

## **Legal effects of sanctions on a police man**

**The police are a basic institution in dealing with citizens. The police are a governmental legal institution of a social nature aimed at maintaining public order and law enforcement. The protection of the internal security of the state, law enforcement and disinfection The community of criminals is one of the most important tasks, but is the main body dependent on the achievement of these goals, although that does not mean the absence of other devices help in achieving those goals.**

**Where the police do not work without legislative controls determine their duties and scope of work but they work in accordance with legislative and criminal contexts should not be referenda or exceeded, and if exceeded by any of the police is subject to disciplinary and criminal accountability if the excess exceeded the level of crime, The context of the illegality of the violation of the provisions of the law and the literature of police work.**

**In this study we will discuss the effects of the penalties imposed on the police officer for his rights, both financial and non-financial. The police officer derives his rights and duties from the legal texts and regulations governing the police function, For their duties to the best of duty In light of the special nature of the police officer's position, the rules governing his legal status differ from the rules governing the legal positions of other employees, including the rules governing his criminal and disciplinary accountability and the extent to which he affects his rights in terms of what leads to derogation or deprivation. studying .**

**The objectives we seek to reach from this study included several points, including:**

- 1. To take note of the effects of sanctions (criminal and disciplinary) imposed on the police, and detect the provisions of the relevant provisions of the lack and conflict.**
- 2. Assess the effectiveness of the sanctions imposed on the police in achieving the desired goals.**
- 3. Indicate the extent to which the relevant laws and regulations comply with the general principles of punishment for the police, such as the principle of the legality of the penalty, the principle of non-plural punishment and the principle of proportionality in punishment.**

**In the first chapter, we will discuss the criminal and disciplinary punishments imposed on the police officer. We divided it into two sections. The first chapter deals with the definition of criminal penalties while we leave the second chapter to introduce disciplinary punishments.**

**The second chapter dealt with the impact of financial and non-financial sanctions on the police officer. In the form of two chapters, we discussed in the first chapter the impact of the financial sanctions on the police officer. In the second chapter, we dealt with the effect of the sanctions on the non-financial rights of the policeman.**

**After we finished the study of our study, we have only to show our conclusions and suggestions as the conclusions related to the definition of the police in the law in terms of language and terminology, and we reached a result of the police officer in Iraq and its legal relationship in the Ministry of Interior where it was found Organizational relationship governed by legal texts.**

**We have also found that the penalty of expulsion and dismissal is contained in the Penal Code of the Internal Security Forces in force as two automatic punishments, which are applied to the force of law and as a direct consequence of the original sentence and without the need to provide for the verdict. The legislator in Article 43 of the Internal Security Forces Penal Code states that if a policeman is sentenced to a deprivation of liberty penalty by a civil court that allows a sentence of subordination, he shall be referred to the competent Internal Security Forces Court To his defenses and statements for the purpose of imposing the penalty provided for in this law.**

**Although the list of disciplinary penalties stipulated in the Penal Code of the Internal Security Forces No. (14) of 2008 is exempt from the penalty of referral to the list of half the salary, we can add it to the disciplinary sanctions; because the legislator made one of the reasons for referring the officer to the half-salary list Officer in the ethics and controls of service. These are the reasons for which the police officer deserves disciplinary punishment.**

**The punishment of the assignment shall be subject to the list of half the salary to the same legal procedures as the other disciplinary punishments. The Administrative Court shall also be competent to adjudicate this penalty as the rest of the disciplinary sanctions imposed on the police officer on the basis that the Penal Code of the Internal Security Forces does not appoint a person to challenge the penalty Discipline on the police man.**

**Our study included several suggestions for the purpose of activating and activating the role of the police. We propose that the Iraqi legislator transfer the disciplinary sanctions from the Internal Security Forces Law No. 14 of 2008 and include them in the provisions of the Law of Service and Retirement of the Internal Security Forces No. 18 of 2011, And in line with functional service legislation governing the disciplinary responsibility of the employee.**

**The legislator has made the reprimand of the police officer to be two types of reprimand and public reprimand, and we find that the first will disable part of the function of punishment, namely, public deterrence, that prevents other policemen from committing the same offense for fear of the penalty that will follow them, so we propose to remove this difference and rely on The effects of punishment in the legal status of the police officer.**

**We propose that the Iraqi legislator be inclined towards the majority of Arab legislations whose laws are exempt from the penalty of cutting the salary in order not to be exposed to the salary of the police officer as the source of livelihood and his family, and the adoption of sanctions that limit his freedom because of the deterrent spent from just cutting the salary.**

**Instructions No. (1) for the year 2012 have made instructions for the cases of the referral of the police officer to retirement. The sentence of the police officer to the discharge penalty stipulated in the Internal Security Forces Law No. 14 of 2008 is a reason for referring to retirement. Dependence According to Article (IV) of Article (2) of the Penal Code of the Internal Security Forces in force 2008,**

**The concept of the sentence is the punishment imposed on the convicted person by law, without the need to stipulate in the judgment. How does the assignment result in the penalty of discharge, which is the result of the original sentence? Therefore, it would be better if Ala'lim arranged the assignment to retirement as a result of the original sentence .**