

MEXICO

## Challenges of the new criminal system

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Last year (2016), the criminal system in force in Mexico until then was changed. A new accusatory oral system was implemented, which represents changes in both the system and the criteria.

Some of these changes are found in the investigations, which are now carried out by the Ministerial Police. However, these police officers are not adequately trained in the legal field, since the right of rights holders to file allegations or counter-allegations is being violated.

This claim is sustained by the fact that the Ministerial Police is not conducting a proper investigation, because the opportunity to make allegations or counter-allegations against the inspection visit carried out by the Ministerial Police is not being permitted. In addition, the Police are not obtaining more information from other authorities in order to issue a properly founded decision.

The consequence is that the Police are conducting regrettable investigations. This situation must be corrected by the authorities that are part of the accusatory system, as well as by the superior's authorities in order to establish the guidelines to correct this malpractice.

Unfortunately, this practice is part of the transition that is taking place between the previous criminal system and the new system, which must be corrected by the authorities and the rights holders.

It is necessary to properly train the Ministerial Police and avoid this type of situation, which has a negative impact on the owners of IP rights.