

Decriminalizing Poverty in Sierra Leone

REGIONAL
CAMPAIGN
TO

DECRIMINALISE PETTY
OFFENCES IN AFRICA

"The criminalisation of petty offences contributes to **discrimination** and **marginalisation** by criminalising poverty, homelessness and unemployment, and impact the poorest and most marginalised persons in our communities."

Commissioner Med S.K. Kaggwa
Foreword to the African Commission's Principles



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The existence and enforcement of petty offences in Sierra Leone most affects the **poor** and **marginalised**

50% of suspects accused of petty offences are petty traders



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The existence and enforcement of petty offences in Sierra Leone has a **greater impact** on **women** than men

40% of offences recorded for female suspects were **petty offences** in contrast to that of 32% for male suspects



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Why the offence of loitering requires decriminalisation:

Key elements of the offence are
imprecise and **undefined**

Gives police power to legally **arrest**
any person irrespective of if they
are a threat to public order or
security



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Why the offence of loitering requires decriminalisation:

No empirical **evidence** that it achieves objective of promoting public order and security

It is **impossible** to know with any certainty how to avoid committing the crime



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Why the offence of non-payment of debt requires decriminalisation:

Criminalising debt **contributes**
to the **overcrowding** of
correctional centres

Violates human rights
standards and does **not**
comply with Sierra Leone
constitution



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Why the offence of non-payment of debt requires decriminalisation:

The offence **disproportionately** affects those who are **poor** and constitutes indirect discrimination

Criminalises pure **debt** situations that are non-violent, where **no** fraudulent intention exists



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Reasons why the offence of insulting conduct requires decriminalisation:

Suppression of freedom of expression might in extreme cases lead to **civil discontent**

Key elements of the offence are **vague** and open to **subjective interpretation** and application



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Reasons why the offence of insulting conduct requires decriminalisation:

Violates human rights standards and does **not comply** with Sierra Leone constitution

The right to express criticism and to offend is **needed** to allow change to come about in society

