



Malta Police Force

Code of Ethics

Policy Document

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Document and Version Control

This document is maintained by the Malta Police Force. Suggestions for improvement and comments relating to the accuracy and currency of the document should be forwarded to the Commissioner of Police.

This document sets out the policy for the principles and standards of professional behaviour for members of the Malta Police Force.

The version number is allocated when it has been approved. Any major revisions will be designated by the next whole number (e.g. version 2.0, 3.0, 4.0). Any minor changes will increase incrementally by hundredths (e.g. 2.1, 2.2, 2.3). The current version number will appear on the front cover, footer and Table 1 of these Policy Documents.

Table 1 – Version Control

Version Number	Approval Date	Changelog
Version 2.1	24/06/2021	<ul style="list-style-type: none">• Added Reference To The Integrity Officer• Changes To Breaches Of The Code Of Ethics
Version 2.0	15/11/2020	<ul style="list-style-type: none">• Second Edition Release
Version 1.0	01/12/2002	<ul style="list-style-type: none">• Initial Release

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Foreword

I am pleased to present the second edition of the Malta Police Force's Code of Ethics. The publication of this Code coincides with the launching of a Transformation Strategy for the Malta Police Force which seeks to enhance operational efficiency and effectiveness through increased citizens' trust and confidence in the police, amongst others.

The management of public confidence has become almost as important as the management of crime itself. The more the public trusts us the more forthcoming it would be to take an active role in policing which is crucial to police effectiveness. It is within this context that we have seriously embarked on the project of community policing which recognises that local problems can be tackled in partnership with the community.

Just as much as trust in the police emerges from results attained, it is also heavily impacted from the way we act both on and off the job. It is therefore understood that in order to build confidence, we must hold ourselves accountable internally, as well as externally. And this Code seeks to do precisely that – it sets out clear principles of behaviour which the public expects from us in the execution of our duties.

A police officer's integrity, impartiality, fairness, objectivity, respect and selflessness should never be questioned. This requires effective accountability and leadership to create a culture where high standards of behaviour are the norm. Within this context, therefore, I consider this Code of Ethics not simply a yardstick by which the public can hold us to account; it is also a document that empowers each and every police officer to challenge the behaviour of our comrades when they fail to meet the standards it articulates.

The new Code presents yet another exciting opportunity for the Force to revitalise itself and re-focus its attention on improving levels of confidence and trust in the police. This document binds every sworn officer of the Force from Commissioner to Constable, setting out the standards of behaviour leading to more correct decision making. Additionally, the Code outlines the values which shall guide

the principles of policing whilst emphasising the adequate handling of our varied stakeholders, including victims of crime, witnesses, offenders, defence lawyers, the judiciary, and the media.

I am confident that the new Code of Ethics will improve our delivery of service and gives a practical focus and benchmark around quality and consistency in order to help us build public confidence through greater transparency and accountability. The Code will be a living document which will be reviewed at least every 5 years and revised as appropriate. Its observance should be the hallmark of every sworn officer within the Malta Police Force and a reflection of our officers' commitment to the objectives of the Corps in ensuring a first-class service to the people of Malta.

I remain committed to ensuring that the Code will be embedded into the day-to-day thinking and actions of our officers through adequate training and a constantly evolving police culture in line with the objectives of the Transformation Strategy.



Angelo Gafà
Commissioner

1. Scope & Objectives

1.1 Scope of the Code

1.1.1 This Code of Ethics (*herein after referred to as the “Code”*) is applicable to police officers forming part of the Malta Police Force (*hereinafter referred to as the “Police” or the “Force”*) and stands to regulate the following:

1.1.1.1 the relationship between the police, the community and individual citizens;

1.1.1.2 the relationship between the police, the judiciary and defence counsel;

1.1.1.3 the relationship between members of the police; and

1.1.1.4 the rights of the police.

1.2 Objectives of the Code

1.2.1 The main objective of the Police in a democratic society governed by the rule of law is to maintain public order, to prevent and combat crime, to detect crime and to provide assistance to the public, all in full respect to the individual fundamental rights and freedoms enshrined in the Constitution of Malta and the European Convention on Human Rights.

1.2.2 **The Code strives to achieve the following objectives:**

1.2.2.1 Determine the ethical standards of the professional activity of the police;

1.2.2.2 Develop a police culture and professional values, based on the principles of humanity and consideration of human rights in countering crime;

1.2.2.3 Affirm the principles of policing, based on the community policing model;

1.2.2.4 Facilitate the process of police training, aimed at achieving professional ethical behaviour in police work.

1.2.3 Legislation guiding the police shall be accessible to the public and sufficiently clear and precise, and, if need be, supported by clear regulations equally accessible to the public.

2. Values

2.1 This Code is built on the following values:

- 2.1.1 **Accountability** - Police officers should act in a responsible and professional manner whilst ensuring that their behaviour respects the provisions of this Code.
- 2.1.2 **Fairness** - Police officers are to handle every situation in an unbiased manner and with full respect to every individual involved.
- 2.1.3 **Honesty** - Police officers need to act in an honest manner, which value is essential to build a relationship based on trust, with both the citizens and the other members of the Force.
- 2.1.4 **Integrity** - Police officers are obliged to consistently act in a rightful manner, independent of any pressure that might be exerted on them.
- 2.1.5 **Leadership** - Police officers are to inspire other members of the Force by highlighting their own achievements and providing opportunities for growth.
- 2.1.6 **Objectivity** - Police officers, in their line of duty, need to ensure that all judgement is governed by proper evidence being brought before it.
- 2.1.7 **Openness** - Police officers should always ensure that their acts and decisions are open and transparent.
- 2.1.8 **Respect** - Police officers should always be available to listen to the public, appreciate their needs and consistently act in a polite and professional manner.
- 2.1.9 **Selflessness** - Police officers should always act in the public's best interest.

3. Responsibility of the Police in all Ranks

3.1 The Commissioner of Police (herein referred to as the “Commissioner”) shall:

- 3.1.1 lead by example and adhere to the provisions of this Code;
- 3.1.2 provide for a clear chain of command within the police, as to determine which officer is ultimately responsible for the acts or omissions of police personnel;
- 3.1.3 be consistent, show moral courage in face of adversity, promote openness and transparency in the working of the Police; and
- 3.1.4 promote fairness and equality in the workplace.

3.2 Police Officers in a Managerial Capacity shall:

- 3.2.1 encourage ethical behaviour and adherence to the principles laid down in this Code; and
- 3.2.2 actively use this Code and support individual officers for whom they are responsible and guide them in performing their duties.

3.3 All Police Officers shall:

- 3.3.1 be expected to know the contents of this Code and follow its provisions in line of duty;
- 3.3.2 follow any instructions and guidelines provided by internal police regulations and Standard Operating Procedures;
- 3.3.3 obey conscientiously all lawful orders of their superiors;
- 3.3.4 when using discretion, consider the ultimate result and the potential effects of the decision, whilst taking into consideration relevant policing codes, guidance, policies and procedures;

- 3.3.5 even when not on duty, assist every person at risk, prevent or disrupt all kinds of disturbances of public order, and protect from any violent act individuals, private and public property;
- 3.3.6 if they become a witness of unacceptable behaviour from their colleagues, as well as acts of violence, inhumane or offensive treatment to any person, undertake such actions as necessary for terminating such acts and report to their superior or Professional Standards Office without any undue delay, regardless of the hierarchical position of the perpetrator of such acts;
- 3.3.7 not hold a business interest or partake in an additional occupation, unless in line with the Force's Business Interests & Additional Occupations Policy (*POL-BIO*);
- 3.3.8 not create an actual or apparent conflict of interest with police work and responsibilities, or adversely affect their ability to discharge policing duties effectively and impartially, through their membership of groups or societies, or associations with groups or individuals;
- 3.3.9 not make any statements or participate in events, which would disrupt public order or the professional discipline;
- 3.3.10 not take any active part in partisan politics in order to prevent the police from being placed in a position where impartiality becomes questionable;
- 3.3.11 use social media responsibly and safely, ensuring that nothing published online can reasonably be perceived by the public or other members of the police to be discriminatory, abusive, oppressive, harassing, bullying, victimizing, offensive or otherwise incompatible with policing principles, or in contravention to this Code;
- 3.3.12 not publish, online or elsewhere, or offer for publication, any material in relation to their duty or that of their colleagues.

4. Principles

4.1 Police Behaviour, Attitude & Intervention

- 4.1.1 Police officers shall carry out their duty in a fair manner, guided by the principles of impartiality and non-discrimination.
- 4.1.2 All actions shall respect the right to life and police officers shall not inflict, instigate, or tolerate any form of torture or inhumane treatment whatever the circumstance.
- 4.1.3 In the execution of their duty, police officers shall not allow discrimination, based on sex, race, language, religion, education and belief, political attitudes, opinion, national or social origin, ethnic origin, disabilities, age, sexual orientation, personal and public position or possession of property.
- 4.1.4 Police officers shall respect the individual citizens and all minority communities, by considering their traditions, beliefs, and way of life, in compliance with the rule of law in a democratic society.
- 4.1.5 Police officers shall act with integrity and respect towards the public and with due consideration for individuals belonging to vulnerable groups.
- 4.1.6 Police officers shall respect the right of personal freedom and security and limit such right only in cases determined by the law and in a lawful manner.
- 4.1.7 Police officers shall not be under the influence of alcohol or illicit substances and shall always be fit to carry out their assigned duties.
- 4.1.8 Police officers shall not abuse any of their powers and authority granted by law.

4.2 Anti-Corruption & Unbecoming Conduct

- 4.2.1 Police officers shall be accountable to the State, the citizens, and their representatives. Accountability and scrutiny of the police shall be vested between the legislative, the executive and the judicial powers.

4.2.2 Police officers shall not take any advantage of their powers with the purpose of personal benefit or otherwise and shall always act in compliance with the Force's Anti-Fraud & Corruption Policy (*POL-AFC*).

4.3 Investigations

4.3.1 Police officers shall investigate all cases upon a reasonable suspicion of an actual or possible criminal offence.

4.3.2 Police officers shall act in an objective and fair manner. Every person shall be considered innocent until proven guilty and adhere to the rights of the person under investigation, as provided for by law, including the Conduct of Practice for Interrogation of Arrested Persons within the Police Act.

4.3.3 Deprivation of liberty shall be as limited as possible and conducted with regard to the dignity, vulnerability and personal needs of each detainee.

4.3.4 Police officers shall be sensitive and adaptable to the special needs of certain categories, including children, juveniles, minorities and vulnerable persons.

4.3.5 Police officers shall cooperate with the members of the judiciary, whilst respecting the independence and impartiality of magistrates and judges.

4.3.6 Police officers shall always act professionally before the judiciary and fulfil their duties with knowledge and skill, to expedite Court cases.

4.3.7 Police officers shall respect the role of defence lawyers in the criminal justice process and, whenever appropriate, assist in ensuring an effective right of access to legal assistance.

4.4 Victims of Crimes

4.4.1 When hearing the victims of crime, police officers shall observe the principle of confidentiality.

4.4.2 Police officers shall demonstrate tactfulness and sensitivity when the victim's relatives need to be informed of any crime or incident.

4.4.3 Police officers shall support victims of crime amongst which by intervening in order to protect them on the crime scene, if necessary, assisting the victims of crime in order to provide them with medical aid, comforting them and if necessary, providing assistance in solving their most urgent problems as a result of the committed crime and directing them to the relevant services, which could assist them, and if necessary, contacting such services personally.

4.5 Witness of Crimes

4.5.1 Police officers shall consider the witnesses' particular needs and provide adequate support and protection during investigations.

4.5.2 Police officers shall be polite and provide the appropriate conditions for hearing evidence, taking into consideration any psychological conditions of the witness.

4.5.3 Police officers shall refrain from prejudiced assessment of the witness, arising from sex, race, language, religion, education and belief, political attitudes, opinion, national or social origin, ethnic origin, disabilities, age, sexual orientation, personal and public position, possession of property, judicial records or associations.

4.6 Suspects & Persons in Custody

4.6.1 In their interactions with suspects of crime, police officers shall demonstrate integrity and impartiality by taking into consideration all the facts concerning the case.

4.6.2 In their interactions with suspects of crime, police officers shall behave professionally taking into account all evidence in favour and against interrogated persons.

4.6.3 Police officers shall not subject persons in custody, regardless of the circumstances, to violence, inhumane or degrading treatment and remain responsible for the life and health of the person in custody.

4.7 Access to Information, Confidentiality & the Media

4.7.1 Police officers shall access police-held information for a legitimate or authorized policing purpose only and always in accordance with the law and data protection principles.

4.7.2 Police officers shall not disclose any information, whether on or off duty, to any unauthorized recipients, unless prior authorization, in accordance with the Force's Media Relations Standard Operating Procedures (*SOP-MER*), is obtained.

4.7.3 Police officers shall show respect to journalists on duty both at the scene of a crime, at the law courts or at any other place.

4.8 Use of Force

4.8.1 Police officers shall only resort to force in case of unavoidable necessity, proportionate to the risk, and to a degree, which is necessary in order to achieve a lawful goal.

4.8.2 After the reasons for the use of force have ceased to exist and the purposes of its use were achieved, police officers shall immediately offer aid to all persons against whom force was used.

5. Integrity Officer

5.1 The position of Integrity Officer established under the Malta Police Force's Anti-Fraud & Corruption Policy (*POL-AFC*) shall have the broad responsibility to ensure that integrity is cultivated, institutionalised and implemented across the board within the Malta Police Force.

5.2 Amongst other duties, the Integrity Officer shall also tender advice, even confidentially, to all employees of the Force in respect of the Anti-Fraud & Corruption Policy (*POL-AFC*) and the Code of Ethics (*POL-COE*).

5.3 Given the particular nature of the role, the Integrity Officer should be a senior officer of the Force, who has experience and proven credibility in addressing issues of misconduct, ethics and integrity.

6. Rights of The Police

6.1 Police officers have the right to a good working environment, allowing full demonstration of their potential and ambitions, free of any kind of physical or psychological violence and discrimination.

6.2 When subjected to unjustified accusations connected with their duties, police officers shall be supported by all state institutions, departments, and organizations.

7. Breaches of the Code of Ethics

7.1 Behaviour that does not uphold the policing principles or which falls short of the expected standards of professional behaviour set out in this Code will be dealt with:

- 7.1.1 according to the severity and impact of any actual, suspected or alleged breach;
- 7.1.2 at the most appropriate level;
- 7.1.3 in a timely and proportionate manner in order to maintain confidence in the process.

7.2 Different procedures exist according to the type of unprofessional behaviour or misconduct alleged.

7.3 Relatively minor breaches of this Code may be simply and effectively dealt with through peer or team challenge. Others may require local management action – for example, by a superior officer.

7.4 Serious misconduct may require formal actions in line with The Police Act, Chapter 164 of the Laws of Malta, Title IV, Discipline.

7.4.1 In proceedings before the Commissioner the following penalties may be awarded:

- 7.4.1.1 a fine not exceeding seven days' pay;
- 7.4.1.2 stoppage of weekly rest days, not exceeding seven days;
- 7.4.1.3 severe reprimand;
- 7.4.1.4 reprimand;
- 7.4.1.5 caution.

7.4.2 In case of serious offences, the following penalties may be awarded:

- 7.4.2.1 dismissal;
- 7.4.2.2 requirement to resign, either forthwith or on such date as may be specified in the decision as an alternative to dismissal;
- 7.4.2.3 reduction in rank or seniority;
- 7.4.2.4 deferment of an increment or the reduction in the offender's rate of pay.

7.4.3 The penalties referred to in 6.4.2, shall only be recommended by the Public Service Commission in terms of article 110 of the Constitution. The provisions of 6.4.2 do not preclude the Public Service Commission from imposing a penalty listed in 6.4.1.

7.5 All police officers, particularly members who occupy a managerial role have a duty to act where a concern is raised about any behaviour, level of performance or conduct which may amount to a breach of this Code.

7.6 Police officers who occupy a managerial role are expected to exercise professional judgement and take into account the principle of proportionality in determining how to deal effectively with alleged unprofessional behaviour.

7.7 Procedures must be applied in a non-discriminatory manner, and due regard must be paid to the need to handle allegations sensitively and confidentially.

7.8 A failure by a police officer to have regard to the standards of professional behaviour in the Code may be admissible in evidence in any disciplinary proceedings or on any appeal arising from a decision made in such proceedings.

Guidance for Members of the General Public

An aggrieved member of the general public may file a report for unethical behaviour allegedly committed by a police officer. In so doing, one could contact the **Police Professional Standards Office** as follows:

- in person at the Police General Headquarters in Floriana;
- via telephone on +356 2294 4001;
- via email on professionalstandards.police@gov.mt; or
- online via <https://pulizija.gov.mt/opres/declaration.asp?rtyp=4>.

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- ii. Handbook on Police Accountability, Oversight, And Integrity – **UNODC New York** – 2011
- iii. Code of Ethics – **College of Policing** – July 2014
- iv. Commentary on the Bangalore Principles of Judicial Conduct – **UNODC** –2007
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