



Accounts of Unlawful Use of Force and Misconduct of the Nigerian Police in the Enforcement of COVID-19 Measures

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Accepted: 19 January 2021 / Published online: 3 February 2021
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Abstract

In response to the global COVID-19 pandemic, the Nigeria police was entrusted with the responsibility of coordinating local shutdowns, encouraging social distancing, enforcing stay-at-home mandates, and supervising compulsory wearing of face masks. Drawing from procedural justice theory, this study explored accounts of unlawful use of force, human rights violations, and other police misconducts that resulted from the enforcement of COVID-19 measures. Using a victim-centred approach involving qualitative, in-depth interviews with 71 people, who perceived their encounters with the police enforcing COVID-19 measures as bordering on their rights, were conducted, and a thematic analysis of the narratives carried out. Participants reported significant variety of police aggression directed towards them: including actual threats of physical violence, hostility, intimidation, extortion, and punishment. Female participants reported incidents of sexual harassment, unwanted sexual advances, and assault. The study concludes that the militarized option adopted by the police to enforce COVID-19 measures drew deeper divides between the police and communities than previously existed. This stresses the need for Nigeria police to train officers, reprimand erring officers, and deploy procedural justice principles in enforcing COVID-19 measures.

Keywords COVID-19 · Misconduct · Nigeria police · Pandemic · Victims

Introduction

The corona virus disease of 2019 (COVID 19) was declared a global pandemic by the World Health Organization (WHO) on 11th March 2020, with the global health body calling on states to take measures in addressing the spread of the virus (WHO 2020). To this end, countries all over the world adopted different measures to tackle the pandemic and contain increasing pressures on their public health systems. The first major response of most states was to apply ‘lockdown’ measures, which entail the restriction of human rights in respect of freedom of movement, freedom of association, and the freedom of peaceful assembly (Amnesty International 2020a, b). In order to ensure compliance with the lockdown measures, police officers and security forces were deployed to the streets and major public areas. However, in the process of enforcing lockdown declarations, global human rights organizations have report gross abuse

of human rights, use of unwarranted force, and other police misconduct around the world (Amnesty International 2020a, b; Human Rights Watch 2020; Transparency International 2020).

In Nigeria, the declaration of the lockdown measure by the nation’s president was made on 30th March 2020, as a sequel to the first reported case of COVID 19 in the country on 27th February 2020 (Nigeria Centre for Disease Control 2020). Between 30th March 2020, when the lockdown was declared, and 4th April 2020, the National Human Rights Commission of Nigeria (NHRC) reported that 18 people had been extra-judicially killed by security agents enforcing the lockdown, while within the same period, 11 patients died of coronavirus (NHRC 2020). This culminated in various reports in the country that police enforcing lockdown to prevent the virus spread had killed more people than the virus itself (AfricLaw 2020; BBC News 2020). Aside from those that were killed, NHRC was reported to have received 105 complaints of human rights violations against law enforcement officers within this period. Meanwhile, prior to its engagement in enforcing lockdown orders, wanton abuses of human rights has been identified as one of the major flaws of the

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Nigeria Police Force. (Akinlabi 2017; Amnesty International 2014; Ogunode 2015).

In one of the incidents of abuse of COVID-19 emergency powers, two police officers were shown on a video that went viral, flogging a woman with long canes in Odo Ori Market, Iwo, Osun State, 2 weeks into the lockdown (Premium Times 2020a). Reports had it that the said woman was on her way to buy drugs and other needs for her household when she was accosted by the officers. The Premium Times (2020b) also reported a viral video showing a policeman extorting the sum of N40,000 (\$103.40) from a man whose car had been confiscated for apparently flouting the lockdown orders. In July, a woman, who was identified as a widow and mother of two children, was reported to have been arrested by a named police officer in Port-Harcourt, Rivers State, for not wearing a nose mask, and forcefully taken to a guest house where she was sexually assaulted (Punch 2020a). According to the report, the officer, who threatened to kill the woman if she resisted his sexual advances, demanded the bank account details of the woman from her and transferred the sum of N2,000 (\$5) into her account as compensation, apparently, for sexually assaulting her.

The avalanche of reports of extrajudicial killings by the police and other violations of human rights has led to the questioning of the protocols and rules of engagement for police officers, their efficiency level, and capacity to deal with the civil population (AfricLaw 2020; BBC News 2020; Transparency International 2020). Indeed, the enforcement operations of the Nigeria police may have come under scrutiny based on the reports of abuse and extortion, but beyond newspaper and social media reports, there is a need for empirical studies to ascertain the nature, dimensions, and patterns of unlawful use of force. This is necessary to align with global concerns about the possibility of heavy handed policing becoming the *new normal* in police conduct and operations.

This study aims to give some insights into the unlawful use of force, human rights violations, and other police misconducts that resulted from the health emergency occasioned by the coronavirus pandemic. Using a victim-centred approach, accounts of police aggression, use of unwarranted force, and breach of human rights during the enforcement of COVID measures were taken. These accounts were taken with a view to expose the dimensions of misconduct that arose from the emergency powers granted the police in enforcing COVID 19 measures, examining the police-citizens interactions in the bid to contain the spread of the virus, and identifying the grey areas in police response to emergency situations that need to be addressed.

Theoretical Background: Pandemic Policing in Nigeria and Procedural Justice Theory

In many ways, emergency measures in response to COVID-19 pandemic in Nigeria have echoed previous state crackdowns that characterized the military rule in Nigeria. At the commencement of deploying measures to combat the spread of COVID-19, local and international human rights organizations advised the Nigerian government to adopt a rights respecting approach and give clear instructions to security agencies not to abuse their powers (Amnesty International 2020b; Human Rights Watch 2020; NHRC 2020). However, police authorities issued guidelines for officers enforcing the lockdown (Nigeria Police Force 2020), detailed information on the protection of human rights in the discharge of enforcement responsibilities were not included. The central question that then emerged had focused on how the police should have approached the enforcement of the new, unprecedented, and insecure COVID-19 reality in Nigeria (Transparency International 2020). The Procedural Justice Theory (PJT), a theoretical model that seeks to address the question of policing and COVID-19 in Nigeria, was adopted for this study.

The PTJ is a social psychological analysis of ‘why people obey the law’, that was built from the seminal work of Tom Tyler (1990). Indeed, the theory has been widely adopted as a conceptual framework, both in criminology and among police forces, internationally (Stott, West and Harrison 2020). The core proposition of the theory is that there are two distinct modes that drive the conformity of people to the directives of powerful authorities (Tyler 1990). The first mode is the *instrumental compliance*, while the second one is *normative compliance*. Instrumental compliance has to do with the fear of the capacity of the authority to impose punishment on those that go against the directives of order. In this sense, people can be individually focused on the cost-benefit analyses with regard to taking the decision to break the law, and thus, an external deterrence threat is the primary way to motivate acquiescence (Radburn and Stott 2019). On the other hand, normative compliance has to do with the assumption that peoples’ compliance with the authority’s directives is based on their judgement that the directions of authority are morally appropriate and enforced in fairness (Stott, West and Harrison 2020).

The Nigeria police had been widely reported to rely heavily on instrumental compliance in the general rendering of its enforcement duties on crime and, in particular, in enforcing COVID-19 measures (Akinlabi 2017; Alemika 2003; Amnesty International 2014; NOPRIN 2010). The use of lethal force by the Nigeria police on the civil population has been linked to

the country's prolonged rule under military juntas, who used the military forces as a tool to ensure and mandate cooperation from citizens (Aborisade and Obileye 2017; Akinlabi 2017; Alemika 2003; Amnesty International 2014; NOPRIN 2010). Therefore, the culture of police violence in engendering instrumental compliance was believed to have been developed from this long-termed military rule period. As posited by the social learning theory, behaviours are learned through personal or vicarious experiences (Anderson and Bushman 2002). Therefore, aggressive behaviour of the Nigeria police is believed to have been acquired through an observational learning process, and maintained through reinforcement as witnessed during the military era (Amnesty International 2014).

In the enforcement of COVID-19 measures, the already over-militarized police in Nigeria apparently became even more militarized, moving farther away from the community. The concept of militarization of the police is not about the equipment that are deployed by the police, but how the police interact with the civil population with a 'warrior' mind-set, which usually negates community relationships (Balko 2013). This may have also negated the perception of the Nigeria police to utilize procedural justice when the civil populace transgress directives, as indicated by the violent reactions of police officers to people that flouted the lockdown rules (Premium Times 2020b; Transparency International 2020). Therefore, the behaviour of the Nigeria police in the enforcement of COVID-19 measures has not been perceived by human rights organizations and civil populace as procedurally just (Amnesty International 2020b). This is due to the brutality with which the police and other security agencies enforcing the lockdown and other COVID-19 measures dealt with people they regarded as flouting the rules, eventually leading to police killings surpassing the fatality rate of the coronavirus disease as at the end of May 2020, 4 weeks into the lockdown (AfricLaw 2020; BBC News 2020).

In enforcing the COVID-19 protocols, officers of the nation's police have equally being reported to engage in extortion (Premium Times 2020b; Punch 2020b), collect bribes for free passage at checkpoints (Transparency International 2020), and engage in sexual harassment and assault (Punch 2020a). These examples of police abuse in the enforcement of lockdown and other COVID-19 measures are capable of having long-lasting implications for police-community relationships. Hitherto, past research had reported the difficulty in Nigeria police of achieving normative compliance to directives due to low public confidence in police system, arising from its antecedents of corruption and gross misconduct (Aborisade and Fayemi 2015; Ayodele and Aderinto 2014; Akinlabi 2020). Therefore, gleaning from the procedural justice theory, compliance with the COVID-19 measures with regard to movement restrictions will be difficult to enforce in the face of low public confidence in

the appropriateness of the enforcement mode of the Nigeria police (Tyler and Jackson 2014). This is informed by extant research that has consistently shown that people's obedience to police directives is highly reliant on public trusts in the police and the legitimacy of the justice system (Bolger and Walters 2019; Cheng 2020; Deuchar, Crichlow and Fallik 2020).

In Nigeria, the police are often perceived to be unjust in their procedures, or to lack compassion in their interactions with the civilian population (Adisa et al. 2018; Agbiboa 2015; Enweremadu 2019; Famosaya 2020), which may have resulted in a state of reduced legitimacy, especially with regard to the enforcement of COVID-19 measures. In particular, it was reported that the lockdown measures in the country were resisted by workers' groups and communities who perceived the measure to be too draconian and inimical to their survival (The Africa Report 2020). For example, on 27th April 2020, dozens of construction workers revolted against the containment measures in Lagos and were also reported to have injured five policemen and vandalized two police stations in the process (AfricaNews 2020). In addition, there were reports of gang violence, unrest, and social panics across the city of Lagos as a result of the uneasiness occasioned by the lockdown and the police's heavy-handedness (BBC News 2020b).

The Present Study

Indeed, appreciable research attention has been paid to police brutality, use of unwarranted force, and abuse of human rights in Nigeria (Aborisade and Obileye 2017; Akinlabi 2017, 2020); however, the response of the Nigerian Police Force to the COVID 19 health emergency, enforcing lockdown order, social distancing, use of emergency powers, and supervising the compulsory use of face mask is unprecedented. International organizations have widely reported police aggression and misconduct in the enforcement of COVID 19 measures in Nigeria (AfricLaw 2020; NHRC 2020; Transparency International 2020). These bodies have further raised concerns about the possibility of the heavy handed policing of the pandemic becoming the new normal. Questions have also been asked if the legacy of COVID 19 enforcement will shape the post-pandemic citizens-police interactions in Nigeria.

In addition, there are only a few empirical works that adopted victim-studies' approach to examining police use of excessive force and human rights violations in Nigeria. Therefore, the present study offers an important attempt to assess what is known about the Nigerian police use of excessive force and what needs to be learned from the enforcement of COVID 19 measures by the police. This will help in better understanding the dynamics of citizens-police interactions in times of health emergency and prevent the negation

of the rule of law, engender professional response to state of emergency and achieve peoples' trust in the police.

Method

Qualitative approach was adopted for this exploratory research. First, this is due to the unexplored, emotive, and complexities surrounding police conduct during health emergency in Nigeria. Second, the aim of the research was to capture the breadth of experience and viewpoints of the participants rather than the commonality and dominant discourses on police misconduct and abuse of human rights in the country. Due to the security sensitiveness of this study and to ensure safety, a group setting was considered inappropriate. However, there was sufficient structure in the interviews in order to address the research questions, as well as allow for flexibility in participants' pursuance of their thought processes.

Compliance with Ethical Standards

Ethical approval for the conduct of the study was granted by the Research Ethics Committee of the Faculty of Social Sciences, Olabisi Onabanjo University. The author, as well as his research team, paid attention to signs of distress from the participants during the interviews. The study's information was shared to prospective participants at least 48 h before they were engaged in the interviews, and they were also requested to complete consent forms either online or in hard copy. The anonymity and confidentiality of the participants were of utmost importance to the study; therefore, only the author and his research team members were privy to the identity of those that participated in the study. All participants' names in this paper are pseudonyms chosen by them. The entire data obtained were held securely in conformity to Olabisi Onabanjo University regulations.

Procedure

In an attempt to optimize diversity, a varied approach was utilized to elicit participation in the study, since there was no natural group or organization from which recruitment could be done. Spanning a period of 4 months (April–July 2020), a call for participation in the study was announced and it involved pasting of posters in community centres, social media, and web advertisement. The call invited people that were 16 years and above who had had an encounter that they considered 'unpleasant' with the police enforcing lockdown and use of face mask orders. After indicating their consent to participate in the interviews, the participants were required to fill a socio-demographic questionnaire, both to inform the analysis and contextualize the narratives and to

provide information about sample diversity to guide recruitment strategies.

Due to the prevailing COVID 19 pandemic and its imposing health threats, as well as the restrictions of movements, participants were given the option to be interviewed over the telephone or using Skype. For face-to-face interviews conducted outside the lockdown period, the interviewers went to community centres and other public places to meet with prospective participants. The team of interviewers consisted of two males and two females, including the author. The three interviewers were graduate students of sociology who were former students of the author. At the time of the data collection, they were observing their mandatory national youth service corps program. In spite of their earlier experience in collecting qualitative data through interviews, they were trained and paid for their services.

Participants were given the option of choosing the gender of their interviewer, although only 11 participants (8 face-to-face and 3 via telephone) made use of the option. Concerning the time range for the interviews, the shortest time was 40 min, while the longest was 1 h 15 min. The time spent was dependent on the number of encounters participants had with the police and their willingness to provide details of their encounters. The interviews were audio-recorded; then, the recordings were transcribed verbatim, while the anonymized transcripts were imported into NVIVO 12 (software that is used to organize and manage qualitative data). Analysis was conducted as the interviews progressed, while recruitment continued until the point of saturation, which is the point of diminishing returns, where increasing sample no longer produce new evidence (Ritchie et al. 2003).

Sample Participants

In-depth interviews were conducted for 71 people (46 women and 25 men), who responded to the call for participation in the study and passed the eligibility criteria (see Table 1). The age ranged from 16 to 52 and the overwhelming majority of the participants (85.3%) were below age 35 years. This suggests that the elderly might have been more observant of the lockdown directives, or they were more reluctant to be part of the study. The participants formed a fairly ethnically diverse group, although the majority (45.1%) of them were of the Yoruba ethnic group. This was followed by a significant percentage (23.9%) of participants who were of Igbo extraction, while nine participants identified with six minority groups to constitute those that selected 'others'.

The participants' locations were relatively widespread, with participation obtained from 12 states; participants were mostly from Lagos State (43.7%). This is distantly followed by 18 participants from Ogun State, while 11 participants indicated being from eight states spread

Table 1 Participants' sociodemographic characteristics

Variables	Total <i>N</i> = 71	Percentage (%)
Age (years)		
16–21	22	31.0
22–27	29	40.8
28–33	11	15.5
34–39	6	8.5
40–45	2	2.8
>46	1	1.4
Gender		
Male	25	35.2
Female	46	64.8
Highest level of education		
None	1	1.4
Non-formal/religious/literacy class/adult education	5	7.0
Primary school	11	15.5
Secondary/technical/teacher's college	33	46.5
Post-secondary	21	29.6
Ethnic affiliation		
Yoruba	32	45.1
Igbo	17	23.9
Ijaw	9	12.7
Hausa	4	5.6
Others	9	12.7
State of residence		
Lagos	31	43.7
Ogun	18	25.3
Osun	7	9.9
Rivers	4	5.6
Others	11	15.5
Occupation		
Student (secondary and post-secondary)	13	18.3
Unemployed	9	12.7
Farming, petty trading, self-employed or artisan	31	43.7
Driver, motor park assistants, drivers' union officials, etc	11	15.5
Teacher (primary and secondary schools)	2	2.8
Staff of government agencies and companies	3	4.2
Businessmen and self-employed professionals	2	2.8

Source: Field survey 2020

across the northern and southern parts of the country. Concerning the employment types, the majority of the participants (43.7%) identified with petty trading, farming, self-employment, and artisanship. The frequency of the participants who identified themselves as teachers (2.8%), staff of government's agencies (4.2%), and businessmen/self-employed professionals (2.8%) was low. This may be a factor of the socioeconomic class of the participants, as the petty traders, farmers; self-employed artisans were more likely to flout the stay-at-home order for the purpose of working to earn money for their livelihood.

Interview Protocol

Semi-structured interviews were conducted with the use of an interview guide that was designed to explore the aggressive behaviour, use of unlawful force, and other violations of human rights. Interviewers asked participants to describe their interaction with the police enforcing COVID-19 measures at checkpoints or on the streets, including their negotiations of passage through the checkpoints. Participants were also asked why they went out in spite of the lockdown order that demanded they should stay at home. They were also

asked to describe the ideal responses expected of police officers in dealing with people found flouting the lockdown orders or the use of face mask.

Examples of these exploratory questions included the following: ‘What do you think an ideal police enforcement of lockdown orders should look like?’; ‘Were you aware of the restriction of movement at the time you were accosted by police officers?’; ‘Why were you moving around in spite of the lockdown order, on the occasion you were accosted?’; ‘In what way(s) do you think the police officers behaved aggressively towards you?’; ‘Did you resist or behave aggressively towards the police officer first, or as a response to their own aggression?’; ‘In specific terms, what are your rights that you consider breached by police officers during your encounter with them?’; ‘Did you sustain any form of injury as a result of your encounter with the police at that instance?’; and ‘Did you report your encounter and police conduct to any authority?’.

Analysis Strategy

In the present study, an exploratory analysis was conducted on the different ways by which officers of the Nigerian police infringed on the rights of people and engaged in other forms of misconduct that contradicted the rules of engagement for enforcing COVID-19 measures. In analyzing the data collected from the victims, an inductive thematic analysis approach was utilized (Braun and Clarke 2006). It is an accessible form of analysis in which little or no predetermined theory, structure, or framework is used to analyze data; rather, the actual data itself is used to derive the structure of analysis. The author started the analyses with the reading of 15 randomly selected transcripts, while noting apparently common and contrasting thematic elements among the samples, and drafting a preliminary coding scheme. Once the author has familiarized himself with the data, it was coded line-by-line in NVivo 12.

This initial codebook tracked the participants’ descriptions of unwarranted use of force and aggression by police officers during the COVID-19 facilitated lockdown, and their use of normalizing and problematizing themes in their accounts, as well as the information they shared about the human rights abuse they perceived. For data reliability purposes, two academic staff in psychology and sociology, who had initially helped with the construct validity check for the research instruments, were requested to examine the same 15 transcripts using the codebook. The Krippendorff’s alpha (α) coefficient was 0.918 for the agreement of the three coders. The author then discussed the discrepancies with the two independent coders, and coding scheme was accordingly amended. The author and the two independent coders then coded the rest of the transcripts separately. Upon completion, the author and the independent coders met and

resolved all discrepancies, in order for all applied codes to be mutually agreed.

In the presentation of the findings, the narratives of the participants that are considered outstanding are quoted to illustrate and support the findings. The brackets that appeared after each quote contain the pseudonym selected by the participants, their occupation, and their location.

Results

First, it was considered important to understand the behaviours of police officers that were perceived as unlawful, and a violation of human rights, in order to give context to the themes that follow in this section. When questions bordering on this were posed to participants, they recognized that they were only aware of a fraction of their rights and the types of force that could be termed *unlawful*. The majority of the participants were much more comfortable discussing physical assault, extortion, and other unpleasant treatments they experienced from the police enforcing the lockdown or wearing of face mask directives. However, from a thematic analysis of their narratives, the ways in which police officers had behaved abusively towards them were *apparent*.

The police officers used different tactics directly towards people that apparently flouted the lockdown directive or were found not to be wearing a face mask. Sometimes, participants experienced behaviours that were covert and subtle, especially when they were given the opportunity to negotiate their passage through check points by a paying bribe. However, most times, officers were described as being aggressive, forceful, and violent in efforts to either ward off the people, effect arrest, or punish people flouting the government’s directives. Since there is no single universally agreed-upon definition of police use of force, in this study, context-specific constructs that are peculiar to police-citizen relations in Nigeria were adopted for the data analysis. The themes discussed below are as follows: police legitimacy in enforcing COVID-19 measures, physical violence (threat and actual), hostility, intimidation and extortion, sexual harassment, and assault.

Police Legitimacy in Enforcing COVID-19 Measures

The participants were asked about their perception of police involvement in restricting movement, supervising social distancing, isolation, and wearing of face mask as measures to check the spread of the COVID-19. These questions were posed after all 71 participants admitted to the realness of COVID-19 and the need for government and other stakeholders to take measures to contain the disease. Twenty-six participants expressed their reservations about the genuineness of the figures concerning positive cases of the disease

and/or the fatality rate being announced by the task force. Their skepticisms were mainly based on perceived tendencies of government functionaries to profiteer from the pandemic and manipulate figures to elicit more funding for their benefits.

All 71 participants accepted the need for police to enforce the lockdown measures as ‘people will normally not obey government orders to sit-at-home if there were no police presence on the streets’, Fareed, a Lagos-based auto-mechanic commented. However, majority of the participants objected to the need for police to supervise social distancing, isolation, and wearing of face masks, while only 24 of them agreed. Adenrele explained why police should not be involved:

...people should be educated and made aware of the risks of getting close to others, and the need for isolation when one feels he has been exposed to COVID patients. In particular, health experts should appeal to the conscience of the people to wear mask for protection. Involving police in things like that is like making people feel they are being forced, and you know what happens when people are being forced: they only do things for the authorities and not because of their convictions. This means they will only do it when they stand to be caught but not all the time as required by the guidelines on COVID.

(Adenrele, medical doctor, Lagos).

The majority of the participants that were negatively inclined to police enforcing use of face mask shared Adenrele’s view, while Mustapha added:

...if indeed everybody will be equally treated with such laws and police enforcement, then it would have been seen as worthy. But you know how it is like in Nigeria. The poor are treated like criminals for failing to wear face mask or [observe] social distance, while police officers salute rich people flouting the orders. It is as if coronavirus is being spread only by poor people or within the neighborhoods of the poor...

(Mustapha, fashion designer, Lagos).

The participants stated that the usual ‘forceful approach’, ‘draconian methods’, and ‘uncourteous attitude’ of the Nigerian police towards the civilian population in enforcing directives are not enough to make people comply with COVID-19 measures. Mrs. Adetoun offered a different reason why the police may not succeed in such assignment:

...the problem with our policing system is that those field officers that interact with the public are usually not educated, trained and enlightened enough to be able to carry out such responsibility of raising the public awareness or disseminating coronavirus information

to the people on the streets. The officers that can perform these functions are rather in the offices attending to files and other activities. Therefore, the officers on the streets will only understand force in making people comply. The only people they talk courteously to are the rich, famous and powerful in the society...

(Mrs. Adetoun, Nurse, Sagamu-Ogun).

Since all the participants accepted the need for police to enforce the lockdown orders, those that were not on essential duties were asked why they apparently flouted the lockdown orders. The majority of them provided reasons associated with the need to get drugs and other household essentials, work-related emergencies, search for palliatives, food, or material aids, seeking medical attention/help, and taking a stroll/road walk. In addition, participants complained about the suddenness of the lockdown order pronounced by the federal and state governments. Chinedu explained:

...this is a disease that started since November 2019 and it started to spread all over the world from there. If Nigerian government had been proactive, the enlightenment campaigns would have started since then, people would have been advised to prepare in different ways, and then when the first case was announced in the country, people would have been informed about preparing for possible lockdown and other measures. As it is, the lockdown came almost as a punishment for Nigerians and not as a measure to safeguard Nigerians...

(Chinedu, Banking officer, Owerri-Imo state).

Aside from the perceived little time (24 h) given to prepare for the lockdown, participants complained about the apparent neglect of successive governments to effectively equip state hospitals and develop health institutions, which led to the social panic that accompanied the incidence of the disease in the country.

Physical Violence (Threat and Actual)

Sixty two of the study participants stated that they were subjected to various forms of physical violence, with 41 being physically and verbally abused. Meanwhile, 21 indicated they experienced threat of physical violence. In respect of those who were at the receiving end of physical violence, they described being slapped, kicked, hit with fist, gun butt, sticks, baton, belt, and other materials. Atinuke, a trader, who was at the receiving end of physical violence, described her experience:

...the officer attempted to slap my face, but I guarded my face and his hand hit my hand instead. He got angry with me because I pointed it out to him that

they [police] were allowing other people to go after collecting bribes from them, and delaying me. When he saw that the attempted slap was not successful, he kicked me with his boot and shouted that I should turn back or he would shoot my legs...

(Atinuke, trader, Iyana-Ipaja- Lagos State).

Participants described different forms of threats of physical violence from police officers, which included threats to be shot, gun pointing, threats of being hit with belt, gun butt, sticks, and other materials. Three participants stated that officers shot into the air to scare and warn them, while one of them described how the shots made people to scamper for safety, with many getting injured in the process.

...they had earlier issued us warning that they would not allow us passage. But we got stuck in the traffic and that was why we couldn't get home in time before the curfew. They would not just want to reason with us and as we continued pleading, two officers just started shooting into the air...there was stampede with people falling over themselves and many getting wounded. There were even children in the whole mess...

(Ashafa, pharmacist, Ikorodu-Lagos).

Nineteen of the 41 participants that were at the receiving end of physical violence indicated that they suffered different degrees of injuries, including cuts, bruises, fracture, body pain, and muscle ache. Eight of them reported seeking medical help for their physical injuries, while six stated they were treated by local nurses and others resorted to self-help to treat their wounds.

Fourteen participants stated that they were subjected to physical punishments, which include being asked to kneel down, lie down (facing up or down), rolling on the ground, in addition to being beaten with belt or sticks, and carrying heavy objects above the head level. Bimbola, a bread hawker who was subjected to one of such punishments, described her treatment:

...I was only hawking bread on the streets in the morning within a residential neighborhood when I was stopped [by police officers]. They took off the bread from the tray on my head and replaced them with large stones. They now asked that I should be hawking that, while an officer followed me with a long cane ready to flog me if I stopped. After a while, I was asked to kneel and still carry the stones on my head...

(Bimbola, bread seller, Osogbo-Osun state).

Bimbola was later released, but her 11 loaves of bread were not returned to her, as she claimed some of the officers were already eating the bread while she was serving the punishment. Aside from Bimbola who had such experience with the police in the morning, the other 13 participants

that underwent such punishment indicated it happened in the night, with six stating it was meted on them for breaking national curfew. There were also five participants that reported that police officers damaged or made an impactful hit on their vehicles, even though they were not trying to resist being stopped at the checkpoints. These participants identified their vehicles' side mirror, rear light, and rear windscreen as being attacked and damaged by the officers, with one participant saying three of his four car tyres were deflated by officers.

Twenty nine of the participants that were at the receiving end of physical violence and 12 of those that faced threats of violence from the police officers believed that the emergency powers given to the police were responsible for the violence and aggression of the officers. The participants believed that in enforcing the lockdown, curfew, and wearing of face mask, officers were given the power to punish those that contravene government directives. As a result, the majority of the participants in this category were more of the opinion that government should desist from giving police officers such powers in enforcing movement restrictions.

Hostility, Intimidation, and Extortion

Aside from the actual and overtly threatened physical violence, participants also reported being treated by police officers with behaviours that were hostile and intimidating, with some of them mentioning that there were escalations in the hostility directed towards them when they asserted themselves or tried to affirm their fundamental rights or any reaction that the officers perceived as a challenge:

...I was asked to park my car and that I should remain seated inside the vehicle until they come attend to me. They left me in the car for 30 min without coming over to me. I left the car, went over to the officers and told them I am a medical doctor and needed to be at work. They said that should not give me the right to disobey their orders for me to remain in my car. I returned to my car only to be delayed for another one hour before one of them just beckoned at me to go.

(Olaiya, medical doctor, Ojodu-Berger area- Lagos).

Thirteen other participants shared Olaiya's experience, and the majority expressed that police officers usually deployed such intimidating tactics whenever people produce necessary papers to ensure their passage, engage them in arguments over their conduct, challenge officers' authorities to punish them, and insist on passing through their checkpoints since other people were being given similar privileges. 'The officers are quick to use their authorities to intimidate people at their checkpoints, as they perceive themselves as having limitless power during the lockdown',

Nnamdi, a clinical assistant in an Enugu State-based hospital, volunteered.

The majority of the participants held that officers often engage in hostile and intimidating behaviours when pedestrians or motorists refused to pay or feign ignorance in knowing that a bribe is required to obtain passage through the checkpoint.

They will engage in delay tactics, refuse to respond to your pleas, give you cold shoulders until you realize that without parting with some money, you cannot have a thorough passage at their checkpoints. Some of them will ask you in a friendly manner to give them some money, some will be blunt with you that without the payment, you cannot leave, while others will not ask but intimidate you in such a way that you will come up with the bribe idea yourself.

(Ali Sunday, civil servant, Agbado-Lagos).

The request for the payment of bribe was not restricted to motorists alone as pedestrians too were reportedly extorted, especially during the lockdown. Hussein, *suya* (barbequed-meat) seller, was walking along the road when he was accosted. He explained his experience in Hausa language:

...they were going to beat me and were threatening to wound me in the process. Then I saw on the name tag of one of the officers that he is a Hausa man. I spoke in Hausa language to him that I needed to go do some business, then he let me go but asked me to drop *something* for his colleagues. I was charged N2,000 (\$5.19) to pass.

(Hussein, *suya* seller, Agbado-Lagos).

In all, 35 participants stated they were forced to pay for their passage, avoid being arrested, or free-up their impounded vehicles, bags, and documents from the police officers enforcing COVID-19 measures.

Sexual Harassment and Assault

The study probed the 46 female participants to ascertain if they were subjected to any form of sexual harassment or assault from police officers during the lockdown and curfew period. Although 11 female participants indicated they were sexually harassed, three of them also disclosed that parts of their bodies, like breasts or buttocks, were mistakenly touched by officers. However, eight participants stated that they were deliberately harassed sexually by officers on lockdown and curfew enforcement duties. Aside from these eight, one participant, a 24-year-old nurse, told the story of how she was sexually assaulted inside the patrol vehicle, while she was returning from work at around 11:00 pm.

...because of the curfew, I could not get a vehicle that could convey me to my street. A senior colleague had already helped me with his car to my area, so I continued the rest of my journey by foot. I was still on the main road when I sighted a vehicle from afar. I was relieved when I saw that it was a police van and seemed to be heading towards the direction of my street, thinking I would get some help. However, the vehicle suddenly stopped beside me and two police officers jumped down and seized me. I was initially not afraid because since I was wearing my (nurse) uniform, so I thought I would be perceived to be on duty and spared. However, they grabbed me and pushed me to the back of the van and drove off. I was screaming that they did not even ask questions that I was a nurse on duty but they ignored me and even threatened to slap me. The two of them called me prostitute and said since I was parading myself and selling my body in the night, they are interested in what I was selling. As they said that, the two officers started removing my dress forcefully and one of them had his way, he raped me while the vehicle continued on motion...

(Yewande, nurse, Agege-Lagos).

Yewande was eventually dropped off with a warning from the officers 'not to wander around at night again.' The other eight that were sexually harassed told different stories of being subjected to physical and verbal sexual harassment that included being deliberately touched, grabbed, and slapped on their breast, buttocks, or vagina areas. In some instances, unwanted sexual advances and remarks were made at them by the officers, like asking for sex for protection and free movement through the duration of the lockdown/curfew.

Discussion

What initially became apparent from the results was that prior to the emergence of COVID-19 pandemic and deployment of measures to contain its spread in Nigeria, police legitimacy had been a significant problem, poised to have a substantial impact on police response to the current public health crisis. The Nigeria police have had to contend with accusations of human rights violations, which are proof that they are facing serious challenges in their attempts at balancing rights protection with national security, and public order (Amnesty International 2014; Amnesty International 2020a, b; NOPRIN 2010). While accounts of police brutality against crime suspects have been well documented (Aborisade and Obileye 2017; Akinlabi 2017, 2020; Amnesty International 2014), the enforcement of COVID-19 protocols invite new studies into Nigeria Police use of emergency powers, and intervention in the unprecedented health crisis.

As against the emerging global focus of studies on the possible impact of emergency police powers on police legitimacy during the pandemic (Amnesty International 2020a, b; Akinlabi 2020; Cheng 2020; Jones 2020), this study found that police legitimacy is already an underlying factor standing against pandemic policing in Nigeria. As gleaned from the study participants, the key factors negatively impacting on police legitimacy during COVID-19 intervention include low public trust, confidence, and integrity. Considering that consistent research reports have posited that public trust and police legitimacy are necessary factors that determine peoples' obedience to the law (Crehan and Goodman-Delahunty 2019; Bolger and Walters 2019), the outcome of this study may suggest reasons for reported public defiance to police enforcement of COVID-19 protocols, especially the sit-at-home orders and curfew.

Evidence from this study suggests the significant use of physical force by the police to enforce compliance to COVID-19 measures, especially in restricting movement during the lockdown and curfew. The current approach of the Nigerian police in deploying excessive force to supervise sit-at-home and other COVID-19 measures is consistent with previous practices in which they heavily relied on brute forces to enforce compliance (Aborisade and Obileye 2017; Amnesty International 2014). The over-militarized approach of the police is reported to be a factor of the long-term consequences of military rule in Nigeria (Idowu 2013; Ojo 2014; Oluyemi 2020). Therefore, gleaned from the procedural justice theory, the favoured mode of the Nigeria police in driving people's conformity to protocols set to contain the spread of coronavirus disease is instrumental compliance (Tyler 1990; Tyler and Jackson 2014). However, evidence from this study suggest that police's reliance on instrumental compliance did not prevent people from flouting the lockdown and curfew orders, which aligns with reports of widespread defiance to movement restrictions and other COVID-19 measures in the country (AfricaNews 2020; The Africa Report 2020; Transparency International 2020; UN News 2020). Participants' reports of physical violence and injuries sustained are indicative of police brutality, which needs to be addressed in order to engender the required positive police-community relationship, especially at a time of health emergency.

Indeed, extant studies and policing literature have widely reported the Nigerian police engagement in physical violence and torture in dealing with crime suspects at the point of arrest and in custody (Aborisade and Obileye 2017; Famosaya 2020; NOPRIN 2010). However, what was not previously discovered in the literature review was the use of such violence on civilian population as part of efforts to safeguard public health. Also, the use of such violence persisted, in spite of the Anti-torture Act 2017, which criminalizes

the act of torture and other cruel, inhuman, and degrading treatment or punishment. This aligns with previous research evaluating the compliance of the police to the Anti-Torture Act 2017, which specifically reported low conformity to the dictates of the Act (Aborisade and Oni 2020; Amnesty International 2020b; Nwaechefu and Ajayi 2019). Therefore, this study, together with extant literature on the effect of the recently passed Anti-Torture Act 2017, points to the need to reassess the level of adherence to the new law.

Incidences of hostilities, intimidations, and extortions were also reported by participants of the study. As posited by social interaction theory, police officers engage in coercive action to obtain something of value or when they perceive their ego or image as being threatened (Tedeschi and Felson 1994). In this study, officers were reported to engage in aggressive behaviours when they are being questioned, their legitimacy being challenged or in order to extort money. In alignment with studies that had earlier documented police corruption and extortion at checkpoints and on the streets (Adisa et al. 2018; Enweremadu 2019; Inyang and Abraham 2013), evidence from this study suggest incidences of extortion and corrupt practices perpetrated by police officers in enforcing COVID-19 measures. This study, therefore, supports reports of news media and organizations that the Nigerian police were profiteering from the lockdown by taking bribes from motorists in exchange for free passage at checkpoints (The Guardian 2020; Punch 2020b; Transparency International 2020).

In consonance with the newspaper report of a widow and mother of two children, who claimed that a police officer in Port-Harcourt, River state, sexually assaulted her for not wearing a nose mask (Punch 2020a), female participants of this study reported being victims of police sexual harassment and assault in their encounters with them. This finding also supports earlier research and reports on sexual harassment and abuse committed by police officers on female arrestees, sex workers, and other female citizens (Aborisade 2019; Aborisade and Oni 2020). However, the revelation of the current study is police officer's sexual assault of a healthcare worker, categorized as essential worker, and authorized to move around during the lockdown by Presidential Task Force on COVID-19. This lends credence to the claims of harassment made by healthcare workers against police officers during the lockdown, which culminated in a declaration of sit-at-home strike action (Sahara Reporters 2020). It also supports the reports that the governments (federal and state) were not providing adequate protection for healthcare workers in their response to the pandemic (Africa Renewal 2020; Amnesty International 2020b; The Africa Report 2020).

Officials of the Nigeria police have frequently been accused of abuse of power and implicated in gross human rights abuses, which include illegal detention, arbitrary killings, extortion, bribery, and sexual abuse, with little or no

effort to bring those responsible to justice (Aborisade and Obileye 2017; Akinlabi 2017; Amnesty International 2014; Amnesty International 2020a, b). The findings of this study highlight such unlawful use of force and abuse of power, which runs contrary to the efforts aimed at combating the novel COVID-19 pandemic. Reports have shown the police to be involved in extra-judicial killings, punishment and abuse, which also impacted negatively on the intervention of healthcare workers and other frontline workers in the fight against the disease (AfricLaw 2020; Africa Renewal 2020; The Africa Report 2020; Transparency International 2020).

Implications for Policy, Practice, and Research

The findings from this research highlight the need to address the heavy handedness, misconduct, and other abuse of power perpetrated by police officers in Nigeria in enforcing COVID-19 measures. Evidence from this study suggests that efforts to curb the spread of the novel coronavirus may have been threatened by the unlawful use of force, extortive practices, and other forms of misconduct perpetrated by police officers enforcing the lockdown orders and other measures. The militarized option adopted by the police to enforce the COVID-19 measures obviously drew deeper divides between the police and communities than previously existed. The relative failure of this option by the police, therefore, invites the use of a different approach that will engender compassionate and procedurally just operations, which will eventually help in the rebuilding of police legitimacy, not only during the pandemic but beyond.

Evidently, the Nigeria police were ill-prepared, ill-equipped, and inadequately trained to respond and assist in a public health crisis requiring the enforcement of new laws. This study suggests the training and retraining of police personnel, particularly, in procedural justice in order to educate them on how to respect human rights of citizens and reduce the widespread mistrust of police by the citizens. Also, the police-public relations could be enhanced through enlightenment campaigns and programmes that can shore up people's trust in the police. By so doing, the quality of policing in Nigeria during and after the-pandemic will increase if police officers interact with citizens, following the principles of procedural justice. Therefore, this will increase public trust in the police, and ultimately enhance legitimacy and efficacy. In this study, the adherence to the dictates of the Anti-Torture Act 2017 appears to be low. This, therefore, suggests the need for effective monitoring system to be put in place, with strict punishment prescribed for officers that breach the law and abuse human right, especially physical and sexual violence.

This study invites future research to triangulate perspectives of field police officers, police management, and citizens, so that police violence can be considered from multiple

viewpoints. This will help to broaden our knowledge around the reasons for the use of excessive force, citizen trust or mistrust in the police, and the potentials of procedural justice approach.

Limitations

One of the limitations of this study is that the sample lacked breadth for certain sociodemographic characteristics, ethnicity, and age in particular. Attempts were made to recruit people from a variety of ethnic backgrounds; however, these efforts were impeded by restrictions of movement and other inhibitive protocols that characterized the COVID-19 outbreak. The sample was equally small, and sampling was of necessity opportunistic; only participants that responded to the advertisements within the period of data collection were involved in the study, so it is possible that the available participants were untypical of the total that interacted with the police during the COVID-19 enforcement. The study is also limited to participants' accounts of interactions with the police enforcing COVID-19 measures. These accounts may not reflect the entire events that characterized their encounters with the police during the COVID-19 outbreak.

Conclusion

Earlier studies on police brutality and abuse of human rights have highlighted the gruesome experiences that crime suspects are made to pass through in their encounters with police officers. However, this body of literature is yet to include studies on abuse and misconduct perpetrated against citizens during their response to a public health crisis. To that effect, this research has captured rich descriptions of the experiences of citizens who were victims of police's use of unlawful force, and the findings indicate that police agency in Nigeria tries proving to the society that they are making use of extreme measures to address the new laws at the expense of their relationships with communities. The forms of police violence, abuse, hostility, and intimidation found in this study are similar to the ones reported in extant literature; however, the use of such unlawful force against citizens, including essential workers, during a pandemic portends ominous implications. Recognition of the implications of police abuse of citizens and deployment of approaches to address police abuse of powers will decrease public insecurity and widespread mistrust of police among citizens. In policing the pandemic, the responsibility of the police is to ensure the safety of the public, guided by health emergency laws. Therefore, the leadership of the Nigeria Police should impress it on its officers that how they interact

with the citizens in these uncertain times will either build or damage police legitimacy in the country.

Declarations

Ethical Statement Ethical approval for the conduct of the study was granted by the Research Ethics Committee of the Faculty of Social Sciences, Olabisi Onabanjo University. The research laid emphasis on the voluntary nature of the data collection all through the recruitment and selection processes. The author, as well as his research team, paid attention to signs of distress from the participants during the interviews. The study information was shared to prospective participants at least 48 h before they were engaged in the interviews, and they were also requested to complete consent forms either online or in hard copy. The anonymity and confidentiality of the participants were of utmost importance to the study; therefore, only the author and his research team members were privy to the identity of those that participated in the study. All participants' names in this paper are pseudonyms chosen by them. The entire data obtained were held securely in conformity to the Olabisi Onabanjo University regulations.

Competing Interests The authors declare that they have no conflict of interest.

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