

Scope of Penalties of Offences in Jordanian Public Office

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Abstract

The article analyzes the legal regulation of penal and disciplinary crimes by showing the relationship between them, their independence from each other in the public office in terms of the legal elements of each crime, and the procedures used to prosecute the public employee. The study reached several conclusions and recommendations, the most important of which is that the scope of application of the disciplinary punishment differs from the scope of the penal punishment. The penal crime is defined as (every illegal activity emanating from a sinful will, for which the legislator decides a criminal penalty) and the disciplinary crime is defined as (a violation of a person belonging to a legal entity with the duties assigned to him through internal regulations and instructions). The subject matter of the penal offense is aggression against society as a whole, while the subject matter of the disciplinary offense is aggression against the interest of the institution or the competent body. There is also a difference between them in terms of the authority issuing the penalty. Penal punishment, is issued by the judiciary, while disciplinary punishment is issued by the competent authority in the body or institution.

Keywords: Penal crime, disciplinary crime, public office, penal penalties, disciplinary penalties

Introduction

The relationship between the penal offense and the disciplinary offense in the public office revolves around breaches committed by employees in the course of their work. The penal offense is a criminal legal offense that can be punished by legal accountability and legal punishment. As for the disciplinary offense in the public office, it relates to unacceptable behavior that violates the rules of the government institution or company in which the public employee works. The

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effects of this offense may include the suspension of the public employee from work, warning or suspension of benefits, and in more serious cases, the employee may be subject to dismissal from the job (Bin Malik & Asry, 2022).

Although a disciplinary offense in public office is not criminal in the traditional structure of criminal justice, it is intended to protect the safety and integrity of the government organization, employees, and clients. In practice, the legal system and human resources departments are involved in organizing penal and disciplinary offenses on the job. Often, the two perpetrators may be mixed together, depending on the severity of the crime and its impact on the government institution (Taloti, & Qasol, 2021).

The research problem is to identify and distinguish the differences between the criminal and the disciplinary offenses and to understand the nature of these differences accurately and in detail. This study needs to investigate the relationship between the penal and the disciplinary offenses in the public office. This relationship can face many challenges, such as the detailed definition of each type of crime and understanding the arbitration mechanisms and regulatory procedures followed for each type.

Therefore, through this study, we will work to answer the main questions, the most important of which are: What is the relationship between the criminal and the disciplinary offenses in the public office? What are the most common criminal offenses that occur in the public office? How are penal and disciplinary offenses dealt with in the public office? Are there effective mechanisms to reduce the occurrence of crimes in the public office? Are disciplinary sanctions sufficient to prevent the occurrence of crimes in the public office?

In fact, the research aims to identify the basic differences between the penal and the disciplinary crimes in terms of definition, classification and penalties for each of them, studying the social and legal effects of each type of crime, analyzing the causes and factors of crime in the criminal system and the disciplinary system and how each of them affects society, understanding the actual relationship between the criminal and the disciplinary offenses in the public office, identifying the most common criminal and disciplinary offenses in the public office, analyzing the procedures used to address criminal and disciplinary offenses in the public office, evaluating the effectiveness of the mechanisms and penalties used to reduce the occurrence of crimes in the public office, and making recommendations and proposals to improve criminal and disciplinary systems to address and prevent crime.

Therefore, the study contributes to shedding light on the relationship between the criminal and the disciplinary offenses in the public office. It provides researchers, security agencies, and government agencies with valuable information

to improve the legal system and regulatory processes in the field of public employment.

The study also helps to clarify the basic differences between a criminal offense and a disciplinary offence, so as to contribute to raising awareness and understanding among the general public. The study of the differences between the criminal and disciplinary systems also provides a strong legal direction for the judicial authorities to take appropriate decisions in dealing with crimes, and contributes to the development and improvement of criminal and disciplinary policies in accordance with the current needs and challenges in society. Analyzing the causes and factors leading to crime can enable a deeper understanding of the crime phenomenon, and thus improve its prevention and reduce its commission.

Methodology

The proposed approach of the research includes the use of secondary and literary sources to analyze previous research in this field, studying and analyzing concepts and definitions related to criminal and disciplinary offenses, reviewing reference literature and previous research that dealt with this subject, collecting data and evidence from multiple sources such as laws, judicial rulings, government reports and criminal statistics, analyzing and interpreting the collected data to reach the final results, summarizing the results, discussing them with previous studies, and making appropriate recommendations and proposals.

RESULTS AND DISCUSSION

Relationship between the Criminal and the Disciplinary Offenses in the Public Office

The relationship between the criminal and the disciplinary offenses in the public office is important and complex. The criminal offense deals with acts that are considered to be in violation of the criminal laws regulated by the state. It includes crimes such as murder, theft, fraud, rape, and other illegal acts that lead to legal accountability that includes penalties ranging from imprisonment to fines (Bin Jarad & Gitawi, 2022).

As for the disciplinary offense in the public office, it is considered a violation of the laws or administrative rules that regulate the behavior of employees in government jobs. These crimes may include non-compliance with work schedules, negligence in performing tasks, bribery, illegitimate interests or any behavior that damages the reputation of the government institution (Wahaybat, 2015; Al-Billeh, 2022a).

Despite their differences in nature, there is a relationship between the penal and disciplinary offenses in the public office. For example, if an employee

commits a criminal offense in the course of his job duty, that employee will be subject to criminal accountability and may be punished with imprisonment or a fine. From a disciplinary point of view, the employee may be subjected to administrative disciplinary measures such as investigation, suspension, or even job loss. In general, the legal and administrative system aims to protect employees and the public from unacceptable behavior and legal violations (Bokra, 2022; Al-Billeh & Abu Issa, 2022).

Therefore, the relationship between the criminal and the disciplinary offenses in the public office represents an important field in the study of legal and administrative sciences. A criminal offense refers to the commission of behavior contrary to the law that is punished by the judicial system, while a disciplinary offense is a type of behavior that violates the laws or policies that regulate the behavior of employees in the public office, and is punishable according to disciplinary procedures (Bokra, 2023; Al-Billeh, 2022b).

In fact, the criminal and the disciplinary offenses in public office are related in several ways. An employee may commit a criminal offense related to his position or use his powers in illegal ways, which leads to criminal and disciplinary accountability at the same time. For example, bribery or misappropriation of public funds can be considered both a criminal offense and a disciplinary offense (Boutaba, 2019; Al-Billeh, 2022c).

In general, the disciplinary offense is dealt with within the framework of the government institution or public body. Disciplinary measures are taken to punish the employee who violates the rules and instructions regulating work in the public office. These procedures usually include an internal investigation, hearings, and administrative sanctions (Al-Raqqad, 2019).

However, it should be noted that the criminal and the disciplinary offenses differ in many aspects. Criminal offenses are punishable by courts and require proof of guilt by specific legal standards, while disciplinary offenses relate to violations of an employee's professional conduct and require illegal administrative action (Taloti & Qasol, 2023).

In short, the criminal and the disciplinary offenses in the public office are intertwined when the commission of a criminal offense is accompanied by actions contrary to institutional laws and regulations, which requires legal and administrative standards of accountability. The study of this relationship enhances our understanding of the potential interactions and manipulations between the two sides and contributes to the development of policies and procedures for public institutions to ensure the achievement of justice and integrity in public offices (Bin Malik & Asry, 2022).

Explaining the Link and the Difference between the Criminal and the Disciplinary Offenses:

Criminal Offense: Refers to a violation of criminal law in accordance with the legislation in force in a particular country. The criminal offense aims to protect society and impose punishment on the perpetrators through legal penalties such as imprisonment and fines.

Disciplinary Offense: Relates to the violation of non-criminal laws or regulations of a particular group or organization. Disciplinary sanctions are used to maintain discipline and order within public sector organizations. These crimes usually violate the internal rules specified in the internal regulations of the government institution.

Nature of the Crime: The criminal offense is usually committed against the entire community, while in disciplinary offenses the victim is most often part of the same government institution or group as the perpetrator.

Legal Procedures: Criminal offenses are investigated by judicial authorities, such as the police, public prosecutor, and courts, while disciplinary offenses are usually handled within the government institution or group itself according to internal rules.

Penalties: Criminal offenses can lead to formal legal penalties such as imprisonment, while penalties for disciplinary offenses range from financial deductions to disciplinary penalties such as ban or dismissal (Al-Fayez, 2018; ALMANASRA et al., 2022).

So, although the penalties imposed vary in each system, there can be some correlations between the penal and the disciplinary offences. For example, some criminal offenses can also be punishable by a disciplinary sanction by the government organization in which the offender works. Sometimes, the commission of a disciplinary offense can lead to a criminal prosecution according to the applicable laws in some countries. So, there is sometimes an overlap between the criminal and disciplinary offenses, but the penalties and actions taken depend on the legal system in force in each society or government institution (Taloti, & Qasol, 2021).

In general, the difference between a criminal and a disciplinary offense can be in the legal consequences that follow from each of them. Criminal offenses are brought before the courts and result in statutory penalties (such as imprisonment or a fine), while disciplinary offenses may often lead to internal penalties regulated by the institution or organization in question (Wahaybat, 2015; AL-KHAWAJAH et al., 2022).

Independence of the Criminal Offense from the Disciplinary Offense in the Public Office

The independence of the criminal offense from the disciplinary offense in the public office is an important legal principle. This principle is represented in detailing the competence of the judicial system and the administrative system in dealing with violations and crimes committed by employees in public positions (Bin Jarad & Gitawi, 2022; Alkhseilat et al., 2022).

Therefore, according to this principle, a distinction is made between crimes of a criminal nature that require legal punishment, and disciplinary offenses that are dealt with in accordance with the laws and regulations of the public office. If an employee commits a criminal offense in the course of his job, it must be dealt with in accordance with traditional criminal justice systems and subject to prosecution. Appropriate criminal penalties may be applied if found guilty (Bokra, 2023).

As for the occurrence of disciplinary violations of an administrative nature within the public office, they are dealt with according to the procedures and regulations of the competent administrative authority. It may include penalties such as warnings or other disciplinary sanctions that contribute to maintaining order and job discipline (Boutaba, 2019; Al-Billeh & Al-Hammouri, 2023).

Indeed, this principle aims to guarantee the rights of individuals to a fair trial if they commit criminal offences, while disciplinary sanctions are used to maintain order and discipline within public offices. Therefore, the independence of the penal offense from the disciplinary offense in the public office is an important topic that deals with the relationship of criminal law and disciplinary law in the context of public office (Bin Malik & Asry, 2022; Khashashneh et al., 2022).

In application of this, the Jordanian Court of Cassation, in its criminal capacity, ruled in its judgment No. (2012/2064) issued May 29, 2013 that: "The scope of application of the disciplinary punishment differs from the scope of the penal punishment. The penal offense is defined as (every illegal activity emanating from a sinful will for which the legislator decides a criminal penalty) and the disciplinary offense is defined as (the breach of a person belonging to a moral body with the duties that are assigned to him through the regulations and the internal instructions). Also, the subject matter of the penal crime is aggression against society as a whole, while the subject matter of the disciplinary crime is aggression against the interest of the institution or the competent body. There is a difference between them in terms of the authority issuing the punishment. In the penal punishment, it is issued by the judiciary, while the disciplinary punishment

is issued by the competent authority in the body or institution" (The Jordanian Court of Cassation, 2012).

Therefore, the penal offense must be separated from the disciplinary offense in the public office. The first is under the supervision of the judiciary and is based on the principles of criminal justice, while disciplinary offenses are related to internal systems and procedures. Despite this, some crimes can combine between the two laws, especially in cases of corruption and criminal violations related to public office (Al-Raqad, 2019; Al-Billeh, 2022d).

Accordingly, penal and disciplinary offenses independent of each other maintain the existence of a comprehensive legal system that ensures the accountability of the accused and the implementation of appropriate penalties. These matters require that we have an effective and impartial judicial system, and a strong disciplinary system that limits negative practices in public office. Furthermore, the necessary procedures to protect the rights of individuals and to provide adequate legal support to the accused in the case of such crimes must be ensured.

Procedures Used to Prosecute the Public Employee

The procedures used to prosecute public employees differ from one country to another and depend on the legal system of each country. However, the general procedures followed in most legal systems are:

Investigation: A formal investigation is opened to collect information and evidence related to the suspected actions of the public employee. This can include the examination of witnesses and the collection of documents and other evidence.

Indictment: After the completion of the investigation, a public employee suspected of violating the laws or regulations issued by the government agency in which he works is formally charged (Al-Jama'at, 2010).

Article (146) of the Jordanian Civil Service Regulations of 2020, as amended, stipulates that: "A-1- None of the authorities stipulated in paragraph (a) of Article (143) of this Law may impose any of the penalties stipulated in Clauses (1) and (2) of Paragraph (a) of Article (142) thereof, on the violation committed, only after being questioned by any of the bodies specified in Paragraph (a) of Article (143) thereof. From (3) to (8) of Paragraph (a) of Article (142) of this Law, it is not permitted for any of the authorities to impose a penalty except after the formation of an investigation committee by a decision of the Minister of three members, including the president, to investigate the violation committed by the employee before issuing a decision on it. 2. The employee may not be referred to the Disciplinary Council except after forming an investigation committee in accordance with the provisions of Clause (1) of this paragraph to investigate the

violation committed by this employee. B- When conducting the investigation, the following should be taken into account: Inform the employee referred to the investigation of all papers related to the violation or complaint in respect of which he is being investigated. The employee shall be allowed to present his defenses and objections in writing or orally, discuss the required witnesses therein, summon any person to testify, as well as allow him to include any other documents or reports related to the investigation file. It is stipulated that the statements of any witness shall not be heard until after taking the legal oath. The investigation procedures shall be documented and recorded in minutes and signed by the employee, members of the investigation committee and witnesses, as the case may be. Objectivity, impartiality and integrity shall be observed to reach the truth. C- When forming the investigation committee referred to in Paragraph (a) of this Article, it is taken into account that its chairman and members have a degree or salary higher than or equal to the grade or salary of the employee referred to the investigation. When necessary, it may be sufficient for the committee chairman to be of a higher degree or salary. The grade or salary of the employee referred to the investigation" (Article 146, The Jordanian Civil Service Regulations, 2020).

In application of this, the Jordanian Administrative Court ruled in its ruling No. (152/2015) issued Sept. 29, 2015 that: "Extremeness in punishment means the apparent inappropriateness between the degree of seriousness of the administrative offense and the type and amount of the penalty, so the results of the apparent inadequacy contradict the goal that the law targeted in terms of discipline, so there is a paradox between the crime and the penalty, and the assessment goes out from the scope of legality to the scope of illegality. Accordingly, the appellant's copying of the indictment in a sensitive investigative case, although the nature of his work in the Public Prosecution requires him to maintain the confidentiality of the investigations that aim to represent the public right with fairness, equality, impartiality, equal opportunities, and preservation of rights, makes the decision to terminate his service appropriate for the offense committed and correct in its assessment, because the freedom of the disciplinary authority to choose the appropriate penalty for the offense is within the limits of proper and reasonable estimation. Since the jurisprudence and administrative judiciary are unanimous that the administrative decision bears the presumption of its validity unless there is evidence to the contrary" (The Jordanian Administrative Court, 2015).

Article (149) of the Jordanian Civil Service Regulations for 2020, as amended, stipulates that: "A- If it appears that the violation assigned to the employee involves a criminal offense, the disciplinary procedures shall be suspended, the employee, the records of the investigation conducted with him, the

papers and other documents related to the violation shall be referred to the competent public prosecutor or the competent court, and in this case, it is not permissible to take any disciplinary action against that employee or to continue with any action that was taken until the final judicial ruling is issued in the complaint or the penal case that was submitted against him. Or the competent court by a decision of the minister or the competent disciplinary board if the employee is referred to it. In this case, no disciplinary action may be taken against that employee or to continue with any action that was taken until the final judicial ruling is issued in the complaint or the criminal case that was filed against him. B- The employee is referred to the Public Prosecutor or the competent court by a decision of the minister or the competent disciplinary board if the employee was referred to it" (Article 149, The Jordanian Civil Service Regulations, 2020).

In application of this, the Jordanian Administrative Court ruled in its ruling No. (275/2020) issued Jan. 27, 2021 that: "As for the claimant's pleading of exaggeration with the penalties imposed on him, our court finds that the saying of exaggeration in the punishment requires the apparent inappropriateness between the degree of seriousness of the administrative offense and the type and amount of the penalty, so the results of the apparent inappropriateness conflict with the goal targeted by the law of discipline, so there is a paradox between the crime and the penalty, and the assessment goes out from the scope of legality to the scope of illegality. It is the unfulfilled matter in our case, as long as it is established for our court that there are previous disciplinary sanctions against the claimant, and that the source of the decision has taken into account the principle of gradual punishment, and that the penalties imposed by the respondent against him are commensurate with the nature of the acts committed by the claimant" (The Jordanian Administrative Court, 2021).

In another ruling of the Jordanian Administrative Court No (412/2015) issued Feb. 14, 2023, it ruled that: "Since the penalty subject of the lawsuit imposed on the plaintiff was based on the recommendation of the investigation committee, and since the disciplinary offense is based on a stand-alone charge based on the employee's violation of his job duties, requirements, or dignity. If a disciplinary violation is attributed to the public employee, the investigation committee or the investigation must look at the material facts presented to them with an abstract view to determine whether those facts constitute a disciplinary crime. The punishable disciplinary offense must be assessed by a purely administrative body and the legal elements available in it, because the competence of the issuer of the disciplinary decision is limited to adapting the material facts submitted to him by the competent investigation authorities in an abstract administrative manner and limited to verifying the existence of a legal disciplinary

violation, which is generally based on violating job duty or deviating from its requirements, or a behavior that is inconsistent with the sanctity of the public office" (The Jordanian Administrative, 2015).

Validity of the Penal Rulings with the Disciplinary Authorities

The validity of penal provisions with the disciplinary authorities is important, as they aim to achieve justice and impose discipline in the public office. Penal sanctions are imposed on violators of laws or rules that have been identified in the public office, so as to maintain order, safety and integrity (Bokra, 2022; Al-Billeh, 2023).

An important aspect of the validity of criminal judgments with the disciplinary authorities is the existence of legal guarantees and fair procedures that guarantee the rights of the accused. There should be specific rules and procedures for filing charges, conducting investigations, gathering evidence, and defending the accused. All of these secure their rights to a fair judicial process. In addition, it is also important that the penalties imposed are proportionate, just and based on the principles of justice and fairness. There must be clear principles and criteria for determining the appropriate type and duration of punishment for each type of offense or crime (Taloti & Qasol, 2023; Alshible et al., 2023).

In application of this, the Jordanian Supreme Administrative Court ruled in its ruling No. (342/2022) issued July 5, 2022 that: "The saying that the punishment is excessive requires the inappropriateness of the phenomenon between the degree of administrative guilt and the type and amount of the penalty. The results of the apparent inadequacy contradict the goal of the law in terms of discipline, so there is a paradox between the crime and the penalty, and the assessment goes out from the scope of legality to the scope of illegality. The Disciplinary Council concluded that imposing a deterrent punishment against the employee does not affect the authority of the judicial ruling because the innocence that the court ruled was based on doubt and insufficient evidence. This ruling did not negate or prove that the act occurred on the part of the employee complained against is disciplinary. The acts of receiving visitors, organizing transactions, collecting the required fees prescribed for them in a manner contrary to the law, and not supplying them to the treasury, has been proven that the disciplinary defendant carried out these acts" (The Jordanian Supreme Administrative Court, 2022).

It should be noted that the general amnesty law does not include violations if the act originally constituted a criminal offense covered by the general amnesty law. Article (149 / C / 2) of Civil Service Regulation No (9) of 2020 stipulates that: "If the employee is included in the general amnesty, whether during the trial

or after the issuance of a final judicial decision, then he shall be referred to the Disciplinary Council to take the appropriate decision in his regard in accordance with the Regulation. This is if the employee committed an act that constitutes a criminal offense covered by the General Amnesty Law. In addition, the Jordanian legislator has taken the statute of limitations for a disciplinary offense after three years have passed since its commission. The employee may not be held disciplinary accountable for a behavioral violation after three years have passed since its commission, unless he was referred to the Public Prosecution or the competent court during that period” (Article,149/C/2, Civil Service Regulation, 2020).

In application of this, the Jordanian Supreme Administrative Court ruled in its judgment No (337/2022) issued July 5, 2022 that: “Article (149) of the same regulation stipulates: A- If it appears that the violation that was assigned to the employee involves a criminal offense, the disciplinary procedures shall be stopped, and the employee, investigation records, papers and other documents related to the violation shall be referred to the competent public prosecutor or to the competent court. In this case, no disciplinary action may be taken against that employee or to continue with any action taken until the final judicial ruling is issued in the complaint or the penal lawsuit that was filed against him. B - The employee is referred to the public prosecutor or the competent court by a decision of the minister or the competent disciplinary council if the employee was referred to it. C-1- The decision to convict or acquit the employee of the complaint or lawsuit that was filed against him, or the ruling that he is not responsible for what was assigned to him, or preventing his trial, does not prevent taking the necessary disciplinary measures in accordance with the provisions of this Regulation for the violation he committed and imposing the appropriate punishment on him from the competent reference or the Disciplinary Council” (The Jordanian Supreme Administrative Court, 2022).

In short, the validity of penal rulings with the disciplinary authorities requires legal guarantees and fair procedures, in addition to achieving balance and fairness in determining penalties and providing appropriate methods for appeal. So that the disciplinary authorities are considered part of the internal system of government institutions, and aim to ensure discipline and the application of laws and internal rules of those institutions (Isa et al., 2022; Alhendi & Salameh, 2022).

In another ruling of the Jordanian Administrative Court No (12/2015) issued Sept. 21, 2015, it ruled that: “Extremeness in punishment means the apparent incompatibility between the degree of seriousness of the administrative offense and the type and amount of the penalty. The results of the apparent inadequacy contradict the goal that the law aimed at by discipline, so there will be

a distinction between crime and punishment, and assessment goes from the scope of legality to the scope of illegality. Accordingly, the claimant's request for bribery, although the nature of his work in the Court of Appeal requires him to preserve the prestige of the courts and the rights of people and not exploit them for private benefits, makes the decision issued to terminate his service appropriate to the offense committed and correct in its assessment. This is because the authority of the Disciplinary Council is discretionary in choosing the appropriate penalty for guilt as long as it is within the limits of proper and reasonable estimation".

Therefore, the scope of jurisdiction of the disciplinary authorities may vary from country to country. Its competences and powers may be determined by applicable internal laws or regulations. Although it may have some court powers to impose penalties, its decisions are usually limited with regard to formal criminal sentences.

In general, the validity of penal rulings with the disciplinary authorities is linked to the availability of the necessary legal guarantees, such as the right of the employees or concerned individuals to defend themselves, submit the necessary notices, hear witnesses, and extend appeals against decisions. The legal safeguards required may vary depending on the legal system followed by the disciplinary authority.

Conclusions

The laws and regulations of the public office did not include a definition or limitation of the disciplinary offense, unlike the penal legislator, who adheres to the rule of "no crime or punishment except by text." Administrative violations are not limited to predetermined texts, but rather this is left to the disciplinary authority. It is impossible to limit the acts that would determine the disciplinary responsibility of the employee. Hence, the administrative law does not take the principle of no crime except by the text or legitimacy of the violation, which requires that the violations that lead to the determination of disciplinary responsibility be determined exclusively by conclusive texts that define the elements of these violations.

Therefore, research on the legal regulation of criminal and disciplinary offenses in the public office requires the development of accurate and comprehensive legislation to deal with criminal and disciplinary offenses in the public office. Such legislation should clarify the type of behavior that is prohibited and the penalties for committing it.

In fact, it is important to promote the concept of accountability in the public office. Oversight and monitoring of employee performance should be

increased and effective mechanisms should be provided to punish those who violate professional laws and rules.

Therefore, fair and transparent legal procedures must be provided to deal with criminal and disciplinary offenses. The judicial system must guarantee the rights of the accused and follow fair and expeditious legal procedures. Training and awareness programs should also be provided to employees about texts and legislations related to penal and disciplinary offences. In addition, there is a need for them to adhere to ethical and professional standards, and to strengthen cooperation between judicial and administrative bodies to ensure the application of justice and discipline in public institutions.

Based on the results mentioned, we recommend that the legal regulation of the penal offense and the disciplinary offense in the public office be considered as a matter of utmost importance. The competent authorities must work to implement these recommendations in order to enhance the effectiveness and transparency of the system of justice and discipline, and to provide a safe and harmonious work environment in the public office.

References

- Al-Billeh, T. (2022a). Judicial oversight on the administrative contracts in the Jordanian legislation and the comparison: the modern qualitative jurisdiction of the administrative judiciary. *Indian Journal of Law and Justice*, 13 (2), 1-28. <https://ir.nbu.ac.in/handle/123456789/4763>
- Al-Billeh, T. (2022b). The Correction of the Invalidity of the Civil Trials Procedures in Jordanian and Egyptian Legislation: The Modern Judicial Trends. *Kutafin Law Review*, 9 (3), 486-510. <https://doi.org/10.17803/2713-0525.2022.3.21.486-510>
- Al-Billeh, T. (2022c). Legal Controls of the Crime of Publishing a Program on the Internet in Jordanian Legislation. *Pakistan Journal of Criminology*, 14 (1), 1-14. <http://www.pjcriminology.com/wp-content/uploads/2022/08/1.-Legal-Controls-of-the-Crime-of-Publishing-a-Program-on-the-Internet-in-Jordanian-Legislation.pdf>
- Al-Billeh, T. (2022d). Freedom of Religious Belief and the Practice of Religious Rites According to the Jordanian Legislation: Difficult Balance Between International and Regional Requirements as well as the National Legislative Controls. *Balkan Social Science Review*, 20. 117-137. <https://js.ugd.edu.mk/index.php/BSSR/article/view/5503/4660>
- Al-Billeh, T., & Abu Issa, H. (2022). The Community Penalties in the Jordanian Criminal Law: What are the Alternatives to Liberty-Depriving Penalties?

- Pakistan Journal of Criminology*, 14 (3), 1-18.
<http://www.pjcriminology.com/wp-content/uploads/2023/03/1.pdf>
- Al-Billeh, T., & Al-Hammouri, A. (2023). Guarantees of Juvenile Trial Procedures in Jordanian Legislation: The International Standards towards Reformative Justice for Juveniles. *Pakistan Journal of Criminology*, 15 (1), 1-16. <https://www.pjcriminology.com/wp-content/uploads/2023/07/1.Tareq Billa Paper Final Draft.pdf>
- Al-Billeh, T. (2023). PUBLIC OFFICIAL MISUSE OF SOCIAL MEDIA AND MEDIA IN ACCORDANCE WITH THE PROVISIONS OF THE JORDANIAN CIVIL SERVICE BY LAW OF 2020. *Xinan Jiaotong Daxue Xuebao/Journal of Southwest Jiaotong University*, 58(1), 214-227. <https://doi.org/10.35741/issn.0258-2724.58.1.17>
- Al-Fayez, B. (2018). *The impact of the penal verdict on disciplining the public employee*. Master Thesis. Middle East University.
- Alhendi, N., & Salameh, M. (2022). The Role of Forensic Medicine in the Criminal Investigation. *Pakistan Journal of Criminology*, 14 (1), 57- 70. <http://www.pjcriminology.com/publications/the-role-of-forensic-medicine-in-the-criminal-investigation/>
- Al-Jama'at, A. (2010). *The relationship between disciplinary offense and criminal offense "a comparative study"*. Master Thesis. Amman, Jordan, Middle East University.
- AL-KHAWAJAH, N., ALKHSEILAT, A., AL-BILLEH, T., MANASRA, M., & ALWERIKAT, N. (2022). Criminalization of the Transmission of the Coronavirus COVID-19 and Its Impact on the Right to a Healthy Environment. *Journal of Environmental Management and Tourism*, 13(7), 1881-1887. [https://doi.org/10.14505/jemt.v13.7\(63\).08](https://doi.org/10.14505/jemt.v13.7(63).08)
- Alkhseilat, A., Al-Billeh, T., Almanasra, M., & Alwerikat, N. (2022). Criminal Behavior as a Basis for Criminal Responsibility for the Crime of Introducing Substances Hazardous to the Environment in Jordanian Legislation. *Journal of Environmental Management and Tourism*, 7(63), 1851 - 1858. [https://doi.org/10.14505/jemt.v13.7\(63\).05](https://doi.org/10.14505/jemt.v13.7(63).05)
- ALMANASRA, M., Alkhseilat, A., Al-Billeh, T., ALWERIKAT, N., & ALSHARQAWI, A. (2022). Criminal Responsibility for the Crime of Discharging Polluting Substances for Water Sources in Jordanian Legislation. *Journal of Environmental Management and Tourism*, 13(7), 1948–1948. [https://doi.org/10.14505/jemt.v13.7\(63\).15](https://doi.org/10.14505/jemt.v13.7(63).15)
- Al-Raqqad, A. (2019). The effect of the penal ruling on the termination of the job bond of the public employee. *Studies and Research*, 11 (4), 372-388. <https://www.asjp.cerist.dz/en/article/100327>

- Alshible, M., Abu Issa, H., & Al-Billeh, T. (2023). The Extent of Considering Environmental Crimes as A Manifestation of Economic Crimes. *Journal of Environmental Management and Tourism*, 1(65), 23-31. [https://doi.org/10.14505/jemt.v14.1\(65\).03](https://doi.org/10.14505/jemt.v14.1(65).03)
- Bin Jarad, A. R., & Gitawi, A. Q. (2022). The proportionality of the disciplinary punishment with the disciplinary offense of the public employee between legality and appropriateness. *Haqiqa Journal*, 21(1), 23-40. <https://www.asjp.cerist.dz/en/article/184375>
- Bin Malik, A., & Asry, A. (2022). The legal system of disciplinary trial in Algerian legislation. *Algerian Journal of Historical and Legal Studies*, 7(1), 19-36. <https://www.asjp.cerist.dz/en/article/186780>
- Bokra, I. (2022). Penal follow-up of the employee between the authoritative penal judgment and the disciplinary authority of the administration. *Algerian Journal of Legal and Political Sciences*, 59 (3), 167-197. <https://www.asjp.cerist.dz/en/article/201382>
- Bokra, I. (2023). The legal status of the employee who is in a precautionary position due to the penal follow-up. *Journal of Ijtihad for Legal and Economic Studies*, 12 (1), 16-45. <https://www.asjp.cerist.dz/en/article/214967>
- Boutaba, M. (2019). Precautionary suspension of the employee due to criminal follow-up in Algerian law. *Annals of the University of Algiers*, 33 (4), 196-228. <https://www.asjp.cerist.dz/en/article/103865>
- Isa, H. A., Alwerikat, N., & Al-Billeh, T. (2022). The Concept of the Public Employee in Jordanian Law: Different Constitutional, Administrative, and Criminal Law Definitions. *BiLD Law Journal*, 7(2s), 331–337. <https://bildbd.com/index.php/blj/article/view/318>
- Khashashneh, T., Al-Billeh, T., & Issa, H. A. (2022). THE AUTHORITY OF THE CRIMINAL JUDGE TO ASSESS DIGITAL (ELECTRONIC) EVIDENCE IN JORDANIAN, EGYPTIAN, AND FRENCH LEGISLATION. *Journal of Southwest Jiaotong University*, 57(5), 631–640. <https://doi.org/10.35741/issn.0258-2724.57.5.51>
- Taloti, O., & Qasol, M. (2021). The relationship between disciplinary and penal responsibility and their role in combating corruption. *Comparative Legal Studies*, 7(2), 1131-1152. <https://www.asjp.cerist.dz/en/article/173353>
- Taloti, O., & Qasol, M. (2023). The role of disciplinary punishment in combating corruption, *Journal of Constitutional Law and Political Institutions*, (7) 1, 1-31. <https://www.asjp.cerist.dz/en/article/221820>

Wahaybat, B. (2015). The relationship of the penal crime to the disciplinary crime of the public employee. *Journal of Studies in Public Service*, 2(1), 141-152. <https://www.asjp.cerist.dz/en/article/92956>