

## POLICE ETHICS IN THEORY AND PRACTICE ТЕОРИЯ И ПРАКТИКА ПОЛИЦЕЙСКОЙ ЭТИКИ

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**Abstract.** *The text is an attempt to show the police ethics from a practical point of view. The author presents the results of research on public opinion on the professional ethics of policemen and shows the areas in which people frequently come into contact with the police. The author argues that this is not the penalties imposed by the police impact on public opinion but the way to achieve them. The article is a presentation of empirical research conducted by the author.*

**Key words:** *police ethics, evaluation of social, law.*

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**Introduction.** A police officer in the performance of official duties, always doomed to make moral choices. Many times there are situations that are not fully settled law. In such cases, the police officer must make a choice between the value generally considered to be a positive and a negative value. In general, however, especially in the operational work – this applies to the police criminal division, must choose the lesser evil. It happens that some situations that are consistent with the applicable law is morally evaluation are as bad [1, p. 9].

The ethics officer, the fundamental moral directives are the rule of law and respect for human dignity. These characteristics determine the place and role of a policeman in the state and society also define duties and, consequently, a reminder of the subservient role of the police against the law branded by the state and the citizen. „The nature and specifics of operational work and the criminal investigation as a lens focus in themselves mentioned Directives require moral and remember them during all those activities” [2, p. 22].

Often, policeman, wanting to protect the lives, dignity and well-being of citizens, forced to use coercive measures, which consist of, among other things firearm – as a last resort and only exceptional and physical strength. Moral responsibility officer requires himself to the use of these funds it was as least painful for the a national [3, p. 70].

Frequent being a police officer in the criminal world, can lead to perdition by their personality. Such contacts involve any of aggression and brutality. „The violence that necessarily connected with the work of a police officer may give the person a feeling of hostility or hatred. It is not uncommon proposal relating to the material benefits may affect him demoralizing and lower resistance to this type of temptation,, [4, p. 13].

Moral responsibility in police work affects the shape of a large part of its rules of professional ethics. By analyzing the dilemmas faced by the policeman in his work, we learn about the difficulties

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**Аннотация.** *В тексте сделана попытка изучить полицейскую этику в контексте ее практического применения. В статье представлены результаты исследования общественного мнения о профессиональной этике полицейских и обобщены основные моменты, в которых граждане чаще всего вступают в контакт с полицией. Автор показывает, что на общественное мнение влияют не меры ответственности, накладываемые полицией, а методы их достижения.*

**Ключевые слова:** *полицейская этика, оценка социального, закон.*

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relating to compliance with moral principles. „But the mere recognition and awareness of the specifics of the operational work-exploratory and investigative and the consequent threats to the moral attitude policeman, is a step on the way to counteract these threats” [5, p. 33].

**The moral responsibility of the police officer in the light of international instruments.**

Professional ethics officer in connection with the issue of fundamental human rights and freedoms, has become the concern of the international community. In 1979., The Council of Europe created the Declaration on the Police. The main aim of the authors of this document was to formulate certain rules of conduct by a police officer. In addition, he had a hind contribute to the improvement of the European System of Human Rights Protection. The principles contained in the Declaration of concern not only the police but also the secret services of the armed forces. They can be divided into five groups.

The first one covers the points 1, 5, 6 and 8. It contains general responsibilities of officers, including non-participation of police officers in the steps leading to discrimination against people who are suspected of committing a crime.

The second group consists of point 2, 12 and 15. As specified in the requirements for the personality to officials, such as: uczciwość, impartiality, avoiding corruption, decisive action and respect for professional secrecy.

In the third group, which includes points 3, 11 and 13, define the principle of applying the policemen legally available means of coercion. In addition, „specified was also required to take by a police officer, appropriate steps to protect the life and health of the detained person” [5, p. 70].

The fourth group, which consists of Sections 3, 4 and 7 deals with responsibility for the police orders issued by his superiors, unless the order was urged by a subordinate to commit a crime.

The last chapter, containing 9,10 points and 11 contains the principle of personal responsibility of police officers for their action contrary to the law or by order of such actions. The declaration, found it necessary to establish the responsibility of the state employees and their superiors. “It was also necessary, the creation of a statutory system of legal guarantees and compensation for any damage resulting from police action” [6, p. 17].

The end of the document, point 16, who points out that in the case where a policeman will build on and respect of this document, you should obtain the necessary support from society moral and physical.

It is worth noting that the Declaration on the Police is not the only international document concerning their professional conduct by a police officer. Beside her, functions called. Code of Conduct for Law Enforcement Officials, which was created by the United Nations in 1979. This document consists of eight points:

1. „Setting out general duties officers, which should be carried out in accordance with the required in this profession a high sense of responsibility;
2. The establishment of the obligation to respect and protect the dignity of all people and respect their rights;
3. To reduce the use of force by officers to the absolute necessity and necessary boundaries;
4. The principle of discretion as to the possessed confidential information;
5. Prohibition of the use, trigger and tolerate torture or other cruel, inhuman or degrading behavior;
6. Order to ensure that persons deprived of their liberty full protection of the health and medical care;
7. Prohibition of any acts of corruption and the duty of due diligence to oppose such acts and their control;
8. The obligation to respect the laws and this Code and inform the relevant authorities about possible violations of these provisions” [7, pp. 5–6].

Discussed feature of the Code of connecting to any of the articles comments that explain the meaning of terms used in it. Code of Conduct policeman is not the only international instrument that moves on ethics in the profession policeman.

In 1990 Havana was held United Nations Congress on the Prevention of Crime and the Treatment of offenders. On this occasion they were introduced the basic principles of the use of firearms by law enforcement officials.

In addition, on June 26 1987, the Council of Europe adopted the Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

„Any person undertaking serving in the Police, is examined in terms of health, physical fitness, personality traits and temperament, but no one examines the moral norms, internal rules and towards

other people. We can not examine whether newly recruited cop is a good or a bad guy” [8, p. 5]. I think that this assumption is not true. But it is not an official examination, but the reference to the social impact assessment can lead us to conclusions on the basis of which it will be possible personality studies of moral policemen.

Studies conducted in January 2014 at the request of the Police Headquarters show that 72,4% of Poles positively evaluates the work of the Police [9]. It is a major part of society, but what about the other 27, 6% of nation? My analysis of this study demonstrate that that among those dominated by older people. In this article we will try to find the cause of the position of those who are less favorably relate to the results of our ministry and indicate solution to this problem.

From the Police expected more than other uniformed formations. It may not come as a surprise considering that the daily and temporary protection of citizens rests in the hands of the Police. Interventions household service road events, security events and gatherings. It is therefore a formation with which citizens most often come into contact. Analysis of the Police and social assessment led me to attempt to answer the question-where the position of those more than 27% of the respondents?

**Research on evaluation of police work.** At the turn 2014/15 have conducted research on a group of 100 weekend students of the Faculty of Management and Entrepreneurship University of Economy in Bydgoszcz, aged 23 to 41 years, and on a group of 100 listeners in the age group 52–65 years, the Pomeranian University of the Third Age. These results are from many chosen for the article.

As many as 90% of students and 78% of older people have personal contact with the police during the year preceding the survey. Selected causes of this contact show below:

Group / Reason	Intervention of home	Inspection of the vehicle	Mandate penalty
23–41 years old	20,00%	88,00%	14,00%
52–65 years old	12,00%	76,00%	16,00%

*Source:* Individual research.

**Intervention of home.** Police work positively intervening in the domicile rated 90% of people in the first age group but only 40% of the elderly. I conducted interviews with respondents representing the second group. On the basis of the unit it should be noted that the cause does not lie in the effectiveness of the intervention.

Many older people calls the police to the residence because not for the intervention of the police. Incredible is that often the reason for intervention are leaking pipe under the sink and leaking roofs. The opinion of the respondents (elderly) that officers begin and end with the intervention of information: „Please notify the competent authorities”. Under the current rules it is a proper closure of intervention. But it’s not activity within the competence of the Police and as such is completed in a notebook official, provided that it is not threatened anyone’s life, health and property of a higher value.

Continue to part of the study showed that persons covered by intervention in this case would be enough to officer gave the same information but in a slightly different way: „Please notify the building manager about this issue. There probably will tell Madam / Lord how to solve this problem. Is there anything else we can help you?” The point of information is the same but differs significantly its message.

**Inspection of the vehicle.** Among those similar number of younger people and older people were under the control of the road. This is not surprising because most citizens come into contact with traffic police. It was during roadside checks disclosed is the most intoxicated drivers, technically faulty vehicles and people without the right to drive, as rightly pointed out respondents.

The younger of respondents had no major objections to the conduct of police officers. The elderly showed that police officers approached too mechanically control. Perhaps in some cases suffice smile on the part of the officer. From the psychological analysis it shows that a simple smile is a sign of friendliness and „used” as a „tool” by public officials can become an element of trustworthy and sense of security among others.

**Mandate penalty.** Among the groups studied approximate amount has been fined by a mandate spot. Furthermore, the majority of them stated that deserved such a punishment and had no objection to such termination meeting with a police officer. The survey revealed that the vast majority of activity was carried out perfectly, taking into account the regulations and mandates amounted to a relatively small amount (20–100 PLN, 5–30 USD). Prevailed penalties for traffic offenses. In many of these situ-

ations the officer before proposing fines asked a person controlled by the material conditions – living and then make a decision about the height of the mandate.

Many respondents penalized in this way lacked the intervening officer as the competent person not explain how to avoid deviant behavior. Obviously every person should know the basics of law, on which rests the functioning of social structures and directing vehicles in particular.

The above analysis shows that that police officer is a to the citizen a certain type of of authority and his words and advice more memorable than reading the rules. Sometimes all it takes so while talking to the person fined understood what should be the impact of this measure and the essence of his application. Usually little is needed to achieve this effect and the attempt to achieve it involves greater effort intervening policeman.

**Proposal.** Most aspects of police activities is positively assessed by the public. This is not only the departmental audit but also with independent analyzes of many research institutes. So far, however, they were not taken into account indicators of ethical conducted research. From the above analysis it shows that ethics Uniforms in many cases it can be crucial to further improve the image of the police, whose current rating, the highest since 1990.

Let's try to look more to ethics. Do not let us plead wrongly, that the principles of morality official close only in the framework of the National Police Headquarters Order No. 805 of 31 December 2003 on the principles of professional ethics officer. Moral Principles police are also included in article 7, paragraph 7 of the Law on Police and indirectly also in Chapter VII of this Act, where we read that „The policeman is obliged to observe the obligations arising from the Rota oath” [10]. The rules of morality as one of the few aspects of the service draws a lot of social customs. The behavior of the officer should in fact be adjusted for age, gender, financial situation and the mental state of a person covered by intervention. This follows from the idea of an easement to the community and to help all people, regardless of any personal or social factors.

The study was conducted on a small group of people is they give a realistic picture of social needs, particularly the elderly who want to have the police not only protection in emergency situations but also moral support because a police officer as a State is a social and moral authority. To achieve these goals often enough combination of professionalism official morality. Only this combination guarantees the fulfillment of social expectations and satisfaction with the service's own society.

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