

The impact of legal literacy in enhancing access to legal aid for vulnerable groups: an innovation for law clinics in Nigeria's criminal justice system

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Abstract

In the last 20 years, law clinics have sprung up across Nigerian Law Faculties and Schools of Law to address the significant gap in access to legal aid for vulnerable groups. These clinics provide both practical legal education for students and free or subsidised legal services to the public. This article argues the effectiveness of law clinics in reaching vulnerable populations, particularly illiterates, children, and marginalised women in patriarchal communities. It also highlights the limitations faced in providing legal aid.

The article deploys Thomas Hobbes' social justice theory and Martha Fineman's vulnerability theory as a framework and adopts both doctrinal and qualitative methods. It draws on primary and secondary sources including the Constitution of the Federal Republic of Nigeria 1999 (as amended), Administration of Criminal Justice Act 2015, Child's Rights Act 2023, and the Convention on the Elimination of All Forms of Discrimination against Women (1979). The Women's Law Clinic, University of Ibadan and Chrisland University Community Law Clinic served as case studies.

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Findings revealed that legal literacy efforts in indigenous languages through community radio are effective in enhancing access to justice and technology also presents opportunities to improve service delivery. The article recommends informed legal education, policy reforms, and innovative legal aid delivery models within Nigeria's justice system.

Keywords: Legal aid; vulnerable groups; law clinics; access to justice

Introduction

In the pursuit of justice, equal access to legal aid remains a distant dream for many vulnerable groups in Nigeria. The justice system can be a labyrinthine and intimidating landscape for those without the means or knowledge to navigate its complexities.¹ By demystifying the law and rendering it accessible, the gap between the marginalised and the justice system can be bridged. The evolution of law clinics such as the Women's Law Clinic (WLC), University of Ibadan and the Chrisland University Community Law Clinic (CUCLC) in Nigeria, has brought a significant increase in legal intervention for vulnerable groups. However, their impact and contribution can be better amplified by integrating legal literacy into their services. By educating vulnerable groups about their rights and the legal processes that govern their lives, law clinics can enable them to make informed decisions, assert their rights, and access justice promptly with confidence.

Nigeria is said to have one of the highest rates of female literacy in West Africa. However, in both urban and rural areas, there is still a notable disparity in literacy between men and women. According to the UNESCO Institute for Statistics, about 739 million adults aged 15 and above lack basic literacy skills and two-thirds of them are women. It is also reported that 251 million children worldwide are failing to acquire basic literacy skills.² In Nigeria, it is reported that 70% of children cannot read and understand what they read.³ These

¹ Haider Ali, Tulika Sinha, Neeraj Rai, and Pankaj Choudhury, 'Legal Labyrinths? Navigating the Complexities of Justice' (2023) 16(5) Samdarshi <[https://punjabiacademydelhi.com/publication/admin/uploads/162%2045_Legal%20Labyrinths%20\(50\)-law-4_Haider.pdf](https://punjabiacademydelhi.com/publication/admin/uploads/162%2045_Legal%20Labyrinths%20(50)-law-4_Haider.pdf)> accessed 6 March 2025.

² UNESCO Institute for Statistics, 'Education and Literacy' (UNESCO, 2026) <<https://www.uis.unesco.org/en/themes/education-literacy>> accessed 23 April 2026.

³ UNICEF, 'Foundational Literacy and Numeracy' (UNICEF, 2022) <<https://www.unicef.org/nigeria/media/7736/file/UNICEF%20Nigeria%20Cheat%20Sheet:%20Foundational%20Learning.pdf>> accessed 23 April 2026.

statistics justify this research in terms of the need for intentional legal literacy as a panacea for measuring access to legal aid for these vulnerable groups.

Thus, this article investigates the efficacy of law clinics reaching vulnerable groups with special needs, particularly illiterates, children and marginalised women in patriarchal communities with the objective of examining how legal literacy has been deployed by law clinics, particularly the clinics under review, to enhance knowledge and access to justice.

In-depth study and data were drawn from two institution-based law clinics in Nigeria: WLC and CULC.

This article adopts both doctrinal and qualitative methods of research. Non-numerical data were collected from the record of the activities at both law clinics under review and the data were content analysed. An unstructured interview was conducted with the front desk officer at the WLC who had worked at the clinic for about ten years. Their impact on access to justice for vulnerable persons was measured by document analysis of the case files and the number of complaints received, particularly after community outreaches, that included the use of legal literacy as a key component.

A radio advertisement was launched to the immediate university community and the public in the city of Abeokuta, Nigeria to create awareness of the provision of a two-day consultation services programme by the CULC. This radio advertisement was to attract the indigenes and hopefully increase access to justice among the community. The advertisement, however, did not convert into as many responses as anticipated, presumably as a result of the constraint of funds and time.

Conceptual Framework

Legal literacy

Legal literacy is the acquisition of knowledge of law and equity. It is perceived as the collection of four As: 'Awareness, Assertion, Attitudinal change and Action'.⁴ Legal literacy has the potential to be a very powerful tool for

⁴ S S Patil and C Lavanya, 'A Study on Legal Literacy Among Secondary School Students' (2012) 2(7) *Indian Streams Research Journal* <<http://oldisrj.lbp.world/UploadedData/1190.pdf>> accessed 26 October 2025.

educating people about their rights and privileges and instilling in them a sense of qualitative knowledge.⁵ Legal literacy, encompassing the understanding of legal rights, responsibilities, and the functioning of the legal system, is increasingly recognised as a critical component for fostering informed citizenship and ensuring equitable access to justice.⁶ This foundational knowledge is not merely an academic exercise but a practical necessity for individuals to navigate various legal domains, including employment, family affairs, and criminal justice, where ignorance of the law is demonstrably common.⁷

Moreover, legal literacy is intrinsically linked to broader concepts like legal empowerment, which aims to equip individuals with the agency to utilise legal frameworks for their own benefit and to challenge injustices.⁸ This empowerment extends to active participation in law-making processes and the implementation of legal statutes, thereby facilitating social transformation.⁹ This shift from basic legal literacy to legal empowerment emphasises a proactive engagement with the law, moving beyond passive knowledge acquisition to active utilisation for societal good.¹⁰ This expanded perspective on legal education encompasses the cultivation of an informed citizenry capable of identifying and addressing societal injustices, such as inequality, poverty, and the abuse of power.¹¹ Indeed, a global legal empowerment movement actively reinforces this by strengthening communities' ability to

⁵ D Changmai, 'Legal Literacy: Need to Go a Long Way for the Much-Desired Impression' (2020) 2(1) *International Journal of Legal Science and Innovation* 167 <<https://www.ijlsi.com/wp-content/uploads/Legal-Literacy-Need-to-Go-a-Long-Way-for-the-Much-Desired-Impression.pdf>> accessed 23 April 2026.

⁶ Kgomoiso Mokoena, and Louis Koen, 'Promoting Access to Justice through the Broadcasting of Legal Proceedings' (2022). *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad* 25 <<https://www.saflii.org/za/journals/PER/2022/47.pdf>> accessed 23 April 2026.

⁷ Benjamin van Rooij, 'Do People Know the Law? Empirical Evidence about Legal Knowledge and Its Implications for Compliance' in Benjamin van Rooij and D Daniel Sokol (eds), *The Cambridge Handbook of Compliance* (Cambridge University Press 2021).

⁸ Laura Goodwin and Vivek Maru, 'What Do We Know about Legal Empowerment? Mapping the Evidence' (2017) 9(1) *Hague Journal on the Rule of Law* 157.

⁹ Shalu Nigam, 'Legal Literacy: A Tool for Empowerment' (2008) *SSRN Electronic Journal* <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2976377> accessed 23 April 2026.

¹⁰ Ajay Pandey, 'Social Justice, the Raison d'être of Clinical Legal Education' (2020) 11 *Jindal Global Law Review* 201.

¹¹ J M Barendrecht, 'Making the Law Work for Everyone' (2008) 57(9) *Ars Aequi* 619 <<https://research.tilburguniversity.edu/en/publications/making-the-law-work-for-everyone>> accessed 23 April 2026 [in Dutch].

understand, use, and shape legal frameworks, often through the efforts of paralegals and community advocates.¹² This is particularly vital for vulnerable and marginalised groups, such as women, who frequently encounter significant systemic barriers to accessing justice and understanding their rights.¹³

The comprehensive approach to legal empowerment underscores the importance of fostering trust in state institutions, legal service providers, and grievance redress mechanisms.¹⁴ This broader engagement aims to cultivate a culture of rights, enabling individuals to assert their entitlements and challenge power imbalances effectively.¹⁵ This involves not only understanding existing laws but also participating in their reform and ensuring their equitable application within society.¹⁶ Such initiatives empower marginalised communities to articulate their grievances and leverage legal avenues for redress, thereby fostering greater accountability from state actors and service providers.¹⁷

The two institutions for the purpose of this study, as well as at other times, have from time to time provided legal services for the public in line with world best practices. For the benefit of the public, practising lawyers have frequently provided *pro bono* (free of charge) legal education on people's rights and obligations at CUCLC and WLC. Law students and faculty have also routinely

¹² Peter Chapman, 'The Legal Empowerment Movement and its Implications' (2018) 87(1) *Fordham Law Review Online* article 30 <<https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1046&context=flo>> accessed 23 April 2026.

¹³ Ebenezer Durojaye, Gladys Mirugi-Mukundi and Oluwafunmilola Adeniyi, 'Legal Empowerment as a Tool for Engendering Access to Justice in South Africa' (2020) 20(4) *International Journal of Discrimination and the Law* 224 <<https://doi.org/10.1177/1358229120969602>> accessed 23 April 2026.

¹⁴ Anuradha Joshi, Marta Schaaf and Dina Zayed, 'The Use of Legal Empowerment to Improve Access to Quality Health Services: A Scoping Review' (2022) 21(1) *International Journal for Equity in Health* article 136 <<https://doi.org/10.1186/s12939-022-01731-3>> accessed 23 April 2026.

¹⁵ Oğuzhan Pehlivan and Yunus Gökmen, 'Exploring the Possible Effects of Social Vulnerability Components on Terrorism' (2024) *Climate and Development* 420 <<https://doi.org/10.1080/17565529.2024.2380068>> accessed 23 April 2026.

¹⁶ Kristina Eberbach, 'Human Rights Legal Education in Times of Transition: Perspectives and Practices of Law Instructors in Myanmar' (2023) 24(4) *Human Rights Review* 485 <<https://doi.org/10.1007/s12142-023-00702-7>> accessed 23 April 2026.

¹⁷ Marta Schaaf, Joana Falcão, Ellie Feinglass, and others, 'We All Have the Same Right to Have Health Services': A Case Study of Namati's Legal Empowerment Program in Mozambique' (2020) 20(1) *BMC Public Health* article 1084 <<https://doi.org/10.1186/s12889-020-09190-7>> accessed 23 April 2026.

provided this public service through the college's legal clinics by delivering public lectures and circulating legal information booklets.

Legal Aid

Legal aid is a fundamental pillar for ensuring equitable access to justice, particularly for marginalised and economically disadvantaged individuals, and is increasingly recognised as a critical component of social and economic development globally.¹⁸ In simple terms, legal aid refers to the idea of giving indigent and deprived members of society access to free legal services. It is a basic right that ensures equal protection under the law, equality before the law, and a workable remedy for abuses of human rights. This essential service bridges the gap between legal rights and their practical realisation, fostering a society where all indigent citizens, regardless of their socioeconomic status, can assert their entitlements and defend against legal infractions.¹⁹ It is a constitutionally guaranteed right in Nigeria that entails the right of a person to counsel²⁰

In Nigeria, legal aid was first introduced in 1961 to provide impoverished Nigerians with access to justice. Considering the nation's high rates of poverty and illiteracy,²¹ enacting a legal assistance programme into law is a fundamental responsibility of the state, as upholding the rule of law is the foundation upon which true democracy is established.²² S. 17(2) of the Legal Aid Act 2011 empowers the Legal Aid Council to collaborate with non-

¹⁸ Agwu Sunday Okoro, "Access to Justice: The Role of Legal Aid in Society" (2022) 1(2) *Interdisciplinary Studies in Society, Law and Politics* 34, https://www.researchgate.net/publication/379973718_Access_to_Justice_The_Role_of_Legal_Aid_in_Society accessed 23 June 2026.

¹⁹ Prabhjot Singh Chahal, "Legal Aid in India: Enhancing Access to Justice for All" (2024) 6 *International Journal For Multidisciplinary Research* <<https://doi.org/10.36948/ijfmr.2024.v06i02.14836>> accessed October 2025

²⁰ Godspower Sam Anamoji, 'The Impact of The Nigerian Legal Aid Council on Accessibility and Quick Dispensation of Justice in Nigeria' (2024) 10 *Research Journal of Humanities and Cultural Studies* 3. <<https://iiardjournals.org/get/RJHCS/VOL.%2010%20NO.%204%202024/THE%20IMPACT%20OF%20THE%20NIGERIAN%201-10.pdf>> accessed 23 June 2026

²¹ Akintunde Abidemi Adebayo and Anthonia Omosefe Ugoweb, 'Access to Justice through Legal Aid in Nigeria: An Exposition on Some Salient Features of the Legal Aid Act' (2019) 6(2) *Brawijaya Law Journal* 141.

²² Olubunmi Onafuwa, 'Socio-Legal Barriers to the Expansion of Legal Aid in Nigeria: Initiating Legal Reform Through the Customary Court System' (PhD, University of East London 2021) <<https://uel-repository.worktribe.com/output/481851>> accessed 31 March 2026.

governmental organisations or law clinics in assisting people who might otherwise be unable to access the judicial system because of their social circumstances with fair and equal justice.

In many developing nations, legal aid is particularly crucial due to prevalent illiteracy and widespread poverty, which significantly hinder access to legal recourse for a substantial portion of the population.²³ Moreover, legal aid services are vital for upholding human rights and promoting equality by providing necessary legal assistance to those who cannot afford it, thereby ensuring that economic disparities do not translate into a denial of justice.²⁴ Despite these provisions, significant impediments often hinder the successful implementation of legal aid, such as infrastructural decay and deficits, inadequate manpower, poor work attitude or apathy, inappropriate professional cultures and attitudes etc, underscoring the gap between constitutional recognition and practical enforcement.²⁵ In Nigeria, the Legal Aid Act 2011 makes provision for the indigent to access legal aid. However, this is not the reality. This is further exacerbated by inadequate manpower in the Legal Aid Council of Nigeria. The United Nations' Sustainable Development Goal Target 16.3 specifically emphasises the imperative to '[p]romote the rule of law at the national and international levels and ensure equal access to justice for all', yet many low- and middle-income countries struggle with achieving equitable access for vulnerable populations.²⁶ Consequently, legal aid mechanisms are recognised as indispensable tools for upholding the rule of law and safeguarding human rights, particularly for the impoverished and vulnerable segments of society.²⁷ The Legal Aid Act 2011 provides the statutory basis for legal assistance to indigent Nigerians. However, the provisions of the Act are not being fully realised due to the challenges already identified in this article.²⁸

²³ Md Nannu Mian and Md Mamunur Rashid, "A Critical Analysis of Legal Aid in Bangladesh" (2014) 2 *International Journal of Social Science Research* 139 <<https://doi.org/10.5296/ijssr.v2i1.5268>> accessed 23 April 2026.

²⁴ *ibid.*

²⁵ Jemialu ME and Efevwerhan DI, 'Legal aid in the administration of criminal justice in Nigeria: issues and challenges' (2021) 1(2) *International Journal of Criminal, Common and Statutory Law* 23 <<https://www.criminallawjournal.org/article/10/1-2-5-951.pdf>> accessed 23 June 2026.

²⁶ Md Jahirul Islam, Masahiro Suzuki and Nurunnahar Mazumder, "Promoting Access to Justice in Bangladesh: Towards a Hybrid Justice Model" (2024) 77 *International Journal of Law, Crime and Justice* 100655 <<https://doi.org/10.1016/j.ijlcj.2024.100655>> accessed 23 April 2026.

²⁷ Mian and Rashid, above (n23).

²⁸ Legal Aid Act 2011 (Nigeria), ss 8–9.

Law clinics, operating within university law faculties, now supplement this deficit by offering *pro bono* services and legal literacy campaigns.²⁹

Vulnerable groups

Vulnerable populations are generally defined as groups disproportionately susceptible to adverse outcomes due to various interconnected factors, encompassing social, economic, and health-related disadvantages.³⁰ The identification and protection of vulnerable groups are paramount in the discourse surrounding human rights, as these populations often face heightened risks of marginalisation, discrimination, and the violation of their fundamental rights.³¹ The concept of vulnerable groups encompasses individuals or communities who, due to socioeconomic, political, or cultural disadvantages, face systemic barriers in accessing justice and legal remedies. Vulnerability may stem from gender, age, poverty, disability, illiteracy, or displacement.³² Legal scholars such as Martha Fineman argue that vulnerability is a universal, constant feature of the human condition and thus demands a responsive and responsible state system.³³ Her vulnerability theory shifts the focus from equal treatment to the responsibility of institutions to build resilience for those structurally disadvantaged.

Women, children, the aged, and illiterate persons are, as stated above, the groups of people who are profoundly impoverished and highly susceptible to violations of their human rights.³⁴ To achieve justice, women, children, and other marginalised groups should be made aware of their rights so they can live

²⁹ Eniola Oladele, 'Clinical Legal Education and Access to Justice in Nigeria' (2021) 9(2) *African Journal of Clinical Legal Education* 45.

³⁰ Si Ying Tan and others, "Mitigating the Impacts of the COVID-19 Pandemic on Vulnerable Populations: Lessons for Improving Health and Social Equity" (2023) 328 *Social Science & Medicine* 116007 <<https://doi.org/10.1016/j.socscimed.2023.116007>> accessed 23 April 2026.

³¹ Monika Mayrhofer, "Framing UN Human Rights Discourses on Climate Change: The Concept of Vulnerability and Its Relation to the Concepts of Inequality and Discrimination" (2024) 37 *International Journal for the Semiotics of Law/Revue Internationale de Sémiotique Juridique* 91 <<https://doi.org/10.1007/s11196-023-10092-1>> accessed 23 April 2026.

³² UN Human Rights Council, Report on Equality and Non-Discrimination, A/HRC/34/32 (UNHRC, 2016). <<https://docs.un.org/en/a/hrc/34/32>> accessed 23 April 2026.

³³ Martha Fineman, 'The Vulnerable Subject and the Responsive State' (2010) 60 *Emory LJ* 251.

³⁴ Edrine Wanyama, 'Unpacking the Dialectics of Accessing Justice through Legal Aid in East Africa: An Overview of the Constitutions of Uganda and Kenya' (2013) 59(2) *African Journal of Clinical Legal Education and Access to Justice* 59.

with dignity and enjoy equality before the law.³⁵ In the Nigerian legal context, vulnerable groups include women (especially in patriarchal communities), children, the indigent, internally displaced persons, and persons with disabilities. Although section 46 of the 1999 Constitution of the Federal Republic of Nigeria (as amended)(CFRN) guarantees the right to seek redress for fundamental rights violations, many vulnerable persons lack the means or knowledge to access formal justice systems. This gap is partly bridged through legal aid schemes and clinical legal education in most developing countries.

Theoretical Framework

Vulnerable persons face significant barriers in accessing legal aid due to systemic inequalities and power imbalances. Social justice theory and vulnerability theory help us understand how these barriers perpetuate inequality and exacerbate vulnerability. By applying these theories, we can develop targeted solutions to address the root causes of inequality and ensure that legal aid is accessible and effective for vulnerable persons. This includes addressing systemic barriers, providing supportive social structures, and promoting substantive equality.

Social Justice Theory

Social justice theory is a framework that helps in figuring the causes of social disparity, how to solve those causes, and how to advance justice and fairness in society.³⁶ The fundamental tenet of social justice theory is that structural and systemic reasons, not personal faults or weaknesses, are what cause social injustice.³⁷ The idea of distributive justice is central to social justice theory which contends that advantages and resources should be dispersed equally among all members of society.³⁸ This covers having access to political representation, jobs, healthcare, justice and education. The idea of recognition of justice, which emphasises the significance of appreciating and acknowledging the diversity of social identities and experiences, is another

³⁵ Sheetal Gahlot, 'Legal Literacy Mission and the Legal Aid', in Kalpeshkumar L Gupta and Viralkumar B Mandaliya (eds), *Legal Aid and Awareness in India: Issues and Challenges* (Lambert Academic Publishing, 2018).

³⁶ John Rawls, *A Theory of Justice* (Harvard University Press 1971), 7.

³⁷ Paulo Freire, *Pedagogy of the Oppressed* (Myra Bergman Ramos tr, Continuum 1970)..

³⁸ Robert Nozick, *Anarchy, State, and Utopia* (Basic Books 1974), 90.

fundamental element in social justice theory.³⁹ This entails confronting the effects of racism, sexism, colonialism among others. According to Young,⁴⁰ social justice theory also highlights the significance of participatory justice, which entails providing forums for underrepresented groups to engage in decision-making and to have a say in the practices and policies that impact their lives. Lastly, transformational justice, which aims to confront and destroy the fundamental structures and mechanisms that uphold social inequality, is acknowledged as necessary by social justice theory.⁴¹

In summary, this theory is built on the belief that fairness and equality should guide the structure of society. It holds that every individual deserves equal access to rights, opportunities, and resources, especially the most disadvantaged. Social justice goes beyond legal rights, it calls for societal systems that actively correct imbalance and support the vulnerable. In essence, it is about creating a fairer world where justice is not just about punishment or reward, but about ensuring dignity, equity, and inclusion for all, regardless of status or background.

Vulnerability Theory

Vulnerability theory, was first presented by Martha Fineman in 2008. According to her, vulnerability is a fundamental and universal feature of the human experience.⁴² The theory challenges traditional notions of autonomy and independence, instead emphasising the importance of understanding and addressing the vulnerabilities that exist within all individuals.

At its core, vulnerability theory recognises that humans are inherently fragile and susceptible to harm, both physically and emotionally.⁴³ Fineman argues that this vulnerability is not something to be ashamed of or hidden but rather something that should be given recognition and support through social and

³⁹ Nancy Fraser, 'From Redistribution to Recognition? Dilemmas of Justice in a Post-Socialist Age' (1995) 212 *New Left Review* 68

<<https://www.proquest.com/docview/1301909778>> accessed 23 April 2026.

⁴⁰ Iris Marion Young, *Inclusion and Democracy* (Oxford University Press 2000), 250.

⁴¹ bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (Routledge 1994).

⁴² Martha Fineman, 'The Vulnerable Subject: Anchoring Equality in the Human Condition' (2008) 20(1) *Yale Journal of Law & Feminism* 1

<https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1131407> accessed 23 April 2026.

⁴³ Martha Fineman, 'Vulnerability, Equality and the Human Condition: Martha A. Fineman' in Jackie Jones and others (eds), *Gender, Sexualities and Law* (Routledge 2011).

political structures.⁴⁴ One of the key tenets of vulnerability theory is the idea that vulnerability is not the same as weakness.⁴⁵

Vulnerability theory has been applied in a variety of contexts, including healthcare, law, and social policy.⁴⁶ In law, it has been argued that vulnerability theory offers a useful framework for comprehending the function of the state and social responsibility.⁴⁷ Thus, vulnerability theory offers a powerful framework for understanding the universal vulnerabilities that exist within all individuals and, when addressed by factoring in their unique needs, we create a more just and compassionate society for all.

This theory ultimately argues that all people are inherently vulnerable through age, health, disability, social position, or unexpected life events and that society should be structured to respond to this vulnerability. Rather than seeing only certain groups as ‘needy’, the theory highlights that vulnerability is universal and ongoing. It calls for stronger, responsive institutions that ensure everyone has access to resources, support, and protection. It challenges unequal power systems and pushes for fairness, care, and accountability in how society treats its members, especially the marginalised. Applying this theory, legal aid should not be viewed merely as charity but as a structural mechanism to enhance resilience and promote substantive equality. Additionally, Thomas Hobbes’ social contract theory suggests that the legitimacy of any state depends on its ability to secure justice for all, including the weak.⁴⁸ Thus, access to legal aid is not only a legal right but a measure of a just society. Most African countries are patriarchal, inclusive of Nigeria. In these countries, women and children are the most vulnerable and needy for justice. Resting on these theories, our work reveals the level of injustice to women and children and the efforts made by law clinics, particularly the WLC, to ensure that justice is secured for all, particularly the vulnerable and weak in the society.

⁴⁴ *ibid.*

⁴⁵ Martha A Fineman, ‘Vulnerability and the Institution of Marriage’ (2015) 64(6) *Emory LJ* 2089 <<https://scholarlycommons.law.emory.edu/elj/vol64/iss6/10>> accessed 23 April 2026.

⁴⁶ *ibid.*

⁴⁷ Nina A Kohnt, ‘Vulnerability Theory and the Role of Government’ (2014) 26(1) *Yale Journal of Law and Feminism* 1.

⁴⁸ Thomas Hobbes, *Leviathan* (Oxford University Press 1996) Chapter 17.

Legal Framework

Ensuring vulnerable individuals have access to legal aid is essential to advancing justice and human rights. As noted above, poor persons, women, children, and marginalised groups are among the vulnerable groups that frequently encounter major obstacles while trying to obtain legal aid, which makes them even more vulnerable. It is essential to examine both local and foreign laws that govern access to legal aid for these individuals. By examining laws through a critical lens, we can identify areas for reform and development to ensure that legal aid systems are accessible, effective, and responsive to the needs of vulnerable populations.

Constitution of the Federal Republic of Nigeria 1999 (as amended)

The CFRN ensures access to legal aid through various provisions that protect the rights of citizens, particularly the vulnerable. Section 35(3) states that ‘any person arrested or detained shall be entitled to legal aid’. Section 36(6) guarantees the right to a fair hearing, including ‘the right to legal representation’.

Additionally, section 46(1) establishes the Legal Aid Council, which aims to ‘provide legal aid to persons who are unable to afford legal services’. Section 46(2) empowers the Council to ‘provide legal assistance to persons involved in criminal proceedings’.

Section 33 of the CFRN protects children’s rights. The Fundamental Rights Enforcement Procedure Rules 2009 (as amended) provide a framework for enforcing these rights, including access to legal aid.

Overall, the CFRN demonstrates a commitment to ensuring access to legal aid, recognising its critical role in promoting justice and human rights. However, there have been some shortcomings. The CFRN lacks provisions for specific funding, implementation strategies and depends on underfunded organisations like the Legal Aid Council, which leads to subpar service delivery and hinders nationwide coverage.⁴⁹

⁴⁹ UD Yunusa ‘Legal Aid Council as a strategic partner in justice delivery system in Nigeria: A thorough appraisal’ (2024) 5(6) *Journal of Arts and Sociological Research* 153.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979

CEDAW, ratified by Nigeria in 1985, ensures access to legal aid for women through various articles that address gender-based discrimination and promote gender equality. Article 2 obliges states to 'ensure the full development and advancement of women' and 'guarantee them the exercise and enjoyment of human rights and fundamental freedoms'. Article 15 ensures women's equality before the law and participation in legal aid, stating that 'women shall have the same right as men to access to legal aid and assistance'.

Article 16 emphasizes the significance of legal aid in family matters, requiring states to 'take all appropriate measures to ensure that women have the same rights as men to access legal aid and assistance in family matters'. Additionally, General Recommendation No. 33 on Women's Access to Justice emphasises the need for states to 'ensure that women have access to legal aid and assistance, including free or low-cost legal services'.

Furthermore, CEDAW's Optional Protocol enables individuals to submit complaints to the CEDAW Committee, providing an international legal aid mechanism for women who have exhausted domestic remedies. By ratifying CEDAW, states commit to ensuring access to legal aid for women, promoting gender equality, and addressing gender-based discrimination.

The United Nations Convention on the Rights of the Child (CRC) 1989

The CRC, ratified by Nigeria in 1991, ensures access to legal aid for children through various articles that prioritise their protection and well-being. Article 12 protects the rights of children to freely express themselves and have them considered in legal proceedings. Article 37(b) requires states to 'ensure that children are provided with legal assistance' in cases where their rights are violated.

Article 40 emphasises the need for legal aid in child justice, stating that children have the right 'to legal assistance' and 'to be assisted by legal counsel' in criminal proceedings. Additionally, Article 39 requires states to 'provide appropriate assistance' to children who have been victims of exploitation or abuse.

The CRC's General Comment No. 14 on the rights of the child to have their views considered emphasises the importance of legal aid in ensuring children's participation in legal proceedings. By ratifying the CRC, states commit to ensuring access to legal aid for children, promoting their protection and well-being, and upholding their rights. These provisions demonstrate the CRC's comprehensive approach to ensuring children's access to legal aid and promoting their rights.

Child's Right Act 2003 (CRA)

The CRA is the law that guarantees the rights of all children in Nigeria. It ensures access to legal aid for children through various articles that prioritise their protection and well-being. This act was to fully implement the rights of children guaranteed by the African Charter on the Rights and Welfare of the Child and the United Nations Convention on the Rights of the Child.⁵⁰

Overall, the CRA takes significant strides in ensuring that children have access to legal aid, recognising the critical role it plays in protecting their rights and well-being. By providing legal assistance, the act aims to level the playing field and ensure that children's voices are heard in legal proceedings.

Administration of Criminal Justice Act 2015 (ACJA)

The ACJA prioritises access to legal aid in Nigeria's criminal justice system. Section 35(2) states that 'every person shall be entitled to legal aid' in criminal proceedings. Section 36(6) reiterates this right, emphasising 'the right to legal representation'. Additionally, Section 46(1) establishes the Legal Aid Council, responsible for providing legal aid to indigent persons. Section 46(2) empowers the Council to provide legal assistance in criminal matters.

The ACJA also introduces innovative measures to enhance access to legal aid, such as:

- a) section 47(1): Duty to inform suspects of their right to legal aid;
- b) section 48(1): Provision for free legal services in certain cases;
- and

⁵⁰ Oyetola Muyiwa Atoyebi, 'An Overview on the Legal Rights of a Child in Nigeria' (Law Pavilion, 2023) <<https://lawpavilion.com/blog/an-overview-legal-rights-of-a-child-in-nigeria/>> accessed 24 June 2026.

c) section 49(1): Establishment of a Legal Aid Fund.

These provisions demonstrate the ACJA's commitment to ensuring access to legal aid, promoting fairness, and safeguarding human rights in Nigeria's criminal justice system. By guaranteeing legal representation and assistance, the ACJA aims to level the playing field and ensure justice for all, regardless of socioeconomic status, in Nigeria.

Evolution of Institution-Based Law Clinics in Nigeria

According to the Network of University Legal Aid Institutions (NULAI), a law clinic is a legal office at a university where law students provide pro bono or voluntary services. In Nigeria, law clinics offer free legal services primarily to those who are impoverished.⁵¹ This practice did not begin until NULAI came on the scene in 2003. Since its founding in 2003, NULAI, a not-for-profit and non-political organisation, has worked to advance clinical legal education, legal education reform, access to justice and legal aid in Nigeria, as well as the preparation of future public interest lawyers.⁵²

NULAI Nigeria works with law faculties across the country to establish and strengthen law clinics where students offer supervised legal services to indigent and vulnerable persons and its key objectives are to improve practical legal education for law students; enhance access to justice for underserved populations, promote human rights and legal awareness and foster *pro bono* culture among future lawyers. The inaugural Nigerian Clinical Legal Education Colloquium was held by NULAI in February 2004, introducing the idea of clinical legal education. Twenty-two law faculties and the Nigerian Law School participated⁵³ but there are currently 18 named institution-based law clinics in Nigeria. Five of these clinics are housed on the campuses of the Nigerian Law School, a post-LLB professional school that prepares candidates

⁵¹ Grassroot Justice Network, 'Network of University Legal Aid Institutions (NULAI-Nigeria)' (*Grassroots Justice Network*, 2026) <<https://grassrootsjusticenetwork.org/connect/organization/network-of-university-legal-aid-institutions-nulai-nigeria/>> accessed 23 April 2026.

⁵² *ibid.*

⁵³ Ernest Ojukwu, Odinakaonye Lagi and Mahmud Yusuf, 'Compendium of Campus Based Law Clinics in Nigeria' (NULAI 2014) <<https://nulai.org/wp-content/uploads/2019/12/Compendium-of-Campus-Based-Law-Clinics-in-Nigeria.pdf>> accessed 23 April 2026.

for admission to the Nigerian Bar. The remaining clinics are found at universities.⁵⁴

It is argued that the establishment of this kind of institution represents a critical response to the persistent challenge of under-enforced access to justice, particularly for marginalised communities.⁵⁵ These networks aim to bridge the gap between legal theory and practical application, ensuring that vulnerable populations receive adequate legal representation and advice regardless of their socioeconomic status.⁵⁶ By fostering collaboration between academic legal departments and grassroots organisations, these networks enhance the quality and reach of pro bono legal services.⁵⁷ This model, therefore, provides a dual benefit: offering indispensable legal assistance to underserved segments of society while simultaneously furnishing law students with invaluable practical experience and ethical training in real-world legal contexts.⁵⁸

Efficacy of Law Clinics in Reaching Out to Vulnerable Groups

Law clinics embedded in Nigerian university law faculties have become a critical bridge between underserved communities and the justice system. Recent scholarly research affirms their role in expanding legal access to vulnerable groups such as women, children, and indigent persons.⁵⁹ For example, the WLC reports direct interventions that enabled widows and low-income women in patriarchal settings to claim rights and remedies they

⁵⁴ Odinakaonye Lagi and others, 'Campus-Based Law Clinics in Criminal Justice Administration in Nigeria' (NULAI, 2019) <<https://nulai.org/wp-content/uploads/2020/01/Criminal-Justice-Clinics-Publication.pdf>> accessed 23 April 2026.

⁵⁵ Bhavya Pande, "Moral and Ethical Issues Confronting Students' Legal Aid Clinics in the Outreach of Legal Services to the Resources-Less and the Poor" (2013) 1 Journal of National Law University Delhi 33 <<https://doi.org/10.1177/2277401720130103>> accessed 23 April 2026

⁵⁶ Olubunmi Onafuwa, "Enhancing the Legal Aid Provision in Nigeria through Regulatory Intermediaries" (2023) 31(2) African Journal of International and Comparative Law 133 <<https://doi.org/10.3366/ajicl.2023.0440>> accessed 23 April 2026.

⁵⁷ Agwu Sunday Okoro, above (n18).

⁵⁸ Abegunde and Joshua, above (n19).

⁵⁹ Omoyemen L Odigie-Emmanuel and Shiksha Dahiya, 'The Role of Legal Clinics in Promoting Human Rights: The Experience of Nigeria Law School Yenagoa Law Clinic and The Legal Support and Care Centre at GD Goenka University School of Law Gurgaon India' (2023) 30 Int J Clinical Legal Education 4 <<https://journals.northumbria.ac.uk/index.php/ijcle/article/view/1331>> accessed 23 April 2026.

otherwise could not access.⁶⁰ This was evident in one of the cases handled by the WLC, where the complainant - in a bid to exercise her legal right to claim maintenance for the upkeep of herself and her children - needed the intervention of a legal institution for the enforcement of an order that had already been given by the court against her husband. The award of money by the customary court without proper enforcement amounted to injustice. The economic status of the complainant denied her access to justice, coupled with the non-compliance by her husband with the order of the court.⁶¹

In another case handled by the WLC, a widow had approached the clinic on 20 April 2010 complaining that her in-laws were trying to deceive her by depriving her of the property her late husband had left to her and her children. She alleged that her daughter was one of the next of kin, but her brother-in-law was attempting to change the next of kin to his own name to enable him to collect the letter of administration. She alleged that her brother-in-law did so because she could not afford a lawyer. The WLC immediately contacted the office of the late husband to confirm the true status of the document. Upon true confirmation, a letter was written on her behalf to the appropriate probate registry entering a caveat on the granting of the letter of administration to the brother-in-law.⁶² These outcomes demonstrate that clinics are effective not only in legal service delivery but also in empowering marginalised voices.

With the presence of a law clinic comes free or subsidised expenses of legal services. This thus empowers clients to defend their rights and interests. The law clinics help in taking a proactive stance in matters involving violations of human rights, social injustices, and problems impacting marginalised communities. Also, the law clinics help in building people's trust, and confidence in the legal system is bolstered when they obtain free and quality legal assistance.

However, literature also identifies significant limitations. Under-funding, lack of institutional infrastructure, and limited outreach capacity constrain clinics'

⁶⁰ Folakemi O Ajagunna and Ibijoke Byron, 'Clinical Legal Education and Social Justice: Assessing the Impact on Law Students in a Law Clinic in Nigeria' (2024) 31 *Int J Clinical Legal Education* 44 <<https://journals.northumbria.ac.uk/index.php/ijcle/article/view/1380>> accessed 23 April 2026.

⁶¹ WLC/CAS/023. Reported in Oluyemisi Bamgbose, "Access to justice through clinical legal education: A way forward for good governance and development" (2015) 15 *African Human Rights Law Journal* 378 <<http://dx.doi.org/10.17159/1996-2096/2015/v15n2a7>> accessed 23 April 2026.

⁶² *ibid.*

effectiveness.⁶³ One study observes that while clinics contribute to access to justice, they remain overstretched and under resourced, undermining long-term sustainability.⁶⁴ Despite ministerial endorsements and the Legal Aid Act 2011 recognising clinic roles, operational gaps remain.⁶⁵ Thus, law clinics fulfil a dual mission; educating future lawyers and offering pro bono services. But to maximise their impact for vulnerable populations, deliberate investment and stronger linkages to national legal aid architecture are essential.

Women's Law Clinic, Faculty of Law, University of Ibadan

The WLC was founded in 2007 as part of the 'The Rule of Law: Access to Justice' project of the Consortium for Development Partnerships (CDP). The CDP is a global organisation of institutions committed to working together on capacity-building and research projects in West Africa.⁶⁶ One of the CDP member institutions actively participating in the consortium's programmes is the University of Ibadan's Faculty of Law in Nigeria. The clinic is one of eight initiatives that have been created and successfully started. The clinic's successful operation under the CDP phase I project served as the catalyst for the start of the CDP phase II objectives, which included continuing to offer free legal services and intervention programmes to underprivileged (indigent) women in Ibadan and the surrounding areas. Additionally, law students are trained to use the WLC as their 'laboratory' for practising law by researching and documenting the fundamental issues with women's access to justice using clinical legal education methodologies.

The WLC is a women-only specialty legal clinic that started out providing legal services in the fields of family law and human rights, which are actually very broad, and has since grown to include other legal fields. It is also a live client clinic and a legal 'hospital' where patients could be rushed in to receive

⁶³ Ernest Ojukwu SAN and Mahmud Yusuf, 'Mapping the Role of Law Clinics under the Legal Aid Act of Nigeria' (2022) 11(3) *International Review of Law*, <[doi: 10.29117/irll.2022.0244](https://doi.org/10.29117/irll.2022.0244)> accessed 23 April 2026 [abstract only].

⁶⁴ Yewande Fatoke, 'The Role of University Law Clinics in Expanding Access to Justice in Nigeria' in Kabiru Aderemi Adeyemo, Simeon Olaosebikan Oni and Godwin Emmanuel Oydokun (eds), *Pursuit of Legal Education. Essays marking the 20th anniversary of Lead City University, Ibadan* (Faculty of Law, Lead City University, Ibadan 2025) <<https://zenodo.org/records/15428739>> accessed 23 April 2026.

⁶⁵ Oluyemisi Bamgbose, above (n61).

⁶⁶ Omolade Olomola and Oluyemisi Bamgbose, 'Collaborating with Other Disciplines: Best Practice for Legal Clinics – A Case Study of the Women's Law Clinic, University of Ibadan Nigeria' (2013) *International Journal of Clinical Legal Education* 355 <<http://dx.doi.org/10.19164/ijcle.v19i0.35>> accessed 23 April 2026.

emergency and palliative care. By bringing the ‘gown to town’ through Street Law programmes and community engagement, the WLC has been able to enhance the provision of legal aid to the indigent population and provide basic legal literacy. Additionally, it serves as a clinic where students can provide *pro bono* legal assistance to underprivileged and impoverished women in the city of Ibadan for academic credit while being supervised by staff supervisors and clinicians.⁶⁷

Several cases in the areas of family law and human rights have been reported after a series of community projects and street lawyering and to date the WLC has handled over 532 cases with diverse and multifaceted issues like defilement, domestic violence, child abuse, cyber bullying and others with a criminal element. The clinic uses a multidisciplinary approach to represent impoverished women by offering free legal and counselling services and employing alternative dispute resolution (ADR) procedures (as opposed to litigation) to preserve community harmony.⁶⁸

The clinic collaborates with the police and other relevant law enforcement agencies, non-governmental organisations, the media, community and religious leaders and other academic disciplines within the university. For many residents, especially the poor and vulnerable, access to justice is still a myth rather than a reality, notwithstanding that the CFRN provides for free legal services or legal assistance (Section 46 (1)). It is crucial to note that Nigeria's current legal aid programme is not only inadequate but also narrowly focused; as a result, law school clinic models have emerged to support the government's ongoing initiatives.

*Chrisland University Community Law Clinic (CUCLC)*⁶⁹

The CUCLC is a new private university-based law clinic. It was established in 2021 but began active operations in 2023. Its services are targeted towards people within the university environment and the people of Abeokuta. It focuses on rendering legal aid services to all classes of persons but with

⁶⁷ Oluyemisi Bamgbose, ‘Access to Justice through Clinical Legal Education: A Way Forward for Good Governance and Development’ (2015) 15 *African Human Rights Law Journal* 378 <<https://doi.org/10.17159/1996-2096/2015/v15n2a7>> accessed 24 April 2026.

⁶⁸ Olomola (n 66).

⁶⁹ Chrisland University, ‘CUCLC’ (Chrisland University, 2026)

<<https://chrislanduniversity.edu.ng/college-of-law/chrisland-university-community-law-clinic.html>> accessed 24 April 2026.

particular emphasis on vulnerable groups (illiterates, women and children) who lack legal literacy and cannot afford legal representation on both criminal and civil matters. Being a community-oriented clinic, the CUCLC has found ADR mechanisms to be useful in resolving disputes involving these marginalised groups, except in non-arbitrable matters. Also, the CUCLC is committed to sustainable development on the environment and public health. In the last two years, the clinic has advocated for a clean and sustainable environment by mitigating plastic pollution.⁷⁰

Challenges Faced by Law Clinics in Nigeria in Reaching Out to Vulnerable Groups

From the activities of law clinics in Nigeria and particularly the WLC in the last 18 years, as well as the CUCLC, the following have been identified as the major barriers in reaching out to vulnerable persons within the community.

Funding and resource constraints

Most law clinics in Nigeria operate on limited budgets, relying on university allocations or external grants. This financial constraint hampers outreach programmes, legal aid delivery, and capacity development of clinical staff. The inability to provide stipends for student volunteers or cover transportation costs limits the frequency and reach of community legal services.

Lack of institutional support

Universities sometimes treat law clinics as peripheral projects rather than integral components of legal education. As a result, clinics lack adequate

⁷⁰ Chrisland University, 'Celebrating World Environment Day 2024 at the College of Law Chrisland University' (*Chrisland University*, 2024) <https://www.linkedin.com/posts/opeyemiadebari_beatplasticpollution-generationrestoration-activity-7204224218044051458-y32c?utm_source=share&utm_medium=member_desktop&rcm=ACoAACzoNsIBIxqV_ZtzRlueFz5znPsEsVQFL7k> accessed 27 March 2026; Chrisland University, 'Celebrating World Environment Day 2025 at the College of Law Chrisland University' (*Chrisland University*, 2025) <https://www.linkedin.com/posts/opeyemiadebari_worldenvironmentday-beatplasticpollution-activity-7337219742610395138-IQgS?utm_source=share&utm_medium=member_desktop&rcm=ACoAACzoNsIBIxqV_ZtzRlueFz5znPsEsVQFL7k> accessed 27 March 2026.

infrastructure, trained personnel, and administrative support, which restricts their effectiveness in serving vulnerable communities.

Language and literacy barriers

Legal outreach is often hindered by linguistic and educational limitations. As identified at the beginning of this article, many individuals in rural or indigenous communities are unable to comprehend legal rights presented in English or formal legal language. Law clinics that do not adapt their communication to local dialects or fail to simplify legal content risk alienating their target audience.

Cultural and patriarchal norms

In many Nigerian communities, especially rural ones, women face limitations on mobility and autonomy. As a result, female members of these vulnerable groups are unable to access legal aid without the approval of male relatives or community leaders. This cultural barrier limits the impact of law clinics in addressing gender-based injustices.

Insufficient training of law students

Although law clinics are valuable learning platforms, many student volunteers lack adequate training in interviewing, counselling, and ethical issues relating to vulnerable clients. Without robust supervision or continuing legal education, students may mishandle sensitive cases, thereby undermining trust and effectiveness.

Technological gaps

Many clinics lack digital infrastructure that could otherwise aid in expanding their services. E-clinics, mobile legal apps, and remote consultation platforms remain underdeveloped or inaccessible due to poor internet connectivity or lack of devices. These affect the continuity of legal aid, especially in times like the COVID-19 pandemic when physical outreach was restricted.

Insecurity and accessibility

Law clinics may hesitate to operate in certain regions due to political instability, insecurity, or logistical difficulties. This leaves communities in the

northeast, Niger Delta, or other marginalised zones without access to free legal aid.

Regulatory and Ethical Restrictions

Law students are not licensed to practise law and are therefore limited in the services they can provide. This means that law clinics must rely on licensed supervising lawyers, who are often in short supply. Ethical dilemmas also arise when clinics handle sensitive cases involving domestic abuse or children, requiring careful management and compliance with legal standards.

Discussion of Findings

This article determined that legal education or legal literacy, if delivered in the native language of the people, will always result in these vulnerable groups promptly seeking and accessing justice more readily than if an offer to render legal services without charge was made in the English language. Findings reveal that the radio and market outreach usually conducted by students and staff of the WLC in the local indigenous language enhanced legal literacy and increased the number of participants at the clinic. The radio and market outreach were usually accompanied by dramatised scenarios in the native language (Yoruba) which enlightens the audience and significantly improves the impact of legal literacy. According to the front-desk officer at the WLC, ‘the purpose of the clinic: to offer legal service[s] to indigent women in the community and to ensure student participation in clinical legal education, ... the selling point for our awareness’.⁷¹

Conclusion and Recommendations

Law is a tool of social control. Though it is trite that ignorance of the law is not an excuse, it is germane to educate all members of public deliberately without leaving out any groups indiscriminately either due to their social class or level of education. This paper recommends having both specialised law clinics such as the WLC to effectively cater to vulnerable groups through thematic community outreaches as well as community law clinics like the CUCLC, which must be tailored to the needs of the community in which they are domiciled. Secondly, educating indigenes with information in a language they can understand, access and benefit from is necessary for increased access

⁷¹ Interview with WLC front desk officer (September 2024).

to criminal justice. It is equally important that law clinics encourage activate participation of law students in this innovation, in other to empower them with community advocacy skills and street lawyering techniques.