

Access to Justice and Protection Challenges Among Sex Workers in Ogun State, Nigeria: Findings from a Socio-Legal Survey

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Abstract- Sex work remains one of the most stigmatized and legally precarious professions in Nigeria, with workers facing systemic violence, economic exploitation, and denial of justice. This study examines access to justice challenges among sex workers in Ogun State through a mixed-methods survey of 50 sex workers in brothels across Abeokuta and Sagamu. Findings reveal that 76% of respondents experienced sexual violence, primarily from clients (53%) and police officers (26%). However, 79% did not report these incidents due to fear of arrest and police corruption. Additionally, 68% reported police harassment, 52% were forced to pay bribes, and 76% lacked awareness of their legal rights. The criminalization of sex work under Nigerian law perpetuates these injustices by denying sex workers legal protections and institutional support. This study recommends decriminalization or legal recognition of sex work, police accountability mechanisms, expansion of legal aid services, and public sensitization campaigns to ensure equal access to justice for all citizens regardless of profession.

I. INTRODUCTION

Sex work in Nigeria exists at the complex intersection of economic necessity, deep-seated gender inequality, and severe legal marginalization (Balogun et al., 2024). Despite its prevalence, sex work remains heavily restricted under a dual legal system. In southern states like Ogun, the Criminal Code Act (1990) does not criminalize the act of sex work itself but penalizes the surrounding activities. Specifically, Section 223 prohibits procurement, Section 225 penalizes those keeping brothels, and Section 249(a) is frequently used to arrest women for "disorderly conduct" or being "vagabonds" (Adebowale-Tambe, 2019). In northern Nigeria, the Penal Code Act (1960) is more stringent, using Sections 405–407 to label sex workers as "idle

persons" or "vagabonds," which effectively denies them fundamental human rights protections.

In Ogun State, sex workers operate under conditions of extreme precarity. Research indicates that poverty serves as a significant catalyst, forcing many into the trade as a survival strategy, only to face heightened vulnerability due to a lack of legal standing (Balogun et al., 2024). These individuals frequently endure violence from clients, exploitation by brothel managers, and systematic abuse by law enforcement agencies. According to reports by Punch (2022), sex worker advocacy groups have intensified calls for an end to the persistent harassment, extortion, and physical abuse carried out by security operatives under the guise of law enforcement. Specifically, police officers have been documented using "morality raids" as a tool for arbitrary arrest and sexual assault, with some officers reportedly demanding sexual favors or cash in exchange for a victim's release ((Adebowale-Tambe, 2019).

The criminalization of sex work does not eliminate the profession but rather drives it underground, exacerbating the risks of violence and exploitation while effectively denying sex workers access to justice (Damilare, 2016). Because of the criminalization and the stigma associated with sex work this discourage many sex workers from reporting rape, assault, extortion, and other forms of violence, thereby limiting their access to legal protection and justice (Amnesty International, 2016). This creates a pervasive system of impunity where perpetrator including state actors can exploit victims' reluctance to seek legal redress (Punch, 2022)

Research Objectives:

This study aims to:

1. Examine the prevalence and nature of sexual violence against sex workers in Ogun State
2. Analyze law enforcement and judicial responses to cases involving sex workers
3. Identify systemic barriers hindering access to justice
4. Propose evidence-based policy reforms to strengthen legal protections for sex workers.

Understanding these challenges is critical for developing effective interventions that protect vulnerable populations while upholding human rights principles. International evidence from New Zealand, Germany, and Senegal demonstrates that decriminalization and legal recognition of sex work reduce violence, improve health outcomes, and enhance access to justice. Nigeria must consider similar reforms to address the institutionalized injustices documented in this study.

II. LITERATURE REVIEW

Criminalization of sex work globally has been shown to increase vulnerability to violence rather than reduce harm. Studies from the World Health Organization and UNAIDS indicate that sex workers in criminalized settings face higher rates of HIV infection, physical violence, and police abuse compared to those in decriminalized environments (Joint United Nations Programme on HIV/AIDS, 2024; World Health Organization, 2015). Research by Amnesty International and Human Rights Watch documents systematic human rights violations against sex workers in countries with punitive legal frameworks, including arbitrary detention, torture, and denial of legal redress (Amnesty International, 2016; Human Rights Watch, 2019).

In Nigeria, existing literature highlights the intersection of poverty, economic vulnerability, gender inequality, and limited employment opportunities as important factors influencing engagement in sex work. Research among young female sex workers in urban slums of Southwest Nigeria found that economic reasons were a major motivation for involvement in commercial sex work,

while participants experienced violence, stigma, harassment from law enforcement agents, and other forms of vulnerability (Ikuteyijo et al., 2022). Nigerian legal scholarship has criticized the criminalization of sex work, arguing that punitive legal frameworks may contribute to discrimination and fail to adequately protect the rights and welfare of sex workers. Scholars have suggested that regulation and rights-based approaches may provide a more effective framework for addressing vulnerabilities associated with sex work in Nigeria (Shadare, 2020). Ikuteyijo et al. (2025) found that despite the introduction of the Violence Against Persons (Prohibition) Act (VAPP Act) in 2015 to strengthen protections against gender-based violence, implementation challenges remain, including inadequate resources, bureaucratic barriers, weak institutional capacity, and delays in accessing justice.

III. METHODOLOGY

This study employed a cross-sectional mixed-methods research design combining quantitative surveys and qualitative interviews. The research was conducted in brothels across Abeokuta and Sagamu in Ogun State, Nigeria, in 2025.

Sample and Sampling: A purposive sampling technique was used to recruit 50 sex workers (28 from Abeokuta, 22 from Sagamu) who had worked in brothels for at least six months. Inclusion criteria required participants to be 18 years or older, actively engaged in sex work, and willing to provide informed consent. Additionally, 12 key informant interviews were conducted with legal practitioners (6), law enforcement officers (4), and judicial officers (2).

Data Collection: Structured questionnaires assessed the frequency and nature of sexual violence, police interactions, legal awareness, and access to justice. In-depth interviews explored personal experiences with the legal system, while four focus group discussions (10-15 participants each) facilitated collective dialogue on barriers to justice. Two detailed case studies documented specific incidents of legal failure.

Ethical Considerations: The study adhered to international research ethics standards. Informed consent was obtained from all participants, with assurances of confidentiality and anonymity. Interviews were conducted in private settings to ensure safety. Trauma-sensitive protocols were employed, with referrals to counseling services available for participants experiencing distress.

Data Analysis: Quantitative data were analyzed using SPSS software to generate descriptive statistics and identify patterns. Qualitative data underwent thematic analysis to extract recurring themes related to legal barriers, institutional discrimination, and justice access challenges.

IV. RESULTS AND FINDINGS

A. Demographic Characteristics

The study surveyed 50 sex workers with a mean age of 27 years. Most respondents (44%) were aged 25-30 years, with 28% aged 18-24 years. Educational attainment varied: 48% had secondary education,

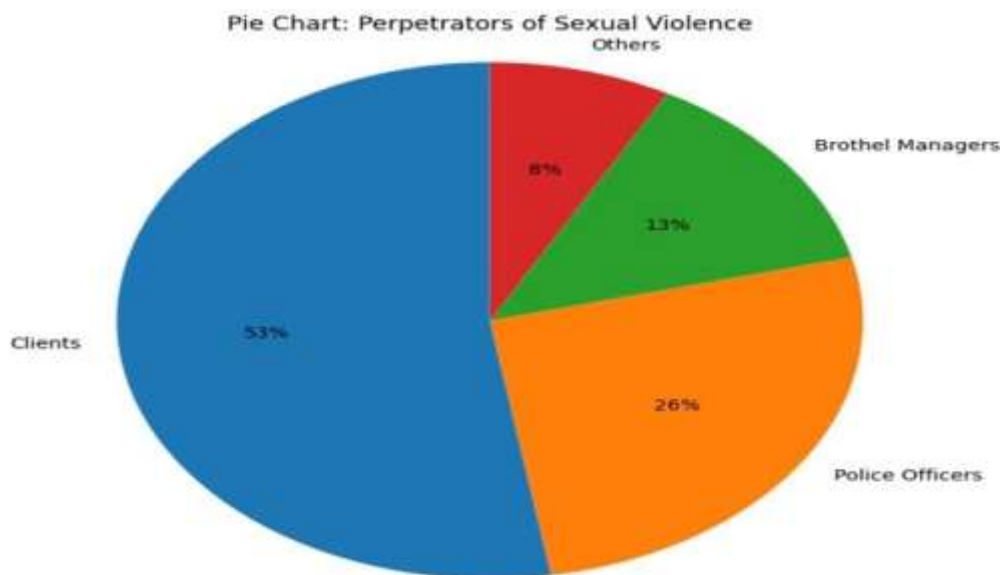
20% had tertiary education, 20% had primary education, and 12% had no formal education. Ethnically, 50% were Yoruba, 20% Igbo, and 30% from other ethnic groups. Religiously, 56% identified as Christian, 36% as Muslim, and 8% practiced traditional religions.

B. Prevalence of Sexual Violence

A substantial majority (76%, n=38) reported experiencing sexual violence during their work. Among perpetrators, clients accounted for 53% of incidents, police officers 26%, brothel managers 13%, and others 8%. Forms of violence included rape, physical assault, theft of earnings, and coerced sexual acts without payment.

Table 1: Perpetrators of Sexual Violence (N=38)

Perpetrator Type	Frequency (N=38)	Percentage (%)
Clients	20	53%
Police Officers	10	26%
Brothel Managers	5	13%
Others	3	8%



- 53% of sexual violence cases were committed by clients, often involving refusal to pay, physical assault, and rape.
- 26% of cases involved police officers, highlighting law enforcement abuse.

C. Reporting and Police Interactions

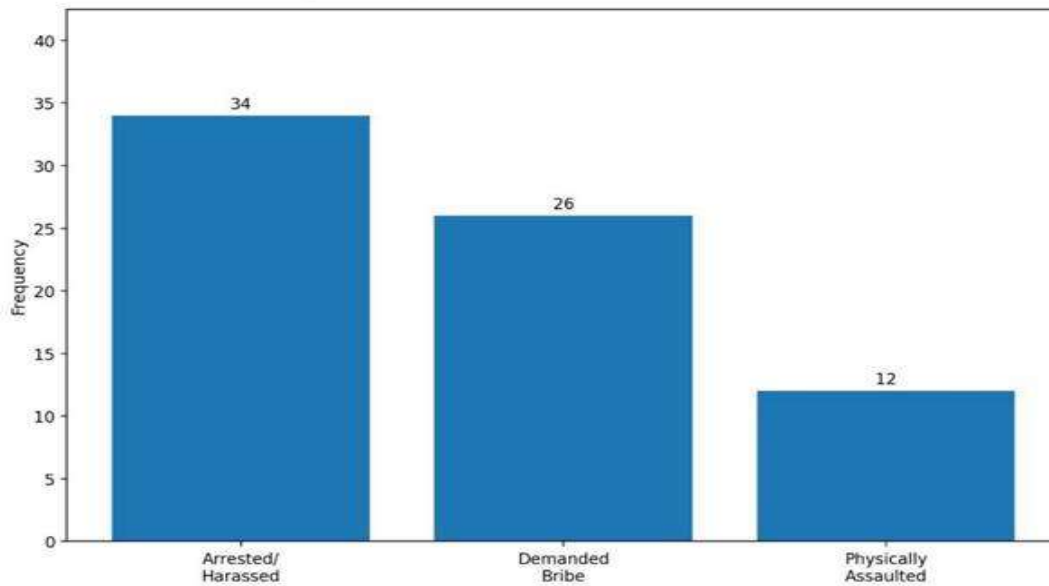
Despite high victimization rates, only 21% (n=8) reported incidents to authorities. The remaining 79% (n=30) cited fear of arrest (45%), distrust of police

(28%), and anticipated stigmatization (27%) as reasons for not reporting. Among all respondents, 68% had been arrested or harassed by police, 52% were forced to pay bribes to avoid detention, and 24% experienced physical assault in police custody.

Table 2: Police Treatment of Sex Workers (N=50)

Police Treatment	Frequency (N=50)	Percentage (%)
Arrested/Harassed	34	68%
Demanded Bribe	26	52%
Physically Assaulted	12	24%

Figure 7: Reported Interactions with Law Enforcement



- 68% of respondents had been arrested or harassed by the police, often without formal charges.
- 52% reported being forced to pay bribes to avoid detention.

respondents who reported violence, only 25% (n=2) obtained legal representation, while 75% (n=6) navigated the system without legal assistance, often resulting in case dismissals or withdrawn charges.

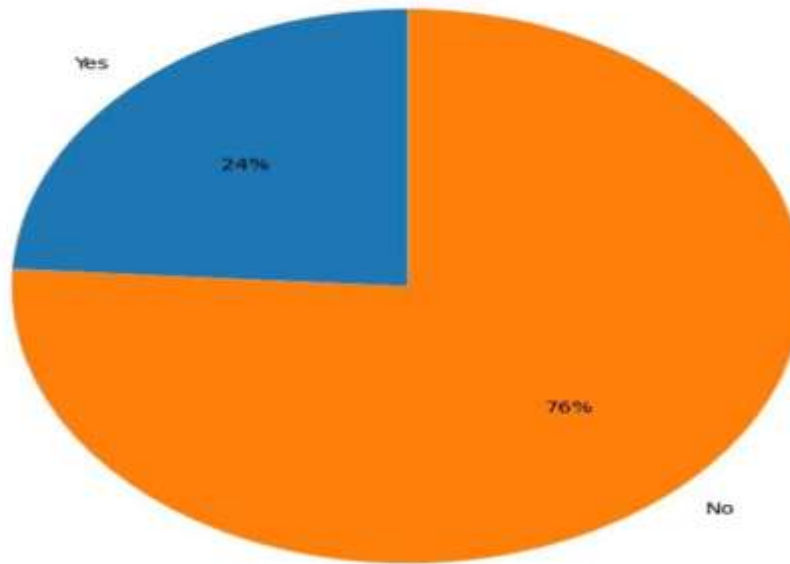
D. Legal Awareness and Access to Justice

Legal literacy was alarmingly low, with only 24% (n=12) aware of their legal rights under Nigerian law. Similarly, 80% (n=40) had no knowledge of legal aid services available to them. Among the eight

Table 3: Legal Awareness and Access (N=50)

Aware of Legal Rights?	Frequency (N=50)	Percentage (%)
Yes	12	24%
No	38	76%

Pie Chart: Awareness of Legal Rights



- 76% of respondents lacked awareness of their legal rights, exacerbating their vulnerability to abuse.

E. Judicial Responses

Interviews with legal practitioners revealed significant judicial bias against sex workers. Judges and magistrates frequently dismissed rape cases involving sex workers, citing the profession as evidence of consent. Court proceedings often subjected victims to re-traumatization through victim-blaming questions and moral judgments. Prosecutors demonstrated reluctance to pursue cases vigorously, viewing sex workers as unreliable witnesses.

V. DISCUSSION

The findings reveal systemic failures across legal, law enforcement, and judicial institutions in Ogun State. The 76% prevalence of sexual violence against sex workers, combined with the 79% non-reporting rate, indicates a justice system that not only fails to protect vulnerable populations but actively perpetuates their victimization through criminalization and stigmatization. Police abuse emerged as a critical concern, with law enforcement officers serving as both protectors and perpetrators. The 26% of sexual violence incidents committed by

police officers, alongside widespread extortion and harassment, demonstrates how criminalization creates opportunities for institutional corruption and abuse of power. The lack of legal awareness (76% unaware of rights) and limited access to legal aid (80% unaware of services) reveal significant gaps in legal literacy and support infrastructure. Without knowledge of their rights or access to representation, sex workers cannot effectively navigate the legal system, even when willing to report crimes.

These findings align with international research demonstrating that criminalization increases sex workers' vulnerability to violence while decreasing their access to justice (Shannon et al., 2018; Human Rights Watch, 2019). Countries that have decriminalized sex work, such as New Zealand, report improved safety outcomes, reduced police abuse, and increased reporting of crimes (Abel et al., 2007; Prostitution Law Review Committee, 2008).

VI. CONCLUSIONS AND RECOMMENDATIONS

This study confirms that sex workers in Ogun State face systematic denial of justice resulting from criminalization, institutional bias, and societal stigma. The current legal framework does not protect

public morals but rather creates conditions for exploitation, violence, and impunity.

Key Recommendations:

1. Legal Reform: Decriminalize or legally recognize sex work to enable sex workers to report crimes without fear of arrest. Amend the Criminal Code to explicitly protect sex workers under rape and assault laws.

2. Police Accountability: Establish an independent oversight body to investigate complaints of police abuse against sex workers. Implement mandatory human rights training for all law enforcement officers.

3. Access to Legal Aid: Expand the Ogun State Legal Aid Council to specifically serve sex workers. Establish mobile legal clinics in areas with high concentrations of sex workers.

4. Judicial Sensitization: Conduct mandatory training for judges and magistrates on handling cases involving sex workers without bias. Implement anti-discrimination policies in court proceedings.

5. Health and Social Services: Provide free sexual health services, mental health support, and crisis shelters for sex workers escaping violence.

6. Economic Empowerment: Develop vocational training and microfinance programs for sex workers seeking alternative livelihoods.

7. Public Awareness: Launch campaigns to reduce stigma and promote understanding of sex work as a labor issue rather than a moral failing.

These reforms must be implemented through multi-sectoral collaboration involving government agencies, civil society organizations, legal practitioners, and sex worker-led groups. Only through comprehensive policy changes can Nigeria ensure equal justice and protection for all citizens, regardless of profession.

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