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Article

Procedural Justice and Therapeutic Frameworks for Police Interactions with Migrant Populations Experiencing Forced Labour

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Abstract

Public cooperation is crucial for the police to successfully perform their duties. Yet marginalised and vulnerable groups facing uncertainty about their societal status often significantly mistrust the police. Migrant populations experiencing forced labour are marginalised and uncertain groups that face significant challenges for police in gaining trust and cooperation, especially since many have escaped conflict or authoritarian regimes, or experienced trauma and exploitation prior to encountering police in democratic contexts. This paper examines the potential role of policing agencies in Anglophone countries in addressing forced labour in migrant communities. Whilst recognising that police are not ideal first responders to this issue, the paper acknowledges that they often represent the first visible state response with the legal authority to support or detain individuals. This paper reviews the literature on forced labour and migration and presents a conceptual argument, applying procedural justice as a theoretical framework to assess its potential for improving the policing of forced labour, particularly among newly arrived migrants still establishing social relationships, bonds, and capital. The paper concludes by arguing that procedural justice may help police earn the trust and confidence of migrant populations experiencing forced labour and help address labour exploitation, although this trust-building remains hampered by the concomitant harms caused by crimmigration systems.

Keywords: migration; forced labour; procedural justice; policing; conflict

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1. Introduction

Public cooperation is pivotal for policing by consent and for police to effectively manage crime and disorder (Murphy et al. 2008). Gaining the cooperation of vulnerable victims living in hidden, coercive environments is a significant challenge for police, especially since most officers receive limited contextual training and often treat these crises as isolated incidents, rather than as part of a broader pattern of exploitation, coercion, and violence. An example of this policing challenge is forced labour amongst newly arrived migrant communities, which remains under-researched and under-policed, despite growing awareness of the risks it poses to individuals and communities (International Labour Organization 2024). Newly arrived migrants encounter a “crimmigration system” of controls and regulations that potentially subjects migrants to the excesses of over-policing and the structural vulnerability of under-protection (Stumpf 2006). This paper reviews existing literature on self-uncertainty and vulnerable populations and applies these insights to the context of

procedural justice policing. It explores how democratic policing can be supported for those seeking citizenship, while also acknowledging the potential threats that policing may pose to newly arrived migrant communities.

Given the historic stigmatisation of outsiders, trauma, and mental illness, people suffering trauma and debilitating mental illnesses following exploitation often lack self-esteem, feel vulnerable, and therefore, feel ‘uncertain’ about their societal status ([World Health Organisation 2021](#)). This uncertainty can be exacerbated for individuals who have escaped conflict and/or authoritarian regimes when they encounter state officials in democratic contexts. Self-uncertainty has been described as an aversive state where individuals feel insecure regarding aspects of their self-knowledge. Unlike self-certain individuals, self-uncertain individuals often lack self-esteem in relation to their emotions, behaviours, personal attributes, goals, and aspirations ([Sedikides et al. 2010](#)). Whilst self-uncertainty is strongly linked with dispositional factors like mental illness, situational factors such as stress or transitional life experiences also contribute to feelings of self-uncertainty ([Sedikides et al. 2010](#)). This type of uncertainty is particularly relevant for populations who have experienced long and arduous migration journeys and have experienced exploitation in its myriad forms. Furthermore, international evidence demonstrates that mental illness is more prevalent amongst forcibly displaced migrant groups than the general population, creating a critical policing challenge due to their heightened vulnerability and reduced access to support services ([World Health Organisation 2021](#)).

This paper explores the interplay between self-uncertainty and police interactions in relation to newly arrived migrant populations and individuals exposed to forced labour. This article reviews the extant literature and presents a conceptual argument for exploring procedural justice as a viable framework to foster therapeutic outcomes between police and victims of forced labour (in situations of self-uncertainty). It also advocates for future research on its efficacy in police practice. The paper introduces the challenges of policing forced labour and the specific needs of vulnerable, invisible populations, before introducing and interrogating the potential role of procedural justice as a framework for engaging with this issue. While the paper focuses on self-uncertain vulnerable victims of forced labour and police interactions as an example, we argue that procedural justice policing with individuals suffering situational and/or dispositional self-uncertainty can have therapeutic effects for both police and citizens in various social contexts. We acknowledge that these interactions are inevitably shaped by complex legal frameworks governing human trafficking and forced labour, as well as the political climates and cultures surrounding these laws.

2. Forced Labour and the Policing of Migration

The International Labour Organization defines forced labour as “all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily” ([International Labour Organization 2024](#)). Conflict, climate change, and global migration exacerbate conditions in which vulnerability to forced labour can flourish and present local challenges for communities. Four per cent of the global population were recorded as migrants in 2023 (approximately 281 million people) ([UNHCR 2023](#)), including an estimated 35.3 million refugees and 5.4 million asylum seekers ([UNHCR 2023](#)). Currently, 62.5 million people are displaced due to conflict and violence ([IDCM 2023](#)), while natural disasters have displaced an additional 60.9 million people within their own countries ([IDCM 2023](#)). Forced labour is a direct consequence of these global insecurities and the social and market forces that meet asylum seekers, refugees, and other displaced people. Displaced populations are often restricted to access inferior quality employment in unregulated employment sectors ([International Labour Organization 2024](#)). A range of factors—including domestic and international laws, local

and regional policies, and restrictions around the right to work—often force traumatised populations into highly vulnerable working circumstances that includes forced labour and forced criminality (David et al. 2019).

Furthermore, the confluence of immigration controls with the mechanics of crime and security can position migrants as vulnerable to the excesses of state control that includes intelligence gathering and surveillance, bespoke legal procedures, and a privatised detention estate. The policing of newly arrived migrants is a key component of the “cimmigration” control system in wealthy western counties, incorporating new laws, new policing and regulatory agencies, punitive policies such as restrictions on the right to work, monitoring and reporting requirements, and associated financial marginalisation (Bowling and Westenra 2020). Consequently, newly arrived migrants face structural marginality on arrival in new countries. There is a growing body of evidence that demonstrates that this marginalisation can lead simultaneously to under-protection by the state and vulnerability to exploitation (David et al. 2019). In these contexts, there is potential for forced labour to flourish (IDCM 2023). Unsurprisingly, there is an absence of empirical understanding about the scale and impact of forced labour amongst newly arrived immigrant populations that the following paragraphs seek to address (After Exploitation 2024; Farrell et al. 2024).

Research from the United States (US) acknowledges this knowledge deficit around forced labour, especially among young migrants (Farrell et al. 2024). Data on forced labour should be interpreted with caution, as it concerns a hidden population. However, some sources do provide indications of the experiences of young migrants. Available evidence indicates that 58 percent of young forced labourers in the US are foreign nationals, with factors such as unaffordable housing, lack of immigration status, and threats or use of violence making them especially vulnerable to exploitative labour practices (Farrell et al. 2024). Research also highlights how first responders, including the police, often fail to identify labour trafficking cases due to inadequate training and resources (Farrell et al. 2020, 2024). Zhang et al. (2014) agree, arguing that while migrants experiencing forced labour in California, US, are largely unknown to police, cases often occur among Spanish-speaking communities who are generally exploited for labour in construction or janitorial roles.

There are similar forced labour patterns in the United Kingdom (UK) where 77% of all referrals for labour exploitation were for foreign nationals (Centre for Social Justice and Justice and Care 2024). The UK has a large informal economy, estimated at around 10–12% of GDP (Williams and Schneider 2016), with the highest risk industries known to be car washes, nail bars, construction, and the garment industry (Wolfe et al. 2016), albeit supplemented by, as yet, unmeasured forced labour practices that take place in secluded environments and isolated locations and communities (Gangmasters and Labour Abuse Authority 2023). In these contexts, forced labour can seep into forced criminality as the highest risk industries also have intersections with organised crime, thus heightening risk to individuals (After Exploitation 2024; Farrell et al. 2024; National Crime Agency 2024). In 2023, 63% of forced labour victims were from countries requiring a visa to enter the UK, further emphasising the long-held observation of the International Organisation for Migration (IOM) that migrants who depend upon a single employer for their legal visa status occupy a highly vulnerable position (Centre for Social Justice and Justice and Care 2024).

In the UK, forced labour is considered a type of modern slavery, with individuals vulnerable both to exploitation within the country and to trafficking and smuggling from overseas for forced labour purposes (National Crime Agency 2024). The College of Policing in England and Wales’s 2040 forecast of long-term security threats identifies migration and mobility as a key long-term influence on crime trends, with continued growth in inequality across the UK simultaneously creating the social and economic conditions where forced labour can thrive (College of Policing 2020). Because of this relative invisibility,

the policing of populations vulnerable to forced labour remains poorly understood and continues to be drawn into discussions about border control and the policing of migration. The term “policing migration” carries significant political connotations, driven by the global prominence of border control and the shifting discourse in which policing migration often eclipses discussions of other crimes and forms of insecurity (Murphy and McPherson 2022).

As noted earlier, the combined consequence of this invisibility of the population and conflation of immigration, crime and border control is under-protection and fear of police. The UK policing model is underpinned by the principle of policing by consent, but this has questionable relevance to individuals without formal citizenship. Given the structural vulnerabilities that surround a migrant’s status and the threats posed by immigration controls, the role of the police can be exploitative of the trust placed by newly arrived migrants in systems that exacerbate structural inequality and potentially generate harm (Morales 2016). In this context, it is understandable that individuals who are vulnerable to forced labour will adopt survival strategies that include avoiding state services such as the police due to their role in policing immigration status (Heyman 2022).

In 2017, a national inspectorate report noted that the national intelligence picture on forced labour was under-developed (Her Majesty’s Inspectorate of Constabulary Fire Rescue Services 2017). This internal critique was followed by a super-complaint from Liberty and Southall Black Sisters in 2018, which argued that the tension between protecting victims of modern slavery and the requirements of policing immigration status, left vulnerable migrant populations without appropriate protection. In 2019, Hestia put forward a super-complaint that identified failures in the police response that led to victims not engaging with the justice system and a concomitant failure to prosecute offenders. The police’s own data supports this view, with only seven percent of investigations progressing to prosecution (Her Majesty’s Inspectorate of Constabulary Fire Rescue Services 2017). The states’ response for the protection of individuals is not solely the responsibility of the police. Other state sectors also contribute, but provide very little data, making it difficult to monitor the government’s compliance with its legal obligations to address forced labour and support survivors of exploitation and crime (After Exploitation 2024).

The ‘Palermo Protocol’ is the main international instrument that guides nation states in their response to human trafficking and forced labour, with Article 3 of that protocol defining trafficking in human beings as: “...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Without a meaningful understanding of the threats posed to people by forced labour, challenges persist across jurisdictions in developing and implementing effective legislation, specifically in relation to the policing of exploitation and coercion within the context of forced labour. The United Kingdom, the United States, and Australia have all developed their own domestic legislation to address human trafficking and forced labour, yet there continues to be concern about how effectively this legislation can be implemented. Coercive techniques used in controlling individuals in contexts like forced labour and human trafficking manipulate feelings of self-uncertainty, shaping how vulnerable people perceive policing and police authority (Murphy and McPherson 2022). The next section of this paper addresses this issue through analysis of the uncertain and precarious state that migrants at risk of forced labour can live in, and the threats posed by engagement in victim identifica-

tion systems. It assesses potential opportunities for proactive police engagement through a greater understanding of the policing of self-uncertainty. The paper seeks to extend the use of procedural justice as a theoretical framework, evaluating its potential to improve the policing of forced labour, with a specific focus on newly arrived migrant populations still establishing their social relationships, bonds, and capital.

3. Policing (Self-)Uncertainty

While police often struggle to recognise cases of forced labour among migrant groups, migrant individuals experiencing forced labour may come to the attention of the police through virtue of their mental illness. Research has shown a high prevalence of mental illness among victims of human trafficking, including post-traumatic stress disorder, depression, anxiety, and psychotic disorders (Cary et al. 2016). There is limited data available about mental health support for those who have experienced forced labour. Estimates in England and Wales suggest only three percent of people identified by the modern slavery victim care contract in England and Wales were able to access counselling, with psychiatric support requiring in excess of a year-long wait (After Exploitation 2024). As a consequence, police are often compelled to fill the void of community mental health services by acting as de facto mental health first responders for people experiencing psychological crises whose symptoms can pose a danger to themselves and/or others (Morgan 2022). This policing challenge is neither new nor specific to individuals at risk of forced labour. An extensive evidence-base suggests that individuals suffering mental health crises feel especially vulnerable, stressed, and anxious during interactions with authority figures such as the police, who are widely associated as a coercive and authoritative agency that have the power to wield non-negotiable force and deprive liberty (Watson and Angell 2013).

Uncertainty-identity theory provides a useful framework for understanding the complex interplay between police, mental illness, and migrant individuals experiencing forced labour. Uncertainty-identity theory refers to the unsettling feelings of uncertainty about one's identity, encompassing perceptions, attitudes, values, and behaviours, which motivate efforts to resolve these doubts (Hogg 2007). The role of self-uncertainty in shaping behaviour has been widely explored in relation to how self-categorisation and group identification alleviates aversive feelings of self-uncertainty (Choi and Hogg 2020). Scholars have also explored the importance of social interactions for alleviating feelings of self-uncertainty, particularly in the form of procedural fairness/justice (De Cremer and Sedikides 2005). Procedural fairness involves treating others with dignity and respect, especially by those in positions of authority. It also includes giving individuals a voice, demonstrating trustworthy motives, and ensuring neutrality in decision-making process (Tyler 2007). Self-uncertain individuals often use procedural fairness to elevate their self-esteem levels and to acquire a sense of acceptance, respect, social worth, and social standing during interactions with others (De Cremer and Sedikides 2005). Van den Bos (2001) argues that under conditions of self-uncertainty, individuals may be more motivated to attend how they are treated in decision-making processes because individuals "need fairness when they are reminded about aspects of their lives that make them feel uncertain". Newly settled migrant populations interacting with police through virtue of their uncertainty is a good example here. In such cases, police are given vital opportunities to engage with individuals and groups who might otherwise remain invisible to them. As such, self-uncertainty is proposed to be a crucial moderator of responses to procedural fairness (De Cremer and Sedikides 2005).

Procedural fairness, otherwise known as procedural justice, has withstood significant empirical scrutiny as a theoretical framework for positively shaping behaviour and decision acceptance in citizens when interacting with authority figures (Tyler 2007). Given the authoritative nature of the police role, procedural justice lends itself well as a framework for

police to interact effectively with citizens, especially vulnerable and marginalised citizens in heightened states of uncertainty (Watson and Angell 2013). Therefore, research regarding procedural justice, police, and interactions with self-uncertain individuals has largely focussed on marginalised and vulnerable cohorts, such as young people (Murphy 2015), victims of crime (Murphy and Barkworth 2014), ethnic minorities (Murphy et al. 2018), people with mental illness (Watson and Angell 2013), immigrant populations (Murphy and McPherson 2022), and victims of sexual violence (Hohl et al. 2022). Such research has demonstrated that procedural justice policing leads to increased cooperation and satisfaction among self-uncertain individuals that warrants further investigation in the context of forced labour.

Police organisations have historically undertaken coercive functions in relation to the management of ill health and crises in public spaces by using their discretion to determine whether publicly visible populations present a perceived or actual threat to communities (Bittner 1967). Ever since professional police organisations were established in the early nineteenth century, the role of local police officers has involved some aspect of public health management with locally oriented police organisations providing an immediate emergency response to calls for help from the public. Vagrants, street-level alcoholics, illicit drug users, and other disorderly persons have historically been regarded as ‘police property’, with other vulnerable populations potentially becoming the target of police attention (Coleborne 2003). Due to the historical deficiencies in community mental health services across Western Anglophone countries, community-based police officers have often been compelled to fill this vacuum of services, becoming de facto public health first responders to an ever-changing population (Gooding 2016).

Whilst Western countries have faced similar challenges, their policy responses have diverged. The role of de facto mental health responders has been met with resistance from police agencies in Australia (Kruger 2020), the United Kingdom (Morgan and Paterson 2017), and the United States (Lamb et al. 2002). Most police officers receive cursory mental health response training and often have to respond without the assistance of mental health professionals (Clifford 2010). Consequently, vulnerable populations who encounter the police have often experienced criminalisation and disproportionate force by virtue of their difference and visibility (Boscarato et al. 2014; Bradbury et al. 2017). For those newly settled populations that have experienced forced labour, the threat is further amplified with evidence suggesting a mixture of over-policing and under-protection (Murphy and McPherson 2022).

Police interactions with newly settled populations are especially challenging as social norms and expectations of the police may not yet be established and are likely to draw on legacies of police engagement in home countries. Engaging with uncertainty amongst migrant populations represents a significant challenge for police when a populations’ experience of policing is from a conflict zone or a country with an authoritarian policing model. Consequently, how police engage with individuals and communities has a potentially exaggerated effect in comparison to those who have extensive experience of social and policing norms in the home country. Newly settled individuals experiencing crises may not understand coercive cues from the police such as officers shouting and using verbal or physical threats. A lack of understanding from the person in crisis can subsequently be perceived by the officer/s as non-compliant and disrespectful behaviour, which in turn, can lead to coercive action from the police in forcing compliance (de Tribolet-Hardy et al. 2015). Furthermore, negative interactions may have ramifications for future crises and a reluctance to call for assistance due to a lack of trust in police (Bradbury et al. 2017).

Critics of policing have long argued for increased tactical communications training to help de-escalate interactions with vulnerable individuals and communities, reducing the

need for force and harnessing more therapeutic outcomes (Murphy and McPherson 2022). This need is heightened with populations that may retreat into invisibility where conflict is experienced, further exacerbating vulnerability to coercion and exploitation. It is at this point that procedural justice offers a potential framework for police treatment and interaction with these populations (Murphy and Tyler 2017). It is argued that the strategic use of procedural justice to underpin interaction between officers and vulnerable people may improve the way police respond to people experiencing uncertainty, exploitation, or crisis by building trust and enhancing perceptions of police legitimacy with this marginalised cohort (Mazerolle et al. 2014). The next section in this paper outlines this model before making specific connections to the benefits of its use in the context of engaging vulnerable people in newly arrived or established migrant populations.

4. Procedural Justice, Police Legitimacy, and Fair Treatment

Procedural justice can be applied to a variety of complex organisations involving human interaction with authorities such as in political, managerial, legal, familial, and educational settings (Tyler and Blader 2003). In a criminal justice context, procedural justice has been widely used to assess people's perceptions of the treatment they receive from police and other actors in the criminal justice system during processes involving decision-making (Sunshine and Tyler 2003; Thibaut and Walker 1975). As a theoretical framework, procedural justice grew from the findings of Thibaut and Walker's (Thibaut and Walker 1975) mock courtroom research which found that participants rated their perceptions of fairness of the trial based on being given the opportunity to state their case rather than on the outcome of the case benefitting their interests. In essence, satisfaction with the treatment and procedures during decision-making depended on much more than just the outcome.

Subsequently, social scientists shifted the focus of the decision-making function of procedures, to the procedures involving interpersonal facets, such as how people treat one another through social interaction (Tyler and Blader 2003). Lind and Tyler (1988) developed the procedural justice framework into the 'group value' model where the self-worth and social standing of individuals within groups are determined through three relational interests: *trust*, *status recognition*, and *neutrality*. *Trust* is the perception of benevolence in an authority figure's motives and their concern for the individual with whom they are interacting with. *Status recognition* is regarding judgements of dignified treatment, politeness, and respect for the rights of group members. *Neutrality* is the judgement of unbiased, honest, and evidence-based decision-making (Tyler et al. 1996). Experiences of these elements of procedural justice are important to people, and are more important than the outcomes of the experiences, because they demonstrate that authority figures see members of the public as worthy of fair treatment and fair decision-making (Tyler et al. 1996; Tyler 2007).

Procedural justice, as an effective framework for communication, has enjoyed significant empirical support and provides a theoretical understanding of why it matters to people in decision-making processes involving authority figures (Blader and Tyler 2003). For these reasons, it is well-suited to assessing public perceptions of the police, especially since perceptions of procedural justice during police interactions are believed to enhance public perceptions of police legitimacy (the recognised right of police to govern citizens) (Sunshine and Tyler 2003). While effective crime control, creating credible risk for offenders, and fair distribution of police resources also shape perceptions of police legitimacy (Hinds and Murphy 2007; Sunshine and Tyler 2003), procedural justice is considered one of the most influential factors in strengthening community perceptions of police legitimacy. Researchers have noted the value of positive human interactions that enhance a perceived sense of justice (Hinds and Murphy 2007), and it is central to our argument that this has a

potential application with newly arrived or established migrant populations. Legitimacy is crucial for any authority because it influences people's acceptance of the right to govern, thus helping individuals align their behaviour with the rules, norms, and laws of a society (Sunshine and Tyler 2003). The challenge with applying procedurally just policing in this context relates to its application to individuals who may not hold citizenship and the different responses this may engender. In a context where an individual does not hold the status to remain in a country, survival strategies will sometimes include not engaging with police, which raises questions about the extent to which this approach can be applied to some forced labour contexts. This challenge will be interrogated throughout the rest of the paper.

Procedurally just policing is not a new concept, with most police organisations across the Western world being familiar with procedural justice and its impact on public perceptions of police legitimacy and police interaction with the public (Mazerolle et al. 2014). Although most Western police organisations view themselves as legitimate, their relationship with the public has often been turbulent, leading to damaged perceptions of their legitimacy as agents of social control (Sunshine and Tyler 2003). High profile examples include the murder of George Floyd during a police arrest in 2020 in Minneapolis, United States, and the murder of Sarah Everard by a serving police officer in London, England in 2021. Public perceptions of police legitimacy are compromised when the police behave in ways that the public perceives as unjust, unethical, or unlawful, with the impact of such behaviour often amplified through the media or local communities. In the context of policing forced labour, the argument presented here contends that there will be opportunities for positive engagement with individuals and communities that needs to be seized to build legitimacy and the visibility of potential vulnerability.

Police legitimacy can only prevail when it is recognised by communities (Mazerolle et al. 2014). Legitimacy in policing can be defined as "...the right to rule and the recognition by the ruled of that right" (Jackson et al. 2012). Tyler (2011) argues that the perceptual nature of legitimacy is measured by two key factors: first, the belief that police officers are honest, trustworthy, and considerate of the public's well-being; and second, the belief that people are accepting of police authority and voluntarily yield to their directives as actors of social control. It is this latter issue that represents the key challenge when policing forced labour, as offenders rely upon the exploitation of uncertainty and invisibility as well as mistrust of, or vulnerability to, state authority figures (Murphy and McPherson 2022).

Drawing from the group values model, procedurally just policing is believed to encompass four key elements—*trust, dignity and respect, neutrality, and voice*—which police must emphasise when engaging with citizens (Goodman-Delahunty 2010). When police demonstrate *trustworthy* motives to citizens, the public believe that authorities are concerned for their wellbeing and interests, such as sincerely demonstrating willingness to help, listen, and consider citizens' views. There remain challenges for implementing procedurally just policing when an individual does not hold citizenship status or feels uncertain or untrustworthy of the immigration system that the police officer may represent to them. *Dignified and respectful* treatment is 'professional' police behaviour, such as protecting the rights and dignity of citizens and demonstrating to individuals that they are valuable and that their concerns are taken seriously.

Once again, there are potential limitations for individual officers to counteract previously undignified and disrespectful treatment by the immigration system to people who do not hold citizenship. Instead, new relationships need to be built through fair treatment that potentially counteracts the dehumanising impacts of the immigration control system. Thus, the importance of *Neutrality* which is impartial police treatment that is demonstrated through transparency, consistency, and even-handedness, and is principled police conduct

that is explainable to the public and justified by policy rather than opinions. Finally, *Voice* refers to the value of being heard by the police and the extent of community involvement in police decision-making processes. Whilst newly arrived migrants may not hold citizenship, they can be active members of communities and should be sought out in police engagement strategies. Voice provides individuals and groups with social recognition in democratic societies and demonstrates that the police value diverse public opinions (Goodman-Delahuntz 2010).

When police utilise this framework in encounters with the public, research suggests this approach leads to several outcomes that can benefit both the police and public. This includes the potential to enhance public perceptions of police legitimacy and fair treatment of citizens as well as enhancing public trust and confidence in police. In turn, procedurally just policing harnesses supportive and cooperative relationships between the police and public, and in some cases, may increase voluntary compliance with police directives. There is also an abundance of literature arguing that procedural justice significantly increases public satisfaction with police encounters (Mazerolle et al. 2014; Murphy and Tyler 2017). Conversely, when a police officer silences the voice of an individual or community and does not demonstrate neutrality, dignity, and respect, there is a loss of trust and the potential for an anti-therapeutic and disempowering impact (Wemmers 2008, 2013) that generates distance between individuals, communities and state authorities. Murphy and Barkworth (2014) and Lorenz and Jacobsen (2024) have both found evidence that procedurally fair treatment is predictive of a future willingness to report crime and victimisation.

Whilst much of the procedural justice scholarship has relied upon self-report data (Nagin and Telep 2017), Reisig et al.'s (2007) review demonstrates a burgeoning area of procedural justice research utilising randomised control methodology, which largely confirms procedurally just policing to be beneficial for police-citizen encounters. For example, Mazerolle et al. (2012) conducted the first randomised field trial testing procedural justice in Australia (the Queensland Community Engagement Trial) by using roadside random breath tests with citizens. Mazerolle et al. (2012) experimentally manipulated police behaviour by assigning officers to either procedural justice scripts (experimental condition) and a 'business-as-usual' control condition, finding that drivers who received procedurally just treatment reported enhanced compliance and satisfaction with police procedures compared to the control group.

Beyond implementing procedural justice scripts, Nagin and Telep's (2020) review highlights a few studies showing promising results for testing the efficacy of procedurally just police training in shaping police behaviour in practice. For example, Wood et al. (2020) analysed the long-term efficacy of the large-scale Chicago training program (which emphasised the four elements of procedural justice in police tactics when interacting with citizens). Their analysis of police complaints and use of force systems data indicated that the targeted procedural justice training reduced organisational complaints against police by 10% and police use of force against civilians by 6.4% over a two-year period (Wood et al. 2020).

Measuring individual officer behaviour more directly, Owens et al. (2018) conducted a randomised experiment on officers in Seattle, USA, and found that officers who participated in one-on-one meetings with supervisors focussed on procedurally just policing tactics were less likely to use of force and make arrests in their interactions with citizens. Similarly, in Australia, Antrobus et al. (2019) conducted a randomised control trial with 28 recruits at a police academy who received a day and a half of procedural justice training. New officers who received targeted procedural justice training at the academy, as rated by their field training supervisors, used procedurally just policing tactics more effectively in interactions with citizens compared with those who did not receive the training.

Although further research is needed to fully substantiate the benefits of procedural justice training for police, growing evidence demonstrates such training can mitigate negative outcomes in police-citizen encounters and increase decision acceptance, even when such decisions are unfavourable to citizens (Mazerolle et al. 2014). This evidence also presents some concerns about the potentially unforeseen manipulative effects that procedure justice might induce, including the manipulation of unjustified trustworthiness in harmful systems. The benefits of procedural justice policing are often argued to be even more beneficial for citizens feeling self-uncertainty where police engage using dominant and hostile styles of policing (de Tribolet-Hardy et al. 2015; Ruiz and Miller 2004). Whilst there may be short term benefits in the form of de-escalation for newly arrived migrant populations, longer-term consideration also needs to be given to the impact on future status and engagement with relevant authorities. Procedurally just policing techniques may thus provide therapeutic benefits for self-uncertain individuals, who are more likely to experience negative outcomes during police interactions, but cognizance needs to be retained about the potential harmful impact of state institutions upon individuals with legal status to remain or citizenship.

5. Procedural Justice and Therapeutic Policing

The role of self-uncertainty has long been regarded to play a pivotal role in shaping behaviour (Fromm 1947). Self-uncertainty can involve unpleasant feelings about one's identity, sense of self, and societal status (Hogg 2007) and it can act as a self-defence mechanism where someone feels under threat. These feelings are often experienced by marginalised ethnic minorities, immigrants, young people, victims of crime, or individuals with mental health issues (Choi and Hogg 2020). Procedural justice policing used in interactions with self-uncertain individuals provides a method to re-contextualise such unpleasant feelings (Van den Bos 2001) and an opportunity to give voice to individuals living in exploitative circumstances and sometimes adjacent to criminality. Whilst it is recognised that the system and culture of 'crimmigration' exacerbates self-uncertainty amongst newly arrived migrants, there remain opportunities for individual officers to adopt more therapeutic approaches to their policing.

Individuals entering a new culture inevitably experience higher levels of self-uncertainty, which is further exacerbated if they have encountered victimisation. An individual's uncertainty about these experiences and their implications may influence their individual identity, social interactions, and relationships. Perceptions of stigma, negative stereotypes, and societal prejudices further influence these aspects (Corrigan et al. 2014). Goffman (2009) conceptualised stigma as a mark of shame for its bearer, applied via social processes of labelling and symbolic representation of human difference. The negative symbolic representations of migrants in the public sphere and the questions that are persistently raised about their legal and cultural status in a new country can represent significant challenges to identity formation, interactions and relationships. Added to this, newly arrived migrants are adapting to subtle shifts in social norms linked to criminal behaviour, exploitation, and victimisation. Thus, the affected individual's social standing and identity is in a heightened state of uncertainty amidst their social interactions with authority figures.

When powerful authority figures (such as the police) engage in the stigmatisation process, they have a unique position to shame and deprive the stigmatised individual of their civil liberties. In turn, this stigmatisation potentially forces the uncertain individual to withdraw from some forms of social participation and to engage with likeminded individuals or individuals who empathise with their social position and vulnerability (Watson and Angell 2013). This social process can be positive in building relationships with

like-minded individuals and groups who share similar experiences and vulnerabilities, but it also has the potential to facilitate the circumstances in which exploitation and forced labour can flourish. Stigmatised social groups who have experienced poor treatment from authorities tend to mistrust and avoid police contact, fearing they will be 'othered' and exploited by the police (Miles-Johnson 2013; Murphy 2015; Piquero et al. 2005).

Conversely, initial engagement with the police, and other authority figures, presents opportunities to build individual relationships and social bonds (Clamp and Paterson 2016). Public perceptions of the police are not only crucial for predicting cooperation but also for shaping how specific communities and the police interact with one other. Negative police engagement can reinforce the hidden environment in which exploitation and forced labour thrives. While police generally rely on victims to report their abuse and exploitation, research suggests that labour trafficking victims rarely self-report to police through fear of revictimisation from the police, the justice system, or their perpetrators, thus significantly limiting prosecution of perpetrators (Childress et al. 2023; Childress et al. 2024). Positive police engagement, however, presents opportunities to challenge behaviour that transgresses social and legal norms and to strengthen the police officers' role in public protection.

Van den Bos (2001) argues that self-uncertain individuals use perceptions of fairness as a heuristic substitute to determine the trustworthiness of an authority figure. Once perceptions of fairness have been established by the self-uncertain individual—either via procedure or distribution (outcome)—perceptions of fairness act as a heuristic that guides interpretations of future occasions (Van den Bos 2001). Under this premise, procedurally just policing used with self-uncertain individuals, is likely to increase satisfaction with police encounters, increase perceptions of trustworthiness for future interactions with police, and lead to an increased likelihood of crime reporting and engagement with other support services.

Hohl et al. (2022) and Johnson et al. (2024) have developed the procedural justice framework further by adopting a feminist, situated, and intersectional perspective that is informed by their empirical and theoretical research with survivors of sexual violence. Johnson et al. (2024) have broadened the principles of procedural justice to incorporate equity and safety in what they describe as a re-imagining of procedural justice that recognises "the importance of recognition, equity and the unconditional humanity of survivors" for academic and institutional responses to gender-based violence.

Similar to the respondents in Hohl et al.'s (2022) study, survivors of forced labour describe a mistrust of police and criminal justice that is exacerbated by their first contact and treatment within the system (Canadian Centre to End Human Trafficking 2020). These experiences with the criminal justice system can lead to survivors of coercion and exploitation withdrawing from investigations and relying on other sources of support outside of the justice system (Canadian Centre to End Human Trafficking 2020). There is a need to avoid the justice and security deficit that arises when professionals do not understand or appreciate the demands and needs of survivors. Victimological perspectives on procedural justice theory put survivor's rights and interests at the centre of the analysis. This approach recognises that police outcomes are not always the primary concern, advocating for context-driven approaches that address unequal power dynamics between the police and social groups, as well as the marginalised positions of victims and survivors of forced labour.

In these inequitable contexts, mistrust in policing and other state authorities is common, with interactions with the police playing a role in shaping a new understanding of fairness and justice amid insecurity and precarity. Safety is thus a critical addition to existing procedural justice theory, since it recognises the importance of feeling safe to survivors and their motivations for reporting crime to the police. Safety can thus be a reason not

to report crime, as evidenced in the interviews with victims of sexual violence that were conducted by [Johnson et al. \(2024\)](#) and Hestia's 2019 super-complaint about the police response to victims of modern slavery ([His Majesty's Inspectorate of Constabulary and Fire & Rescue Services 2021](#)). Police actions can increase the threat or perceived threat of harm, particularly for those with insecure statuses living in environments where immigration priorities appear to overshadow the protection of vulnerable people. The liminal spaces occupied by those living in conditions of forced labour and the close proximity of criminality to the highest risk industries presents challenges for police engagement which is likely to be enforcement-led but also needs to be cognisant of the realities of forced criminality. Furthermore, across the world, police environments can be unsafe places for members of the public. A critical function of early engagement is thus building trust, engendering safety, and empowering individuals ([Elliott et al. 2012](#)).

This extended theoretical framework contextualises procedural justice within the dynamics of forced labour, specifically addressing exploitation, manipulation, and coercion. The underlying premise here is that affective states or certain emotions moderate procedural justice effects. Research has demonstrated that when the affective state of self-uncertainty is high, the effects of procedural justice are more pronounced. For example, [De Cremer and Van Hiel \(2008\)](#) used an experimental procedure with 79 undergraduate students where they manipulated uncertainty emotions, such as fear, and emotions related to certainty, such as disgust, to examine responses to procedural justice. Their results showed that in conditions of uncertainty (fear), the effects of procedural justice were more prominent, suggesting that procedural justice is especially important to individuals who feel vulnerable and uncertain about their situation ([De Cremer and Van Hiel 2008](#)). This heightened emotional state can be exploited when an individual fears both the police and their precarious situation, potentially providing opportunities to escape forced labour.

Given this perspective, initial engagement with newly arrived populations is of heightened importance given the preconceptions that often exist about the role of police in origin countries and experiences of crime, immigration and policing during the migration process. [Watson and Angell \(2007\)](#) further support this argument, suggesting those who have experienced coercion may appreciate procedurally just police practices more than other members of the public, since they may perceive that they already have a stigmatised (uncertain) position in society, and thus, would be more receptive to positive police engagement. Under this premise, a marginalised individual experiencing uncertainty may be more attentive to procedural fairness during police-citizen encounters, and as such, may be more likely to cooperate with police when the treatment they receive is perceived to be dignified and respectful.

Providing therapeutic responses to vulnerable groups experiencing forced labour can be further enhanced through interagency collaboration, where police work closely with other community organisations to address complex social issues ([Morgan 2024](#)). Interagency collaboration can enhance the *trustworthy* principle of procedural justice by showing that police are willing to leverage the expertise of other professional agencies, ensuring a trauma-informed approach to supporting vulnerable citizens ([Mazerolle et al. 2013](#)). Conversely, negative experiences can lead to disengagement with charities and organisations that are directly associated with the state machinery. The safety and trust for victims of forced labour can be significantly enhanced when police coordinate their efforts with victim-centric community services ([Farrell et al. 2020](#)). While this approach limits punitive approaches to such vulnerable victims, allowing victims to better heal, such police-professional partnerships are often lacking in the forced labour context ([Farrell et al. 2020](#)). Thus, procedurally just policing may offer a positive way forward in building trust and confidence with victims of forced labour.

The therapeutic benefits of procedurally just policing for individuals in situations of self-uncertainty has been explored more broadly within procedural justice scholarship in Australia and America (Murphy and Barkworth 2014; Murphy 2015; Murphy et al. 2018; Murphy and Mazerolle 2018; Wolfe et al. 2016). These studies contend that procedurally just policing has potentially enhanced value for individuals and populations who feel uncertain about their societal status and can therefore lead to greater perceptions of police legitimacy, trust, and cooperation with police. These studies add weight to Watson and Angell's (2013) findings that people who have experienced trauma respond more favourably to procedurally just police behaviour. While these findings are promising, they should be interpreted with caution. These studies primarily rely upon self-report measures to assess the benefits of procedural justice and did not directly test the impact of procedurally just policing on compliance with police directives. Further study is required to measure the effects of procedurally just police responses specifically in the context of forced labour and engagement with migrant communities.

6. Conclusions

The police's role as custodians of law and order, and arbiter of breaches, can put them in conflict with individuals who are perceived to deviate from subtle social norms, as well as those who commit criminal transgressions. It is therefore a priority for police organisations to develop and maintain a flexible understanding of their local and regional populations to police fairly, transparently, and dynamically in relation to the changing nature of increasingly mobile global populations. Familiarity with some communities and populations builds over time, but others remain at a distance. Inter-ethnic relations are often misunderstood as are historical tensions with police in home countries and the implications this presents for police–community relations. Consequentially, police–community relations can become characterised by tension and mistrust, and it is the state's obligation to prepare policing bodies with the appropriate capacity and capability to understand all its people and populations so that fair and just policing can be delivered.

It is the key contention of this article that procedural justice provides a valuable theoretical framework for police, particularly where there is recognition of safety needs and inequitable power relationships, when interacting with newly settled migrant populations who have experienced exploitation as part of the migration process. This approach emphasises the importance of the police officer role and function in determining fair process and facilitating positive engagement with people who are experiencing forced labour in its many forms. The research evidence demonstrates that this model can facilitate better emotional responses, less coercion and conflict, as well as additional engagement and reporting of crime to the police. The theoretical outcomes of procedurally just policing are particularly important in contexts that relate to forced labour in migrant populations. There is potential for volatile situations when vulnerable populations encounter the police due to the heightened fear and anxiety experienced when confronted by an unfamiliar, police-uniformed response. The propensity for conflict in these situations can also be provoked by an officer's fear and mistrust of newly settled populations and the context that has brought them to a new country. Procedurally just policing can therefore offer police agencies a practical solution and a more therapeutic response that potentially mitigates the longer-term detrimental outcomes associated with invisibility, exploitation, and coercion.

Implementing procedural justice as a framework for police interactions with migrant forced labourers depends on the police organisation solidifying it into policy, training, and ultimately, practice. Research shows that police can be trained in procedural justice, and that this training leads to more therapeutic interactions with citizens (Nagin and Telep 2020). Given police often lack training to appropriately respond to and recognise

individuals experiencing forced labour, police require adequate training and institutional resources to build cases and conduct criminal investigations into labour trafficking (Farrell et al. 2020). To ensure such training is trauma-informed and therapeutic in nature, we argue that it must be guided by the key tenets of procedural justice. While such training may foster trusting and cooperative relationships with forced workers, it should not occur in a vacuum given the multitude of community victim services that are better suited to meet the needs of forced labour victims (Farrell et al. 2020). Police policy and training should formally promote the development of community-oriented officers who act as street-level experts in identifying and engaging with state and community agencies to support migrant populations experiencing forced labour. The development of police-professional partnerships is likely to provide a more trusting and safer environment for such victims who may fear reprisal from perpetrators and/or state immigration enforcement actions.

Although this paper has concentrated on the social-interactive dimensions of procedural justice policing, these interactions occur within a broader legal and political architecture that cannot be ignored. Complex international and domestic laws governing human trafficking, forced labour, and immigration enforcement shape the mandates under which police operate and influence the discretion available to officers. These legal frameworks are themselves embedded in political cultures that often securitise migration and frame it as a threat, creating conditions that may undermine the benefits of procedurally just approaches. For example, highly punitive immigration policies can constrain officers' ability to engage in trust-building practices, even when they value procedural fairness. Future research should examine how legal mandates and political narratives interact with procedural justice principles, particularly in contexts where migration and crime are deeply politicised.

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