

## **Prison official's code of ethics**

**Approved by directive no. 176 of the Minister of Justice of 13 November 2008**

**Amended and supplemented by the following directive (date, directive no.)**

**Ministerial Directive no. 38 of 30 March 2011 - in force from 30 March 2011**

**Ministerial Directive no. 54 of 19 May 2014 - in force from 19 May 2014**

**Ministerial Directive no. 29 of 23 February 2017 - in force from 23 February 2017**

On the basis of clause 135<sup>1</sup> [Ministerial Directive no. 54 of 19 May 2014 - in force from 19 May 2014] of the Imprisonment Act and the proposals set forth during the meeting of prison officials on 25 July 2008 and the conference day of prison directors of 17 September 2008, I approve this Prison Official's Code of Ethics.

### **Prison official's code of ethics**

The purpose of the code of ethics is to provide a framework for prison officials, probation officers and other prison officials, the students of prison officer's vocational training and the correctional training programme students, as well as the officials of the Prisons Department of the Ministry of Justice (hereinafter the prison official) in order to make behavioural decisions both in service and outside it.

The code of ethics is based upon good practices, traditions, generally acknowledged moral norms of our cultural space and the tasks of prison service.

The code of ethics specifies and supplements the provisions of the public service code of ethics.

#### **1. General**

1.1. The code of ethics shall be followed both in Estonia and abroad, regardless of whether the behaviour deemed to be an ethical mistake constitutes a breach of law or not. Ignoring the code of ethics may be the basis for prison official's disciplinary liability.

1.2. Senior officers have to set an example with their behaviour for everyone else; their mistakes deserve stricter condemnation.

1.3. A prison officer shall work conscientiously, shall be just and reliable. A prison official shall not lie or distort the facts.

1.4. A prison officer shall be polite in professional communication (incl. say hello to colleagues). Unless otherwise agreed, a prison officer shall address representatives of other agencies and organizations and the relatives of prisoners and probationers formally.

1.5. A prison officer shall not discuss or comment in public places (in a bus, a café, a shop, on the street, etc.) to unauthorized persons (visitors of the prison, etc.) the behaviour of colleagues, the organization of prison work and topics concerning the prisoners.

1.6. A prison officer shall behave correctly at any time and in any situation. Prison officer's appearance shall be decent both at work and during leisure time. Mistakes in professional activity and indecent behaviour in private life may question the reliability of the whole prison service.

1.7. A prison officer shall not disclose information which has become known to him/her by reason of his/her office to unauthorized persons.

1.8. A prison officer shall not favour in any way violence or hatred. He/she shall refrain from using the slang of criminal subculture or demeaning expressions of prisoners.

1.9. A prison officer shall do everything in his or her power to prevent violations of law.

1.10. Prison service shares the same values with other state authorities. A person who has been forced to leave another public institution due to his/her mistake shall not be employed in prison service.

## **2. Communication with prisoners and probationers**

2.1. Prisoners and probationers shall be communicated with only within the framework of implementing official duties. A prison officer shall refrain from any activities that might question his/her objectivity upon communication with prisoners or probationers. A prison officer shall refrain from giving promises to prisoners or probationers the redeeming of which is beyond the limits of his/her competence.

2.2. A prison officer shall treat a person who has served his/her sentence and has returned to law-abiding life as a normal member of society, not as a criminal offender.

2.3. A prison officer shall treat prisoners and probationers lawfully and do everything in his or her power to prevent their physical and mental abuse by other officials.

2.4. A prison officer shall respect the religious affiliation and national belonging of prisoners and probationers.

2.5. A prison officer shall be bold and persistent with regard to his/her demands upon communication with prisoners or probationers.

2.6. A prison officer shall communicate with prisoners and probationers politely and obligingly, however, not being overly familiar.

2.7. A prison officer shall not talk the prisoners or probationers about his/her private life, or complain of his/her worries because they can abuse his/her trust.

2.8. A prison officer shall not enter into an intimate relationship with a prisoner or probationer.

## **3. Communication with colleagues**

3.1. A prison officer shall be helpful and attentive with regard to his/her colleagues; he/she shall provide guidance and help to a new employee in every way. In danger situations he/she will immediately go to help a colleague.

3.2. A prison officer shall not disparage his/her colleagues or spread rumours. A prison officer shall treat with respect all his/her colleagues regardless of their official position.

3.3. In case of need, a prison officer shall point out the mistakes in colleague's work but never in the presence of a visitor, prisoner or probationer.

3.4. A prison officer shall refrain from displaying his/her intimate relationship at work.

3.5. A prison officer shall inform their direct executive officer of a domestic partner or spouse who is also working in the prison service. [Ministerial Directive no. 29 of 23 February 2017]

## **4. Communication with subordinates**

4.1. An executive officer shall treat all subordinates equally and justly. Upon making a proposal to promote, incite or punish a subordinate, the executive officer shall be guided by objective circumstances.

4.2. An executive officer shall explain the subordinates the grounds for his/her decision so that they

will understand the idea and content of decisions.

4.3. An executive officer shall regard each employee so that a subordinate would feel as a full member of a team.

4.4. Decisions on how to treat prisoners are first told to the employees of the establishment, not to the prisoners.

4.5. An executive officer shall never make any reprimands to a subordinate in the presence of prisoners or probationers.

4.6. A subordinate who has made a mistake in the performance of duties due to inexperience shall not be ridiculed or shamed.

4.7. A prison officer shall not decide the employment of his/her close relatives or close relatives by marriage, unless the position is filled by a public competition.

4.8. If a prison officer is required to make a decision or a proposal or provide an evaluation in regard to the appointment to a position, promotion, encouragement, evaluation or determining the disciplinary punishment, salary, including allocation of performance pay, of a prison officer with whom they are in an intimate relationship, the prison officer shall resign and inform their direct executive officer or person responsible for the appointment of prison officers of this. [Ministerial Directive no. 29 of 23 February 2017]

## **5. Prison official's economic independence**

5.1. A prison officer shall not make any decisions or perform any activities for the purpose of personal gain. A prison officer shall decline services, presents, money, etc. that can affect his/her independence upon the performance of his/her official duties, or which could be regarded as such.

5.2. A prison officer shall not accept any benefits for the prison (e.g. premises free of charge, training, resources, study trips, repair works, etc.) from any private persons or companies. Donations can be received into a support fund for an officer who has become incapacitated for work in the performance of duties in prison service or into a support fund for the family members of a prison officer who has died in prison service.

5.3. A prison officer shall not accept any benefits for the prison from other legal entities, if there is reason to believe that the legal entity may have economic or other self-seeking interests by supporting the activities of the establishment.

5.4. A prison officer may buy the products made by prisoners only from retail sale.

5.5. A prison officer shall not use the services provided by prisoners like, for example, shoe-repair or clothing repair, cleaning services; neither shall a prison officer accept any personal services from prisoners or probationers.

5.6. A prison officer shall refrain from employment at another employer (place for gambling, collection agency, as a customer service assistant at a bar, night-club or other similar places of entertainment, or as a security officer) where he/she may damage the reputation of prison service.

5.7. Prison service shall give advice to help a prison officer engage in law-abiding behaviour also outside of work. A prison officer shall refrain from actions damaging his/her employer, i.e. the state (tax evasions, illegal employment, etc.)

## **6. Communication with the public and the media**

6.1. A prison officer shall not communicate with the public or the media in the capacity of an official, unless the employer has granted a clear authorization for that purpose.

6.2. A prison officer shall refrain from indecent Internet communication. In order to avoid damage to the reputation of prison service and the prison officer, a prison officer shall not disclose any indecent photos or texts in the Internet.

6.3. A prison officer shall not write any insulting or incorrect commentaries in the Internet portals.

6.4. A prison officer shall not participate in commercial advertising. Upon agreement with employer, a prison officer may take part in a social advertising, charity advertising and an advertising introducing the profession and education of prison officer.

6.5. A prison officer shall not participate in broadcasts, shall not write any articles, etc. that are undignified, disparaging, with immoral contents that ridicule serious social topics or are in conflict with the objectives and values of prison work represented by the profession of a prison officer.

6.6. A prison officer shall not participate in events requiring the display of his/her body.

## **7. Leisure time behaviour**

7.1. A prison officer shall not use narcotic substances.

7.2. A prison officer shall not use prostitution services.

7.3. A prison officer shall refrain from immoderate use of alcohol that makes his/her behaviour undignified and which disturbs other people.

7.4. A prison officer shall avoid communication with persons whose reputation may damage the reputation of prison officer's post.

7.5. A prison officer shall not wear indecent, dirty or provocative clothes in public places.

7.6. A prison officer shall do everything in his/her power to prevent other people from committing violations of law. A prison officer shall report a criminal offence even if the law provides no such obligation.

## **8. Ethics committee**

8.1. The matters of implementation of the code of ethics shall be deliberated by the ethics committee.

8.2. The ethics committee is composed of the head of prison service, his/her deputies, directors of prisons and a representative of prison officers elected in each prison.

8.3. The ethics committee may be addressed by:

(a) a prison officer requesting an evaluation on his/her behaviour or intended behaviour;

(b) an official competent to impose a disciplinary sanction on a prison officer.

8.4. A prison officer whose behaviour is evaluated or an official competent to impose a disciplinary sanction on a prison officer may participate in the deliberation.

8.5. A prison officer serving in the ethics committee may not vote on an issue concerning him/her.

8.6. The ethics committee is an advisory body, its decisions shall not be binding for the official competent to impose a disciplinary sanction.

8.7. Decisions of the ethics committee shall be published on the Intranet of the prison service without personal data or the name of the prison.

8.8. The organisation of work of the ethics committee shall be determined by the ethics committee.

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