

Private Policing: Creating New Options

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The nature of policing in Australia is changing. Indeed, the very nature and the way Australians understand and execute justice is changing. Australia, like other Western countries, is experiencing a privatisation of policing functions as the number of private security providers and companies increase. By the year 2000, Robert Smith estimates that, in Victoria alone, there will be a ratio of private agent licence holders to police of 10:1. Based on 1992 trends, this converts to 100,000 licence holders and 10,000 police, he says (Smith 1994, p. 198). At present it is estimated that there are somewhere between 60,000-80,000 private security personnel nationwide (Wilson 1994, p.160).

The growth in private policing reflects growing demand for security and private agents. Fear and concern for violence and theft is causing more residents and companies to turn to personal crime prevention methods to protect their lives and property. In 1983-84 the reported crime rate was 7173.8 per 100,000 population. In 1994-95 the figure had leaped by 34% to 9653.3 per 100,000 (Mulkherjee, private communication, 1995). As private policing has become more prevalent, there is a changing expectation of the role of police in our society and delineates between private and public police functions.

Private police are seen to be concerned with the protection of personal and corporate interest while public police represent the interests of the public and seek to enforce the regulations of the judicial system. Still, the distinction between public and private police are often blurred. In principle, private police are restrained by the same laws that govern everyone else, but in practice, a person in a uniform with a gun carries self imposed authority and power and may exploit a situation to place themselves and their employer above the law.

As people and public police become more accepting of the functions of private policing, it is important that private policing powers are clearly defined and restricted. At present, it is difficult to determine the future direction of private policing in Australia and, if left unchecked, could fast become a law unto itself. As the private police industry grows, it is important that social order be maintained and proper regulatory safeguards are in place to ensure social accountability. Private police, like public police, must be responsible not only to their employers but also to the community they work within.

What is private policing?

Private policing, while emerging as a new industry, is not a new phenomenon and predates the existence of public police as witnessed today (Wilson 1994 p. 285). Private security, indeed, private security armies, predates industrialisation. Australia is currently experiencing a growth in private security police as people demand more security against potential crime and require local and personal service. While there is a tendency for private security companies to become national and even international operations (Cowan 1991), 92% of private security operations are small businesses with fewer than 20 employees (ABS 1990, p.2). This suggests that there is a demand for local businesses to provide local services.

Private policing refers to that policing activity of crime prevention, detection and apprehension carried out by private organisations or agents for commercial purposes. Private policing may be defined to include those people who work for a security company or are employed by an individual or firm to carry out security work, crowd control or private investigations. In seeking to describe the policing activity of private police, however, most functional definitions stem from the perceived role of the public police (Nalla & Newmon, 1990). Private police look and behave like public police and describing their function often involves a comparison of the activities and responsibilities of the two. Despite the differences, public and private police tend to mirror each other to a certain extent (Nalla & Newman, 1990).

In a general sense, private policing incorporates any policing activity carried out on a private basis, and includes those policing activities performed by community groups on a commercial or voluntary basis. Increasingly, private organisations are using policing functions to protect property or control crowds. School security, religious gatherings, sports meetings and community fairs, are all examples of situations where community groups could perform their own policing. This “self help” movement is concerned with self protection and crime prevention and reflects a community attitude that people can be responsible for their own policy activity and can probably do it better than the police. Still, private policing as a professional and commercial industry is to be distinguished from the community policing. The functions, presentation and purpose of operation are quite different.

In the context of a rise in demand for security and the rapid growth of small and diverse security activity, it remains difficult to distinguish private and public police activities. Private policing, in comparison to public policing, has been described as passive policing as to active policing, or as proactive and preventative rather than reactive: where public police generally react to the crime, private police through surveillance and presentation are seen to prevent crime (Wilson 1994, p.285).

Still, such stereotypes are to be questioned. The work of private police may not be predominantly proactive at all. In the hospitality industry, for example, there appears to be a blending of proactive and reactive functions. A survey of the Banksia Hotel in Victoria, revealed that 53 percent of incidents could be described as proactive and 47 percent as reactive and requiring security personnel to respond to given situations. Incidents such as bag checks and floor checks were seen to be proactive while dealing with lost property,

under age drinking and the removal of undesirables were seen not to be reactive (Mead Niblo 1995, p.169).

However, to delineate public and private police, however, on the basis of function may be arbitrary. There is no clear distinction between crime prevention and reaction, or passive and active functions in public and private policing. Both forms of policing carry out these functions. It is therefore perhaps more helpful to differentiate private and public police on the basis of purpose or focus.

Public police are public servants and are employed for the common good and welfare of society. Private policing targets private crime and is in the business of protecting private and corporate interests. It is the expression of "commercial justice" (South, 1987 p.151) or "private justice" (Henry 1978, p.123). To be sure, in this context, crime itself is redefined as that activity which hinders a company's ability to make profit, or protect its property or public image. Alcoholism, absenteeism, theft or even strikes, could be considered matters for private security (Institute for Research on Public Policy 1993). The point is that private policing, outside of adequate regulation and accountability, remains a matter of self definition and no simple model adequately describes the roles or changing nature of policing services.

This is not to suggest that private policing is becoming somehow an autonomous institution within our society. While the use of private police is increasing, there are both legal and practical limits to the powers and abilities of private police. As situations arise which require arrest or investigation of criminal activity, citizens and corporations are still obliged to call upon the services of public police. Accordingly, there are many circumstances which require private police to co-operate with investigations and activities of public police. (Mead Niblo 1995, p.29)

The Nature of Change

Crime in Australia has increased and the fear of crime has increased with it. Although news media continues to dramatise crime for their own economical interests, increased fear of crime is based on fact rather than fiction. Australia is gradually approaching the high levels of crime experienced in the United States and Canada for personal and property victimisation (Wilson 1994, p.281). Accordingly, people are looking for more protection than the public police force can offer.

Still, it is not just an increase in crime that is causing a change in social expectations of policing services. There are changes in economics, social and political factors which are also contributing to the demand for private policing.

First, Australia is moving from an industrial to an information-based society. It is estimated that by the year 2000, 60 percent of Australians will be working in information services such as banking, law, insurance, education, advertising and computing (Wilson 1994, p.160). Tracking and arresting criminal activity in these areas is beyond and is likely to remain beyond the capability of traditional policing methods.

Second, demographic changes in our society and the “baby boom echo”, (the children of the post war baby boom) bring a new wave of 15-21 year olds, many of whom are unemployed, and this creates a social environment conducive to increases in crime.

Third, along with demographic shifts, there are economic factors which have caused high unemployment, particularly youth unemployment, and at the same time, an increase in working women. As more youth have limited funds and increased leisure time, homes are left empty during the day as both adults work. This creates an environment conducive to crime and the need for private protection.

Fourth, the increase in “mass private property” (Shearing and Stenning 1983) in the form of large shopping complexes and large compound style housing estates, require constant surveillance for the safety of shoppers and residence. In fact, adequate security has become one of those value-added extras that attract customers and residents.

Fifth, with the political decision to privatise government enterprises and utilities such as the airlines, prisons, telecommunications and even electricity, has come a need for the new private owners to consider their own security needs. As more areas of policing have devolved to the private sector, private policing has become a commodity for sale in a free market economy (Hinds 1994, pp. 190-193).

Sixth, the growth in computer and communications technology has brought a new professionalism and increased capability in surveillance and crime detection. The creation of new enterprises (Swanton 1993) and opportunities bring with it a demand for improved policing methods.

Seventh, with changes and sophistication in the nature work have come changes in the nature and form of corporate or industrial crime. Embezzlement and the misappropriation of funds and property require organisations to provide specialised training to security personnel or to hire police officers who are proficient in these areas to screen and track employees when necessary (Mead Niblo 1995, p. 29).

What is seemingly obvious is that these social trends are generating increasing gaps between the “haves” and the “have-nots”. Private policing is becoming a privilege for the rich and public policing a service for the poor or “less privileged”. A polarisation of policing services is emerging based on private requirements and peoples paying capacity. At the very least, what is developing is an unequal access to protection and security as public policing staggers under continual budget cuts and the segmentation of policing functions.

While the private security business is growing, changes are taking place within Australian police departments. There is a growing specialisation of function, and uniformed police provide a diminishing percentage of all duties and operations. Over recent decades, public police forces have witnessed a “civilisation” of police duties as non-police perform functions, such as typing and driving, that don’t require police training. In addition, there has been a delineation between public sector policing activities with the growth of services such as immigration services and passenger control. (Bryatt 1994, p. 97)

While public policing continues to be active in crime detection and apprehension, traditional policing in our society, as carried out by uniformed police officers, has become

more specialised as other forms of policing emerge. The nature of policing is changing within the public domain as well as for private industry.

Remodelling

It is not just that the policing functions are changing, nor is it just that the relationship between public and private police are changing; the forces of supply and demand are creating new services and new types of service delivery. Essentially, Australia, like other Western countries, is experiencing a remodelling of the policing services.

In this context of change, various models have been proposed to define the relationship of the public and private police (Sarre 1994, p.178). Models of partnership, competition, duality and cooperation all seem possible. Yet, no one model, Sarre suggests, fits well with what is happening between the services. At the same time, it is just as difficult to find one model that adequately describes the range of functions and roles carried out within the private security industry. For example, a computer company is likely to give priority to the protection of information stored on computer while a hospital, open 24 hours a day, would need to give priority to the control of pedestrian traffic and who has the right of passage. In contrast, a hotel with many guests, would predominantly face issues of stolen property, lost property and even noise complaints. A unidimensional view of private policing is not possible and, indeed, models may be more applicable to clusters of business and service types within the industry. (Mead Niblo 1995, p.221)

The problem of suggesting one model to describe private policing or to describe the relationship between private and public police is an attempt to limit and define what is currently a very active and rapidly changing situation. This seems unreasonable. Policing in Australia is dramatically evolving. Further, it is likely to follow the trends presently occurring in the United Kingdom, Canada and the United States.

In the United Kingdom, this remodelling, and, indeed a re-evaluation of the nature of private policing, has brought about the sale of whole police forces to private enterprise (Judge 1991, p.34). In Harwick, Flexstowe and Tilsbury, the constabularies have been sold to the local port companies and include all the jurisdictional powers. In Canada, a survey of public opinion of private security services revealed that almost 80% of Canadians routinely encounter private security personnel and a majority of people indicated that they were comfortable with private security organisations assuming “traditional” police functions that did not include responding to Criminal Code offences (Angus Reid Group Inc. 1992). Traditional functions included such activities as parking control, airport security, crowd control and court security. The most common reason given for the response was that people believed it would lead to improved service.

The point is that developments in private security services are not only causing a remodelling of the nature of policing but that public attitudes and acceptance of these changes are also occurring. Yet, we would argue that the change is essentially more fundamental than even these changes would suggest. These countries, including Australia, are witnessing a change in paradigm of the policing and judicial systems.

This paradigm change is a fundamental shift in the way society perceives and understands the nature and function of the policing and judicial services. It is a change in the “theme” of policing activity and philosophy. It is more than a change in function, it is a change in the ethic and public perspective of policing and justice in society. This change in model and theme is a moving from power invested in a few and dispersed by the state, to a personal empowerment, self interest, and private servicing, where economic cost benefit plays a determining role in the nature and quality of service. Indeed, it is a change in the politics of power.

The paradigm change is at the same time a change in the ethics of power. Under “traditional” law and order, justice and policing has been based on a social ethic where principles and laws determined behaviour and expectation. With the advent of private justice, there arises an opportunity for a situational ethic where economic outcome is the determining factor to any given situation. For example, a private company may chose to dismiss an employee for a misdemeanour for purely personal and economic benefit factors rather than calling in the police. In this situation, it would be immaterial whether the employer has broken the law, the issue would be one of damage control and corporate advantage.

The change in paradigm is also having an effect upon the public police system. Not only is there a changing public expectation of the quality of police service, but also a redefining, and a narrowing or specialisation of public police services toward crime investigation and criminal apprehension as other services are provided for sale. In comparison to private policing, public policing is commonly perceived by the general public to be over bureaucratic, under financed and less capable than in years gone by to intervene or give the public help. While there are legitimate reasons for the perceived decline in the range of public police services, policing is becoming a matter of “getting what you pay for” and people and business increasingly want more than governments can offer or seem to afford.

Yet, how far can private policing and private justice evolve? In the United States, the Federal Trademark and Counterfeiting Act of 1984, gave business extended powers to protect their property including the ability to investigate, seize evidence and pursue private criminal justice prosecutions (Hinds 1994, p.184). Litigants, Hinds explains, can now bypass the public courts and hire a judge, jury and court to settle their civil suits. He suggests that “...the concept of private policing cannot be separated from private justice” (Hinds 1994, p.185).

However, private and situational ethics will never be an adequate means of social control and regulation. Private interest can not determine the public good. The economically empowered can not determine the life and opportunities of the economically deprived- at least, no more than they already do. Private power must always be subject to social scrutiny and social accountability (Wilson 1994, p.293). As the paradigm of policing in Australia changes it is important that the changes are not left unchecked. It is important that the changes are confronted head-on and appropriate parameters put into place to allow private industry growth in a context of social accountability.

Accountability and Responsibility

The authority and power of private police cannot be explained by reference and contrast to the powers of public policing. Private police do not enforce public law nor do they act as public police privately (Sarre 1994, p.968). Although crime prevention and control might appear as a common theme, there exists "... two strands of law and two strands of law enforcement" (Smith 1994, p.202). In addition to the difference of ethos and function between the two forces, there is also a difference in the statutes and laws which regulate their operations. While private police may appear like public police and even carry guns, they do not share the same authority and power under the law.

Rick Sarre, in reference to the South Australian Commercial and Private Agents Act of 1986 (proclaimed in 1989) points out that a private security agent licence does not give the agent any power or authority to act in contravention or disregard of any law (Sarre 1994, p.168). Yet, statute clauses like these do little to define clearly what an agent cannot do, and are of little value in defining what an agent can do. The South Australian Act, in reference to private agent authority, attempts to separate public and private policing powers and to align private policing with the rights and privileges under the law of any other citizen. The Act does not, however, delineate legal powers. In theory, private police have no more authority than other citizens, but in reality the use and even abuse of power and authority by private police reach beyond the scope of ordinary citizens. Stenning suggests that it would be more accurate to suggest that private police have no need for more powers than ordinary citizens and the property owners, bankers and corporations they represent. (Stenning 1994, p.148).

In practice, however, private police and their employers are able to exercise power beyond the scope of public police and ordinary citizens. They are able to conduct searches, arbitrarily restrict people from private places and services and as instruments of their employers, restrict employment, housing or bank facilities to ordinary citizens (Stenning 1994, p.149). These are powers not available to public police.

Under the law, and under test of the law, private policing may have no specially designated authority, but in reality, private authority is self-defined and arbitrarily imposed in a situation that warrants it. As employees of business and property owners, security agents exercise the same powers under the law ascribed to their employers. Stenning suggests that for the most part these powers extend from three areas of law: the law of contract, the law of property and industrial law (Shearing & Stenning 1982, p.6).

Under the law of contract, private policing organisations and personnel are able to contract as agents for their employers and act under their instruction and express the range of their authority. This allows agents access and control over places outside the normal jurisdiction of public police. As agents for a property owner of a business, private police can enforce conditions of contract made between the property owner and the public. That is, where a customer or resident has entered into a contract by way of something as simple as purchasing a ticket or paying rent, a policing agent may demand to check baggage or restrict passage (Sarre 1994, p.170). Because of the nature of contractual law in such matters and peoples general ignorance of it, this authority is easily open to abuse by policing agents.

Under the law of property, private property owners and their agents have the power to protect their property, eject strangers or subject invitees to stipulations prescribed by the owner. This may include the use of force under certain circumstances (Sarre 1994, p.171). Under industrial law; private police have the power to represent their principles in person searches, credit checks, or any other invasion of privacy or restriction of access or movement as deemed permissible under an employment contract. This includes both direct and implied terms of contract (Sarre 1994, p.172). The difficulty and hazard in executing these authorities is the use of force allowable under the law to carry out such delegated authority.

While it may be argued that private police have no more power and authority than ordinary citizens, or, on the other hand they have certain and delegated powers, the reality of a person in a uniform, wearing a weapon and conducting searches appears to the public as having similar powers as the public police. While the law may provide guidelines and restrictions, in fact, private police enjoy more power than is often legally accredited to them. The restrictions on the use of power are often not gauged by the requirements of the law but the requirements of insurance companies and the obligation to protect property. That is, private policing is more sensitive to legal liability than it is to judicial statute. Not only is private policing subjected to pressures beyond judicial code, in the form of economics benefit and civil action, but it is left to define law and order with little regard to public accountability.

The problem with private agents representing corporate and personal interests is that those principles are relatively free to determine what is right and what is wrong in the context of what is good for the company. What is good for the company may not coincide with what is good for the public. Indeed, this private ethic may determine to use security personnel and equipment to gain a corporate advantage over a competitor, by way of stealing information, as easily as protecting property from theft by its own employees (Hinds 1994, p.189). Put simply, private policing accountability is a matter of priorities, and accountability to the principle is always the first priority and the civil and legal rights of others is only secondary.

The issue is no longer a matter of 'if' and 'how' changes to private policing and justice will occur but whether it will occur in an arbitrary fashion or under some guidance and control of state governments (Hinds 1994, p.187). Fundamental to private policing and the use of private force, are the issues of civil responsibility and duty of care (Sarre 1994, p.176). In the first instance, private agents should not be in themselves a "hazard" to the community and a source of disruption and harm. Secondly, private agents should not seek to breach the law in the conduct of business and should be accountable to the law in all they do. While it is understood that private agents are not employed to uphold the law or to defend the law, at the same time, their behaviour should not contravene the codes or the meaning of the law.

The question of regulating private police and their activities is a difficult one to address because of the remodelling and paradigm changes that are taking place. Social expectations as well as the scope of private policing services remain unsettled. Shearing and Stenning suggest that private regulation is occurring in the industry through the natural forces of market place competition (Shearing and Stenning 1982). Consumer expectation as well as the pressures of potential civil liability and bad media cover are all forces contributing to the self regulation of the private policing industry. Yet, there remains the

question of who regulates the regulations (Wilson 1994, p.288). Given that the majority of agents work for small businesses with a growth in internationally controlled agencies, self regulation is more idealistic than practical (Wilson 1994, p.288).

Improved government regulation seems the most probable way forward. The danger is that over bureaucratic involvement could become more of a hindrance to a growing industry than a help (Stenning 1994, p.152). The industry would be better served by clear legal definitions of private policing powers and perhaps the establishment of a private security regulating body or advisory council as evident in parts of the United States (Stenning 1994, p.152). In the Australian context, it may well be beneficial to establish a standing commission on private security in each State. A commission, taking on advisory, regulatory and licensing functions could be made up of representatives from interested sections of society and be financed by annual licensing fees (Wilson 1994, p.292).

A licensing mechanism would allow a commission to set standards and to improve those standards by way of, and denial of, license applications. It would also allow a government to require a certain level of training and expertise to be achieved before corporate or individual licenses were issued. While changes to legislation in Victoria and Queensland, for example, in recent years have addressed the issues of licensing and training, passing responsibility for regulating security providers back to government departments with generic interests may prove to be an oversight. The private policing industry needs to be accountable to a specific monitoring body with powers to act.

The Need for Training

There are many security personnel who are conscientious and proficient in their work. At the same time there are many who are inadequately trained and a potential hazard to the public and their employer. This is particularly true of those involved in crowd control.

At a Christmas party in Darling Harbour in 1991, two men were beaten by security officers for using the wrong door to enter the Craig Tavern. One man was knocked into unconsciousness and the other waited with his wife for 40 minutes for the police to arrive because the security officer had called and cancelled the emergency call for help (Smiedt 1995, p.27). This type of occurrence, unfortunately, is common. Security policing looks fine when agents appear neat and tidy and simply do their rounds. Their presence is essentially a crime deterrent. Problems associated with inappropriate use of force and the lack of adequate training, however, become evident in the context of trouble and conflict.

Training of security personnel is important for the development of appropriate social behaviour and for the proper use of authority but it is also important to prepare people for the potential dangers associated with dealing with criminal activity. David Smiedt, in "Armed and Numerous", reports of an attack on an Armaguard van outside a Commonwealth Bank in Glen Waverley, Victoria, where two bandits with an M-16 automatic weapon bailed up the guards and fired more than 60 rounds into the truck before fleeing with bags of cash (Smiedt 1995, p.27). Smiedt goes on to report how dangerous security work can be for no other reason than guards are easy prey for thieves who want guns. Chris Gibson in May 1993, was the victim of such a theft where he was shot dead with his own gun (Smiedt 1995, p.29).

Most security guards are there, by their presence, to prevent crime and act as a deterrent to potential criminal activity. It could be argued that this type of work does not need detailed training. Yet, there is more to security policing than holding a gun or operating a flash light. Private policing can prove dangerous to security personnel just as much as the misuse of power can prove a hazard to the public.

Until 1990, the training of security personnel was not an issue adequately addressed by legislation in any state in Australia. In general, training for security work was carried out by the employing firm or a private training company teaching short two or three day courses. Such courses have tended to lack any intellectual content or provide for screening of people as suitability to the task. In most, if not all states, there was no direct correlation between the scope and extent of training and the acquisition of a security providers licence, and often, crowd controllers and 'bouncers' were not licensed at all. The training that was required for a security licence tended to be little more than an introduction to the subject matter. It has been just too easy to become a security officer (Wilson 1994, p.290). As a consequence, there was a lax attitude within the industry toward the use and misuse of violence and force. This in itself has caused a public perception of security personnel as unprofessional or even as thugs.

In response to public concern, the Victorian Community Council Against Violence released a report in 1990 entitled "Violence in and around Licensed Premises". The report identified problems in management responsibility, the use of unreasonable force and inadequate crowd control measures by security personnel. The causes of these problems were seen to be due to the lack of adequate training, poor selection of staff, lack of accountability of personnel to management, and the lack of personnel identification and an employment register. It is most likely that if this study had been conducted in other states the findings would have been the same.

The problems that are now evident in the security industry have arisen because, as a growing industry, government authorities have not previously considered the risks and requirements of private policing seriously. It is now obvious, however, that security work requires more than common sense or intuition. It requires knowledge, analytic skills, self control and know how in crime prevention measures (Criscucli 1988). It has proven irresponsible to believe that market place forces and the industry itself would determine the requirements for private policing (Wilson 1994, p.290).

The Victorian Council Against Violence report indicated that current courses were inadequate and undoubtedly, there was a need for greater supervision and enforcement of training. The report was treated seriously by the Victorian Government and the Victorian Private Agents Act 1966 was amended in 1990 along the lines of its recommendations. The Amended Act has since influenced the other states. South Australia, Western Australia, Queensland and New South Wales have either amended legislation or are in the process of doing so to improve the safeguards and the training requirements of private policing.

In Queensland, for example, provisions regulating the providers of security services came under the Invasion of Privacy Act 1971. In a review of these provisions and the Victorian precedent of 1990, it was felt that the current legislation was inadequate and that new

legislation was needed. Consequently, the Security Providers Act 1993 was introduced and the requirements for improved training implemented in 1995.

Under the new legislation;

- All security guards are to be licensed.
- Licensing includes screening for relevant criminal record.
- Licensing is conditional upon the completion of an approved course of training.
- All security firms are licensed.
- The Registrar has the power to suspend or cancel a licence.

The consequential Guidelines and Conditions of Approval of Training Courses for security personnel, provides for three streams of courses for; Security Offices, Crowd Controllers and Private Investigators. Gone are the days of the two and three day courses in Queensland as training organisations (of which there were 8 in operation in 1995) fulfil the requirements of a VETEC course structure and approximately 36 hours of course work.

In New South Wales, like Victoria, the issue of excessive violence and insufficient training of security personnel created public concern in 1995 after several robberies involving security personnel. At present, oversight of security providers comes under the direction of the Firearms Registry of New South Wales, a division of the Police Service. The adequacy of this arrangement and the regulations governing training need review and changes may occur in 1996.

In several states, those conducting reviews have become concerned with the process of recognition for people who have been licensed by another state. It has also been a concern for security companies. Because large security firms operate in all states it appeared undesirable for them to comply with differing standards across all jurisdictions. While some in the industry argued that such a national standard would prove uneconomical for the industry, it was also argued that, in time, a national standard would heighten professionalism and increase credibility (Wilson 1994, p.291). In 1994 the initiative was taken to move toward a national standard for formal training requirements.

During 1995, a joint committee, made up of state representatives, worked to create a national standard for security providers. Working under the Property Services Training Advisory Body, the committee produced a National Security Industry Competency Standards report. These Standards are extensive and, it is hoped, broad enough to allow the states to comply with something like six of the twenty five possible training competency subject areas and thereby comply with a national standard. The Standard and report will be released in 1996 and most states are expected to comply. While it does not carry any federal authority to impose compliance upon the states, the creation of a national standard speaks of the states willingness and desire at this time to address the issues of security providers seriously.

In all of these changes in training it is important that the state's regulatory bodies do not just give lip-service to training requirements. It is important that the anti-intellectual attitude in the private policing industry changes (Wilson 1994, p.163) and properly formulated competency standards are set and taught in a systematic manner that moves

beyond practical skills. Such training should address the social, ethical and legal aspects of pseudo police work as well as the practical (Wilson 1994, p.291).

The changes to legislation and to training requirements that are taking place across Australia are further evidence of the changing nature of police work. It is perhaps fair to say that the changes in regulation and training are an effort to define and refine the work of security personnel. In the future, it is quite possible changes will occur to also empower security companies to take a greater role in policing services.

Conclusion

As both crime and the fear of crime have increased in Australia, citizens have become more concerned about their personal welfare and the protection of their properties. In response, the private policing industry is growing and changing in form and service capabilities. Fundamental to these changes is a change to the model or paradigm for police services. Policing is no longer perceived as solely a government responsibility but as also a private endeavour. People are more willing to take responsibility for their own security and more able to initiate their own policing services. The ‘theme’ of policing has changed towards increased private initiative and society is witnessing an exercise in private or personal empowerment.

Social behaviour and expectations are also changing. Even governments and government authorities running large public events and shows have taken to hiring private security firms to police such events. It is not only a matter of cost efficiency that produces such contractual arrangements but it is also a matter of the nature of the actual services private security companies provide. Specialised organisation and management services, as well as cost effectiveness, now differentiate public from private policing services and the public seem content to accept this relatively new style of policing.

It has been the purpose of this paper to argue that the private policing industry must be properly regulated to ensure social accountability and proficiency of service in the midst of rapid and fundamental change both within society and the industry itself. The industry cannot be left to its own devices and free-floating market pressures to produce adequate duty of care and social accountability. Society cannot afford to have a dual police system - one where private police protect the property of the rich and a demoralised and poorly funded public police service contain growing social unrest among the poor.

Current laws do not significantly identify the private policing industry for special attention or define and delineate the powers and restraints of agents and companies other than for licensing and training. The nature of justice, like policing itself, is changing as the community and business sector search for new ways of protecting themselves. It is important that our legal statutes and regulatory policies are improved to accommodate these social needs. The laws which govern private policing powers and authority need to be extracted from the legislation that presently conceals them and new legislation created that defines their powers in the context of responsibility to a regulatory body or standing commission.

As a first priority, all states need to institute regulatory safeguards in the form of licensing procedures and training requirements. In this context, industry representatives, academics and government bodies need to create the dialogue and environment for improving the industry standards and producing adequate means of accountability. At present, such a dialogue is only just beginning in Australia and much more needs to be done.

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