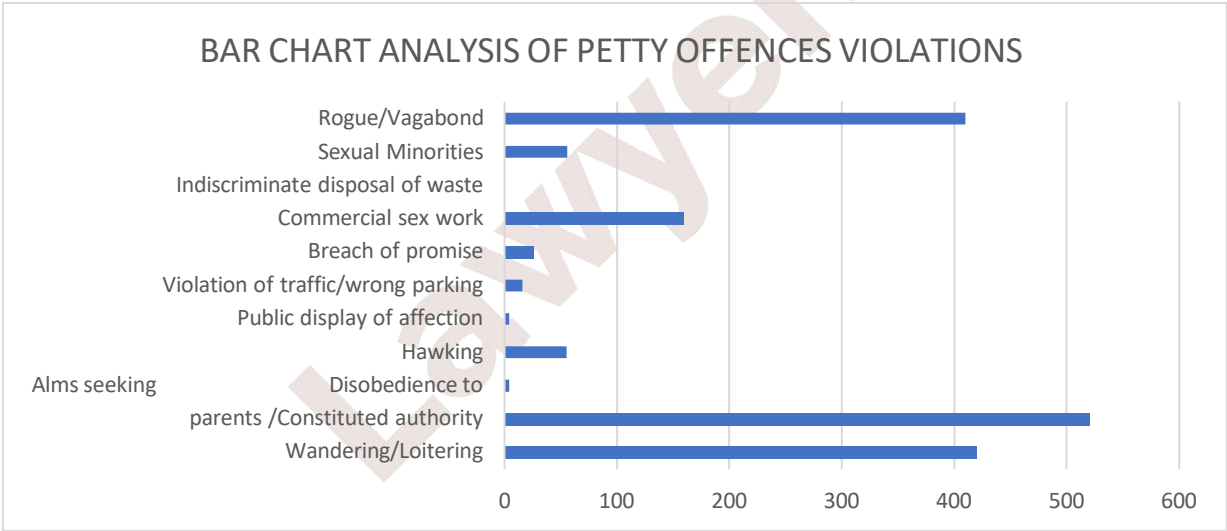


Fig 2: Bar Chart analysis of Petty Offences violation.



Types of Petty Offences	March 2020	September 2020	Increase	Decrease
Wandering/Loitering	26%	25%	-	1%
Breach of Promise	1%	2%	1%	-
Disobedience to Parents/Constituted Authority	28%	31%	3%	-
Violation of Traffic Rules/Wrong Parking	1%	1%	-	-
Indiscriminate Disposal of Waste	0%	0%	-	-
Alms Seeking	0%	0%	-	-
Commercial Sex Work	10%	10%	-	-
Sexual Minorities	4%	3%	-	1%
Hawking	4%	3%	-	1%
Public Display of Affection	0%	0%	-	-
Rogue/Vagabond	26%	25%	-	1%

Table 1: Table showing percentage increase & decrease on the types of Petty Offences

STATES WITH HIGHEST PETTY OFFENCES VIOLATION RATES.

Even though this project is situated in about 6 states in Nigeria, this report covers the entire country given the online documentation tool captures all States across the 6 geo-political zones of the country. In this reporting period, Lagos State ranked highest with 31%, closely followed by Plateau State with 26%. Abuja, the Federal Capital Territory ranked third with 13%, with Benue at 10%. Bauchi State ranked next at 6%, with Anambra State at 5%. Niger, Osun, Akwa Ibom, Delta, Abia, Kano, Kaduna, Ogun and Ondo had 1% respectively. Ebonyi, Borno, Ondo, Imo, Oyo Edo and Rivers states present the least number of reported violations at less than 1% respectively.

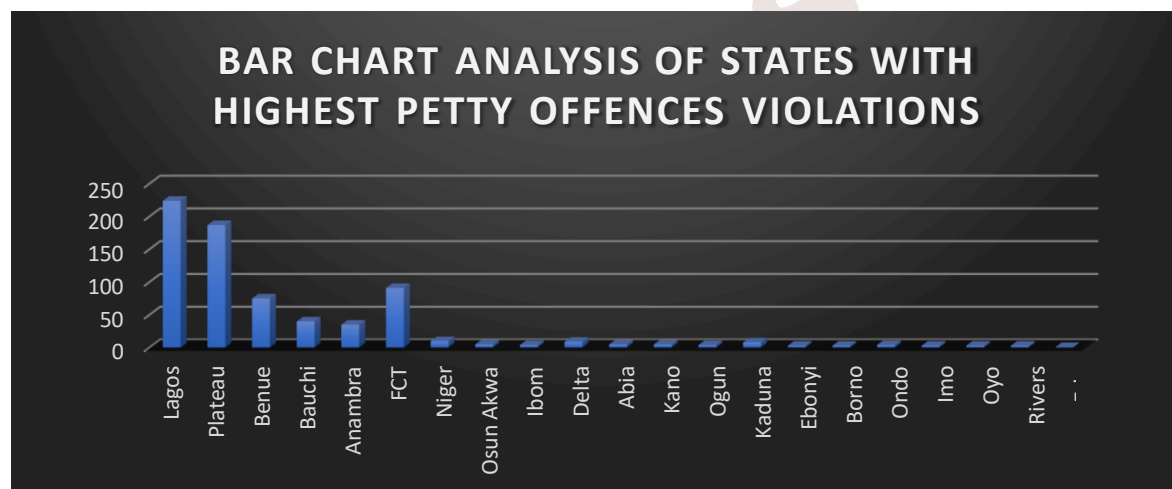


Fig 3: Bar Chart analysis of States with highest Petty Offences Violations

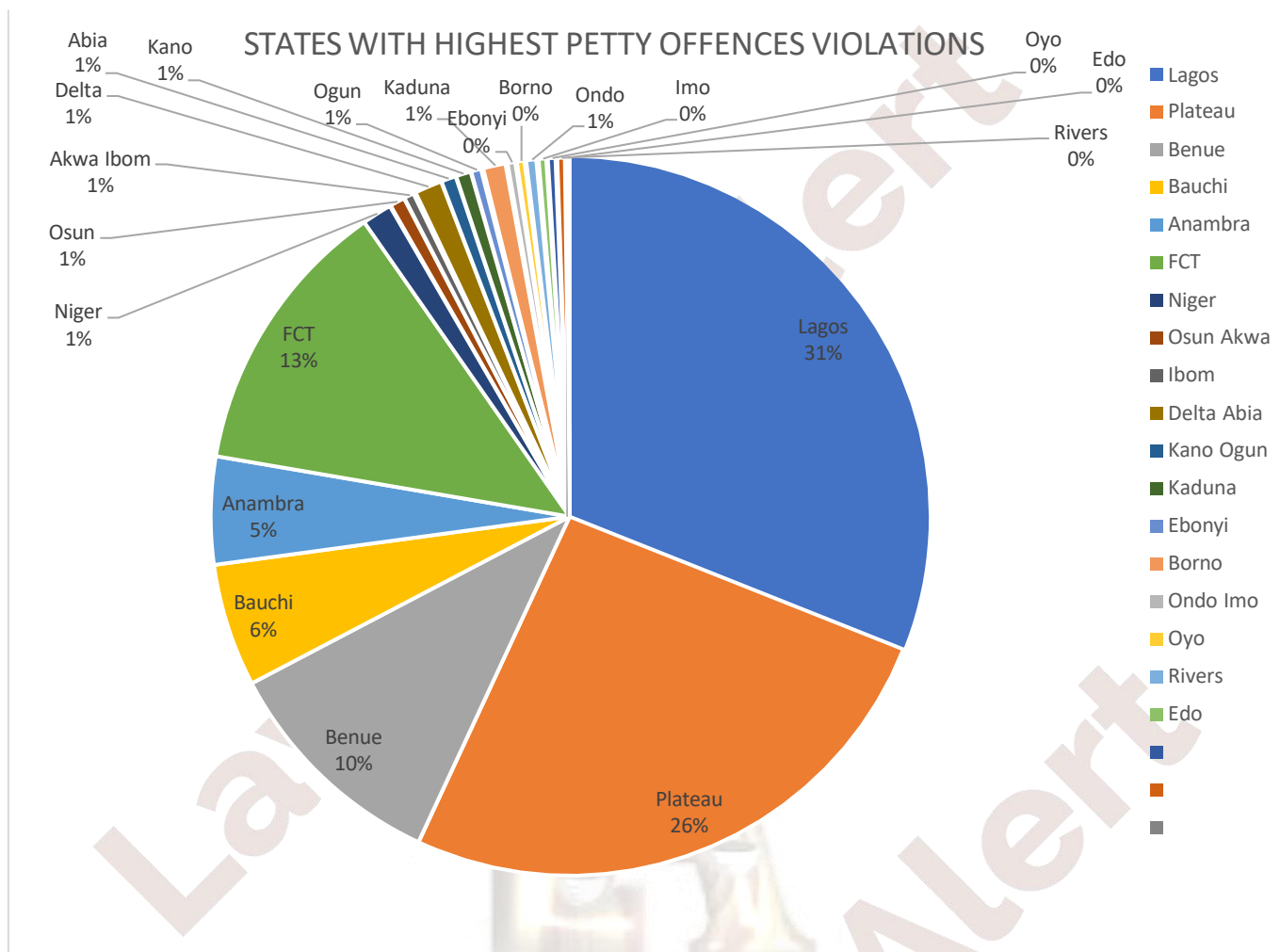


Fig 4: States with highest Petty Offences Violations

States	March 2020	September 2020	Increase	Decrease
Lagos	32%	31%	-	1%
Plateau	31%	26%	-	5%
FCT	5%	13%	6%	-
Benue	11%	10%	-	1%
Anambra	6%	5%	-	1%
Niger	2%	1%	-	1%
Ogun	0%	1%	1%	-
Ondo	0%	1%	1%	-

Table 2: Table showing percentage increase & decrease among some States

PETTY OFFENCES VIOLATIONS BASED ON LOCAL GOVERNMENT AREAS (LGAs).

Just like the instance of capturing violations across the States, violations across the LGAs were not restricted to LGAs of project states but covers the entire 774 LGAs of Nigeria. From the LGAs of the Country, Abuja Municipal in the Federal Capital Territory ranked highest with 11%, closely followed by Kosofe LGA in Lagos State with 9%. Riyom, Makurdi & Bauchi LGAs in Plateau, Benue and Bauchi State came third with 6%. Oshodi-Isolo LGA in Lagos recorded 5%, with Mushin LGA in Lagos State and Akwa North in Anambra State with 4%. Pankshin, Shendam, Surulere, Mangu, Jos-North, Langtan North, Kanke, Kwande, Jos North and Barkin Ladi all ranked 3%. Gboko, Ikeja, Ifako-Ijaye and Alimosho was at 2%. Onitsha North, Idemili North, Ikot Ekpene, Dambatta, Lagos Mainland and Suleja all show same violation rate at 1%. Other LGAs recorded had an insignificant reportage of less than 1%.

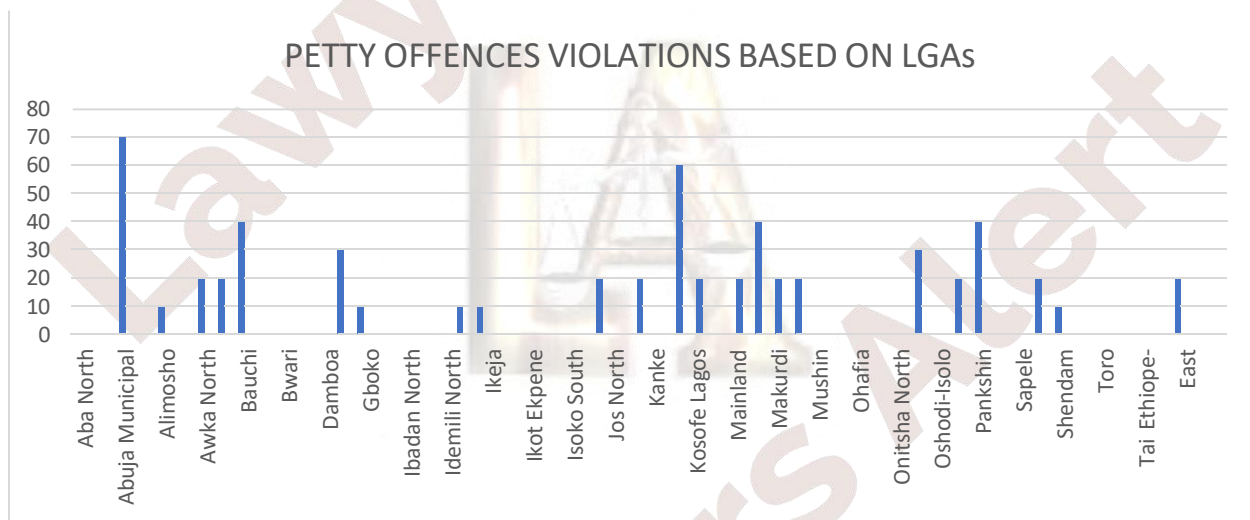


Fig 5: Petty Offences violations based on LGAs

PIE CHART ANALYSIS OF PETTY OFFENCES VIOLATIONS BASED ON LGAs

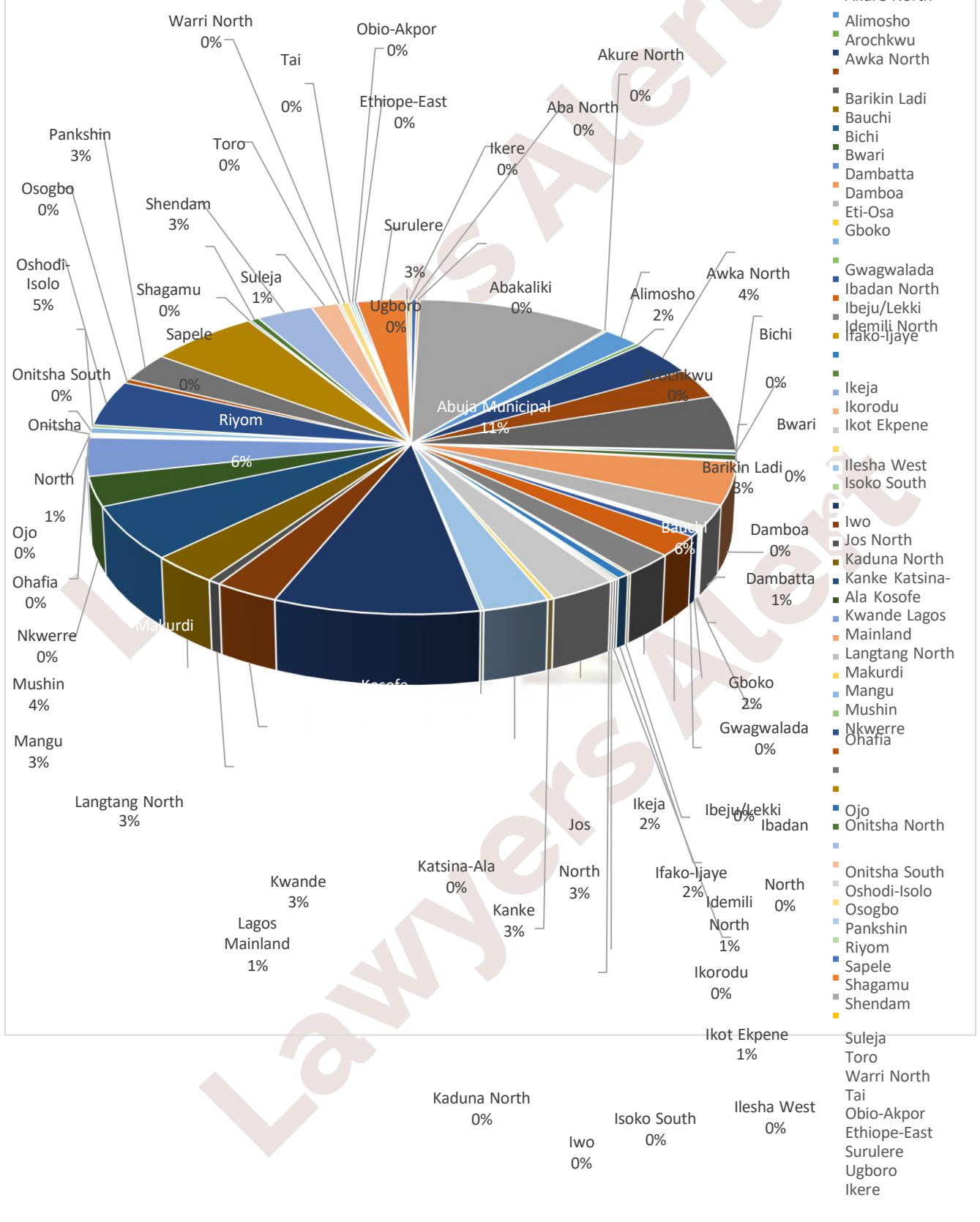


Fig 6: Pie-Chart analysis of Petty Offences violations based on LGAs



LGAs	March 2020	September 2020	Increase	Decrease
Abuja Municipal	2%	11%	9%	-
Kosofe	11%	9%	-	2%
Riyom	7%	6%	-	1%
Makurdi	5%	6%	1%	-
Bauchi	7%	6%	-	1%
Mushin	5%	4%	-	1%
Eti-Osa	4%	0%	-	4%
Ifako-Ijaye	3%	2%	-	1%
Gboko	3%	2%	-	1%
Suleja	2%	1%	-	1%

Table 3: Table showing percentage increase & decrease among some LGAs

PETTY OFFENCES VIOLATIONS BASED ON AGE

Disaggregation by age, as shown in the pie chart below on the other hand, reveals that the 25-40 years group suffers the highest violation rate with 41%. 20-24 years ranked second at 32%, while 10-19-year group ranked 24%. Age 6-9-year-old was at 2% and age group 0-5 years had 1%.

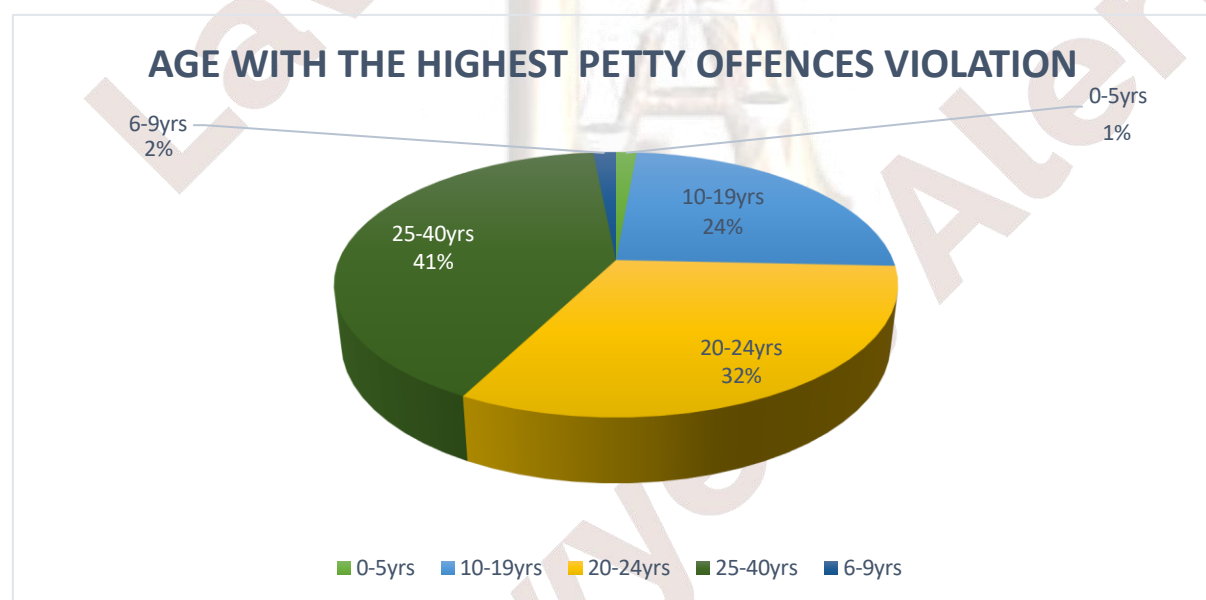


Fig 7: Age with the highest Petty Offences violation

Age	March 2020	September 2020	Increase	Decrease
0 – 5 years	2%	1%	-	1%
6 – 9 years	2%	2%	-	-
10 – 19 years	29%	24%	-	5%
20 – 24 years	37%	32%	-	5%
25 – 40 years	30%	41%	11%	-

Table 4: Table showing percentage increase & decrease among some LGAs

PETTY OFFENCES VIOLATIONS/INDICATORS

The chart below is a reflection of Petty offences violations/indicators as captured in this reporting period. Emotional Abuse and Verbal Abuse shows a 15% rate of violation which is the highest of all, followed by Unlawful Arrest and Detention with 13% and 11% respectively. Assault ranked 10%, with Harassment 8%, Corporal Punishment 6%, Battery and Torture at 4%. Confiscation of Property, Extortion, Incarceration and Blackmail all ranked 2%, while Molestation, Seizure of Goods, Rape/Sexual Assault and Stigmatization are shown at 1% respectively. False Imprisonment, Invasion of Privacy, Exploitation of Personal Belongings, Damage of Vehicle, Starvation/Food Deprivation, Exorbitant Fine and Denial of Legal Representation are insignificant with less than 1% respectively.

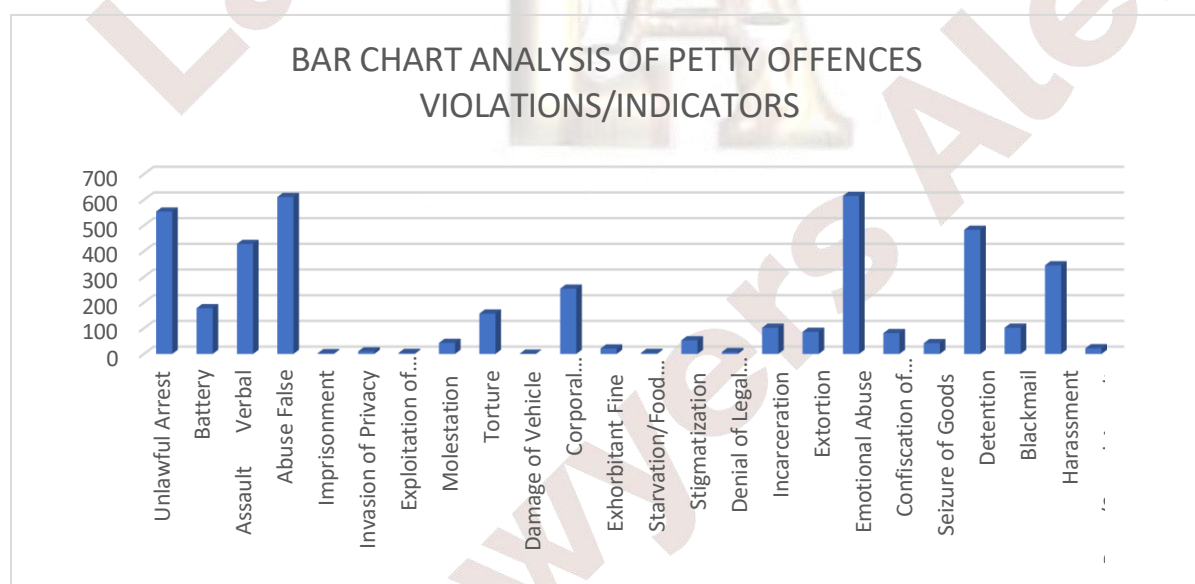


Fig 8: Bar Chart analysis of Petty Offences Violations/Indicators

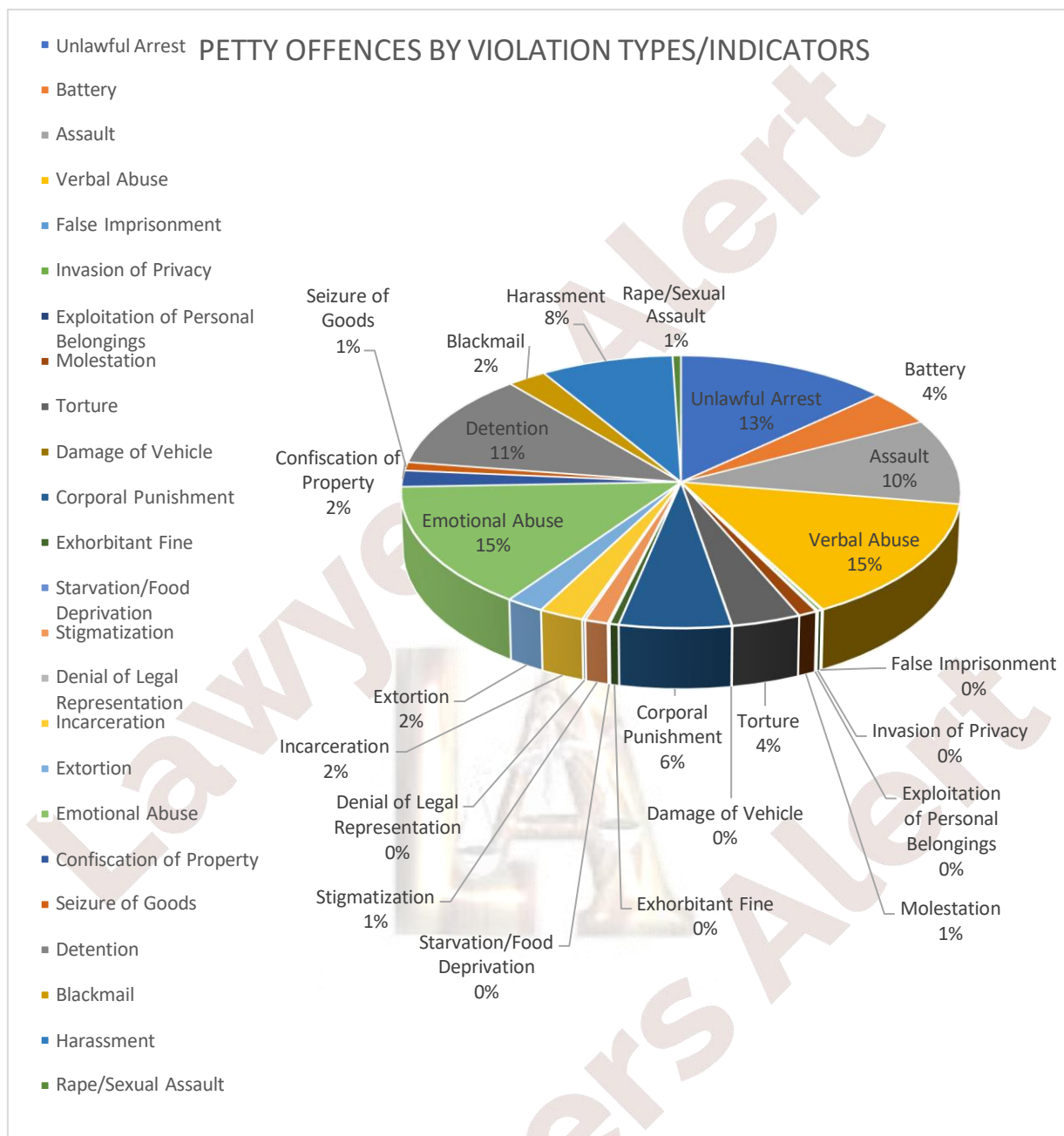


Fig 9: Petty Offences by Violation Types/Indicators

Violations/Indicators	March 2020	September 2020	Increase	Decrease
Verbal Abuse	16%	15%	-	1%
Emotional Abuse	16%	15%	-	1%
Unlawful Arrest	15%	13%	-	2%
Detention	13%	11%	-	2%
Assault	11%	10%	-	1%
Harassment	7%	8%	1%	-
Corporal Punishment	5%	6%	1%	-
Torture	2%	4%	2%	-
Battery	3%	4%	1%	-
Incarceration	1%	2%	1%	-
Stigmatization	2%	1%	-	1%
Exorbitant Fine	1%	0%	-	1%
Rape/Sexual Assault	1%	1%	-	-

Table 5: Table showing percentage increase & decrease on Petty Offences Violations/Indicators

CONCLUSION

The updated petty offences violations report is a representation of documented violations over the period April 2020 to September 2020. It should also be stated that the data represented in this report is based only on that obtained from the online portal. It is hoped that this report will serve as a huge resource for advocacy towards the decriminalization and declassification of petty offences in Nigeria.