

PRIVATE SECURITY
IN
AUSTRALIA

BY
A.S. REES

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Australian Institute of Criminology
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CHAPTER 1

SCOPE AND METHOD

It was with the utmost naivety that we began this report, for whilst we had many years of experience on the periphery of private security, we were not prepared for the amazing diversification of views within the industry about the nature of the industry, nor the apathy in many quarters of the industry in regard to the industry's well-being and its future potential. There is, we regret to say, a high degree of self interest displayed by many members of the industry and this works to the detriment of their clients and the public.

The secrecy in which many members of the industry attempt to clothe themselves is in some cases understandable, especially where classified Government work or work in banks is involved. Mostly it is self important nonsense with so called security professionals attempting to create an air of mystery which they can use as a marketing aid. This is very prevalent amongst private investigators and alarms workers.

Speaking to an alarms installation manager one day we expressed admiration at the way an opposition firm restricted access to, and information about, a specially devised "classified" alarm panel which was created for a limited clientele, and (naturally) costing more, provided a greater degree of protection than was normally available in an off-the-shelf model.

It was at this point we discovered one of the greatest strengths and, paradoxically, great weaknesses of the Australian security

industry, incestuousness.

The installation manager scoffed at our statement and said, "There is no security in the security industry". An odd statement until it was explained.

He said that nearly every executive of his company had worked for the company we referred to (it transpired that within the term "executive" he included technical staff) and many of them had access to vital information in respect of that firm's operations, including the "classified" system we had mentioned. Conversely, that firm was staffed by a number of "executives" of the firm which now employed him.

To make his point about the portability of what we might call intellectual property, he said he could recall most of the working diagrams, and then he added, "Besides, I've still got the diagrams at home".

For some reason he took our conversation to heart, and as if to prove his point, the next time we saw him he asked us to accompany him to his car. He opened the boot and there was not the set of diagrams he had described but an actual working panel.

He assured us that it was easily got hold of and this was typical of the "controls" in his part of the industry.

We have limited this study to that sector of security which we could call "for sale or hire security" or what is generally referred to by overseas researchers as "contract" security. This includes alarm companies, guard and patrol companies and those companies which offer a "one stop" mixed bag of security services including various types of investigations or provisions of services.

We could not study private inquiry agents or investigators with any thoroughness even though we sent survey forms to all the private investigators listed in the Australian telephone books. The reason

for the lack of attention to the investigative side of the industry is twofold. Firstly, it was not until after we began the work that we realised what a mammoth task we had set ourselves, and secondly, only about 2 per cent of those investigators contacted responded.

We were fortunate that those we did speak to later were able to help us unreservedly, even though it was detrimental to their image and we are very grateful for their frankness.

When we contacted the "industry" it was largely by the simple but tedious device of extracting company names and addresses from every Australian telephone book. Many firms which were listed as "alarm installers", for instance, wrote back to us saying that they were no longer in that line of business but were still in the security business selling wrought iron security doors or some other security equipment.

We had decided to exclude manufacturers and suppliers of security hardware but we gained an insight into the wide range of businesses which are located in that part of the industry, partly for the reason described above and partly because it is not easily possible to cause such separation when the security company being studied provides not only alarms and guards but security hardware also. At this point it may be pertinent to refer to the hardware such as anti-holdup screens used in banks, which are not simply basic security equipment but are a link which takes private security out of the role of being subsidiary to the public police and into the position of providing a protective service more sophisticated and efficient than the public police. We looked closely at a number of locksmiths, a safe manufacturer, a provider of bullet resistant glass, lock manufacturers and many other manufacturers and suppliers of security equipment, but this was on a selective basis to enable us to comment at least in passing with some degree of knowledge.

As reported in the 1983 Seminar, "Policing and Private Security", and later in "Security Australia", we sent 1148 letters to private security firms all over Australia. The envelopes contained one

questionnaire for management and two employee survey question forms. That is, we sent 1148 individual management forms to that many firms and 2296 individual employee survey forms. Finally 195 firms responded to the company survey by returning completed or partially completed forms. The number of employees returning forms was 289. Some of these were only partially completed. The percentages returned therefore were, as close as possible, 17 per cent and 13 per cent respectively.

Some comment must be added in respect of these figures. We refer to partially completed forms above because the proportion returned in that manner was high in both categories. To some extent it could be attributed to a literacy factor in respect of the employees, it could be argued, and a review of the returned forms tends to support that. However, in the case of the company forms where owners or executives were responsible for the completion it was surprising. A large number, the majority of the firms concerned, were small and the businesses were conducted by former employees of other security firms so the literacy factor could come into play again, but there is a suspicion that the overemphasis on secrecy referred to earlier could be a factor also.

It is not practical to list what areas were omitted and no real pattern was evident, but of the 195 company forms received 83 (or 42 per cent) had some omissions and of the 289 employees' forms 126 (or 43.5 per cent) had contained some omission.

121 company survey forms were returned "address unknown" by Australia Post. This represents 10.5 per cent of the 1148 envelopes sent. It has been suggested that there is a 10-14 per cent annual turnover (that is closing of business) in this industry. Whether this figure of 10.5 per cent represents that (1982) is open to conjecture.

During the survey we interviewed 196 people in the private security business and approximately 75 of these were not original correspondents.

We were fortunate to be able to have the co-operation of two of the largest security companies during this survey, and the help of a number of small firms and especially of individuals who could not have been more frank.

These elements of assistance were in addition to the survey results, and although we have wherever possible attempted to separate data received extra-survey using generalisations or examples, there is no doubt that the results referred to could be affected. We believe, regrettably with hindsight, that the method of survey could have been altered and limited to a much smaller geographic area if we wished a greater statistical result. Nevertheless we are convinced of the basic accuracy of the material received and used and that the result provides a representative view.

As mentioned earlier the private investigation "branch" of the private security industry did not respond to our enquiries wholeheartedly, but we believe that the information we did receive from private investigators was useful and that aspects of that part of the industry remain of concern and are still deserving of attention.

QUESTIONNAIRES - DISTRIBUTION AND RESPONSES

COMPANY - TOTAL: 195

	% of total responses	number of responses
New South Wales	49.0%	97
Victoria	35.0%	68
South Australia	7.0%	14
Queensland	5.5%	9
Tasmania	1.5%	3
Western Australia	1.0%	2
ACT	1.0%	2
Northern Territory	0.0%	0
	<u>100.0%</u>	<u>195</u>

EMPLOYEE - TOTAL: 289

	% of total responses	number of responses
New South Wales	44.0%	127
Victoria	37.0%	107
South Australia	6.0%	17
Queensland	4.5%	13
Tasmania	4.0%	12
Western Australia	3.0%	9
ACT	1.5%	4
Northern Territory	0.0%	0
	<u>100.0%</u>	<u>289</u>

CHAPTER 2

PRESENTATION OF THE REPORT

We wrote this report in an attempt to examine private security for the benefit of the industry itself, the public, those who wish to examine private security as a phenomenon and those who are concerned about private security's present and future position. We have tried to present our findings as plainly and straightforwardly as possible and to relate experiences, facts, stories, and where possible figures, which will make for easy understanding within a context in respect of the private security industry.

The tables of survey results, where of any use, are placed in their question form with the simple percentage answers at the end of the chapters in which they were referred to, or where those results may make most sense.

The percentage answers, it must be noted, mostly relate to the over-all percentage responses referred to earlier. That is, if we say 15% said X to Question 6, for example, it is 15% of the 13% of returned questions, if it was a question from the employee survey for instance. There may have been a percentage answer of another sort in respect of the same question not referred to in some instances, and we have decided because of lack of relevance in that aspect of response, or simply due to variations in response out of our control, to omit them.

Chapter 3 considers the makeup of private security and attempts some definition of the industry. Chapter 4 looks at the widely varying ideas of numbers involved in the industry.

This information prepares us for a discussion of aspects of work done in the guards and alarms area and the reasons for their use against a growing crime background. The next, Chapter 5, is concerned with the relationships between the police and private security while the following chapter (Chapter 6) examines some of the fears that exist about areas of private security. Chapter 7 examines some of the advice we received about corruption in the industry. Chapter 8 discusses the law and regulation in respect of private security. Chapter 9 takes a look at private investigators. Finally, Chapter 10 offers a few conclusions in respect of the findings.

CHAPTER 3

PRIVATE SECURITY - WHAT DOES IT MEAN?

When we say "police" in Australia we, that is most people, think we know what we mean. To some it means the breathalyser squad who wait on the roads in anticipation of the drinking driver. To others it means the policeman who has from time to time delivered a summons to the front door. Some people simply feel comfortable with the word, knowing that it means a uniformed policeman with enough authority to be called in when trouble occurs. The police are a place to go as much as a name. To many the police are a refuge against violence and an arbiter when the domestic equilibrium is upset.

If we were to say "private police" most people would feel that does not necessarily mean a good thing. "Private" probably means that those police are in the hands of private individuals, and questions arise about who gives the orders and who controls these people. But more importantly perhaps to some the question arises, who pays? The term private police then draws out negative responses, perhaps with sinister overtones for people concerned with civil liberties, or those with an historical bent who can recall the "private armies" of the 1930s. The "police" are, to ordinary people, the organisation paid for by the State and controlled by the State. They maintain public order and mostly are seen in a positive vein, particularly when the chips are down, despite the endless clamour about police corruption. Perhaps in Australia, the egalitarian state par excellence, where the Ned Kelly syndrome¹, that is the traditional

1. The Victorian town of Mansfield has a memorial to three policemen killed by Kelly, the bushranger, whilst the remainder of "Kelly Country", in north eastern Victoria, is commercially exploiting the Kelly "legend".

respect for criminals before police, still exists, the thought that corruption has always existed is a militating factor in favour of the police in the minds of some people.

We are examining "private police" here and shall use the term private security more frequently as the term "private police" is not used widely in Australia.

In North America the term "private police" is apparently quite common and the difference between the terms "private police" and "private security" has led to some discussion. It is held in some quarters that if one group performing a policing function is to be called "police", then so should the others.²

The point of view that this is based on a false premise³ relating to function based on occupational distinctions seems to be more supportable in our view, and it is agreed that what is critical in distinguishing public security (policing) from private security is not their function, but their control and legal status.

The private security industry cannot be easily packaged. It would be excellent from the point of view of research if we could do "one stop shopping", as it were, in regard to private security. But no such luck. Private security covers a variety of activities and functions but the most important distinction to draw between them broadly, for the benefit of this work, is the difference between "in house" security - that is the branch of security which is mostly seen through public eyes in department stores in the body of store detectives, guards at various factories who are employed by the factory owners and government security agencies - and "for sale" security or "contract" security, which is embodied in the public's eyes in men wearing the uniform of three or four nationally based security companies or in the lumbering armoured cars of three or four similarly based cash carrying companies. Of course,

2. Jeffries, 1977.

3. Shearing, Farnell and Stenning, "Contract Security in Ontario", p 16.

following these few well known companies are hundreds and hundreds of smaller security companies all over the country. All have one thing to sell, security.

Farnell and Shearing⁴ offer a further concise statement which assists in providing an understanding of the distinction between those parts of the private security industry offering services for hire and those employed in-house by saying:

Within the general category of private security a distinction is usually made between contract and in-house security.

Contract security refers to security services available for hire or rent and in-house security refers to those services provided by organisations themselves.

Probably the widest definition of private security is contained in Shearing, Farnell and Stenning's "Contract Security in Ontario" (1980) in which Freedman and Stenning's listing of security services is referred to. They wrote (p 9), quoting an Australian source:

Security means much more than locking doors and windows, the conveyance of money and the collection of and delivery of valuable property. These days security is big business and I am referring not only to the patrol services which are a common part of the scene in big cities, but also to such services and devices as document shredders, safes, alarms, armoured transport, communication equipment, bullet proof glass, courier services, identification systems, private investigations into industrial espionage and armed guards.

To complete this list they added:

... credit reporting agencies, electronic surveillance, polygraphs and other forms of "lie detector", fire alarms, equipment for opening suspect letter bombs, guard dogs and even strictly financial services such as credit cards and travellers cheques, with their advertising slogans on the lines of "You never know when you might be robbed".

This listing was seen by Shearing, Farnell and Stenning as having

4. Private Security and Examination of Canadian Statistics 1961-1971, Toronto, 1977, p 5.

difficulties and it was noted that it is necessary to delineate the boundaries of the category "security" and define "security".⁵ To do so, they said, it is necessary to make explicit the common theme which embraces all the services listed by Freedman and Stenning. In discussing this idea Shearing, Farnell and Stenning said that:

This theme is **protection**, and in particular the protection of information, persons and property. Thus, security may be defined as those activities which serve to protect these valued goods.⁶

At a seminar held at the Australian Institute of Criminology, 18-24 May 1980, Mr Jack Ashby, a senior executive of Mayne Nickless, a large corporation with heavy investments in private security, said:

Just what is the security industry? In the main it is nothing more than a number of reputable businesses providing various kinds of services to meet the needs of other businesses and organisations. These services have a common denominator in so much as they are all based on the concept of providing added security to property of all kinds from premises to any items of value that are attractive to others.

5. Contract Security in Ontario, p 12.

6. *ibid.*

CHAPTER 4

WHAT DOES PRIVATE SECURITY DO?

Almost 200,000 Australian premises are now being burgled a year. That is nearly 4,000 burglaries a week. The direct cost to the public through the Australian insurance industry is estimated at a staggering \$90 million a year. The house breakings are increasing and so are insurance premiums - so how do we beat the burglars?¹

Victoria had 67,888 burglaries last year including 36,790 in private homes, the Minister for Police and Emergency Services, Mr Mathews, said yesterday.²

Police figures for 1981 show that for NSW alone there were 42,721 home burglaries.³

Whilst some consideration has been given to the function and role of private security, largely overseas, we have not closely examined what private security personnel really do.

We asked private security companies what services they did provide and security company employees what work they did.

It was valuable, we thought, to look at the figures above and try to place ourselves in the position of the average householder who must surely be nervous about these figures, and given the number of times they pop up in newspapers, must think he is next to be included "in the statistics". Crime is on the front pages now and when the Melbourne Age says in its editorial:

-
- 1 Insurance Council of Australia leaflet, 1983
 - 2 The Age (Melbourne), 23 January 1984
 - 3 Daily Telegraph (Melbourne), 4 November 1982

Crime should concern us all - Melbourne householders will have been disturbed to read that police no longer have the time to investigate "minor" thefts ...⁴

perhaps it is time to be nervous. The personal security situation seems to get worse and worse from the point of view of the ordinary taxpayer. Next he will not be able to cross the street safely. Can he now? The City Express⁵ reports:

Increasing violence in Kings Cross has forced the ABC to employ armed guards to protect staff crossing William Street late at night.

The times of being able to rely on the local policeman for help in securing your home would appear to have passed. Indeed, the newspapers now seem to be full of reports not conducive to increasing confidence in the police - for example, "Ex-policeman gets 12 years jail", or "Police bashed two after car incident, SM told".⁶

The details under the latter heading are fascinating and lead us to a subtle shift in attitudes in respect of police and private security. To precis the incident above, it appears that a man alleged that he stopped his car at certain Melbourne traffic lights, after being chased by an unmarked car which actually was a police car. At the traffic lights he alleged that two policemen got out of their car and began striking him. The man then said:

A (private firm) security service car stopped at the lights at the same time and one of the security guards got out of the car and drew his gun to stop the fight.

The amazing incident referred to above, and comments such as, "Insurance companies might soon have to require better household

4 The Age, 28 January 1982

5 Sydney, 3 November 1982

6 The Age, 15 March 1982

security devices before insuring homes"⁷, seem to be compelling people towards the private security operators.

Who else provides at least a hopeful answer: "The best way to keep burglars, vandals and home invaders out, is to make it tough for them to get in ..." ⁸?

Some private security companies advertise guards and some advertise alarms, and it seems that these two services are the basis for most private security operators in Australia, but by no means are they exclusive for there are many services offered by private security but not as publicly - as in North America where Shearing, Farnell and Stenning illustrate the functions of a well established security company as:

Security guards, armed guards, dog patrol, building security, construction site loss prevention, mobile road patrol, shopping plaza protection, vehicle control and issuance of parking tags, doormen and reception, external surveillance, industrial espionage, industrial security, employee background analysis, private investigation, courier message services, security limousine vehicle, plus other areas where efficient security protection and investigation are necessary.⁹

In Australia the advertising appears to be more generalised, with copy as used in the following promotional information on behalf of a major Australian security company:

Call --- today. Instead of the police tomorrow - when it comes to crime you can justifiably have this conviction. With each passing day your likelihood of becoming a victim increases. Still few people do anything about securing their premises until after the criminal has departed. After the damage and distress. Call --- today. As Australia's authority, --- can explain which of our ruthlessly efficient systems best suits your situation ...

-
- 7 The Age, 28 January 1983
 - 8 Honeywell Protection Services brochure
 - 9 Contract Security in Ontario, p 165

There is little or no available data about security services available, no directory, no Michelin Guide as it were to assist the potential client.

Perhaps one way of finding out something of the available services is to contact the State Police Crime Prevention Bureau who may be able to provide a survey and advice. The major problem in doing this is that frequently the advice needed has an imperative element about it, and typically the Crime Prevention Bureaux have a large backlog of "clients" to visit and it could be weeks before they get around to providing the service.

We have no doubt that the Crime Prevention Bureaux provide some assistance but we have reservations regarding their technical ability to approach the task at hand, given that normally the members are ordinary policemen with little or no security experience, yet they are required to be experts on a bewildering variety of subjects which individually demand great managerial or technical skills.

Instantly we must qualify this by adding that remarkably there are policemen in certain State Crime Prevention Bureaux who have, to the detriment of their careers, stayed in the Crime Prevention Bureau and gained the necessary experience over a period of time.

Another problem we see in one large State is the "tradition" whereby officers of the Crime Prevention Bureau resign at a certain stage in their career and join the ranks of private security. There would be no doubt that they enrich private security, but impartiality is a factor we should prefer to see embodied in any police Crime Prevention Bureau, and this practice potentially threatens it to our mind.

A perusal of almost any Australian telephone book under "Security" will lead to other headings such as "Alarms" and "Guards". Other items such as "Patrols", "Investigations", "Safes", "Access Controls", "Strongroom Doors" and "Electronic Systems" will typically emerge during this perusal but the emphasis will be on

"alarms" and "guards". The questionnaire submitted by security companies indicated that they rely heavily on manpower and guards/patrols which still represent the highest proportion of business. This is interesting in itself, but when we wrote to the 1148 private security companies around Australia there was no indication that this was the case. Indeed, very few simply advertised "guards" or "patrols". Normally their advertisements were generalised or referred to "security services".

This is not to suggest that alarms and other security hardware are not an important feature of the industry. One national manager of a large security company told us, "Alarms are big business but at the moment are marginal in profit. Guard and patrol business is where the cream is ...". He went on to say that training and uniform costs are relatively low and the profit margin with guards and patrols is high compared with alarm installation or other security hardware business, which tends to be expensive in manpower and equipment, and whose profit margin is frequently eaten up by "call backs" under warranty.

The selling of guard or patrol services can be easier in a world where technical data presentation can tend to be confused - for instance:

- The modern day on-site security guard is or should be able to:
- (a) control access to sites and give directions or act as escorts,
 - (b) monitor vehicle, equipment or goods movement,
 - (c) carry out housekeeping instructions,
 - (d) supervise cleaning staff after hours,
 - (e) carry out fire equipment checks,
 - (f) carry out security patrols and inspections during working hours to deter pilferage,
 - (g) monitor equipment - such as continuous processes and take corrective action where necessary,
 - (h) monitor security detection or surveillance equipment.

The wider the range of duties, taking up functions left unattended to or releasing less qualified personnel for other duties adds weight to their cost effectiveness.¹⁰

10 "Manpower services and their application: static guards, mobile patrols". Tom Hickey, paper presented to the Victorian Security Institute Seminar, 23/24 August 1982

The cost effectiveness is the key to the selling of the security guard above. It is interesting to note the non-reference to crime prevention but the reference to the services available to the client to assist him to meet his needs. As Shearing, Farnell and Stenning observe, security companies (in Ontario) seldom talk about crime or crime prevention but rather of loss prevention.

This language acts to define private security as a service that operates within a framework that is designed primarily to meet corporate needs and objectives and is not confined by the objectives and concerns that define criminal justice.¹¹

The argument which continues in the private security industry relates to the relative merits of guards vis a vis alarm systems and other security hardware.

Now the larger security alarm companies are deeply involved in computer based systems which theoretically can, when fully implemented, replace a guard. Not only can these systems monitor alarms and detect intruders, but they can turn off lights, switch on machinery, monitor temperatures, telephone maintenance men, control access - virtually all the jobs a guard can do.

The alarm companies could stress these advantages much more forcibly if they wished and other advantages such as "an alarm or computer does not sleep or steal" could be stressed. But they are not.

The reason is essentially that the biggest alarm companies in Australia are frequently the biggest providers of guards also. It would be suicidal in business terms to damage the one area of security business which makes a lot of money. Yet these companies still keep their often comparatively low profit alarm divisions operating. The reason is based firmly in economics. At the moment guards are more profitable, but if there were a relative change in the cost of manpower and alarms or security equipment, the

¹¹ Contract Security in Ontario, p 164

changeover of emphasis could be made quickly and economically with no loss to the companies. They would install more alarms systems and utilise fewer guards.

As the cost of alarm technology decreases that day inevitably draws near, and as the cost of manpower escalates it accelerates. The employment prospects of guards and patrolmen will of course diminish in this scenario.

Already one large guard/patrol company which also has an alarms division has put into operation a plan to present to its larger clients, or at least an experimental few, whereby it will provide them with "extra security" for no cost. This plan, as we understand it, is the first stage in the jump from manpower to technology. For example, the plan is as follows: Client X has a large factory and the security company involved has a guard or guards located at a central point, let us say for argument's sake at the main gate entrance. At certain times one of the guards has to undertake patrols of the factory. He will visit key points, weak points and points management require monitored, such as crucial ongoing processes. As he proceeds he, typically, locks doors and switches lights off. These are security functions, monitoring functions and energy control functions.

As described earlier, all of these functions can be completed remotely by a computer based system.

What this particular security company will propose to Client X is that it will install all those monitoring devices at no cost to the client, in the interests of greater security and efficiency. The guard at the gate will remain and monitor the equipment from there per a microprocessor.

The presentation to the client depends on the security company being described as caring and innovative. Keeping up with the times this proposal will be shown to be a natural progression for the client.

He will still have his guard and the additional bonus of technology. How can he refuse, and why should he? It is a sensible move. But if he thought the proposal through he could ask, "Why keep the guard at the front gate? If this proposal is so good and if the equipment can be monitored there it could be monitored even more remotely at, say, a central station".

These would be valid questions but will easily be parried by the security company saying that Telecom lines would be involved in external monitoring, thus placing a cost factor in the equation, and of course central monitoring would involve weekly charges.

Why would the security company wish to make the suggestion about internal monitoring at all, and have the provision and installation at its own cost?

Quite simply, the security company has done its sums. The cost of installing the monitoring equipment will admittedly be high, but as the guard will not be required to do patrols he will be static based only, undertaking surveillance of the monitoring control. Another guard, if there has been one until now, will no longer be required. If there is not another guard, external reliefs will be not be required for those occasions when the guard would have been on patrol.

Supervision of the guard becomes a much easier proposition when it is known that he is always at one point, and savings on supervising patrols can be made. And so it goes on with administrative savings and roster adjustment savings. All in all it is a good proposition for the security company which will recoup the equipment investment in a given time yet continue to gain cost advantages indefinitely.

As mentioned, this is an experimental program by one security company that we know of at the moment, but when the balance of costs tips heavily towards technology we are convinced that this will become an ongoing trend.

The services offered by security companies do vary but the large companies who sell guard/patrol and alarm services frequently are able to provide a variety of services even if they do not widely advertise them. The results of the survey indicate that counter espionage type activities and specialised bank anti-holdup equipment are sold by the larger companies, for instance, whereas the smaller companies tend to offer the more questionable services (e.g. polygraph services). Small companies specialise in provision of dogs for security purposes and no large security company seems to provide this service which appears to be conducted almost on the fringe of the private security community.

QUESTIONNAIRE

1.

Q. Which of the following functions are performed by your company?

. crime prevention	49%
. crime detection	37%
. criminal apprehension and detention	23%
. regulation of non-criminal behaviour (such as crowd control, maintaining order, traffic control)	27%
. social service functions (such as intervening in domestic disputes, handling of drunks, etc)	insufficient data
. investigation of breaches of security	57%
. criminal investigation	12%

2.

Q. Would you please indicate your age?

20-29	18%
30-39	32%
40-49	25%
50-59	16%
60-69	6%
70-79	0.5%
not indicated	2.5%

 100%

Note: the average age of the (all male) respondents was 39

3.

Q. Would you please indicate the highest level of education you have completed?

secondary	58%
elementary	15%
not indicated	27%

 100%

4.

Q. Would you please indicate your current salary range?

0 - 9,999	8%
10,000 - 14,999	43%
15,000 - 19,999	16%
20,000 - 24,999	12%
25,000 - 29,999	3.5%
30,000 - 34,999	2%
not indicated	15.5%
	<hr/> 100%

Note: the salaries given ranged widely with \$13,000 - \$14,000 being the average. Some executives recorded \$28,000 - \$30,000 per annum but the "average" executive salary was in the low \$20,000s

5

Q. Would you please indicate other benefits you receive from your firm (such as a car, entertainment allowance, etc)?

Insufficient data.

A "coy" response was received here with reference to "packages" of salary and benefits. Presumably cars were part of this package, as were entertainment allowances, but ultimately not enough data was provided.

6.

Q. If you worked this week did you work as a

a. security guard	53%
b. technician	12%
c. private inquiry agent	7%
d. security adviser	0%
e. consultant?	0%
not indicated	28%
	<hr/> 100%

7.

Q. Do you presently hold Private Inquiry Agent status or other special status?

yes	3%
not indicated	97%
	<hr/> 100%

8.
Q. Would you tell us about your powers in regard to your licence?
What do they allow you to do?

Very vague response relating generally only to the work of the security company.

9.
Q. What type of security company do you work for?

a. alarms	11%
b. guards	51%
c. consultancy	2%
d. investigative	3%
e. a combination of any of these?	52%
	<hr/> 100%

10.
Q. How long have you worked either full time or part time for this firm?

<u>Full time</u>	
a. less than 1 year	11%
b. 1-4 years	18%
c. 5-9 years	7%
d. 10-14 years	3%
e. not indicated	61%
	<hr/> 100%

<u>Part time</u>	
a. less than 1 year	26%
b. 1-4 years	14%
c. 5-9 years	4%
d. 10-14 years	0%
e. not indicated	56%
	<hr/> 100%

11.
Q. Would you tell us approximately how long you have been doing security work?

less than one year	29%
1-4 years	33%
5-9 years	13%
10-14 years	2%
not indicated	23%
	<hr/> 100%

12.

Q. How many other security companies have you worked for in the past five years?

one other	24%
two others	34%
three	12%
four	4%
not indicated	26%
	<hr/> 100%

Note: average - two other companies

13.

Q. Can you tell us how many full time jobs of any sort you have held in the past five years, not counting the job with this firm?

one job	3%
two jobs	11%
three	14%
four	23%
five	18%
six	3%
not indicated	28%
	<hr/> 100%

Average: four jobs

14.

Q. How long did you work for the firm with which you were last employed?

less than one year	13%
1-4 years	16%
5-9 years	10%
10-14 years	3%
15-19 years	1%
not indicated	28%
	<hr/> 100%

15.

Q. Is your present job full or part time?

full time	67%
part time	31%
not indicated	2%
	<hr/> 100%

16.
Q. Do you intend to remain in security work or are you presently looking for another job?

remaining	67%
leaving	15%
not indicated	18%
	<hr/> 100% <hr/>

17.
Q. Which of the following security tasks are part of your job, and how often do you perform them on this particular job?

<u>Patrol work</u>	
patrol on foot	14%
patrol by car	5%
patrol with dog	3%
patrol exterior	17%
patrol interior	22%
patrol parking lot	0%
punch clock points	23%
check locks, gates	47%
check security of information	0%
check fire hazards	61%
check equipment	54%

18.
Q. Were you ever a member of the following public security forces? How long did you serve as a member of a public security force?

Federal Police	no data
State Police	2%
ASIO	no data
other police force	no data
military	33%

19.
Q. How long have you been employed in the private security industry?

less than one year	20%
1-4 years	22%
5-9 years	34%
10-14 years	16%
not indicated	8%

100%

Note: average period of service was 4 years

20.
Q. How many staff do you control?
Insufficient data.

21.

Q. How much dollar turnover (annual) do you control?

\$25,000 - 29,000

16%

30,000 - 34,999

21%

35,000 - 39,000

11%

not indicated

52%

100%

CHAPTER 5

RELATIONSHIP BETWEEN PRIVATE SECURITY AND POLICE

The major difference between the police and private security must be understood before reviewing the relationship between them.

Historically and legally the police are excluded from routine access to private security, and restrict their routine patrols and surveillance¹ to the streets. As Shearing notes,

Private security is not normally concerned with the surveillance of public streets but directs its attention principally to the protection of private property to which it has routine access.²

The police belong to the State, the private security operatives are private companies whose interest revolves around profit.

The police act in the public interest and

Private security is an option exercised to provide an additional or increased level of protection than that afforded by public law enforcement which must respond to the larger concerns of the public.³

The police are bestowed with legal powers by the State and are able to use the legal system well in the process of arrest, detention and finally in conviction. Private security does not have this access to the legal system and in fact it is vital to understand that

1 Stinchcombe, 1963 (see Contract Security in Ontario, ch 8, p 195)

2 Contract Security in Ontario, ch 8, p 195

3 US National Security Advisory Committee, 1976:5

private security may choose not to be involved in the legal processes at all.

As Shearing notes, this distinction has important consequences for security work:

Whilst private investigation may, for example, uncover evidence of fraudulent activity within a company they may not have the financial and legal resources required to prepare the case for prosecution, and might recommend that the resources of a public police fraud squad be called upon. If a corporate decision is made to invoke the criminal justice process the matter automatically becomes one of public as well as private concern,

However, the company might decide to reject this recommendation. In this event, the mechanisms of private justice will likely be brought to bear. In effect, in the latter instance, a public wrong goes unacknowledged and the criminal law is circumvented.⁴

The Commissioner of the Queensland Police wrote to us regarding the subject of the relationship between police and private security. He said:

As you may be aware, the primary functions of the Police Force are the preservation of life, the protection of property, and prevention of offences, and the bringing of offenders to justice.

You will appreciate that the role of this force is to the community as a whole, and consequently, it is **not practicable to give the personalised service which is given by private security firms to certain sections of the community.**⁵

Whilst the role of private security firms is ancillary to the police force, a degree of co-ordination does exist between this force and such firms. Agents and sub agents do have a citizens power of arrest but in the majority of instances, arrest action for offences committed on business premises is undertaken by police.

In conclusion, I do consider that there is a role in society for private security firms, particularly in the areas of the prevention and detection of offences.⁶

4 Contract Security in Ontario, p 196

5 Our emphasis

6 Letter dated 24 August 1982

It is this "personalised service" which could underscore an area of great potential assistance to the police. Private security works closely with its clients, and hears and sees a lot of things the police would like to know about. Of course it is up to private security whether they wish to give such information to the police (laws of withholding evidence aside) and the private security firms are in a good position to make themselves valuable to the police. Largely we believe private security firms routinely advise the police when they observe something they consider would be of value, such as a car parked in an alley behind a jewellery shop during a late hour. The security patrolman may be simply passing by and the jewellery shop may not be a client of his company. This sort of intelligence is passed to the police all the time.

Given the comparatively small number of police cars on the roads in any Australian State (due to financial restrictions) and the large number of private security vehicles on these same roads every night, private security is placed in a position of providing information which might not have been available to the police. It also places private security in the position of being able to decide whether or not to pass information on.

A colleague of ours relates the following relevant experience from an earlier part of his security career:

I recall many years ago, when I had taken a part time job as a guard with a private security firm, finding myself absolutely alone on the weekend in the middle of an industrial suburb which was totally closed down for the weekend and patrolling a vast oil storage complex. Most of the time the work was utterly boring and I walked a fairly established route noting locked gates, doors and various dials and gauges. I remember how eerie and lonely it was walking through long darkened corridors and between shadowy storage tanks which echoed my footsteps (and, I believed, my thumping heart). I realise now how vulnerable the guards of today are who do exactly the same work in precisely the same conditions.

My "training" had extended to getting my hat size right and being told to telephone my area supervisor every hour. That also remains unchanged with many companies today.

One such weekend saw a few subcontractors being allowed on the complex for weekend maintenance. Although unsupervised it was my job to keep them under surveillance, and during one patrol for that purpose I emerged around a corner of a storage shed in time to observe three contractors furtively loading small but expensive cans of oil into their vehicle.

I stood and watched them for a few minutes, totally unsure of what to do. Should I arrest them? Could I arrest them? - nobody had told me how. Should I call the police? No, they would be gone by then.

The decision was taken for me. They saw me observing them - and froze. I walked towards them, still unaware of what I was going to say or do.

It was then I observed the "power of the uniform" syndrome for the first time. Untrained and unaware as I was I still wore my company uniform and that represented authority. The men stood abashed, heads down, feet shuffling, like little boys caught swearing.

I quickly caught the essence of the situation and sternly demanded to know what they thought they were doing. There was not one excuse - they were caught out, but they all asked for a "break", a "fair go", and pleaded for me not to "arrest" them. The power of the uniform syndrome extended that far. If I had said, "You are under arrest", I am sure they would have come along like lambs. But what does one do when one arrests somebody? Nobody had told me. So I compromised by ordering them (in my newly found authoritative voice) to unload the cans and advising them that I would be lenient this time and as long as there was nothing in the vehicle when they left no action would be taken.

They left later, very subdued, and my great "bust" was over.

I told my area supervisor later and he seemed unsure whether to congratulate me or chastise me. At the same time the complex manager arrived to catch up on some weekend paperwork. My supervisor told him of the incident, passing the buck I suppose, and the manager came over to me, clapped me on the back and thanked me for a job well done. "We don't want the police around here, after all, do we?" he added.

Whilst the police, we are certain, would advocate the reporting of every crime or associated incident to them, our research reveals that of the correspondents who responded to the Firm Survey question, "What type of information is shared between your firm and the public police?" only 13 per cent said that any information was passed to the public police.

This of course indicates that a considerable number of private security operators conduct their business quite independently of the police. Perhaps the opportunity never arises but we suspect the basis of the experience described above extends to a large number of private security firms and personnel.

This experience was shared by research conducted by Shearing in Ontario, who reports⁷ that almost a third of the security guards he interviewed and 16 per cent of the private investigators said they never called the police.

Interestingly the reverse situation exists in respect of some private security companies who said they would like to receive information from the police. The police of course have, for instance, access to information about people who have come into contact with the courts, and this is the kind of information some 48 per cent of our company correspondents said they would like to have access to. This also indicates that a large proportion of private security companies do not have access to police information currently.

The employee survey had one particular question relevant to this line of inquiry. It was: "In general, do you think the public police are satisfied with their involvement in problems referred to them by private security? Would they prefer you to handle your own problems or to call the police more often?" This question elicited a rather strong, perhaps emotional uniform response which is not possible to quantify clearly, but obviously the majority of respondents were not happy with the police and said the police were totally negative in this relationship.

A number of correspondents even provided us with examples of what they called police harassment (e.g. frequently being pulled to the side of the road during security patrols and subjected to licence checks, etc, by police they claimed knew exactly who they were). Others in the same vein said police were not interested in providing any assistance when called in by security officers.

A number of rather incredible stories were related to us in respect of suggested police indifference, harassment or, as one

7 Contract Security in Ontario, p 198

correspondent said, persecution. An analysis of these complaints reveals that almost totally they come from small independent security operators of firms either located in country areas or outer suburban areas.

It could well be that the police in these areas have not come under the kind of stress experienced by their colleagues in urban areas, which has forced those police to divest themselves of certain co-called traditional activities (such as foot patrols of shopping centres in some areas) now taken up by private security. Conflict could arise in these "fringe" areas where police and private security activities are overlapping.

As noted earlier, the police have the power of the law behind them and there is little doubt that they could be responsible for the alleged interferences. Also, we note that all the "incidents" occurred when the private security operators were on the roads either in the process of patrolling or going from point A to point B. This highlights the authority the police have on the public areas such as the roads, and as we noted no "incidents" reported on private property, the difference of authority between police and private security in respect of the structural context which controls their relationship once again comes to the fore.

The results of another question posed to employees of private security firms are worth noting in this context: "In private security work have you found it necessary to call the police?"

The majority of those respondents returning the survey reacted by saying that (1) yes, they have found it necessary to call the police, but added (2) their central control room did it on their behalf. This group, some 67 per cent, would appear to be an occupational majority consisting of guards and patrolmen who are linked by radio or telephone to a central point.

Shearing, Farnell and Stenning⁸ raised the factors that influence

8 *ibid*

security personnels' decisions to call the police, and asked a specific question of their correspondents whether, in making decisions about problems they encountered, they gave more weight to policy or to the seriousness of the problem. They found that 42 per cent of the security guards indicated that they gave more weight to the seriousness of the problem. The remainder indicated that they were more influenced by either company or client policy.

We took a slightly different approach to this matter and asked correspondents to rank in order of importance the factors which influenced the way they handled security problems. Oddly, to our minds, a large proportion (51%) did not put: "If an alarm is sounded", or: "If someone's life is in danger", which were options presented, but rather the third option: "If property is at risk", and a high proportion made the note that they referred the matter to their control room.

There should have been no surprise on our part, for almost universally security companies hammer at least one point home in their training of employees, and that is that protection of property is paramount. In this sense some correlation with the Canadian experience is discovered. A high number of correspondents follow the company line as it were, and put property first. This was supported by the large number who made the point that they report such problems through their control points.

The control room emerges as a level of potential filter in this experience, and the choice whether or not to report a matter is placed rather more deeply in the security company in an area where policy is more likely to be noted and observed.

We found that private investigators were not inclined to provide completed survey forms, with some notable exceptions, and that a number of them preferred to provide what data they would in personal conversation.

A significantly high proportion of these investigators appeared to us to have a military or police background, and although the gathered data is not adequate to support this in any way, it is an impression which remains. It could be that the reticence some military people have sometimes in matters pertaining to security was a factor in this respect.

Obviously the former policemen had an "old boys net" to call upon for any information they sought from the police, and the kind of data they sought related largely to motor registration checks, criminal histories and current enquiries.

Despite a growing community concern regarding restricted public data being leaked to private individuals, it appears that the fact remains that private investigators are able, very frequently, to call upon this kind of information.

Those who were not ex-police seemed perfectly able to create relationships with certain police officers and obtain the information they required. It seemed that the relationships were developed over a period of time with the private investigators providing information to the police from time to time, building up a credit, as it were, before they called in for a favour.

Often relationships appeared to be nurtured in bars and hotels, with marathon drinking bouts establishing a certain qualification to be included in a circle of those trusted to receive police information.

The police have to move in the community and there must be points at which they can call safely and discreetly for information on items or persons which could save them valuable time. It could be that the private investigators provide this handy point to some extent. Certainly we observed that the police seemed to make the information they provided very expensive in terms of retribution should it be misused. One private investigator told us that it was like having a loaded gun perpetually held to his head.

During a visit to a private investigator, the rather verbose man boasted that he could get "criminal intelligence" faster than the average policeman, and to prove his point picked up the telephone and said he was calling a "mate" in the "records section". He gave a registration number and received (he said) the owner's name and address in return.

We do not consider this to be "criminal" intelligence, and such information can be got in a number of ways - however, private investigators charge their clients heavily for such information which most of us think is privileged.

We were told of another private investigator who recently became quite drunk in a bar near his office and, rather imprudently, mentioned the names of two policemen who regularly provide him with "police information" - we understand this was another case of minor records data. Regrettably for this particular private investigator, it seems the police concerned heard about his indiscretion and closed off the information avenue and "blacked" him with other police. That could be fatal for his business, we imagine. When we heard of these incidents we understood the earlier reference to a loaded gun to the head.

It seems that private investigators are in a category far more inclined to co-operate with and provide information to police. Firstly, they are largely a group consisting of lone or small operators who need the police goodwill and who are in a situation more likely to take them into contact with police in a social sense. Secondly, they are not tied to a company policy or do not have a filter system operating above them. If a matter were serious and they did not report it they would be more likely to be found out and have the trigger of that metaphorical gun pulled. It simply makes good business sense for them to relate to the police.

It is interesting to note other areas of operations where police and private security operate separately but remain strangely enmeshed.

For instance, a very famous crime investigator/reporter has for many years worked at ferreting out the existence of organised crime and the murky characters who manage it. His success or otherwise should be measured by others, but with police he has always had the kind of relationship we ascribed to certain private investigators.

He obtains information and uses it for his purposes and also gives it to the police if it contains "dynamite". It is a curious symbiotic relationship few could endure.

In parallel to maintaining relationships with police, the same person has for a long time been on the closest terms with a number of the most senior private security executives. The reason is said to be "liaison" or "tradedecraft" or any number of things, but essentially it relates to the fact that corporate security needs its own intelligence indicators, its own assessment of the situation in the world of crime and police operations. If a whole series of exposes occurs and revelations of drug sales, prostitution or finance scandals are included, the security executives are very interested. Firstly, they have clients whom they must keep informed in regard to increased threat, and these have premises which may need extra security.

A point to note is that the client may not always be the innocent businessman who is at risk because of the nature of his legitimate business operation. It could be that the client is in fact involved in the underworld. In this case peculiarly the private security firm could be said to be, de facto, an agent of organised crime. Private security may not be interested in the revelation of immorality, crime or public scandal, but it will be interested in protecting its investment and ensuring that this investment maintains a steady return.

It could be equally said that as private security is in business for profit only, why should it be concerned with the rights or wrongs of issues? Indeed, why should it? - and this is a crucial point to remember when considering private security.

To be fair, the private security executives could well be indulging in gaining information on behalf of the police and passing it on to them, but more likely they could be assessing the reaction to a situation whereby their firm provides security to clients irrespective of their social standing.

Some larger private security firms have clear policies in respect of whom they deal with. They will not provide guards or alarms to well known underworld characters, brothels or massage parlours. Some widen that to gambling establishments and certain private clubs.

But in reality this moral decision making can fall down when the crime boss is unknown, the function of a certain building unknown, and if we were to enter the philosophic area of the definition of morals, who can say that a mining company which exploits a certain group of people should be given security and should not have it withdrawn on moral grounds? Clearly the parallels are endless but the point is made - profit and morality are uneasy bedmates.

QUESTIONNAIRE

- 1.
- Q. On this job, is your work supervised by
- | | |
|------------------------|------------|
| your firm's supervisor | 61% |
| the client firm | 19% |
| both | 11% |
| not indicated | 9% |
| | <hr/> 100% |
- 2.
- Q. How often do you see or talk to your supervisor (your employing firm) on this job?
- | | |
|-----------------|------------|
| every 1-2 hours | 39% |
| every 3-4 hours | 11% |
| not indicated | 50% |
| | <hr/> 100% |
- 3.
- Q. In which of the following subject areas does your firm provide training for employees in security work?
- | | |
|---------------------------------------|-----|
| first aid | 0% |
| post orders | 30% |
| general orders and client regulations | 50% |
| fire protection and prevention | 59% |
| legal powers: arrest, search, seizure | 15% |
| firearms (excluding firing range) | 11% |
| building safety | 2% |
| crisis handling | 0% |
| crowd control | 0% |
| use of equipment | 19% |
| report writing | 0% |
| other (please specify) | 0% |
| (alarms technicians): installation | 37% |
- 4.
- Q. Does your firm offer its employees training which is additional to basic pre-employment or on-the-job training?
- | | |
|---------------|------------|
| yes | 9% |
| no | 7% |
| not indicated | 84% |
| | <hr/> 100% |

5.			
Q.	Was this training given mostly by		
	your fellow workers from the firm		8%
	your firm supervisor		9%
	the client firm		0%
	not indicated		83%
			<u>100%</u>
			<hr/>
6.			
Q.	What subject areas were covered during this training?		
	patrol		15%
	equipment handling		7%
	not indicated		78%
			<u>100%</u>
			<hr/>
7.			
Q.	Would you tell us how much training was given? How long did it last?		
	less than 1 week		5.0%
	1-4 weeks		0.5%
	no training		27.0%
	not indicated		67.5%
			<u>100.0%</u>
			<hr/>
8.			
Q.	What is your opinion of the training you received for security work?		
	adequate		7%
	poor		32%
	not indicated		61%
			<u>100%</u>
			<hr/>
9.			
Q.	Have you been given an opportunity to take any further training while you have been working for your firm?		
	yes		5%
	no		59%
	not indicated		36%
			<u>100%</u>
			<hr/>

10.

Q. What further training did you receive?

(percentages given here are the percentage of answers from "yes" replies to the previous question)

supervisory	15%
central station	12%
radio	9%
general	28%
not indicated	36%
	<hr/> 100%

11.

Q. About how long did this training last?

(percentages given here are the percentage of answers from "yes" replies to Question 9)

less than one week	23%
one week	19%
2 weeks	22%
not indicated	36%
	<hr/> 100%

12.

Q. In general, (a) do you think the public police are satisfied with their involvement in problems referred to them by private security?

yes	51%
no	20%
not indicated	29%

100%

(b) Would they prefer you to handle your own problems

yes	12%
no	51%
not indicated	37%

100%

(c) or to call the police more often?

yes	37%
no	26%
not indicated	37%

100%

13.

Q. In general, how would you describe police response to your requests for assistance?

good	40%
not interested	13%
rude or aggressive	5%
not indicated	42%

100%

14.

Q. In your experience, have you found that the police support your decisions in the handling of security problems?

yes	49%
no	12%
not indicated	29%

100%

CHAPTER 6

COWBOYS, PRIVATE ARMIES, THE CHANGING SCENE AND WEAPONS

As we wrote this chapter, two earnest young men came to our door claiming to be representatives of a "security research institute". They asked if we would mind assisting them with market research by answering a few questions. Our initial feeling that this was the preliminary to a sales gambit was upheld as the more articulate of the two grey-suited gentlemen, unknowing of our interest in the subject, launched into a discussion on private security which led to a diatribe against large, inefficient private security companies providing patrol, alarm and guard services. After showing us a plastic coated folder containing "statistics"¹ which "proved" that crime had increased dramatically in recent times, he went on to suggest that we and our neighbours were in imminent danger of having our wives raped, our houses burgled - or worse - if we did not avail ourselves of his offer, a "good" security service which would be our salvation, for only \$14 per week.

Their proposed salvation was to come in the form of nightly visits by a mobile guard whose photograph we were shown. The rather angry looking young man in the photograph was dressed in an army type forage cap, what appeared to be a blue Navy style overall and army style boots, leggings and belt. He wore a baton and a side arm (holstered) and on a leash, displaying an impressive number of large teeth, was a German Shepherd dog. Behind them was a flashy type of vehicle with the word "Security" emblazoned on a number of panels. The other words painted on the vehicle were hard to make out.

1 These were newspaper articles and crudely drawn charts

This then typified the "cowboy"² element of the private security industry.

Whilst we have focussed on this incident, which after all really represents a little entrepreneurial enterprise by two young men (later investigations revealed them to be just that), it is important that it is borne in mind that private security services are frequently represented in a certain light to many members of the public by such encounters. Indeed, encounters of that type may be the only ones many people may have with security either public or private. Probably the only time most people encounter the police is when they get arrested for speeding, a time when their perception of the police may tend to be negative. And here is private security at the door offering personal protection (at a modest price) and displaying cleverly arranged statistics and extracts from local newspapers³ quoting well known police identities suggesting that the police are unable to control crime with existing resources. "Well," says our salesman, "if the police can't provide protection, what hope is there?" Of course, he suggests, private security is the hope.

The practicality of the service offered must be considered by the reader. This service, "available to only 100 local residents", entails nightly visits to the house, a walk around the property with a trained dog and the flashing of powerful lights. The patrol man, available on direct line to his car by a telephone switching arrangement would be, it was claimed, no more than three minutes away from the client's home **at any time** should he be needed in "emergency".

Would the householders be interested? Logically one would think not. Who would want a vehicle blazing with lights entering the drive at 3am, a strange man crashing through the undergrowth with a large dog on his leash gnashing its teeth?

2 A term much favoured by some security executives to discount opposition members of their industry

3 The Age

Many people would like this service, it appears. A check made a week later revealed that 50 clients in the suburb had been tentatively signed up by the security company for the service.

Why? Because they were afraid of criminals? (Yes, there had been a rash of minor crime in the area in the past months). Because it is claimed that the public police cannot protect the populace? Or was it because the private security salesmen were friendly and seemingly helpful?

Apart from patrolmen and guards the services offered by private security include a wide and ever growing variety of security equipment, which is used in the deterrence, monitoring and detection of crime. Besides such common and well established devices as locks, doors, gates and fences, the modern security armoury includes such devices as electronically controlled doors, electronic scanning devices, complicated alarm systems, closed circuit television surveillance, polygraphs, stress evaluators, spectrographs and the like.⁴

The more exotic of these are not commonly used in Australia (i.e. polygraphs, stress evaluators) but they are available and are advertised as services by some companies.⁵

Other services such as strike breaking, bugging, industrial espionage, eavesdropping are not so readily advertised but they are available.⁶

4 Hilary Draper, "Private Police", Harmondsworth, Penguin, 1978

5 The most aggressive of these specialised in security "services" of the more exotic type such as provision of eavesdropping devices ("bugs"), and stress evaluation (lie detection) was a major service provided. This firm became well known for its activities "on the fringe", so to speak, and a series of mysterious incidents occurred within the firm. Later the proprietor, a rather gung ho so-called ex secret serviceman, suddenly departed Australia leaving behind a substantial series of creditors. The Australian *Playboy* of November 1980 referred to this subject (p 84-89)

6 See Chapter 4

Norman Swan on a radio program⁷, "Monitor", reported on the activities of "Private Police"⁸ which he said are likely to be unaccountable to the political processes and, he added, likely to abuse the power which they do have. The problem is, he said,

It is difficult to give examples because what they do is at a very low level of visibility. However, we do know that there has been harassment of people in supermarkets⁹, for example, by security officers.

I have had some students doing some research on that in my criminology course and we know too that private police organisations are engaged in activities increasingly in Queensland, which could be considered to be anti trade union. There seems to me to be an ominous situation where we are beginning to see the development of what might be called private armies. Increasingly sovereignty is being dispersed from the Federal or State governments into the multi national corporations and as historically sovereign powers have sought to use an army or professional police, this is now happening in Australia so we really have a new kind of feudalism with a great deal of power over our individual lives being exercised by multi national corporations, relatively uncontrolled by the political system and these corporations are beginning to hire, to arm and to train and to use, in fairly large scale now, private policing organisations. Police, historically, have been used for protection of particular kinds of people and particular kinds of property more so than the general community and I would refer you to the origins of the modern police which really go back to Ireland and Peel's attempts to pacify the Irish under British colonial rule and then the early development of the River Thames police which was to protect the goods of merchants on the London wharves and, historically, if you think about it, it is very rarely the case that you see the police taking the side of the working class. This is, in the end, what makes us very concerned, some of us are looking at this question, about the activities of private police because we see that state governments when the chips are down and when the community will not stand for the insertion of public police into certain areas, into certain conflicts, then the state will allow corporate interests of people in the community.

Despite a certain comfortable historic view with a Marxist tint contained in Mr Swan's report, there is certainly accuracy in his

7 ABC Service

8 The definitions of police, "private police" and private security have been made in Chapter 3

9 See Chapter 8

reporting of the activities of certain private security firms in Western Australia.

It was put to Bob Page of the New South Wales Police Association that this was the situation in Queensland and Western Australia, and he agreed:

Yes, and unfortunately, that is the case, but with these very large companies, of course they can and do end up with a private army and that's what happened in Western Australia. Within the last couple of years there was an industrial dispute between some grain growers, I think, or farmers, and some transport union people and picket lines were drawn up and the police were sent there to make sure that there was no trouble and, lo and behold, a large squad of men, armed with long clubs, turned up dressed in brown uniforms, and they had come down to support one side in the dispute. Luckily the police were there when they arrived and were able to disperse them but if they had started interfering there would have been almost a riot.

We don't know of the incident referred to, but Mr Swan said that there have been several occasions in recent years when the Western Australian Government has permitted private organisations to break up disputes, such as a flour millers' strike and a picket against live sheep export.

"Private armies", despite the use of private forces exemplified above, is probably too strong a term, for despite an increasing corporate use of private security, armies of men wearing uniforms of private companies are not evident. True, private security companies could be numerically higher than police but they are not organised battallion-like to create huge conglomerate forces. Probably this will always be the case, at least as long as they are in competition anyway.

Other factors also exist in Australia which limit the formation and use of "private armies".

Since the New Guard of the Depression, there has been a community abhorrence of the creation and existence of private armies and whenever they emerge they are identified and an outcry demanding

their abolition occurs. One such "private army" in fairly recent memory was the so-called Croatian Liberation Army, units of which were photographed exercising. The public outcry was so great that another unit preparing for an "exercise" was followed and arrested by the police. Constitutionally it is an offence to raise a private army in Australia and only the Federal Government can do so, the States having given up their rights at Federation to the then new Commonwealth Government. All in all there seem to be enough safeguards against private armies in Australia.

Armies have always posed a threat to communities and governments, and since the Second World War numerous democratic countries have been taken over, often in a bloody manner, by their own army, but while we may subsequently call some of these countries "police states" we do not know of any which have actually been taken over by the police. Accordingly the fear is of the military, and while the police may not always be appreciated, loved or even particularly liked by the populace, they are not known for their machinations against the fabric of society.

So the police are accepted as being not only necessary but safe and acceptable, and it is not necessary to fear them unduly. The awkward matter is that this overflows to private security also. Private security has been around since recorded time, and in fact in one form or another predates the police. Before the organisation of the police, communities were responsible for their own protection and individuals had to look to their own arrangements to secure their own property and belongings. Historically we refer to Peel's Police Act of 1829 as the creator of the first police force, and if we follow police history since that time we can eventually reach this point in time with the police gaining responsibility and authority all through those years, but not as effectively as may be thought.¹⁰

¹⁰ J.F. Elliott, in his book "The New Police" (Thomas, Illinois, 1973), suggests that the police themselves and commentators have done a poor job of describing the police story

We probably have all developed some conceptions of private security through those years, presented by Hollywood as railroad detectives in the form of Charles Bronson jumping from carriage to carriage in "Breakheart Pass" in pursuit of the villains, or Robert Mitchum being the honest but hard-boiled private eye in "The Big Sleep". Great writers such as Dashiell Hammett (who actually was a Pinkertons operative at one point in his life) or Raymond Chandler depicted a kind of archetype private detective who, whilst cynical, was guaranteed to smile that crooked type of Bogart smile when the chips were down and always turned out to be painfully honest. To some extent the truth can be expected to be stranger than fiction, and the adventures involving Allan Pinkerton's most famous detective agency (now private security firm), which of course is generally recognised as the first modern private security company in the world, have become legend.¹¹

Of course Pinkertons were not the first in the private security business. The Bible refers to spies used by Moses. Lord Walsingham, a Minister during the reign of Queen Elizabeth I, was perhaps the first to conduct intelligence on a large organised scale, but Cardinal Richelieu of France later created a great net of informers and security systems whose sinister machinations caused dread in the hearts of many.

Names we now associate with security, particularly cash carrying companies such as Wells Fargo, emerged as cash carriers in the 1850s in the American West and survived under other names well into the next century.¹² But it is to Pinkertons we return to example the development of modern private security. Not only did the Pinkertons chase Butch Cassidy and the Wild Bunch across the American West and down into South America and Frank and Jesse James across much of the

11 Francois Eugene Vidocq, the French private detective, predates Pinkerton as a modern investigator, but Pinkertons caught the imagination of an age

12 As the American Express Company. M. Lipson, "On Guard", Quadrangle, New York, 1975, p 22

United States, but they may have once saved President Lincoln's life by gaining intelligence of a possible assassination attempt and informing him in enough time to enable him to take evasive measures.¹³

In a time when police central records did not exist, Allan Pinkerton created files on known criminals; these files held vital personal data which was accessed on request by police all over the United States and other countries. Pinkertons were pioneers in the use of photographs for identification of suspects, and the use of criminal intelligence predated any official police force in the United States. All in all the development of Pinkertons and other private security firms in modern times in the United States reveals that private security has had a major influence on modern policing and has not always been on the periphery of policing.

Such involvement needed judgement also, and this was something Pinkertons may not always have had, particularly in the area of strike breaking in which the company was heavily involved in the latter part of the last century.

After a bitter striker-management dispute in which armed Pinkertons men were used in an attempt at strike breaking (eight were killed) the US Congress passed a bill generally referred to as the Pinkertons Law. That law, barring the employment of Pinkerton or similar agencies by the government, remains in force today.

The development of private security in Australia, from an historical point of view, would seem to be worthy of a study by itself and parallels may be found between Wells Fargo and Cobb & Co.

There were private detectives in Melbourne and Sydney in the last century but these followed the British example rather than the American and were largely concerned with divorce cases and the gaining of evidence with what was called "squeaky bed" evidence.

¹³ *ibid*, p 25

Old firms such as Websters Investigations had long ago moved into various types of security work and investigations, but the bulk of private investigators maintained their prime interest in matrimonial cases well into the 1960s or '70s.

Police in Australia undertook many functions now assigned to private security such as patrolling public places, night watch and cash escort, certainly up to the 1950s in some States, so in some ways modern private security was something of a late starter in Australia. This is not to say that private security was not alive and well in Australia before the 1950s. Indeed transport firms such as Mayne Nickless existed in the 1930s and were involved in the carriage of valuables well before their first modern armoured car was seen on the roads.

The venerable Jack Ashby, sometime spokesman for and doyen of the security industry, began his long climb to the very upper echelons of the giant Mayne Nickless tree driving one of those vehicles, and has seen his company move in to money moving on a massive scale, to the point today when "his" Armaguard is the largest company of its type by far in Australia.

The advent of the security patrol companies in the late 1940s and alarm companies (some small companies existed well before then) on a scale of importance began the accelerated growth pattern which peaked in the mid '60s, took off again in the early '70s only to slow down, and now in the '80s is accelerating again. The private security industry over these years, despite the national economy being in the doldrums sometimes for years, has shown remarkable resilience and has over all shown a steady and promising growth pattern, not comparable to the American or European growth but worthy of note nevertheless.

It is because the law is essentially divided into Criminal and Civil jurisdiction that the private security companies exist. The police are interested primarily in the detection of crime and when successful in that role the legal processes may be entered into.

These increasingly costly and frustrating procedures are in many cases frighteningly expensive and time consuming for those involved. This is where private security increasingly plays a role for its prime aim is prevention and, as the old adage goes, prevention is better (read cheaper and more effective here) than a cure.

The police find themselves in a situation that because of lack of manpower and resources they are committed to detection of crime, not prevention, an area which should be of vital interest to them but an area they cannot even approach effectively. With a growing crime rate the police resources are likely to be stretched even thinner and the likelihood decreases of police being more involved in prevention.¹⁴

The Melbourne Age newspaper of 29 March 1984 reported the successful deterrence of a bank thief by the deployment of an anti-holdup screen. These screens, initially marketed by Metropolitan Security Services, one of the "big two" in Australian alarms and guards, on behalf of the French safe maker Fichet Bauche, now form a major line of defence against bank thieves in Victoria. The function of these screens is to erect a bullet resistant wall of steel which can be activated by a bank employee surreptitiously pressing a button, thus isolating the would-be robber from the bank employees literally before he can blink an eye. In Sydney, where bank holdups are experienced far more frequently than in Melbourne¹⁵, the use of these most effective screens is limited and another aid, bullet resistant glass, is commonly used.

These equipments and a range of cameras and alarms are taking private security's involvement in prevention a lot closer to the action, as it were, with detection and prevention overlapping.

14 The Age newspaper reported on 28 January 1982 that Victorian detectives had abandoned thorough investigation of certain types of crime because of increasing work load. This has been the case with most of the major police forces in Australia

15 See Annex "A" to this chapter for statistics of armed holdups in Victoria

Logically the detection and deterrence of a bank robber should be in the hands of the police, but for the reasons given earlier the police cannot react in the way the public and the banks (and their employees) would prefer.

In a report titled "The Process and Consequences of Stress Associated with Bank Hold Ups"¹⁶, the results of a study of two groups of bank employees was made. One group was composed of holdup victims, the other consisted of non-holdup employees. It was found that holdup involvement dramatically increases the level of anticipation and perception of threat. As a consequence, the prevalence of physiological and psychological disorders is very high amongst those who have been involved in a holdup. In addition it was reported:

Psychological disorders are more prevalent than physiological effects in both groups. This is most clearly demonstrated by the large increase in nervousness at work in the group of non hold up victims. Psychological disorders were reported approximately twice as frequently as physiological effects in both groups.¹⁷

The fears of bank staff, and their greater militancy in recent years in respect of their safety, seem more than reasonable given the trauma they suffer after a bank holdup.

Clearly the anti-holdup screen provides protection of various orders - not only does it provide physical protection but it isolates the bank robber from the staff well before the full brunt of the shocking experience is suffered by the staff.

Of course the police have sophisticated stratagems for dealing with bank holdup situations, and obviously many of these will have the thought of tackling the bank robber away from the scene of the crime. In these circumstances the armed and presumably dangerous

16 Alan E. Drummond, January 1981

17 *ibid*, p 84

criminal will have less opportunity to use bank staff as hostages. Regrettably the trauma will have been experienced by the bank staff by this time and this is precisely what the bank officers' unions wish to avoid.

In the ACT a few years ago a bank robber was seen by passing police in the very act of holding up a bank. Whilst it was going on a police officer entered the bank and called on the holdup man to surrender. The holdup man did not drop his shotgun and the policeman was put in the position of having to shoot the man through the head with his police issue .38 pistol. The impact of that incident on those who saw it can only be imagined, and as we do not know of the long term effects we can only guess. But people who have experienced similar situations in other places have been known to have suffered psychologically for the rest of their lives.

Richard Harding in "Police Killings in Australia"¹⁸ carefully considers the use of firearms by police and makes his views against police having weapons rather clear. The situation in respect of the numbers of weapons in police hands has certainly altered with a great increase since then, but the controls and regulations which police apply seem adequate and police certainly, in our view, have the need for weapons.

A number of people have been killed by private security guards over the past decade and that raises a totally different question: Should private security guards be armed?

As more and more authority falls to private security, particularly in the areas of cash carrying and property protection, the arguments of clients who want their property and valuables protected will become more persuasive as will the arguments of the private security guards who, after all, have a right to protect themselves.

Presently the usage of weapons among some categories of private security employees is quite high, as can be seen in the survey

18 Penguin, 1970

results following, and the usage of armed guards is similarly high.

A number of our correspondents wrote to us in terms which require some comment in respect of weapons, and whilst statistically their number was not high (there were perhaps 20 such responses) their theme was so touching as to be memorable. The theme was fear. In one way or another these people expressed dread at working alone at night in dark, rather nerve racking situations and their comments reflected anger at the community and, we think, their employers, for leaving them in vulnerable positions without "back-up". These people invariably insisted that they carried weapons (some illegally, we believe) in such a mental state of nervousness that if they became involved in a suspicious situation they would shoot first and ask questions later, even if it meant taking huge risks - shooting into shadows. Some of these people had been attacked or "hit over the head"¹⁹ and left for dead on other security jobs, sometimes in the same building they were guarding now.

We perceived that these people were not normally part of large security firms but rather belonged to small companies.

19 The correspondent who wrote this added furiously that "it would never happen to him again" and that he was looking forward to the next incident. His letter concerned us greatly

ANNEX "A"PREMISES REPORTED ARMED HOLDUP OFFENCES IN VICTORIA
UP TO 25.7.80)

	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>TOTAL</u>
Banks	26	31	54	35	33	18	197
Payrolls	15	13	15	22	18	4	87
TABs	4	13	35	18	39	32	141
Credit Societies	-	-	-	10	7	2	19
Chemists	31	25	35	67	29	19	206
Shops	37	41	94	81	75	46	374
Milk Bars	-	-	-	51	64	35	150
Garages	22	24	50	39	72	41	248
Post Offices	-	-	-	-	6	1	7
Railway Stations	6	7	-	-	-	-	13
Dwellings	11	3	29	41	49	18	151
Hotels/Motels	10	16	21	17	21	15	100
Street	-	-	-	31	46	18	95
Other	61	75	99	61	84	59	439
TOTALS	<u>223</u>	<u>248</u>	<u>432</u>	<u>473</u>	<u>543</u>	<u>308</u>	<u>2227</u>

"Other" includes holdups in hospitals, massage parlours, social clubs, doctors' surgeries, etc.

(Figures provided by the Victorian Police)

QUESTIONNAIRE

1.

Q. Have you carried a gun while working on this or any other security job (or any other weapons)?

yes	27% *
no	51%
not indicated	22%
	<hr/> 100%

* "Other weapons" mentioned were shotguns, knives and "clubs"

2.

Q. Was it necessary for you personally to hold a carrying permit?
(percentages given here are the percentage of answers from "yes" replies to the previous question)

yes	60%
no	20%
not indicated	20%
	<hr/> 100%

3.

Q. Describe the training you received in how to use a gun.
(percentages given here are the percentage of answers from "yes" replies to Question 1)

military weapons training	80%
pistol or gun clubs	15%
security company	2%
not indicated	3%
	<hr/> 100%

4.

Q. How would you evaluate your firearms training?
(percentages given here are the percentage of answers from "yes" replies to Question 1)

good/adequate	80%
not indicated	20%
	<hr/> 100%

5.
Q. Do you carry a firearm on the particular security job you are employed on now?
(percentages given here are the percentage of answers from "yes" replies to Question 1)
- | | |
|---------------|-------|
| yes | 79% |
| not indicated | 21% |
| | <hr/> |
| | 100% |
| | <hr/> |
6.
Q. Have you ever found it necessary to use a gun on any security job?
- | | |
|---------------|-------|
| yes | 4% |
| not indicated | 96% |
| | <hr/> |
| | 100% |
| | <hr/> |
7.
Q. Do you think it necessary to carry a firearm on this particular job in order to do it properly?
- | | |
|---------------|-------|
| yes | 58% |
| not indicated | 42% |
| | <hr/> |
| | 100% |
| | <hr/> |

CHAPTER 7

LONG LUNCHES, CLIENTS AND CORRUPTION

To some people one of the wonderful things about private security is that it is one of the last great entrepreneurial enterprises in Australia. There is an industry saying that it is second only to the fast food industry in growth potential.

The industry is unhindered by the need for qualifications, certificates, degrees and entry handles, such as financial bonds or requirements of evidence of goodwill or honesty in most States.

All one needs to do in many States is simply nail up the shingle on the door. Of course in States such as Western Australia where strong, effective and policed regulation exists that is not possible.

But even there "legitimate" companies in certain parts of the security spectrum have involved themselves in questionable activities, such as offering quasi military assistance to "shaky" overseas governments or anti piracy activities to others.¹ Some of the personnel in the firms concerned are highly trained former or moonlighting members of the SAS.

The problem is that these modern day freebooters could be a danger to Australia. The mercenaries who were captured in the Seychelles in the last coup attempt included one Australian and that was embarrassing for Australia.

1 Norman Swan, in a report to "Monitor", an ABC radio program broadcast on Monday, 12 June 1982, referred to a Western Australian company named Arpad as the one which made the offer

Fortunately the firms involved in such activities are few in number, despite their adherence to the principles regularly expressed in such gung ho magazines as "Soldier of Fortune", to which we are certain they subscribe, and we are sure the official security services have them closely under surveillance. Given customs services control, taxation requirements etc, we believe that departing Australia even surreptitiously is no mean feat. Living on an island continent is sometimes an advantage.

The domestic situation is different and, given that the political leanings of the people involved can be extreme, the problem could assume a considerably different complexion.

There have been some suggestions that the same companies have been involved in strike breaking², anti union subversive activity, anti union espionage and infiltration.

Whilst we understand the Managing Director of one of the larger of these companies has "categorically" denied such involvement, and we have no material evidence that the company was involved, we understand that a circuitous relationship exists between that company and a rather sinister security company which existed in Melbourne until 1982.

The Melbourne company, whom we shall call Executron for our purposes, controlled by a former senior military officer whom we shall identify as Colonel Hal, was involved in some extremely interesting "counter espionage" and anti bugging activities on behalf of certain large corporate clients.

These activities were frequently offensive and the "counter espionage" was in fact direct commercial espionage. Colonel Hal was very fond of saying, rather injudiciously, that on his staff he had "a top ex-ASIS electronics whizz".

Executron was extraordinarily aggressive in its activities, and

2 See Chapter 6

evidence of this was the fact that one large international mining company created a substantial internal security group whose sole activity, dedicated to the company, was antibugging and counter espionage. This move had been seen as necessary by the company after an unfortunate incident where a listening device was found in a sensitive area of the company and a formerly trusted employee was suspected of being subverted by an outside competitor or agent of that competition.

Extensive and regular anti-bugging "sweepings" are regular features of corporate life now, not only in mining companies but right across the spectrum. Even one of the nation's largest transport companies is now deeply involved in such protective practices after the discovery in 1983 of a listening device in a boardroom. Sources within the company tell us that they are convinced that they know the people who caused the device to be "planted" were associated with a major competitor.

Companies sometimes find themselves in a dichotomy when they discover they have been technically penetrated. If they announce the discovery they are frightened that the whole thing will rebound on them, with criticism for slack practices coming from the upper echelons of the company, the board or shareholders. Perhaps, if they are subsidiary companies, they may be nervous of an adverse comment from the parent.

In any case, to many of their minds it seems like a declaration of failure to admit to such an incident, and to our knowledge no major Australian company has ever publicly revealed facts of any such incidents occurring.

Colonel Hal also involved his company in other activities. Strike breaking was one of them. Whether by subversive means - such as placing agents within an organisation - or by more direct methods he advertised (not publicly) that his organisation and its associates were available to disrupt the unity strikers might show in an industrial conflict. The danger of such organisations as these

relates to the political stance of the people involved, the way they perceive their "rightness" as superior to others and the methods they would use to compel co-operation with them.

The parallel is not drawn here with the extreme right-wing organisations which emerged in Britain during the early 1970s, headed by former military men and formed to take over the running of the country if all services broke down and anarchy prevailed³, but there still remains a very unsavoury flavour to the activities of firms such as Colonel Hal's.

On Colonel Hal's staff was a former military intelligence officer who had departed the service suddenly in the mid '70s because the whole Federal administration, he claimed, was soft on Communism. He immediately emerged as the right-hand man to the leader of a traditional and extreme right-wing activist organisation which had certain religious affiliations and operated its own intelligence and infiltration service.⁴

It is not clear whether he was either fully employed by Colonel Hal, being sent out into the field as it were, or was "moonlighting". What is very clear is that he was, and as far as we know still is, very much involved in forming small "Defence" organisations whose purpose it was to operate against what were claimed to be left wing causes. These front organisations, separate from the parent body, could be seen to be independent or impartial but of course they are not, they are closely aligned to the parent body. And in between, mysteriously, was (up to 1982) Colonel Hal's so called private security company.

Interestingly, the activist parent group suffered a major internal schism in 1982 with one segment taking over the voluminous intelligence library and securing it against the other with new locks and an extensive alarm system. Colonel Hal's company was not

3 The organisations were known as GB 75 and Unison. Their respective leaders were Colonel Stirling, founder of the Special Air Services, and General Walker, an ex-NATO commander

4 Which as late as mid-1984 still exists and still makes headlines in respect of its right wing union backing

chosen as the security adviser and a large national alarm company arranged that business.

The matter of what private security firms should be involved in is of course vital, and whilst the law is one way of limiting the activities of extremists, it is difficult to operate in the area of ethics or morality.

The problem of the morality of private security being involved in such things is complicated - the former Director of the Australian Institute of Criminology to some extent sums it up thus:

Private security is business and like any other business it does not question the motives or the morals of its customers. It supplies a demand and it has a price which is determined by risk and the market forces. In these early days this makes the business of private security extremely vulnerable. It can be penetrated by the mercenary and the unworthy. People with criminal records can get into the business and guards carrying guns may not have the necessary training to use them. In some States a licence for a hand gun may be obtained without having to show that one knows how to use it; and rifles may not be licensed at all. With more private security agents than official police now employed in Australia and large numbers only working part time, the temptation to make money by going through the routine rather than providing the vigilant service for which the contract was made is great. Even the promotion of security devices can be legally precarious if the levels of security claimed in the advertising fall below the actual performance. The Trade Practices Act cannot be overlooked in this connection. As far as I know there have been studies of the misuse of private security information in the commission of crime but the opportunities for house breakers to work as part time security agents to gather such information are very great - and one can well imagine the consequences of a liaison developing between private security personnel and professional criminals.⁵

ASIAL, the Australian Security Industry Association Limited, has a declared interest in the ethics of private security in Australia and a number of security companies declare their support or membership of ASIAL by declaring in their promotional data "member of ASIAL".

5 At the 1982 Seminar, "Policing and Private Security", reported on p 1 of the Proceedings

Regrettably ASIAL membership means almost nothing in terms of applying or enforcing any standards, and frankly its existence appears to be for largely cosmetic or promotional reasons.

The private security industry is almost literally floated on long lunches. The nature of the business, whether the matter is something between a client or potential client and an alarm installer, a provider of guards or alarms, a private investigator or a cash carrier, is often confidential and it is claimed that discreet surroundings are needed to discuss business.

Many people in the security business dislike to speak of certain details over the telephone and frequently they prefer not to commit certain matters to paper. Hence the ubiquitous long lunch in which so many private security operators indulge.

Lunch can hardly be called an agent of corruption, but it is oddly a price which many people in business or government expect to be paid if they are even to talk about security, never mind engage in business.

For instance, let us presume a client, perhaps a businessman or a government department, is in the market for an alarm system. The routine is that three or four of the largest or available companies will telephone the individual responsible for the potential purchase, and more often than not offer lunch as a starting point in conversation or negotiation.

All the alarm companies know this is the way it is and, like it or not, it is a system they or their predecessors created. They are now locked into it.

The problem is that it is an ever more competitive world and the diners ever more blase or unimpressionable, so the lunches escalate. Each company wants business and tries to outdo the other in the client's eyes, and the lunches frequently become extravaganzas with many courses and much liquor and wine over many

hours. During this time the business at hand is often studiously avoided. These contacts are frequently seen as initial by the worldly and maybe only as a deposit by the corrupt. Some of those with a regular need to purchase or approve alarm equipment, for example, could conceivably go through life without ever paying for lunch.

It is entirely possible, of course, that such regular exposure may provide an immunity for the client who simply gets used to such excellent, and usually respectful, treatment. On the other hand, the people paying for the lunch are normally quite adroit at getting something for their money, and as they say, "There is no such thing as a free lunch".

It is at this point that perks could begin to turn into corruption.

Normally an alarm salesman or executive or a guards or patrols salesman or executive will be perceptive enough to keep the reins on his expenditure, and if after a lunch he comprehends that there is little to be gained from further strong cultivation, that is, the client or his representative appears not to be the type to be influenced unduly by subtle approaches, he may well be satisfied to put in his quote using whatever information he has and leave it at that.

But human nature being as it is, there are always people who can be "reached", as the lunch is only a vehicle in these cases for greater expectations on behalf of the salesman.

Sometimes lunches lead to an association whereby the client or his representative and the salesman meet socially after working hours, the salesman paying of course, and the client's wife now moving into the picture and enjoying the evening meal and pleasant company. More frequently, however, it is simply man to man. And what do these men do? Mostly it stays at the level of drinking and eating but in instances that we know of it goes further. Much further.

Sometimes the potential sales involved are in the vicinity of hundreds of thousands of dollars, and it is well worth staying the distance as far as the salesman is concerned.

We know of a number of companies who entertain clients to dinner and then on to wherever they fancy. Regular entertainment spots for some clients are the "massage" parlours of Melbourne and Sydney where they are looked after to their hearts content.

A major operator in the security world maintains a large and sumptuous establishment in Sydney purely for the entertainment of clients and potential clients. Evenings are spent there and all is provided. But the weekends are reserved for special efforts when a number of clients, frequently from the same business - such as bankers - are brought together. They are asked beforehand if they are bringing someone or would they like female company provided.

Alcohol and soft drugs are freely available and anything goes at these times. The patron keeps a visitors book and, incredibly, the visitors almost always sign it. The list of names is extremely revealing.

At other times presents are given to clients or their representatives, and we know of one company officer's wife who woke up one morning to find a new car in her drive, courtesy of course of a large security company actively courting her husband. A public servant was given a caravan, we understand, at one stage during "negotiations".

QUESTIONNAIRE

1.
Q. Would you indicate the percentage of your total business with the following levels of Government?
- | | |
|---------------------------|----|
| Federal | 5% |
| State | 1% |
| Municipal | 0% |
| Police (State or Federal) | 5% |

2.
Q. Would you indicate whether your firm serves clients within the public and /or private sectors?
- | | |
|----------------|-------|
| private sector | 92% * |
|----------------|-------|

* The remainder presumably elsewhere but not reflected in Q.1 above.

3.
Q. Would you please indicate the five largest classifications (e.g. industry/government) of clients that you are presently serving? Please number your responses in order of importance.
- | | |
|-----------------------|-----|
| <u>First priority</u> | |
| light industry | 50% |
| retail outlets | 31% |
| domestic/offices | 19% |

100%

Note: listing beyond this was not possible because of poor response and diversified response

CHAPTER 8

THE LAW AND REGULATION, THE WAY THINGS ARE AND ARE MOVING

In an article titled "The Nature and Potential of the Security Industry"¹, Chief Inspector Sydney Pleece, formerly Assistant Commissioner, Metropolitan Police, at the time of quotation Chairman of the Board of Directors of Group 4 Security (then the third largest security company in the world), sees the security industry function in relation to guard and patrol function:

Beginning where the policeman's guard and patrol function ends, that is at the factory gates.

Kakalik and Wildhorn, who pioneered research on private security in the US, offer a similar definition when they argue that private security begins where the public police leave off and therefore does not encroach on the public police because of legal constraints.²

The intrusive aspect of private security has not been given deep public attention, probably because it is a relatively new growth industry. Rather the public police have borne the brunt of people and bodies concerned³ about policing of the community. Suggestions made from time to time call for greater controls on public police⁴ yet the private security community slips by

1 Police Journal, 45, January 1972, p 44

2 Kakalik & Wildhorn, "The Private Police: Security and Danger", New York, 1977

3 e.g. R.W. Harding, "Police Killings in Australia" (Penguin, 1970), and Waterhouse Inquiry, NSW Parliamentary Debates (40th Parliament, 2nd Session, 17 September 1963, p 4996ff).

Continued next page

unchallenged.

Public police, unlike private security, operate under narrowly defined statutory authority⁵ and are subject to internal supervision, codes of conduct and disciplinary procedures. Other salient features of private security are: that a security person working pursuant to a contract between a security organisation and an organisation receiving security services will be classified for legal purposes as the employee of an independent contractor, for whose wrongs the recipient of the services will not be liable; and that where security services are supplied by an independent contractor to an organisation it is likely that the contract for services will attempt to allocate responsibility for security agents' actions as between their immediate employer and the client whose interests they are attempting to protect.

Private security is becoming very aware of its legal liabilities, and aspects of the position were examined at the 1982 Victorian Security Institute Seminar (23-24 August 1982) titled "The Hidden Cost of Security".

Areas discussed were accident compensation, liability arising from the occupation of premises and liability arising from negligent advice.⁶

Another very important area covered at the seminar related to legal

(a) Harding suggests the following: change of rules allowing the use of force (especially fatal force) in arrest procedures; or establishment of an independent "Arbiter of Police Conduct" with proceedings held at the public level.

(b) The Council for Civil Liberties (NSW) suggested in 1961 a new procedure for the hearing of complaints against the police. The new procedure consisted of a tribunal (constituting a judge, senior officer of police and a lay person representing community groups) with powers to hear and determine (in public) complaints made against members of the police force

4 Criminal Investigation Bill 1982

5 Robert Evans, "Three Aspects of Legal Liability Relevant to Management", USI Seminar Report, 1982

6 John de Koning, LL.D., "Your Legal Liability", USI Seminar Report, 1982

liability of private security companies, particularly in regard to central station operator contracts for alarm companies, burglar alarm warranties and clauses in insurance policies.

The problems of accountability of private security may best be illustrated with a complaint made to **Choice**, the consumer magazine:

Some years ago I was in Perth with my eight year old daughter on her birthday. She is a very quiet girl, but was delighted when I gave her \$5 to go and do some shopping for herself - anything she'd like to have, I told her to keep all her docketts so that I could check that she hadn't been short changed.

I watched for her coming when an hour was up, but no sign of her. I was frantic when two hours passed (she had a watch) but couldn't leave the spot where I was in case she returned and I missed her. Just then a child appeared, escorted by a tall severe woman, who began apologising to me - didn't know what for as my whole attention was on my daughter who had her face red and swollen with crying, her clothes on crookedly, and was nearly in a state of collapse. The woman thrust the little girl's shopping bag at me and disappeared. When the sobbing child was able to speak, she said she'd finished her shopping in one store and then had gone to another. She had only just got inside the door when the woman grabbed her and rushed her to an office, tipped out the bag and began to shout at her that she had been shoplifting. Two men appeared then, and the woman ripped off the child's dress and searched her. Then one of the men opened the child's purse and found docketts, covering every item in the shopping bag. By then my daughter had been called "you rotten little liar" and pushed across the room (I later found a bruise on her head and a bruised arm). One of the men became anxious apparently and sent the woman to find the child's mother. My daughter was so distraught that she couldn't remember where I was and they searched for nearly an hour. She was hysterical even hours later. She'd thought she was kidnapped, it appeared.

Next day I went to see these people. I found the two men, both very quiet and apologetic, elderly men. The woman, they said, "had been transferred" and this had been her last day in the Perth store. They refused to give me her name. I couldn't get anywhere with them, except that one mentioned that I had no proof of any manhandling of the child by the woman.

I felt I had to pass on this experience, which took a long time for a shy, country child to get over, her "worst birthday" as she called it even years later ...

The great pity of this incident is that the store was not made to recompense, in some way, the small girl and her parents. By and

large, though, retail organisations are generally well aware, through sore experience, of the perils of false accusation or "arrest".

At the Victorian Security Institute Seminar on "The Hidden Cost of Security", attendees were advised to avoid any physical contact with the "offender" and the "tap on the shoulder" approach was mentioned.⁷ Wisely they were counselled to avoid any such approach as an arrest has been constituted with the definition of arrest, i.e. "the actual touching or seizure of a person with a view of detaining such a person". The attendees were advised that "where customer bag checks at registers or an exit are applicable use any information received to prevent thefts rather than a confrontation that could end in disaster".⁸

It is noteworthy that the sensible advice given at the Victorian Security Institute Seminar would probably be unacceptable in practice in New South Wales.

One correspondent who is the security manager of one of the largest retailers in New South Wales described the bruises and abrasions he suffers regularly at the hands of professional thieves upon whom he and his staff use the "tap on the shoulder" approach, and claims this testifies to the fact that thieves steal millions of dollars worth of goods annually from Australian stores and are prepared to use violence if apprehended.

One of the great problems with in-house security operations is that there is no licensing legislation applicable to them and controls and statistics are difficult to achieve.

On the other hand contract security operatives in most Australian States or Territories are required to become licensed under various Security Agents Acts or Commercial Agents Acts. Regrettably the

7 Paper by Bruce Shingles, Loss Prevention Manager, Target Australia Pty Limited

8 ibid

Acts sometimes do not apply to all members of the contract private security community, being directed primarily at investigators, guards or watchmen.

In late 1983 a report received by the Victorian Government⁹ made comment in respect of the current provision in regard to inquiry agents, guard agents and watchmen in Victoria, and made numerous recommendations regarding the tightening of the Act as far as those categories were concerned.

Significantly the report considered a group of categories hitherto not covered under the Act. This group of categories was described as "Private Security".

Noting that in recent years there had been a very rapid growth in the private security industry, to such a degree that the number of private security agents exceeds the number of members in the official police force, and that private security is not publicly accountable yet has an intrusive aspect, the report suggested that measures should be taken to ensure that the industry operates in accordance with recognised standards of training and performance under a system of registration and regulation.

This report made the distinction between contract security and in-house security, and made it clear that it had not examined the former.

Following are extracts from the report which indicate that the concerns which we have in respect of the industry have been noted by at least one State Government in addition to the Western Australian.¹⁰

Private Security - Standards of Service

(a) Qualifications of Private Security Agents

At present, any person may engage in a business which may

9 Report of the Working Party to Review the Operations of the Private Agents Act 1966

10 *ibid*

provide a wide range of private security services, including such activities as locksmithing, the provision of mechanical security equipment, the installation of complex electronic security equipment and security consultancy services. However, there is no requirement for the owners or employees of these businesses to meet any educational qualification standard or for any assessment to be made of their honesty or technical competence.

It was submitted to the Working Party, on behalf of the Victorian Security Institute, that there are currently many private security agents who are improperly trained and who are providing sub-standard services to clients.

(b) Equipment and Installation Standards

In general, there are no legislative provisions to ensure that security equipment or installations conform with acceptable standards. In this regard, for example, it was drawn to the attention of the Working Party that, although the Australian Standards Association has specified a minimum equipment and installation standard for security alarms, this has no regulatory standing in this State.

Also it was pointed out to the Working Party that, in this State, there are many instances of window and door screens being marketed under the title of "security screen" or "security door" which may be of flimsy construction and which afford no effective barrier to an intruder attempting to gain entry to premises for criminal purposes.

(c) Security Alarms

The Police Department has drawn the attention of the Working Party to the serious problem which currently exists due to the unsatisfactory installation, standard of equipment and operation of security alarms services.

The Police Department advised that approximately 99 per cent of all alarms are false and that Police presently attend about 2,000 false alarms each month. Approximately 1,500 of these alarms originate from premises controlled by the larger security companies. The Police Department is concerned at the high operational cost resulting from attendance to false alarms, which conservatively is estimated to require 1,000 operational manhours each month. Attendance to false alarms places an unnecessary additional burden on resources which are already heavily stressed and seriously reduce the availability of Police units for other essential duties.

The Working Party noted that in Western Australia all persons and businesses installing security alarm services are required to be licensed. As a special condition of licensing, the Licensing Officer requires that the installation and repair of electronic and acoustic devices must comply with the "Intruder Alarm Systems" Standard AS 2201 of the Standards Association of Australia. Therefore, in Western Australia, it is expected that

the reliability of security alarm systems will be gradually upgraded as new equipment is progressively installed and serviced. In any event, it is the practice of the Licensing Officer to contact both the security agent and the client after the incidence of more than two false alarms from a system to bring pressure to bear for the system to be upgraded. The Licensing Officer has advised that since the new licensing provisions have come into operation, the false alarms rate has fallen from 99 per cent to 90 per cent. In the Victorian context, the recent requirement of insurance companies that all persons insuring the contents of premises, valued at \$50,000 or more, must have a security alarm fitted, will increase the number of alarm installations. It is desirable that these new systems meet a minimum standard to avoid any further aggravation of the present false alarm problem.

The Police submitted that if these standards were implemented in Victoria, it should be possible to reduce the rate of false activations to about 80 per cent.

(d) Private Policing

The Police Department has expressed particular concern about the proliferation of organisations which purport to provide security protection services and whose employees may be represented as "private Police". The Police Department points out that the standard of accountability expected of members of the Police Force is high and suggests that measures should be taken to ensure that levels of accountability and training of private security agents employed in a "private policing" capacity are raised.

(e) Criminal Infiltration

The attention of the Working Party was drawn to the existing situation where persons with criminal records are currently able to obtain employment or establish businesses in private security activities, including locksmithing, the installation of surveillance and security protection equipment and devices and the provision of security advisory services. By these means, dishonest and disreputable persons can gain "inside" knowledge of the location, nature and means of storage and protection of valuables under the pretence of providing a service or advising on security protection. It was submitted to the Working Party that it is essential for the protection of the public that all persons providing services of this nature should be vetted by the Police and be required to meet appropriate standards of competence.

(f) Security Key Systems

The Police Department and the Victorian Security Institute informed the Working Party that in recent years problems have occurred due to a breakdown in the system of distribution of blanks of restricted profile keys which has given access to copies of master keys. It was suggested that this danger could be lessened if there was a provision in the Private Agents Act under which any person, other than a licensed private agent, who

cuts a key, other than a common key, commits an offence.

(g) "Lookalike" Police Uniforms

It is a matter of concern to the Working Party that some private security organisations and also some official security services use uniforms and insignia which very closely resemble the style of the official Police uniform. Police members are required to undertake specialised training and are fully accountable for their conduct and actions. The Working Party considers that the policeman gains considerable status and authority from the impression created by the distinctiveness of his uniform and insignia. In the view of the Working Party, this distinctiveness should not be diminished through the use of "lookalike" uniforms by other security services operating under lower standards of training and accountability than the official Police Force.

The Working Party noted that, under Western Australian legislation, "lookalike" Police uniforms are prohibited. The Working Party favours a similar restriction in the Private Agents Act.

This part of the report concluded that the official Police Force does not have the resources to supply all the security services for which there is a demand in the community and that it is not necessary that it should seek to satisfy the total of these requirements. Additionally it discussed the question of self regulation, which some members of the private security community insist is the only way that regulation will work. The report came down firmly on the side of government regulation, saying that despite the argument in respect of allowing free market forces to take care of regulation by a kind of natural selection, the committee felt that the public are not in a position to adequately make assessments in respect of checks of the standards of service provided. Given this, the report concluded, as important issues relating to the security of individuals and their property are involved, it was considered that the Private Agents Act should be amended to extend the licensing and control provisions of the legislation to the private security industry as a whole.

Finally, the report recommended that the scope of the licensing and regulatory system under the Private Agents Act be extended generally along the same lines as that operating in Western Australia, to

include the private security industry as a whole, and in particular that the Act be amended to enable the following measures to be implemented:

Private Security

6.4.4. Recommendations

The Working Party recommends that the scope of the licensing and regulatory system under the Private Agents Act be extended, generally along the same lines as that operating in Western Australia, to include the private security industry as a whole and in particular that the Act be amended to enable the following measures to be implemented:

(a) That, in lieu of the existing licence categories of guard agent and watchman, the Private Agents Act provide for the licensing and control of the following categories:

- . Alarm Services
- . Armoured Vehicle Services
- . Locksmiths
- . Security Consultants
- . Security Personnel Services
- . Physical Protection

(b) That the six categories of private agent's licence be further designated into sub-categories (as detailed in paragraph 6.4.2.(a)) to be prescribed under the Regulations under the Act.

(c) That the licensing authority be empowered to issue licences subject to special conditions, including standards of service, performance and equipment installed.

(d) That a right of appeal (to the Court) be provided for applicants or licence holders against a special condition imposed by the licensing authority.

(e) That the Minister be empowered to grant an exemption to any person from the provisions of the Act.

(f) That a system of issuing primary and secondary licences be introduced (paragraph 6.4.2.(h) refers).

(g) That provisional licences may be issued to persons seeking a secondary licence (paragraph 6.4.2.(i) refers).

(h) That the use of "lookalike" Police uniforms and insignia by persons and organisations be prohibited.

(i) That no person, other than a licensed private agent (in an appropriate category) be permitted to cut a key, other than a common key.

In the ACT no licensing system operates in regard to any private security firm or individual. This is remarkable and particularly worrying given the activities of security firms, particularly private investigators in the Territory.¹¹

In a letter dated 13 October 1982, Assistant Commissioner Day of the New South Wales Police informed us that:

Persons conducting businesses as private security firms in this State are required to be licensed under the provisions of the Commercial Agents and Private Inquiry Agents Act No.4 of 1963. Their employees must also be licensed.

Security staff employed by private business houses are not required to be licensed. However, a large number of such persons have applied for and have been granted appointment as a Special Constable by this Department.

Whilst no evidence is available linking security staff with the commission of crime, it is considered that they, together with persons engaged in the related security fields in installation, maintenance, repair and operation of burglar alarms, electronic equipment, safes, locks etc, are in a position to obtain vital information regarding the location of valuables, etc.

This security risk could be reduced by the licensing of such persons.

Assistant Commissioner Day's letter clearly indicates the weakness in the existing NSW legislation in the final two paragraphs of his memo and typifies the problems in other States.

In Western Australia the position is quite different, as Assistant Commissioner (Crime) of the Western Australian Police pointed out to us in a letter dated 9 June 1982. He said:

The Security Agents Act introduced licensing in Western Australia in 1977. For the purposes of the Act, the licensing officer is a member of the Police Force appointed by the Commissioner of Police.

The Act requires business organisations and their employees engaged in the protection of private property to be licensed. This includes night watchmen and persons escorting cash and valuables. During 1979 the Act was amended to include persons

11 Australian Law Reform Commission Report No. 22, "Privacy", 1983, ch 247, p 120

who install, repair and maintain intruder alarm systems, safes, vaults, security locks and other security hardware.

The Western Australian licensing system is elaborate and provides clear guidelines, in the hands of the police, for the refusal of a licence on the following grounds:

- (a) that the applicant is not of good character;
- (b) is bankrupt or suffering from financial pressures;
- (c) has been convicted of offences including fraud, stealing, unlawful entry on premises;
- (d) has been guilty of conduct which renders him unfit to hold a licence;
- (e) has not reached the required age limitation.

Many members of private security see the Western Australian system as draconian. Indeed we were told by one very senior executive of the security division of a multinational firm that the Western Australian system "tampered with the democratic right of business to conduct business". The statement reminded us of one American President's words - "the business of business is business". But those words were uttered a long time ago in almost another age.

The Western Australian Police do have a lot of power and the licensing officer may impose **any** conditions, limitations or restrictions as to the supervision, control and conduct of the business to which the licence relates.

However, a close examination reveals that the application of the control and supervision aspects is sensible and in the public interest. For instance, night watchmen are required to wear a company uniform and are not permitted to carry or possess firearms. Also, alarm installers are required to install systems in accordance with the standards as set down by the Standards Association of Australia. Other provisions such as the keeping of records and books and maintenance of certain standards for some protective equipment are applicable.

One of the real problems with licensing by State (or Federal for

that matter) bodies is that often the licensing is good in principle but poor in practice.¹²

It has been said by a number of our correspondents that licensing in their State is a sham with no follow up or control or supervision being provided by the so-called regulating agencies. Sometimes, we are told, this results in the licensing of firms and/or individuals with poor language skills, personal deficiencies or drug or alcohol problems which really should render them unfit for security work.

Indeed there has been, as Assistant Commissioner Day of the NSW Police suggested, a feeling amongst many people in the Australian community that access to security work could give an advantage to the criminally minded. For instance, an alarm installer will have considerable access to premises and valuables.

Our correspondence with many hundreds of Australian security firms has shown that a great number of them insist that "the most stringent checks" are conducted on staff before they are employed.

The reality as revealed in direct inquiries subsequently appears somewhat different from that claim. We are not satisfied that any private security firm in Australia has demonstrated an ability to vet employees adequately.

In addition, the State regulatory agencies are supposed to conduct police background checks of those individuals within the responsibility of the Licensing Act who are submitted for such a check by security firms. This system appears to work reasonably well as long as names are submitted and as far as the check goes.

Recently (in 1983) a furore was raised when it was discovered that a guard employee of a Melbourne based security firm contracted to the State Government had a criminal record and had access to a number of

12 *ibid*, Vol. 1, p 117, notes "shortage of staff and work pressure have meant statistics on applicants for private enquiry agents licences are no longer kept" (in NSW)

State Government buildings. Subsequently it emerged that the contracting security company, his employer, had neglected to submit the appropriate forms for checks to be made. It was, the General Manager said, "a matter of routine" and he did not understand how such a thing could happen.

The Canadian experience is entirely relevant here and comments by Stenning and Cornish are most relevant:

In the present circumstances our overall impression is that in most Provinces essentially understaffed and underbudgetted regulatory agencies maintain a contact with the private security industry which is generally limited to the paper work involved in processing licensing applications and dealing with the occasional complaint. In such circumstances one could hardly expect regulating agencies to be able to exert a positive and significant influence for improvement of standards with the industry.

Regrettably this is generally the situation in Australia, with the exception of Western Australia where the Licensing Officer is required to be satisfied that the applicant is a "fit and proper person" to hold the category of licence applied for. Installers of intruder alarm systems are required to pass a written examination prepared by the Security Agents Institute and produce documentation as to their experience and qualifications in the field of electronics.

Additionally, the licensing control being in the hands of the police, random checks are made on security patrolmen and alarm control rooms etc, and records inspected arbitrarily.

It is difficult to say what effect the direct police supervision and control has had in terms of long-term reduction of criminal infiltration and malpractice, and any argument in this respect will parallel the ongoing argument regarding random breath testing in various Australian States, but the Western Australian Police are convinced of its effectiveness and point to immediate results:

The introduction of the Security Agents Act resulted from a growing concern felt by the public, police and genuine security firms over dubious activities spreading within the expanding industry. Self styled experts, often with criminal records, disappeared from the industry overnight.

The Act as it is today ensures public protection because licensing is granted to those persons of good character who are financially sound and can prove to be technically competent in the service they provide.

CHAPTER 9

PRIVATE DETECTIVES

The tasks undertaken by the private investigator cover a wide range, some traditionally the province of police, involving investigation of the private lives of others. Typical of these activities are inquiries concerning

- . industrial matters, including espionage
- . custody disputes
- . missing persons
- . contested wills
- . patent infringements
- . financial standing of customers and business associates
- . insurance claims
- . fraud
- . embezzlement
- . theft
- . applications for employment
- . performance by employees of their duties
- . conduct of senior staff
- . the general financial standing of private individuals
- . contacting and tracing witnesses
- . the conduct and character of senior executives' wives
- . the serving of writs and process
- . searches of employees and customers
- . domestic and vehicle repossessions
- . debt collection and inquiries
- . birth inquiries
- . marriage inquiries
- . political espionage.

Loss assessors conduct investigations into losses or injuries sustained as a result of motor vehicle or employment accidents. This includes compensation likely to be awarded as a consequence of such loss or injury, obtaining evidence for subsequent legal proceedings and negotiating the settlement of any claims made.

Private investigators may be employed by or through contact with solicitors, insurance companies, traders, mortgagees, employers, boards of directors, finance companies and private individuals.

For certain kinds of inquiries, an agent may be placed under an assumed name and identity, passing himself off as a factory worker or office employee, on the factory floor or in the commercial premises, in order to obtain the information sought by the client. Information may also be obtained from public records and registries. Technical and other devices are in frequent use for secret surveillance by private investigators. Very often the techniques are illegal.

The Younger Committee thought that the activities of private investigators ought to be brought under control because they inevitably involved invasion of privacy.

If privacy is to be given greater protection it would, on the face of it, seem necessary to have regard to persons or organisations who hold themselves out to invade privacy for reward.¹

1 Younger Report, p 133

QUESTIONNAIRE

1. Which of these tasks are part of your job as an investigator (if applicable), and how often are they performed?

- . interview witnesses
- . question suspects
- . serve subpoenas/writs
- . service documents (for lawyers)
- . present evidence and exhibits in court
- . write reports for litigation
- . other (please specify)

Note: frequency of performance of the above tasks could not be ascertained owing to insufficient or inadequate response.

2. Which of the following types of investigations have you carried out in the last month? How often have you performed them?

- . insurance claims
- . workmen's compensation claims
- . pre-employment checks (personal background)
- . other personal background checks
- . marital and related problems
- . missing persons
- . undercover work
- . integrity checks (cashiers)
- . shoplifting
- . fraud (i.e. systems analysis)
- . employee theft
- . vandalism

Note: frequency of performance could not be ascertained for the reason given in 1, above.

CHAPTER 10

CONCLUSIONS

Private security is, as we have mentioned, incestuous to the extent that people within the industry move from job to job with relative ease. We have noted very senior personnel dismissed from one company employed with another private security company within days. This appears to be a feature of the industry and it leads to a familiarity amongst its members which perhaps does not exist in other industries. The practice of re-employment could be seen to be humanitarian but private security companies certainly do not work on that basis.

It is really a fact, despite the claims of original equipment and services, that the established companies are very similar in outlook, presentation, service and product. One executive can leave a company on a certain day, start with a competitor the next and hardly notice the change. All he might have to do is note certain new or different procedures and different product names for equipment and services he is very familiar with. What do the security companies achieve by these moves? Probably they believe that the new man will bring some clients with him and possibly some "inside" data on the firm he left.

The incestuousness is probably of no harm to the community but the intrusiveness of the private security industry has potential in terms of greater involvement in crime prevention which is very considerable.

It appears that private security will be providing more and more

service to a community which seeks protection and yet because of many factors can expect less and less from the official police.

The danger of the private security industry providing a poor service for money or a dangerous vehicle for criminals to launch themselves from is perceived and being recognised slowly by the State governments to varying degrees, and they are accepting the need to monitor and control private security for the benefit of the community.

Irrespective of our views about private security occupying a position we would feel more comfortable in having the official police in, it is a fact that we have a large and separate second police ability or force in this country, and that is private security. The official police are the first to recognise this and the first to observe the phenomenon with some kind of historical view, noting that crime has increased to an alarming stage yet governments are not providing the wherewithal for them to match it, or for that matter even to trail it respectably in some cases. The official police are in a unique position to observe the "natural" growth of private security in these circumstances with a measured view and they could be forgiven for being anxious in the circumstances.

Remarkably they show very little bitterness toward private security, preferring to point out that unless their resources are increased they will possibly decline in service. Nevertheless they point to certain deficiencies in the private security industry and point out the need for controls. This is more than sensible given the controls on the police and the relatively few on private security.

The public police work within an elaborate framework of legal restraints which limit their right to infringe on civil liberties and their right to enter property. The development of private security has been dramatic and remarkably little attention has been paid to it, and now we face the situation where we have a very large "private police force" working in the public domain with only common law restrictions placed on it in respect of private rights. This

protection is not adequate and the community has the right to expect proper protection from private security just as the clients of private security have the right to expect a range of protection in respect of services provided.

Just as we believe those clients are not getting a fair deal in many cases, we do not believe the law in respect to private security to be adequate.

It is true that the trend is towards better licensing acts and controls, but it is equally true that we are not there yet and we are by no means convinced that the application of the acts will be good enough. Certainly in Western Australia it works, to a degree, as far as "up front" firms such as alarm and guard companies - but it seems to miss, even in the West, those peripheral firms who operate in the shadows of the private security industry.

Now as we have the Victorian Government using the Western Australian model as its guide, the deficiencies could perpetuate themselves from State to State.

The corruption in the industry as far as its ability to break the existing law with impunity (as in the cases of those people who plant "bugs") and its ability to subvert, must be addressed in terms a little stronger than comfortable administrative responses to the blandishment of the various security institutes who lately have been coming forward with reforming zeal to governments.

These organisations are more interested in form and presentation than in getting to the substantial issues. This is not so much a criticism of those organisations as a criticism of their perception of their industry. True, the improved regulations may reduce the "cowboy" element, may standardise training and education and may improve technical standards as well as protect the client against the unscrupulous, but important as these things are, vital reforms are not looked at, and it is those which, if not provided, can lead to the private security industry coming into real disrepute in the very near future.

EMPLOYEE SURVEY¹

1. (a) Would you tell us what kind of security licence you hold (if you have one)²?
- (b) If you worked last week did you work as a security guard, technician, locksmith, private inquiry agent, security adviser, consultant or other (please specify)?
2. Do you presently hold Private Inquiry Agent status or other special status (please specify)?
3. Would you tell us about your powers in regard to your licence? What do they allow you to do?
4. What type of security company do you work for? Is it an alarms, guards, consultancy or investigative firm or a combination of any of these?
5. How long have you worked either full time or part time for this firm?
6. Would you tell us approximately how long you have been doing security work?
7. How many other security companies have you worked for in the past five years?
8. Can you tell us how many full time jobs of any sort you have held in the past five years, not counting the job with this firm?
9. How long did you work for the firm with which you were last employed?
10. Is this a full time or a part time job?

1 This form was to be completed by employees of the company, i.e. guards, patrolmen, supervisors, alarm technicians, private inquiry agents, locksmiths, security advisers, consultants, etc)

2 E.g. inquiry agent/sub agent/security agent

11. Last week, what shift did you work?
12. How many hours did you work last week for your security firm?
Ordinary hours..... Overtime hours.....
13. What fringe benefits are provided by your firm?
14. What were your reasons for taking a security job?
15. Do you intend to remain in security work or are you presently looking for another job?
16. Had you been a member of any of the following security forces before starting work at your present firm? (Please tick and comment further if you wish).
 - . State Police
 - . Federal Police (Commonwealth)
 - . ASIO
 - . Military
 - . Other security force
17. What type of client firm(s) are you presently assigned to by your security firm (if static). If mobile, what are the various types of firms you are assigned to (i.e. industrial/shops)?
18. Which of the following security tasks are part of your job, and how often do you perform them on this particular job?
 - Patrol work
 - Patrol on foot
 - Patrol by car
 - Patrol with dog
 - Patrol exterior
 - Patrol interior
 - Patrol parking lot
 - Punch clock points
 - Check locks, gates
 - Check security of information
 - Check fire hazards
 - Check equipment

Other

Give first aid
 Give evidence in court
 Handle valuables
 Act as bodyguard
 Train/supervise
 Special events
 Write reports
 Supervise other security personnel
 Specialised tasks³

Stationary guard work

Control station monitoring activities
 Screen and escort visitors
 Give information
 Answer telephone
 Search employees for theft
 Search vehicles for theft
 Airport pre-boarding
 Handle shipping and receiving
 Monitor TV console

19. Which of these tasks are part of your job as an investigator (if applicable), and how often are they performed?

- . interview witnesses
- . question suspects
- . serve subpoenas/writs
- . service documents (for lawyers)
- . present evidence and exhibits in court
- . write reports for litigation
- . other (please specify)

20. Which of the following types of investigations have you carried out in the last month? How often have you performed them?

- . insurance claims
- . workmen's compensation claims
- . pre-employment checks (personal background)
- . other personal background checks
- . marital and related problems
- . missing persons
- . undercover work
- . integrity checks (cashiers)
- . shoplifting
- . fraud (i.e. systems analysis)
- . employee theft
- . vandalism

21. What kind of security problems have you dealt with on this job, and how often have they been encountered?

3 E.g. VIP protection, de-bugging, executive protection

22. Have you ever found it necessary to detain someone, while you worked as a guard/investigator at any job?
23. Which of the following methods did you use the last time you detained someone?
- . told them to stay
 - . used verbal threats
 - . used physical force
 - . arrested/detained
24. When you have to detain someone against his will, do you tell the person that he is under arrest?
25. On this job, have you ever needed to use force?
26. (a) Are you expected to detain persons you suspect of committing a crime?
- (b) Were you told to do this by:
- . company supervisor
 - . client
 - . both
 - . other guards
27. (a) Are you expected to arrest persons you find committing a crime?
- (b) Were you told to do this by:
- . company supervisor
 - . client
 - . both
 - . other guards
28. (a) Are you expected to search persons you suspect of having committed a crime?
- (b) Were you told to do this by:
- . company supervisor
 - . client
 - . both
 - . other guards
29. (a) Are you expected to use physical force?
- (b) Who expects you to use this physical force?

30. In private security work have you found it necessary to call the police? (Please advise if your Central Control did it on your behalf).
31. Rank in order of importance the factors which influence the way in which you handle security problems (e.g. if an alarm is sounded, if someone's life is in danger, if property is at risk).
32. In general, do you think the public police are satisfied with their involvement in problems referred to them by private security? Would they prefer you to handle your own problems or to call the police more often?
33. In general, how would you describe police response to your requests for assistance?
34. In your experience, have you found that the police support your decisions in the handling of security problems?
35. Describe your opinion of the attitude of most policemen toward private security personnel.
36. Describe your opinion of the attitude of the general public toward private security personnel.
37. At this firm, were you given training on the job, at the firm or elsewhere before you were sent to work? (Indicate where this training took place).
38. Was this training given mostly by your fellow workers from the firm, by your firm supervisor, or by the client firm?
39. What subject areas were covered during this training?
40. Would you tell us how much training was given? How long did it take?
41. What is your opinion of the training you received for security work?
42. Have you been given an opportunity to take any further training while you have been working for your firm?

43. What further training did you receive?
44. About how long did this training last?
45. Have you carried a gun (or any other weapons) while working on this or any other security job?
46. Was it necessary for you personally to hold a carrying permit?
47. Describe the training you received in how to use a gun?
48. How would you evaluate this firearms training?
49. Do you carry a firearm on the particular security job you are employed on now?
50. Have you ever found it necessary to use a gun on any security job?
51. Do you think it is necessary to carry a firearm on this particular security job in order to do it properly?
52. On this job, is your work supervised by a firm's supervisor, by the client firm, or by both? Indicate whether any supervision is provided.
53. How often do you see or talk to your supervisor (your employing firm) on this job?
54. Do you think this supervision is adequate?
55. Can you legally detain a person against his will without arresting him?
56. With respect to your authority to search, can you legally search a person without his consent without first arresting him?
57. Can you legally search a person's vehicle which is on company property if that person does not consent to such a search?

58. Can you legally search a person's purse, briefcase, shopping bag, etc. without consent?

59. Which of the following statements correctly describes your powers of arrest?

- . I may arrest any person on reasonable and probable grounds that he has committed a criminal offence.
- . I may arrest any person on reasonable and probable grounds that he has committed an indictable offence.
- . I may arrest any person I find committing a criminal offence.
- . I may arrest any person I find committing an indictable offence.
- . I may arrest any person on reasonable and probable grounds that he has committed a criminal offence on or in relation to the property I am guarding.

60. Which of the following statements best describes your legal powers?

- . the same as a public policeman's powers
- . the same as a private citizen's powers
- . the same as those of the owner of the property while I am on duty.

61. Which of the following offences are classified as criminal offences?

- . destroying company property
- . theft of property worth less than \$500
- . theft of company property over \$500
- . deliberately setting off a false fire alarm
- . insulting a security officer
- . parking on company property without authority
- . being drunk on company property
- . possession of a weapon for a purpose dangerous to the public peace
- . creating a disturbance
- . assaulting a company employee causing bodily harm
- . trespassing on company property
- . possession of a narcotic drug
- . drinking on company property in violation of company rules
- . picketing illegally
- . assisting a person to escape from lawful custody
- . deliberately setting fire to company property.

62. Do you think wearing a police-type uniform on duty increases your effectiveness as a security guard when dealing with:

- . the general public
- . offenders
- . the police?

63. Would you please tell us your age?

64. Are you an Australian citizen?

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