

The role of the police in enabling access to justice

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What will I talk about?

- ❑ Short intro to the structure of police in Spain
- ❑ Contacts between migrants & justice system
- ❑ Barriers
- ❑ My experience

Our population

- ❑ A population of 46 million:

- ❑ 42 million are national including foreigners that have acquired the Spanish nationality

- ❑ 4,5 million non-nationals with permit (*documented migrants*)

- ❑ 28,707 arrivals in 2017 (according to the International Organisation for Migration)

- ❑ 3rd country recipient of migrants in the European Union

Structure of police in Spain



Contacts between migrants & justice system

Spanish justice system:

- Administrative offenses: e.g. illegal border crossing:
 - Undocumented migrant detected by the police
 - Administrative procedure & deprivation of liberty in a centre for undocumented migrants (“CIE”)
 - Expulsion
- Criminal offenses: e.g. human trafficking

Regular police work where victims may be detected

- Work site inspections and accidents at the work place
- Gender violence (no administrative sanction if victim is undocumented migrant)
- Traffic stops/accidents
- Lack of school enrolment
- Fostering relationships with the neighbourhood / district
- Entries –specific training to detect victims of human trafficking
- Investigation

Barriers to trusting the police

- Concept of police from the country of origin – misconception
- High rate of stop&search practices based on ethnic profiling to detect undocumented migrants.
- Multiple police departments with multiple tasks
- Cultural and language barriers
- Previous negative experiences with police
- Lack of knowledge of police procedures in Spain
- Lack of knowledge of rights and duties
- Lack of awareness of the police

Barriers to reporting exploitation

1. To access victim's protection – necessary requirement to report
2. As a victim – right to obtain legal documents – keeps police more alert on false claims
3. Complex process and stressful environment may affect the **victim's testimony**. – priority for the police – to use as evidence
4. Language barriers
5. Strict judicial and police procedures (who supports)
6. Heavy reliance on NGO support to provide services for victims
7. Difficult international collaboration with country of origin to combat mafias

Barriers for police

- Work is predetermined through protocols and subject to legal inflexible requirements
- Lack of communication among prosecutors, judges and police
- Lack of knowledge of what is considered exploitation and its normalisation
- Prejudice

My experience in Spain

- Trainings by NGOs to police
- Promote diversity within the police
- Work with diversity:
 - Working with local communities
 - Controlling and limiting discriminatory stop&search practices
 - Training for migrant associations
 - Training other police officers
 - Fostering communication among the different communities
 - Participating in awareness raising initiatives





- 1 **Engage conversation.**
Go to them, sit beside them and say hello. Try to appear calm, collected and welcoming. **IGNORE THE ATTACKER.**



- 2 **Pick a random subject and start discussing it.**
It can be anything: a movie you liked, the weather, saying you like something they wear and asking where they got it...



- 3 **Keep building the safe space.**
Keep eye contact with them and don't acknowledge the attacker's presence: the absence of response from you two will push them to leave the area shortly.



- 4 **Continue the conversation until the attacker leaves & escort them to a safe place if necessary.**
Bring them to a neutral area where they can recollect themselves; respect their wishes if they tell you they're ok and just want to go.



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