

## Appendix H. Changes to the ECQ

To make it more relevant to the prison context, the original ECQ by De Schrijver (2014) was adapted for use in the current study. This appendix outlines the alterations that were made to that original questionnaire. The appendix is structured by the different cells of the ethical competence framework and explains for each cell whether and how it was measured. It must be noted that the reference material for the questionnaire was the version by De Schrijver (2014) that was used at her final time of measurement. Earlier versions were much longer and items from it were discarded by De Schrijver (2014) because they did not perform well in the factor analyses that were performed. It made sense to depart from the final version that had shown good scale performance (for the factor analyses, see Appendix I).

### Background questions

The decision was made to drop the background questions in this new questionnaire for two reasons. The first and most important reason was that the questionnaires were filled out with the researcher present, during the first and final training sessions. Including those background options would have given respondents, who are already part of a group that is described as distrustful of researchers, the idea that they would be easily identifiable. They also would not be wrong: if a training group consisted of ten officers of which only one had over ten years of seniority, it would be easy to know who filled out the questionnaire. Since questionnaires were separated by groups, we thought including the background questions would go against the promise of confidentiality. It could also bring about more social desirability if respondents had the idea that their questionnaire could be easily linked to their identity. Second, including the background information was also not particularly relevant. The sample size was quite small, so differentiating between more subgroups would have been difficult anyways.

### Likert scales

Two changes were made to the original Likert scales used by De Schrijver (2014). The first concerned the names of the labels that were used. Originally, six-point Likert scales were used that contained labels going from 'helemaal oneens' ('completely disagree') to 'helemaal eens' ('completely agree'). In Dutch, most questionnaires use a slightly different phrasing going from 'helemaal niet akkoord' to 'helemaal akkoord'. The meaning in English is the same, but the latter phrasing is more often used and so the original labels were changed. The second change was the addition of a 'neutral' option.

#### *Cell 1: Knowledge of law, ethics code, rules and procedures*

In the original ECQ, this cell was measured by asking respondents how well they knew certain important documents, such as the Belgian ethics code for prison officers and the disciplinary procedure. In the current study, it was decided to **omit this section**. This was done for two reasons. The first was that we did not expect the training program to have an effect on this cell, given that the training sessions were not rules-based and intended instead more to improve moral reasoning skills. Although participants might learn how to apply specific rules to a specific dilemma (see cell 2), there is no training content that specifically covers general prison rules, and thus possible changes do not apply to cell 1. The second reason was that omitting the questions for cell 1 would shorten the questionnaire, which was already quite long and needed to be filled out before the first and directly after the final training session. Prison rules are spread out over quite a few different documents, so the number of documents that would have needed to be included in the questionnaire was potentially larger than in the original ECQ. That would have made the questionnaire even longer, which risked frustrating participants already before the training had even started. Since the questionnaire also requires a few open answers, we wanted the responses on those questions to be of good quality, which was another reason to want to keep the questionnaire as short as possible. This may avoid frustrations in respondents which can lead them to fill out the open questions fast and haphazardly.

#### *Cell 2: Applying rules*

In contrast with cell 1, we did expect some possible change on cell 2. This is because participants could potentially learn how to correctly apply rules in ethical dilemmas through social learning processes during the training. For example, a colleague might provide a good example of how she applied the rules to a particular dilemma. Although this does not teach participants general knowledge about rules, as in cell 1, it teaches them how to apply a specific rule to a specific situation, which makes it applicable to cell 2 of the ethical competence framework. The original ECQ uses **two vignettes** to measure this cell. The first involves a police officer who uses excessive violence during a suspect interrogation and places the respondent in the role of the second police officer who witnesses that

violence and needs to correctly identify what the laws/rules state she should do in this dilemma. In the second vignette, a neighbor and friend has previously had issues with his tenant and has finally been able to evict him. He asks the respondent to verify whether the three new tenants he is considering are known to the police by checking the police databases. The respondent again needs to identify what the law/rules say should be done in this situation.

These vignettes were not suitable for use in a prison context. Prison officers do not interrogate or arrest prisoners, and they also do not have access to databases to look up whether someone has been in contact with the criminal justice system, like police officers do. The vignettes therefore needed to be replaced with vignettes that were relevant to the new context. There were **two criteria for the creation of the new vignettes**. First, the original vignettes by De Schrijver (2014) described situations that the law/rules were quite clear about. This is crucial, because if there is a lot of room for interpretation, officers will not be able to demonstrate that they can apply a clear rule to a specific situation. We were therefore looking for vignettes that could be linked to a specific rule for prison officers. Second, we also wanted to match the content of the vignettes as closely as possible to the original questionnaire, to provide a certain degree of continuity.

For the first vignette, the theme of **excessive violence** was kept. Using excessive violence against prisoners is, of course, also forbidden for prison officers (see section 14.1.3.1 for the exact regulation). The vignette (see Appendix A) was designed in such a way that it was clear that the prisoner had already been subdued and additional violence was not necessary. During the pilot in the psychiatric annex, this same vignette was used in the actual training session. The participants thought it a good vignette because the prisoner spitting was deemed to be a large provocation. Therefore, it was clear that the excessive violence was wrong but also understandable, making the dilemma in this vignette quite prominent and sharp. The respondents had to decide what they would do after having witnessed the excessive violence by their colleague. Section 14.1.3.1 explains how the answers were coded.

For the second vignette (see also Appendix A), we also decided to stay as close as possible to the original issue of **professional secrecy**. The original vignette was only changed slightly: instead of the neighbor asking the police officer to look up potential tenants in the police databases, the neighbor asks a prison officer if he recognizes any of the potential tenants from prison. Here, the law is also quite clear, as explained in section 14.1.3.1.

### *Cell 3: Importance of rules*

For cell 3, all the items used in the original questionnaire by De Schrijver (2014) were **retained**. They were phrased generally enough to also apply to the prison context and therefore required no adaptations. There was one minor exception: in the item “It is necessary that the police organization formulates a clear set of rules and procedures that needs to be followed by all police officers<sup>77</sup>”, ‘the police organization’ was logically replaced by ‘the Ministry of Justice<sup>78</sup>’.

### *Cell 4: Position in the organization and society*

The questions belonging to this cell underwent one of the more rigorous adaptations. The original items by De Schrijver (2014) were very much focused on the exemplary role of the police. Prison officers are also role models, so including this component is important. In addition, like police officers, prison officers’ behavior can affect **multiple levels of the system**. For example, if an officer behaves unethically, this can affect the trust a prisoner has in this individual officer, but it can additionally influence a prisoner’s trust in the prison system or even the entire criminal justice system. After all, if the representatives of those systems are not reliable, why would the system be? Although the original questions by De Schrijver (2014) reflect this sentiment somewhat, they are only situated on two levels (the police in general and the specific police officer showing the behavior) and in case of the item that probes for credibility only on one level (the police organization, which is not mentioned in the previous items).

We decided therefore to make these items more **systematic and consistent**. Wherever it was relevant, a construct was inquired about on three levels: that of the specific prison officer showing the behavior (micro), that of the prison system (meso), and that of the criminal justice system (macro). Then, a number of important concepts from the prison literature were chosen to construct different scales. The first scale was centered around trust. Building trust is said to be one of the key competences of prison officers (Liebling et al., 2011, p. 49). Negative behavior can therefore be hypothesized to break trust while positive behavior will build it. The second scale was centered around reputation. Prison officers are, as was discussed in the literature review of this book, often said to be

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<sup>77</sup> “Het is nodig dat de politieorganisatie een duidelijke set van regels en procedures formuleert die door alle politieambtenaren gevolgd moet worden.”

<sup>78</sup> ‘De FOD Justitie’

negatively stereotyped. Since the media often pick up negative behavior (such as strikes, but also unethical behavior such as smuggling of contraband and using excessive violence) it is likely that bad behavior will reflect negatively on the reputation of prison officers. However, it may also more broadly reflect on the reputation of the prison system and the criminal justice system. For example, citizens may stop believing that prisons are effective at preventing crime if it is known that prisoners are routinely abused there. A third scale was centered around outcomes specifically for prisoners. As was discussed in the introduction and literature review, certain outcomes of prisoners are linked to how they are treated by officers. The outcomes chosen are behavior inside the prison, the extent to which prisoners are prepared to listen to officers, rehabilitation of prisoners and well-being of prisoners. These are all outcomes that were found in earlier research to be linked to treatment of prisoners by officers. The final scale was about relationships between prisoners and officers. It has been discussed extensively throughout this book how earlier studies emphasize the importance of staff-prisoner relationships, and so this concept had to be included. The first item here specifically probed for relationships. The other two inquired after the more general atmosphere and the respect that prisoners had for officers respectively.

There were two concepts that were considered but not specifically included. These were **legitimacy and fairness**. Legitimacy is also discussed extensively in the literature as a key concept in prisons. However, it is also a difficult concept that itself again consists of sub-concepts, making it difficult for respondents to understand. In addition, several concepts that were included (e.g. trust, respect, reputation) are linked to legitimacy and so we did not think it necessary to include legitimacy itself. Second, and similarly, fairness was not included because it is an intermediate variable that explains the other outcomes. For example, correct behavior by an officer might lead to perceived fairness among prisoners, which in turn leads to increased trust. We were interested in the outcomes and not the intermediate variables.

Finally, there were also a few **changes to the introduction** of this set of questions. In the original questionnaire, the question was introduced as follows: “It is expected of police officers that they behave correctly. How important do you think that the correct behavior of an individual police officer is for...”<sup>79</sup> followed by each of the items. There were two issues with this introduction. First, the questionnaire was tested by an officer from the psychiatric ward pilot. Linking the general introduction to the specific questions was confusing for this officer, after which it was decided to simply repeat the first part of the sentence for each question so that it would be understood properly. Second, the original question only inquired after correct behavior. However, it is known that incorrect or unethical behavior can also greatly impact the concepts that were probed. Therefore it seemed better to make the question more general. As a result, each question started with “my behavior as a prison officer is important for...”<sup>80</sup>. The general introduction to the set of questions, then, just explained to the respondent what the items were about and to indicate for each statement to what extent they agreed or disagreed.

#### *Cell 5: Defining a situation as an ethical one and seeing different solutions*

This cell, as the title shows, consists of two different components. The first, **defining a situation as ethical**, was not measured by De Schrijver (2014). She argued that this was impossible because it is only possible to observe this skill in real life. We disagree with this notion, because the same can be said about other cells that are measured in this questionnaire, such as applying rules, moral courage and the different types of empathy. Therefore, in the new version of the questionnaire, we attempted to measure this component in two ways. The first was to add a question to the two vignettes which asked the respondent whether they thought the situation described in each vignette constituted an ethical dilemma. The questions here were adapted versions of questions used by Reynolds (2006)<sup>81</sup> in much the same way. The formulation of the original items was thought to be too complicated, however, especially when translated to Dutch, so it was simplified. As a second way of measuring this subcomponent, an adapted and translated version of the moral attentiveness scale (Reynolds, 2008) was used. 9 out of the 12 original items were retained. The other three (“My life has been filled with one moral predicament after another”, “I think about the morality of my actions almost every day” and “I often find myself pondering about ethical issues”) were considered a little too extreme and generalized for a survey on workplace morality. Both the items from Reynolds (2006) and Reynolds (2008) were translated using the same procedure: the researcher translated the items herself, and a colleague then also translated them independently. The two translations were then compared by the researcher and the supervisor of this book, and a final decision was made. In some cases, neither of the translations was retained because a better alternative came up during this discussion between researcher and supervisor.

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<sup>79</sup> “Van politieambtenaren wordt verwacht dat ze zich correct gedragen. Hoe belangrijk vind jij dat het correct gedrag van een individuele politieambtenaar is voor...”

<sup>80</sup> “Mijn gedrag als PBA is belangrijk voor...”

<sup>81</sup> “There are very important ethical aspects to this situation” and “This matter clearly does not involve ethics or moral issues” respectively.

The second subcomponent was **seeing different solutions**. Here, the original questionnaire again used a vignette. Respondents were instructed to read the vignette, which described an ethical dilemma, and then asked to write down as many solutions as they could think of. In the original questionnaire, the vignette was about the (police officer) respondent helping a lady get home after a fall from her bicycle. The lady subsequently showed up to the police station the next day with a bottle of wine (in later versions of the questionnaire a box of chocolates). Police officers are technically not allowed to accept gifts, but of course in such a situation a citizen who has her gift rejected might be very disappointed. Again, we tried to mimic the original vignette. The result can be seen in Appendix A. In the new vignette, the respondent (prison officer) accidentally runs into an ex-prisoner in a bar. The ex-prisoner wants to thank the officer for good treatment while in prison by ordering him or her a pint of beer. Like in the original vignette, officers are not allowed to accept such an offer, but an ex-prisoner might be deeply disappointed if it is rejected. The topic of the vignette was suggested by officers from the psychiatric annex pilot after the researcher asked them for a realistic dilemma involving gifts from prisoners. It was said to be a realistic situation that had occurred to multiple officers already. Except for the vignette, the original phrasing of the question itself was retained.

#### Cell 6: Empathy and perspective-taking

These items were completely retained from the original questionnaire, given that their phrasing and content were general enough to apply to any occupational group.

#### Cell 8: Using different moral arguments

**Three types of changes** were made to the original formulation of these items. First, all terms that referred to the police were replaced. For example, for the item “In this situation I need to make sure that I don’t damage the image of the police by my decision<sup>82</sup>”, ‘the image of the police’ was replaced by ‘the image of the prison system<sup>83</sup>’. Second, the item 9 was slightly rephrased to better suit the new context. The original item used the word ‘kostenbesparend’ (‘cost-cutting’), which suited the original vignette involving excessive violence. However, in this new vignette there was no such opportunity for cost-cutting, given that the violence was now not carried out to reach a certain specific goal. The new phrasing was therefore now ‘wat het minste kost of last oplevert’, which translates to ‘what leads to the least amount of costs or burden’. Prisoners filing a successful complaint against a prison officer could be seen by citizens with negative attitudes against prisoners as providing a burden to society and therefore this new phrasing better suits the new vignette. Finally, one item belonging to the excessive violence vignette was removed. This item did not feature in the original item set for the ‘database vignette’ in De Schrijver (2014) (the ‘tenant vignette’ in the current study) and was added specifically for the excessive violence vignette. It measures the same level of argumentation as another item (item 4: “In this situation I must take into account my responsibility for the prisoners: all prisoners have the right to be treated correctly”). In the original vignette, the excessive violence was used to get the name of an accomplice to the crime from an arrestee. The item therefore read (translated): “In this situation I must think of the other citizens: if Tom and I hadn’t arrested the suspects, then there could have been more victims”. This does not make sense for the new vignette, which does not deal with citizens, so it was left out. This was not a large issue, given that the item was also not present in the item set for the database vignette and there was already another item measuring the same argument on the same level.

#### Cell 9: Attitude of flexibility

These items were completely retained from the original questionnaire, given that their phrasing and content were general enough to apply to any occupational group.

#### Cell 11: Priority to rules and consequences for others in what you choose to do

The same procedure was used here as for the original questionnaire: the respondents were instructed to go over the list of arguments they had rated during the measurement of cell 8 and pick the three arguments that were most important for their decision in the excessive violence and tenant vignettes. They were then asked to further rank these arguments in order of importance.

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<sup>82</sup> “In deze situatie moet ik zorgen dat ik het imago van de politie niet schaad door mijn beslissing.”

<sup>83</sup> ‘Het imago van het gevangeniswezen’

*Cell 12: Autonomy and moral courage*

For **autonomy**, the same items were used as in the original questionnaire. They were phrased in such a way that they can be used for any occupation. **Moral courage**, however, was measured quite differently. In the original questionnaire it was measured by adding a new situation to the excessive violence vignette. The respondent was provided with the information that the victim had filed a complaint for excessive violence against Tom, and that she had been asked to testify as a witness to the situation. The respondent was then asked what she would do and was given several pre-determined options. If the respondent indicated she would tell the truth and say that Tom used excessive violence, this was considered to show moral courage. De Schrijver (2014, p. 134) admits, however, that this way of measuring moral courage implies a normative assumption where one only shows moral courage if one speaks the truth. It is possible that someone finds it incredibly difficult to lie, however, in which case she would show moral courage if she lied anyways to protect her colleague. Although De Schrijver (2014) chose to use this way of measuring moral courage anyway, we feel that it would not match with the assumption of the training program we are trying to evaluate with this questionnaire. The training program always emphasized that there were multiple solutions and tried to shy away from normative assumptions. We therefore chose to retain the original procedure for continuity, but also to add another way of measuring moral courage. This was done by means of an adaptation of the Workplace Social Courage Scale (WSCS) (Howard et al., 2017). Social courage is of course different from moral courage, but some of the items included in the WSCS were very relevant to moral courage. An example of such a relevant item is “Although it may damage our friendship, I would tell my superior when a coworker is doing something incorrectly.” This item was taken and translated using the same procedure described above for the items measuring cell 5. A second item was created that used largely the same phrasing but applied it to talking to a colleague about doing something incorrectly: “I would tell my colleague when he or she is doing something wrong, even if it would damage our friendship<sup>84</sup>”. Three additional items were constructed by us. These items measured whether the respondent is able to do what is right despite pressures from colleagues, pressures from the supervisor and negative consequences for themselves.

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<sup>84</sup> “Ik zou het tegen mijn collega zeggen wanneer hij of zij iets verkeerd doet, zelfs al zou dit onze vriendschap schaden”