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MANUAL ON POLICE ETHICS

For use by State Police employees

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Foreward

The Police Code of Ethics is a synthesis of human, ethical, moral, professional and legal values in police behaviour and interaction with the citizens. Citizen-oriented approach is the main priority of the State Police. Promptness, thoroughness, professionalism, ethical behaviour, wisdom, fairness, impartiality, regardless of social position, political conviction and orientation, occupation, gender, age, religion, ideas, geographical area, sexual orientation, as well as determination in providing solutions and services that exceed citizens' expectations, should be an aspiration guiding the actions of every single police employee in order to meet citizens' needs and resolve situations in all circumstances and difficulties.



The rationale for drafting this Manual is the need for the State Police efforts to strengthen the culture of integrity within the organisation, to lead the police according to the values and ethics and also helping police employees build the most ethical and professional behaviour.

The police employee must establish a strong relationship with the citizens, build confidence and promote satisfaction with the police service, ensure and guarantee support, provide sustainable security and trust, provide solutions despite own risks when serving the citizens; take care of the citizens, set an example for others and provide the best possible solution; refrain from leaving the citizens alone under any circumstances until their problem or request has been addressed and resolved; anticipate citizens' needs, act promptly, correctly and based on priorities, set and implement priorities in difficult situations, guarantee and provide the best possible service; listen wisely, express and present high standards of service to citizens in a clear and consistent manner, and be accountable to them. The police employee must prevent the illegal actions of others. The whole community sees, interprets and assesses the police employee's behaviour therefore employee/he/she must be a model of ethics, professionalism, culture and wisdom, so that we can proudly confront our fellow citizens

with demands for respect for law, order and justice.

The citizen sees in the police employee a reflection of the power of law enforcement, the authority of law enforcement, the confidence to resolve the situation, the immediate supporter in difficult times and situations. Thus, responsibility, accountability, commitment, professionalism, ethical behaviour, fairness and legal solution are paramount to the police employee.

The Manual will be used to deal with ethical situations and will help the employees to think, act and make the right decisions during and after the working hours.

By means of this Manual, the State Police gives you a code of guarantee which will be an indestructible shield for every employee who applies the law and the Code of Ethics and, at the same time, will absolutely ensure accountability, exclusion and punishment to anyone who violates it.

The Manual of Ethics for the police employee is an essential and indispensable instrument for the State Police.

**GENERAL DIRECTOR
OF THE ALBANIAN STATE POLICE**

Executive Leader

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What is the Manual on Ethics

The Manual on Police Ethics and Integrity has been drafted to support police employees in the ethical performance of their duties.

The focus on police ethics is one of the main aspects of the efforts of the police organisation to strengthen the integrity and prevent corruption. The ethical nature of policing is based on the fundamental principles of public life such as: legality, responsibility, fairness, impartiality, transparency, integrity, efficiency and justice which, alongside accountability, proportionality in the use of force and the protection of individual interests, are also reflected in the ethical behaviour standards of the State Police.

The rationale for drafting this Manual for the State Police is the need to strengthen the culture of integrity within the organisation and the efforts to foster public trust.

Strengthening integrity and police leadership relying on values and ethics are defined as State Police goals both in its strategic documents and the legal framework and organisational rules.

But, the adoption of the legal framework is only one step towards building a police organisation driven by ethics and a culture of integrity. This Manual is designed to help police employees build professional ethical behaviour and routines.

In brief, the Manual deals with the way the police employees, , through their behaviour, may contribute to building an organisational culture of integrity and ethics. It is useful for both managers and law enforcement employees because it helps them evaluate better the performance of police employees, but also for young people who intend to join the ranks of the State Police in the future because they may consider ethical value, as the motivation, to become part of the organisation.

What is the aim of the Manual on Ethics

The manual on ethics has two main aims. Firstly, to help police employees learn about police ethics, values and various approaches to ethics. Secondly, to help create the appropriate environment and conditions for police employees to learn how to solve the ethical dilemmas they face while performing their duties.

Knowledge and acquisition of ethics are necessary and a prerequisite to the implementation of ethics. Police employees cannot be expected to implement something they do not know. The Manual on Ethics enables police employees to learn about ethics, make the right decisions and understand and think about why they make those decisions instead of others.

The Manual on Ethics reflects the principles and values laid down in the State Police Rules on Ethics and provides police employees with the right tools to interpret and handle ethics-related situations.

The Manual on Ethics will help police employees learn how to make the right decisions by thinking about the consequences of wrong decisions and taking responsibility for those decisions.

The Manual targets all serving police employees, starting with candidates, newly recruited employees and all other levels. It takes into account the specifics of each police service.

Although regulations and the code of ethics stipulate the obligation of every police employee to acquire and apply the principles and rules of police ethics, the acquisition of ethics in an enforceable manner can only be achieved through police employees' recognition of practical, real-life situations.

The Manual on Ethics will help police employees clarify these consequences and not only act ethically, but also think ethically when making decisions during and after their service.

By providing to police employees real-life practical situations, the Manual helps them strengthen ethical decision-making.

Ethics and its importance

Definition of ethics

Ethics is a set of principles about proper behaviour, a system of moral values, rules and standards that guide the behaviour of a person or members of an organisation.

Why ethics is necessary

- Police employees constantly find themselves in the position to make ethical decisions. For this reason, it is important that they know what ethical situations are and the implications of the decision made in these situations.
- Doing the right thing for the wrong reasons is unethical. Therefore, a police organisation guided by the values of service to the public and respect for citizens' rights, must not avoid analysing the motivation for its employees' actions.

Ethical situations

The ethical situation considers the specific context of an action. No matter how detailed the rules are, police employees will find themselves in situations in which they have to make decisions, or as they are called in ethical situations.

Principles of ethical decision-making

- Rule-based thinking
- Task-based thinking
- Consequence-based thinking
- Care-based thinking to provide a service

Preliminar verification of an ethical decision

- Is this a lawful decision?

- Does this decision violate rules, laws and the Constitution?
- Is this decision fair and equal for all?
- Would this decision be approved by the superiors and the public?

Ethics in Law Enforcement

- People are not born with ethics, they acquire it.
- All employees must be aware of ethical situations.
- In ethical situations, wrong or right depends on the situation. Each case is particular and deserves a special solution.
- Everyone should strive to act in accordance with ethics, the law and police regulations.
- Ethical decision-making fosters public respect and trust in the police.

Box 1. State Police Regulation and Ethics

The State Police Regulation contains the elements of police ethics. It defines the principles, standards and norms governing the professional and ethical behaviour of the police employee both during and after service. The Regulation also provides for the obligation of every police employee to abide by the principles, standards and rules of police ethics, and the responsibilities coming with incompliance.



Ethics, integrity and corruption

Ethics and integrity presuppose a willingness and concern to achieve something positive and in the service of people. Corruption, on the contrary, is seen as a reflection of the values, norms and ethical principles that guide the life of an organisation and its members. The word corruption comes from the Latin ‘corruptus’ meaning ‘broken’ and ‘corrumpere’ meaning ‘to destroy’.

Interpol’s Group of Experts on Corruption (Grupi i Ekspertëve të Korrupsionit Interpol - GEKI) defines corruption as ‘any act or omission by individuals or organisations, public or private, contrary to law or trust for the purpose of gain’.

Thus, corruption is seen as a wrong deed and a threat to democracy, good governance, security, law, protection of citizens and property.

The discussion on ethics and corruption focuses on how the police organisation should behave and act ethically and be composed of people guided by the highest moral and personal standards.

The discussion on police ethics and corruption has become more important due to the increasing focus on ethics and the police environment, which has become more complex and challenging.

Consequently, the integration of ethics and the strengthening of integrity in the police have taken on special importance and are seen as inseparable from democratic policing.

Unlike corruption committed by other state officials, the public sees police corruption as having more serious consequences for two reasons:

- Firstly, because the public expects police services to ensure law enforcement and monitor the behaviour of others, including that of other State officials. Thus, if confidence in the police is lost (eroded), it becomes more difficult for the public to believe that any other institution can enforce the law and maintain public order.
- Secondly, a significant part of police work is carried out away from the eyes of the general public as it involves much of the policing of criminals or wrongdoers, which is done undercover. Such distance from the public makes police work less transparent than other activities of the state, and for the police to be acceptable to the public, the public must have more confidence in the police service than in other agencies of the state.

Maturity: the ability to discern between conflicting virtues and decide on the best course of action

Trust: loyalty in relations between police employees and citizens, colleagues and superiors

Self-control versus self-interest: without this, employees may use their authority for selfish purposes

Courage: the middle way between fear and excessive courage

Intellectual honesty: not knowing something and being able to admit it

Justice and tolerance: giving the right measure to a citizen even when that decision may conflict with established customs or expectations that would conflict with that decision

Responsibility: aiming to do the right thing, clearly understanding what the right thing is and being fully aware of other possible alternatives; taking responsibility instead of making excuses for mistakes or poor judgement

Objectivity: evidence-based choice and best professional judgement

Leadership: getting the job done based on leading by example.



Ethics and Conflict of Interest

Conflict of interest is often reported and discussed in the media and public debate. This is because conflict of interest is harmful and therefore regulated by a number of acts and laws, including the Law on Conflict of Interest.

Albeit frequently discussed, many may wonder what exactly conflict of interest is. It is also important to know why conflict of interest is relevant to ethics and what we should do to avoid it.

A conflict of interest is a situation in which a public official has a private or personal interest that sufficiently influences the objective delivery of his or her official duties. The private or personal interest may or may not be financial, e.g., to give an unfair advantage to a person.

There is nothing wrong in itself with an official pursuing private or personal interest, e.g., seeking a better job position, a better salary or helping a friend or relative solve a problem. The problem arises when this private or personal interest conflicts with the official duty; official duty is presumed to prevail over private or personal interests.

The State Police requires its employees to be as objective and independent as possible in the performance of their duties, and also assesses their professionalism on this basis. For this reason, it is of great ethical importance that, as professionals, police employees avoid and manage conflicts of interest.

Conflict of interest encompasses the apparent or potential abuse of trust that the State Police has in its employees. An apparent conflict of interest occurs when a person might reasonably believe that the professional's judgement has been compromised, while a potential conflict of interest occurs when a situation could result in an apparent conflict of interest.

The 'trust test' is a simple and a practical way to determine whether we are in a conflict of interest. Trust is tested by imagining ourselves in front of colleagues and the public and assessing in advance whether we would behave in the same way in such a situation.

Types of unethical behaviours

Corruption is only an excuse for unethical behaviour. Police employees usually commit three types of violations: criminal offence, breach of discipline and breach of ethics.

Unethical behaviour occurs when a police employee faces a conflict between rules and values. For example, if a senior employee causes an accident with a police car and asks a junior colleague not to report it, what should he or she do: follow the rules and report the accident, or respect the values of loyalty and solidarity towards colleagues and fail from reporting it?

If he/she decides not to report the violation, he/she has behaved unethically as he/she has violated the values of the organisation as laid down in the code of ethics. Although both have not committed any crime, the omission constitutes an unethical act. If the violation is more serious, then the distinction between corruption, offence and unethical behaviour is difficult to make as they overlap and depending on the circumstances they may be subjectively defined.

In order for the values of the organisation to be implemented, they need to be materialised and made specific through codes, such as instructions, code of ethics, disciplinary regulations, etc.

Despite the practical difficulty of discerning one from the other, disciplinary rules and the code of ethics differ in nature. **Disciplinary rules are reactive in nature while the code of ethics is preventive in nature.**

To apply them more correctly, **it is necessary for the police employees to recognise the difference between them** and the specific objectives they have.

The preventive approach aims at **providing police employees with guidance on how to make ethical decisions and the questions they should ask themselves**. This approach essentially aims specifically at nurturing and strengthening the ethical behaviour of each police employee and through this the behaviour of the entire organisation.

The objective of the reactive approach, on the other hand, is **to correct breaches of integrity**. This is done through strict disciplinary rules and procedures that regulate the activity of internal and external control

mechanisms.

Disciplinary rules provide for the types of behaviour that are not essentially criminal, but which are considered unacceptable and call for punitive measures.

The code of conduct, on the other hand, regulates the behaviour expected from the police employees and, unlike the disciplinary rules, it has a guiding and inspiring nature.



Ethical Policing

The police is an institution of vital relevance for a democracy. Through law enforcement, the police do not allow any individual or group of individuals to impose themselves on the law and order and harm the interests of citizens. Through their commitment to the interests of citizens, their ability to control crime, and their ability to do so in accordance with the law, the

police enable the survival of a democracy.

But the rules for enforcing the law may be contradictory. Police employees must stop, arrest and, if necessary, physically neutralise or, as a last resort, physically eliminate citizens involved in illegal activities. The rules are numerous and complex, and there is confusion and disagreement about how to assess whether the police have applied these laws and rules correctly.

How will the police be judged for example in a drug-related operation when an informant reports that a suspected drug dealer carries drugs at his place? Will the police have to search the place without a court order or risk that the alleged trafficker leaves and takes with him the drugs while the decision is being made? What happens if there are no drugs and when the police enters the place, the suspect confronts the police with guns and causes casualties?

Such dilemmas are common in police work and the line between legal and illegal action is very thin.

Knowing the rules and laws is important, **but ethical decision-making is what helps police employees make the right call.**

Ethical decision-making

A police employee is the voluntary embodiment of the morality of the state. State morality is codified in the system of laws and regulations. The morality of the state is set in motion through the actions of the police employees, who, by carrying out their work, put into practice the morality of the state and make possible the enforcement of laws and public order.

Therefore, it is very important that police employees know what behaviour is right and what is wrong, because every decision they make reflects the values that the state embodies.

The ethical dilemma for police employees is the balance between the powers and authority granted to them by the state and the way in which they enforce the law on behalf of the state.

Many police employees believe that laws designed to regulate the conduct of police employees can be circumvented if there is a good reason for doing so. Other police employees feel that the State is not sufficiently grateful for

their work, or does not care enough about them, and give themselves the liberty to use their State-granted authority to satisfy their professional or personal needs.

Box 3. Some steps towards ethical decision making by police employees

- *Reflecting on ethical dilemmas and distinguishing the elements as objectively as possible*
- *Consider alternatives*
- *Decide on the most ethical alternative*
- *Investigate the feasibility of implementing the alternative*
- *Consider the implications of the decision*

Knowing and learning about ethics teaches police employees how to overcome the impulses and pressures that drive this deviant force and how to make value-based decisions.

Police employees are creatures of the law and they should have no doubt that the law and the rules must be respected and enforced at all times.

Morality, contribution to society, public safety, protection and service are the result of ethical decision-making, while the police organisation and the law are the means to achieve them.

Box 4. Questions to ask to oneself when making an ethical decision

- *Does the decision lead to the creation of a rule?*
- *Is the decision legal?*
- *Is it safe?*
- *Is it in line with the public interest?*
- *If it goes wrong, how can I protect myself?*
- *Is the decision proportionate and fair?*
- *Will it make me feel good?*
- *Is it in the best interest of the majority?*
- *Would I do this in front of the people closest to me?*

A decision is ethical if it builds trust, shows respect, responsibility, honesty, care and it is in line with the values of good citizenship. But a decision must also be effective, in that it achieves what it sets out to do. The right decisions are therefore always both ethical and effective.



Values and Culture

Culture in general is the set of the collective beliefs, values, attitudes and knowledge of the society, manifested in the form of behaviour according to a common pattern.

Police culture, in particular, is the result of values brought into the police organisation from the wider social environment from which police employees come, which are condensed and concentrated in the narrower environment of the police organisation and work to shape what is called police professional culture.

Police culture includes the values and norms that influence patterns of behaviour and working practices, as seen in the way they are applied by police employees..

There are positive and negative aspects to professional police culture.

Professional culture plays a positive role in police work for a number of reasons. It enables new recruits to learn police work more quickly, promotes a sense of responsibility and accountability, and creates a sense of identity and solidarity. Professional culture provides the framework for adapting to the unpredictable working environment and can provide the moral support and team spirit within the organisation necessary for effective policing. It can also provide a police employee with practical guidance on how to carry out his or her duties and help acquire a range of

working practices that are not taught at school.

However, **police culture also has negative aspects** stemming from the nature of police work. One of the negative aspects of police culture is silence. The culture of silence manifests itself in simple ways when it is used to cover up the genuine mistakes of colleagues, but it can also be used to conceal actions that violate laws and regulations.

The second negative characteristic is the perception by police employees that certain **inappropriate aspects of behaviour are acceptable because they serve the fulfilment of the duty and the mission.** Under such circumstances, police employees believe that they can circumvent or even break the law by linking it to the concept of ethics. For example, in exchange of information that may help them locate, arrest or convict someone suspected of a more serious crime, they may negotiate with a criminal by promising facilities that they have jurisdiction over or by pretending not to see that he has broken the law.

Another negative characteristic of police culture is the **negligence or the distortion of the application of the law by police employees in order to speed up the administration of justice.** This leads to actions such as the manipulation of evidence or the use of violence as a form of punishment against suspects who often break the law, but there are no serious sanctions for the violations they commit and the police employees decide to administer justice themselves.

Police organisations with integrity are aware of these characteristics of police culture and create the conditions to strengthen the positive aspects of professional culture and minimise the negative ones.

For this reason, professional culture is an important factor in the fight against corruption and simultaneously an indicator of the importance that a police organisation attaches to integrity and ethics.

Gender equality, non-discrimination and integrity

Gender equality is the equal right of women and men to opportunities and resources regardless of their gender or sex at birth. A fair and progressive society creates the conditions for and promotes gender equality. The more equal a society is, the fairer it is. The State Police has a clear gender policy that aims at promoting the participation and role of women in the police,

but also gender equality in society.

However, discrimination on the grounds of gender or other groups often occurs within the police, because societies often show trends that give advantages to certain groups. These become a source of discrimination that police employees need to be aware of, as they may become a source of incitement of unethical behaviour.

Police employees always try to avoid discrimination in the context of working relationships and in situations of duty, such as:

- Decision-making process to intervene or not to intervene, severity of sanctions, etc.
- Prioritisation of complaints, case management, etc.
- Respectful communication.
- The conduct of searches, identity, vehicles, accommodation, etc.



Implementation of ethics by police employees

One of the greatest challenges in relation to police integrity is the recognition of ethics and some of its aspects by police employees, so that police employees fully understand what ethics aims at achieving.

The advantages of implementing ethics are numerous, as ethics reminds police employees of what is expected from them, serves to unify the recognition of certain problems they face, and facilitates communication between police employees.

The Manual on Ethics does not only guide the police employees about what to do, but also how to behave.

Box 5. The Manual on Ethics helps police employees to:

- *Identify a problem or ethical dilemma immediately*
- *Identify different alternatives for solving a given problem*
- *Make a reasonable and ethical choice about the alternative chosen*
- *Act immediately on the choice made*
- *Take responsibility for the outcome of the choice made*

It is not enough for police employees to think ethically, they must also act ethically.

The Manual on Ethics helps police employees deal with ethical issues and encourages them to act ethically.

Dealing with a given situation has two components: reaction and action. Laws and regulations focus on action, which means that as long as the action taken complies with the law, the reasons for taking the action do not matter.

Ethics, unlike the law, examines not only the action but also the reasons for the action. Doing the right thing for the wrong reasons is unethical. Therefore, a good police service cannot avoid analysing the reasons behind the actions of police employees.

Knowledge of the Constitution as a tool for ethical behaviour

The police profession is evolving and the legislation and regulations governing police work are constantly changing.

As policing rapidly enters a new era, in which the responsibility of police employees is based on a combination of laws and technology such as mobile phones, surveillance cameras in police stations, body cameras or apps that allow citizens to report in real time, it is important for the police employees to know the Constitution and be guided by it.

The effectiveness of police work increasingly depends on relationships with citizens and the community, so it is essential that police employees recognise and respect the fundamental rights of citizens.

The more police-community relations deepen and the rule of law is enforced,

the greater the risk that the police will face cases of unconstitutional behaviour.

The Constitution in addition to being a document that embodies the morality of the State, is a practical document for the police work. Therefore, knowledge of the Constitution as an integral part of ethics is an important step towards strengthening police integrity and ethics.

If police employees act as if they are above the law, or immune from the law, they risk committing unconstitutional acts and instilling a sense of mistrust in the community.

The very definition of integrity as 'the tendency of police employees to resist the temptation to abuse the rights and privileges of the profession' means respecting the Constitution and valuing the police profession and organisation.

Therefore, laying the foundation for ethical behaviour of police employees starts with the recognition and implementation of the Constitution. It is no coincidence that the formula of the oath of office of new recruits to the State Police refers primarily to the implementation of the Constitution.

Box 6. Formula of the oath of State Police employees:

"I swear that I will faithfully perform my duties and at all times abide by the Constitution and laws of the Republic of Albania with honesty and impartiality. I SWEAR."

The recognition and observance of fundamental constitutional rights by police employees is also important in order to reduce the possibility of financial damage that may be caused to the State's revenue by the loss of legal action for violation of these rights.

Article 44 provides that *'everyone has the right to be rehabilitated and/or compensated in accordance with the law if he/she has suffered damage as a result of an unlawful act, action or omission by the bodies of the State'*.

Even if those police employees who have violated the rights of citizens are punished, the damage to the police organisation will be persistent because of the distortion of its public image.

Therefore, the commitment to observe the Constitution must be part of police professional culture.

Knowledge of the Constitution will guide and facilitate police employees in their day-to-day decision-making and judgement processes and it will add value to their professional responsibility. Despite the use of technology to enhance accountability, it will never be possible to monitor every detail and aspect of the activities of every police employee in every corner of the country.



Box 7. Some articles of Chapter II of the Constitution, Personal Freedom and Rights, which the police have to implement in their daily work

Article 18. All are equal before the law.

Article 21. The life of a person is protected by law.

Article 25. No one may be subjected to torture, cruel, inhuman or degrading punishment or treatment.

Article 27. No one may be deprived of liberty, except in the cases and according to the procedures provided for by law.

Article 30. Everyone is considered innocent as long as his/her guilt is not proven by a final judicial decision.

Article 32. No one may be declared guilty on the basis of data collected in an unlawful manner.

Article 36. The freedom and secrecy of correspondence or any other means of communication are guaranteed.

Article 37. The inviolability of the home is guaranteed. Searches of a home, as well as the premises that are equivalent to it, may be done only in the cases and manner provided by law. No one may be

subjected to a personal search outside of a criminal proceeding, with the exception of the cases of entry and exit of the territory of the state, or to avoid a risk that threatens public security.

Article 44. *Everyone has the right to be rehabilitated and/or indemnified in compliance with law, in case he/she has been damaged because of an unlawful act, action or omission from state bodies.*

Resolving ethical dilemmas

An ethical dilemma is generally defined as a situation in which the police employee:

- *does not know what is the right thing to do.*
- *finds it difficult to do the right thing.*
- *is tempted to make the wrong choice.*

Some of the most frequent categories of ethical dilemmas are.

- *Judgment (legitimacy of the decision)*
- *Duty (service performed)*
- *Honesty*
- *Loyalty*
- *Favours and bribes*

Below are the categories of ethical dilemmas and their order of importance.

Judgment and legitimacy

Judgment may be defined as the power to make a choice. Obviously, all ethical dilemmas involve situations where the police employee has to make a choice, e.g., whether or not to accept a bribe.

However, the discussion on judgement includes situations where both choices may be correct. Situations where a police employee has discretion,

such as giving advice or imposing a fine, are generally not considered ethical dilemmas.

Police employees are often unclear about the rules that determine which course of action is correct. Therefore, it is not always a question of distinguishing between a fair and an unfair process, but rather whether the process is the fairest.

Dilemma-based discussions during the process are necessary, as they help identify the criteria that police employees consider ethical, as well as the criteria that receive greater support.

This discussion is important because total enforcement is unenforceable, so the police will always use discretion when enforcing the law.

Some situations in which police employees are faced with dilemmas in exercising their capacity to judge and act.

The situations in which police employees find themselves when carrying out their duties are varied and dynamic, just as society itself is dynamic and evolving. In order to adapt to these circumstances, police employees must be aware of the most common ethical dilemmas and, above all, develop the logic and critical thinking to resolve them.

The following dilemmas present cases where the solution is easier, but also cases that are left open in the form of questions.

Dilemma: Citizens in difficult circumstances

A citizen informs the police that one of his neighbours is tampering with the electricity network in order to reconnect the power that had been cut off for non-payment of the electricity bill.

A police employee is sent to investigate and discovers that the citizen lives in very difficult conditions. The flat is old and cold and his mother, with whom he lives, is seriously ill.

In this situation, the offender seems to have acted under the pressure of his difficult circumstances. This situation puts the police employee in an internal conflict between the compassion he feels for the citizen and the enforcement of the law.

Dilemma: Strict enforcement of the law

A police employee stops a car for inspection and discovers that the female driver has been drinking alcohol and his minor daughter is in the car. This situation presents the employee with a number of dilemmas. Either he arrests the driver and accompanies him to the police station, asking someone else to look after the girl, or he lets her go. The woman does not try to offer money and is cooperative.

This situation is clear from a legal point of view, but the police employee is still in a dilemma because he feels that strict application of the law may not serve the cause of justice. Some police employees may be very clear about the criteria that guide their judgement, others may be less sure about the ethical role of the police.

Dilemma: Unclear legal position

In response to a call reporting domestic violence, a patrol of two police employees is sent to investigate.

The employees are confronted with a situation where a divorced couple share the same flat and have a child. The woman does not work and she lives on the income her ex-husband pays her for child support.

The man has long since lost his job and is unable to pay, although he promises to find a way to give her the money soon. The woman claims that her ex-husband told her before that he would pay, but he did not, and their debate ended in a loud voice.

The police employees note that no violence was used, but the woman insists that the failure to pay on time has made her life difficult. The police employees are confused as to how to resolve the situation. The dilemma here is that the police employees want to resolve the situation but do not know what would be the most ethical solution. The situation is exacerbated by the fact that they cannot predict how things will develop, even though there appears to be no sign of violence.

There are many situations where police employees are involved in family conflicts where there is a real problem, but police employees find it difficult to determine the course to take in order to make an ethical decision.



Dilemma: Violation by a fellow police employee

While working a second job as a security guard in a nightclub, a police employee has to intervene to break up a fight. After reacting, he finds out that one of the persons involved in the fight is a police employee who is drunk and refuses to be persuaded to leave the bar. The other person claims to have been assaulted, but he does not know that the drunk person is a police employee.

The dilemma is to decide on a case involving a professional or personal relationship.

Typically, such cases involve police employees with colleagues who are involved in various offences such as drunk driving or various traffic offences.

Duty and service

The task contains two main types of dilemmas. The first dilemma relates to the duty of a police employee to resolve a given situation. For example, in the case of a family dispute, if the police employee finds that no law has been broken, what is his duty? Should he resolve the situation before it escalates into the commission of a crime?

Similarly, there are police employees who believe they have a duty to protect the weak and the poor, while others feel no such obligation. Engaging in such discussions highlights differences of opinion that are fundamental to how police employees view their role in the community.

This is also an ethical issue.

The second dilemma is more straightforward. The police employee knows that duty requires him to take a certain action, but he feels that the action is inappropriate or that it is a waste of time and he is reluctant to take the appropriate action.



Dilemma: Indifference

It is 10.30 pm and a police employee is on his way back to the station to finish his shift when he comes across a traffic jam. As he approaches the queue of cars, he notices that a vehicle has hit the kerb. Should he stop and help get the traffic moving again, or should he continue on his way to the police station?

In practice, not all police employees see their duties in the same way. Analysing such dilemmas helps police employees understand that some attitudes may be considered justifiable and legitimate, but may not be supported when defined in terms of duty and service.

Honesty

In the category of honesty-related dilemmas, dilemmas that occur among police employees consist in abusing with the profession for profit, individual offences or situations related to arrests.

Dilemma: Acquisition of items of value

Two police employees are investigating a crime in which an alleged drug dealer is found lying in an alley, with a gunshot wound. The alley is dimly

lit and there is no one else near the scene. Searching the victim's pockets, the police find 10,000 euros. One of them says that they should keep the money and divide it among them.

The discussion and reflection on ethical behaviour in this case may start with the dilemma is the amount in question was 20 euros. In this way it may be considered whether it is the amount involved or the action that should determine the ethical nature of the behaviour.

Dilemma: Personal mistake

While patrolling in a police vehicle, an employee collides with a kerb and damages the vehicle. There is no one else on the scene and to avoid responsibility, the police employee who caused the accident thinks of reporting that the parked car was hit by another car that had left the scene.

In this dilemma, the police employee tries to cover up his action by lying or by not wanting to face his mistake.

Loyalty

In loyalty situations, police employees have to decide what to do when faced with misconduct by other staff members.

The range of their dilemmas in this category extends from witnessing relatively minor mistakes, such as improper use of working time, to serious violations such as accepting bribes, wasting police resources or violating the fundamental rights of citizens in detention cells.

What should police employees do when they witness their colleagues using excessive force? Although they may not agree with the act, they should either remain loyal to their colleagues or denounce their violations. Another category of dilemma is when police employees suspect that their colleagues may have committed a crime.

Dilemma: Cover me

A police employee responds to a call to intervene in a jewellery shop that has been robbed. The first responder at the scene insists that a list of the

stolen items be drawn up. A few days later, his colleague, who arrived at the scene shortly thereafter, notices that the police employee has placed a coat hanger, which he suspects is one of the items stolen from the shop. The police employee tells his colleague that he bought the item on sale. *What should he do?*

Favours and Bribes

When it comes to ethics, favours and bribes are inevitable. Favours and bribes are generally perceived by the public, but not only by the public, as a permanent problem of the police.

Although they look the same, there is a difference between them. Favours enjoyed by police employees (*such as free food, drinks or fuel, free services such as car washing, etc.*) are often linked with the culture that prevails in relations between the police and the public. Bribes and gifts, on the other hand, are given to police employees in exchange for some action: *both receiving favours and bribes or gifts are problematic issues for police employees and the police organisation.*

Dilemma: Rejecting a favour

A police employee patrols his area. To avoid any possibility of being involved in improper relationships, the police employee prefers not to eat or drink in the area where he is on duty. He has learnt from experience that people always expect something in return for any favour. As it is very hot, the police employee stops at a bar to buy a bottle of water. The barkeeper refuses to take the money, but the police employee insists that he wants to pay for the water. The seller tries to persuade him by saying that he has no reason to pretend as if he does not want to take the water without paying because other police employees accept this as well. The seller finally accepts the payment for the water, but teases him by saying that he will tell his colleagues how honest he is. *What is the appropriate response in this situation?*

Dilemma: Refusing a bribe

A young police employee, newly assigned to traffic patrol, is called to a minor accident involving two cars. Once the procedure to determine responsibility for the accident is completed, the police employee informs that two tow trucks have been dispatched to recover the cars.

Upon arrival, the driver of the tow truck gives the police employee his business card and 1,000 ALL and promises to pay him this amount every time the police officer will call him in case of such accidents. He tells him that he has such agreements with some of his colleagues who are quite satisfied.

Problems and excuses that lead to unethical decisions and alternative ways of thinking to resolve ethical dilemmas

One of the basic rules of ethical policing and a fundamental element of integrity is the obligation of staff to report various violations committed by their colleagues in the course of and due to their duties.

However, police employees face difficulties in the practical implementation of this obligation and one of the barriers to the implementation of this rule is the culture of silence, which is one of the elements of the police culture.

This section presents some scenarios that include excuses that are often used by police employees when they want to avoid acting in accordance with the core police values or responding to injustice.

The scenarios are accompanied by alternative answers to various dilemmas that police employees may face and present thinking patterns that may be used to start a discussion or talk about ethical issues. Suggestions are also given for the sentences that may be used if the police employee decides to confront the actions of another person.

Scenarios are used to help police employees learn in a personal way how to deal with ethical situations when they encounter them. Some of the scenarios show how a formal reporting response can be made in cases where a breach of the Code is evident and must be reported to the appropriate authorities.

Frequent ethical problems	Excuses used not to speak up	Alternative ways of thinking to stimulate response	One accurate response choice
1. A colleague asks you to forge a shift report.	<ul style="list-style-type: none"> ▪ It is not worth causing trouble by drawing attention to such an issue. ▪ Perhaps it is a one-off and not worth being strict about. ▪ I would rather accept this than cause troubles to my colleague. 	<ul style="list-style-type: none"> ▪ If I clarify my position, my colleague will surely respect me. ▪ What if the report is needed for a subsequent investigation? ▪ I have to stop. If I do it today, who knows what I will be asked to do later? 	No, I cannot do what you are asking me to do. I know others have gotten into trouble for things like this..
2. You become aware of a colleague's inappropriate relationship with a protected witness.	<ul style="list-style-type: none"> ▪ This is not my problem. I don't want to get involved into this. ▪ They are adults and they know what they are doing 	<ul style="list-style-type: none"> ▪ I have to speak up because apparently, I had no idea how inappropriate it was. ▪ It is a pure conflict of interest and I must speak up before it becomes an issue. ▪ This colleague is taking advantage of the situation that person is in and abusing his power. 	This situation is becoming very complicated. Have you thought about the possible consequences?

3. You witness unethical behaviour of a colleague towards a citizen.	<ul style="list-style-type: none"> ▪ Not to blame, all this stress ... ▪ He is more experienced than me, and he knows which methods work best with the people. 	<ul style="list-style-type: none"> ▪ It is well known that it is better for the police to behave as ethically as possible even when it seems difficult. ▪ It is part of the job. 	This work requires a lot of patience. It is better to be calm and think that one day we will need that person on our side.
4. You find out about the improper use of the police car.	<ul style="list-style-type: none"> ▪ I better pretend I didn't see anything. ▪ Well, no problem. Equipment becomes old and breaks, so sooner or later it will be replaced ... 	<ul style="list-style-type: none"> ▪ I don't feel good when I see things like that. We have to keep the things we have. ▪ I didn't take this job to see things like that and not respond. ▪ The improper use of the car affects us all, so I have to act. Considering all the things we lack, we must preserve what we have. 	It sounds like a really good thing you did. I think it's against the rules and it's not fair because the responsibility could be assigned to whoever is on duty.
5. You find out about colleagues who accept favours or gifts.	<ul style="list-style-type: none"> ▪ It doesn't hurt anyone. ▪ This is how one maintains relationships with people. I don't want to offend them by telling them they are wrong. ▪ They always hire police employees in this bar. 	<ul style="list-style-type: none"> ▪ What do you want in return for the rent? Surely, we will have a conflict of interest. ▪ In time it will compromise with greater things. ▪ If I pretend I did not see anything, I will compromise my job as well. 	I think it is better to refuse him because we have a conflict of interest and it will be more difficult later on. Who knows what he might ask us to do.

<p>6. You become aware of a violation by a colleague that your superiors did not detect or may have purposely concealed.</p>	<ul style="list-style-type: none"> ▪ It will be easier if I pretend, I haven't found out anything. ▪ I have no other choice, if I pretend I don't know anything, I will have problems in my relations with my colleagues. ▪ If I report this, the Standards Directorate will put us all through the wringer. 	<ul style="list-style-type: none"> ▪ I must not lose my reputation because someone made the wrong choice. ▪ Someone has to speak up here. This person has done the wrong calculation if he thought I would accept such a situation. ▪ This is something that compromises the entire police force and cannot be overlooked. 	<p>I'm sorry, but I can't look away from something like that. I don't want to lose my job.</p>
<p>7. You doubt that colleagues are influenced by prejudice against minorities or vulnerable social groups.</p>	<ul style="list-style-type: none"> ▪ The colleagues are fine. Everyone has had a problem with them, they only cause trouble. ▪ I have just started working and it is perhaps too early to interfere with these things. 	<ul style="list-style-type: none"> ▪ The police must set an example by treating people fairly and impartially. ▪ It is my responsibility to react to what I see because this approach has to change. ▪ Someone has to start behaving positively otherwise it will continue and may get worse. 	<p>I think it is better to try to create a good relationship than to prejudice everyone for the sake of a few.</p>

<p>8. You become aware of drug abuse/ alcohol abuse by the colleagues.</p>	<ul style="list-style-type: none"> ▪ I cannot be responsible for the choices of others. ▪ It's not my business, I'd rather not interfere. 	<ul style="list-style-type: none"> ▪ This is serious because they too are armed. ▪ I need to talk to someone because they cannot go on like this. ▪ Maybe they need help and I cannot pretend that I don't know anything. 	<p>It seems like you need help and you need to talk to someone to solve this problem.</p>
<p>9. You find out that a colleague interferes or tampers with an investigation.</p>	<ul style="list-style-type: none"> ▪ Indeed, sometimes one has to take shortcuts to get the job done. ▪ The work is never done unless the rules are disrespected to some extent. ▪ Those who established these rules seem to ignore this matter. 	<ul style="list-style-type: none"> ▪ Maybe this person does not have clear reasons why the rules are necessary, so I have to tell him. ▪ I did not take up this job to watch others do what they want with the law. ▪ Don't we become as bad as criminals if we disobey the law? This is not good enough for me. 	<p>We have to respect police rules. If you continue on this path, we might even end up losing our jobs.</p>

<p>10. You witness rude behaviour of a colleague towards a citizen.</p>	<ul style="list-style-type: none"> ▪ In fact, he deserved that that behaviour. ▪ Maybe he has a problem and he cannot cope with it. ▪ Sometimes the police have to be strict in certain situations. 	<ul style="list-style-type: none"> ▪ If we do not stop this way of acting, we might seriously injure someone. ▪ If I don't intervene to stop this it could get worse and I could lose my job. ▪ This was not strict behaviour; it was aggressive behaviour. 	<p>I think you were rather rude to that person. It will certainly ruin the image of all of us.</p>
<p>11. You tolerate the macho behaviour of a colleague</p>	<ul style="list-style-type: none"> ▪ We are fed up with these women who join the police, as this is not a job for them. ▪ Policing is not a job for women. 	<ul style="list-style-type: none"> ▪ Women are half of society. ▪ There is no secure and emancipated society without the participation of women in all professions. 	<p>I think we are wrong. The police are a complex profession and women have qualities that increase the value of the police in society.</p>

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