The growth of the private security industry is probably one of the most striking developments in the criminal justice field. It is precisely the growth of this type of industry that characterises our forthcoming entry into the 21st century: a market-economy with public-private partnerships; a growing information technology with new surveillance possibilities; prodigious attention paid to crime and security. This issue not only condenses the existing knowledge and points of view on the subject, but also adds new information to the academic debate.
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The growth of the private security industry is probably one of the most striking developments in the criminal justice field. It is precisely the growth of this type of industry that characterises our forthcoming entry into the 21st century: a market-economy with public-private partnerships; a growing information technology with new surveillance possibilities; prodigious attention paid to crime and security. It is not surprising that private security has become big business. Happily there is also growing academic interest in private security, which is necessary if the effects of this commercial activity on the public are to be analysed and regulated. For that matter it is necessary just to have a better insight into the actual development of this commercial branch. This issue not only condenses the existing knowledge and points of view on the subject, but also adds new information to the debate.

In the first article Jaap de Waard presents an inventory on the private security industry in European and non-European countries. As there has always been a lack of reliable data on the subject, at the end of 1997 some 40 international experts on the private security industry in various countries were requested to supply relevant information. This article gives the detailed results of this investigation; it elaborates on the size of the sector (manpower, number of companies), the turnover, and the regulation schemes in various countries. How has the private security industry developed in terms of size and quality? How does the size of the private security industry compare to the size of the police force? How has legislation developed and changed? Which possible trends and future developments are to be expected? As the first article of this issue it gives us a unique overview of the development of this industry.

In the next article Les Johnston evaluates developments in private security. In his view it is important to look beyond the negative concerns which dominate the debate. The re-emergence of private policing can also be seen as an opportunity to identify and address critical questions concerning contemporary government. Two developments have had a major impact on contemporary policing. First, policing (and governance) are now highly diversified, with public policing (and ‘state rule’) being supplemented by the actions of a wide range of civil, commercial and voluntary bodies. Secondly, the growth of commercial security is itself, part of a wider shift towards risk-based thinking. This shift now pervades all public and private institutions, including the police. These two developments (should) have serious implications regarding the way we think about the governance of policing.

Michael Kempa, Ryan Carrier, Jennifer Wood and Clifford Shearing broaden this question on the governance of policing to the role of the state in the globalisation process and the impossibility of predicting the future with existing technologies. There are two possible political responses to an unknown global order, both of which are represented in contemporary trends in private policing. On the one hand, where an uncertain global future is approached through a discourse of negativity, the natural response is to seal and protect already scarce resources from others, leading to a pattern of enclaves in which the privileged sequester themselves and exclude the 'dangerous poor'. On the other hand, one may choose to respond to the challenge of non-calculable risks by being flexible, poised to detect and act instantaneously to challenges as they arise. In this respect a model of 'networked nodal governance' is introduced. Governance of this kind will involve the connection of multiple private agencies with state structures to derive the most suitable responses. Such networked systems have the potential to derive 'best practices' through successive approximation and repeated testing, rather than through centralised planning.

Until recently, the great majority of writing on private policing concerned North America, reflecting the fact that in the USA in particular there has been a long history of official interest in the subject. Shearing and Stenning (1981) provide a fundamental explanation by pointing to the rise of what they call 'mass private property' in the US over the past 30 years or so. Trevor Jones and Tim Newburn consider the degree to which mass private property has emerged in Britain, and how far this might help to explain what has happened to policing in this particular country. The authors focus upon the three key examples of mass private property: those occurring in the retail sector, the residential property sector and finally the leisure/entertainment sector. The broader aim, however, is to highlight the need for more detailed empirical examination of developments in urban space and policing in other Western European countries.

Private investigators should be considered in any comprehensive study of private security. Martin Gill and Jerry Hart investigated this old and interesting profession. Clients seek private investigators’ services for many reasons, ranging from murder investigations to the tracing of missing heirs. Following a comprehensive review of the available literature and some informal contact with practitioners, a postal questionnaire was distributed to 1,700 private investigation agencies. The authors and their researchers subsequently were also able to conduct personal interviews, to study individual case histories and their outcomes and, whenever possible, to engage in participant observation of 'live' investigations by private investigators. In addition, a second postal questionnaire was distributed.
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To 1,500 solicitors – the most frequent users of private investigators’ services. This part of the research asked solicitors why they used private investigators, how they selected investigation agencies and what kinds of tasks they asked them to undertake. It also enquired whether they employed private investigators for their own purposes or on behalf of their clients and what procedures they invoked to ensure they conducted enquiries and other tasks to the appropriate standards and how these were defined.

In the section Current Issues Kevin Haines describes ‘crime as a social problem’. The article seeks to place the study of crime in the social policy context. Criminal careers research is critically evaluated and modern social trends are outlined as a background to an exploration of the interaction between criminological research findings and social policies for youth at risk. Matti Joutsen has compiled a report of the Sixth Colloquium on Crime and Criminal Policy. The Crime Institute Profile comes from the Stockholm Institute for Criminology and is written by Henrik Tham. The section Selected Articles and Reports is renewed in so far that it is directly linked to the central topic of this issue, Private Security.

J. C. J. B.

Themes in preparation:
Juvenile Justice
Communities and Crime
Crime
Trends in Europe
Sexual Delinquency
Football Violence
Migration in Crime

Suggestions and papers are welcomed. See the inside cover for the editorial address and additional information.
THE PRIVATE SECURITY INDUSTRY IN INTERNATIONAL PERSPECTIVE

ABSTRACT. The purpose of this article is to describe, from an international perspective, the state of the art of the private security industry. Typical in any discussion of the industry is the lack, or non-existence, of reliable facts and figures. At the same time, there is a strong demand for this kind of information. This discourse aims to fill this gap by comparing the size of the sector, the turnover, and regulation between European and non-European countries. This article will deal with five major points. First a short description of the private security industry in the Netherlands is given. Secondly, international comparisons are presented to assess the size of the industry with reference to the 15 EU-countries, and 12 non-EU countries. With regard to the latter category, some information on recent developments will be presented. Thirdly, a comparison of the order of magnitude and ranking of manpower between the security industry and the police within and outside the EU is described. Also, some remarks and data on the quality of the industry and police effectiveness will be dealt with. Fourthly, a brief overview is presented on the regulation of the private security industry in the EU. Fifthly, this article rounds off with general conclusions and some perspectives on the future.

KEY WORDS: comparative research, manpower, police strength, private security, regulations, turnover

INTRODUCTION AND BACKGROUND

In recent years, one of the main avenues of research in the criminal justice system has been the comparative study, carried out to assess the differences between countries regarding legislation, developments in crime levels, and investments in manpower in the criminal justice system. The fact that this type of research is being given high priority is understandable in view of the rapid progress being made towards European integration and internationalisation, which is having a major influence on economic, social, and legal developments. These days countries also have to protect their democratic institutions and open markets against various forms of crime more frequently. The internationalisation of criminal activity is a problem that has become increasingly serious, and this trend is likely to continue in the future. This is as a result of: high rates of emigration; the ease of travel and communication; the use of English as a common language; advanced technology and the ability to instantaneously move assets; the
increasingly cosmopolitan nature of criminals; criminal operations in geographically, politically, or financially ungovernable areas; huge profits ensuring corruption capability; criminal influence in companies doing international business; and the massive obstacles which now exist to hinder international law enforcement collaboration and co-operation (Goldstock 1995).

In this connection, there is a second topic that merits comparative research studies: the quality (and (cost-) effectiveness of criminal justice policies in various countries. Very similar social developments and problems are leading to very different forms of criminal justice policies in various countries. It seems unlikely that policies, which in some cases are unique, should be right and appropriate for only one country. Often, such policies will not even have been considered in a neighbouring country because no one has any knowledge about them. Comparative research can produce information to fill such gaps in our knowledge. The published results generate discussion and promote the idea that the best of international practices should be adopted in preference to those that are less effective.

This article will present an overview of the private security industry in some European and non-European countries. Typical in any discussion of the industry is the lack, or non-existence, of reliable facts and figures. This discourse aims to fill this gap by comparing the size of the sector (manpower, number of companies), the turnover, and regulation between various countries. What do we mean by the private security industry in this contribution?

The Private Security Industry Defined

The term 'private security industry' as used in this article consists of four sectors. (1) Private security firms are undertakings that perform activities on a professional basis for third parties. Their objective includes the preservation of the security of persons and property or the maintenance of public law and order, using mainly manpower for that purpose. This is also known as 'contract-security'. (2) Private in-house security services are organisations that perform functions for their own firm. Their objective is, or includes, the preservation of the security of persons and property or the maintenance of public law and order, using mainly manpower for that purpose. This is also known as 'in-house security'. (3) Private central alarm monitoring stations are enterprises that perform functions for third persons on a professional basis, their intention being to preserve the safety of persons and property or to maintain public law and order. They do this
by using detectors that transmit their findings by telecommunication links to one or more central points where the findings are recorded and evaluated. (4) Private high security transport firms are undertakings that transport limited quantities of cash and other valuables for third persons on a professional basis.

This paper will not present information on alarm system installers, locksmiths, mechanical security equipment, or private investigators. These employees mostly operate privately and often do not see themselves as part of the industry, whereas people working in the private security industry are managed solely by private organisations (security firms).

The Activities of the Private Security Industry

A range of activities in the field of protection and security is covered by the private security industry. Overall, the activities comprise the following: supervision and protection of movable and immovable property; guarding of property and surveillance on the public highway; transport of cash and valuables; protection of persons (VIP protection, e.g. by means of bodyguards); management/administration of central alarm monitoring stations; in-house security and store security, in-house detectives, access control; attendance at events; custody of detainees or prisoners; key-holding; security of car parks including mega-malls; supervision of apartment blocks; messenger and courier services, reception and hall porter services; handling alarms and alarm systems; CCTV monitoring; emergency response duties; routine traffic control; security consultation.

In recent years the private security industry has developed rapidly internationally, with regard to the provision of the afore-mentioned security services. The last two decades in particular have seen a rapid expansion in this sector. Duties have expanded and have grown more complex. This is partly due to the fact that the police are giving lower priority to 'non-police functions'. The increase in the number of private security organisations can be explained by the following reasons.

- Increased prosperity leading to new forms of ownership. As a result, the police have more problems with crime prevention and have to prioritise, whereby more and more functions which are not really part of the responsibilities of the police, 'not real police work', are dropped: for instance, the erection of crush barriers, attendance at receptions and publicity functions, attendance at public events, traffic control, and parking enforcement. In the field of crime prevention a huge market has developed for the private security industry.
- The increase in crime, particularly property crime. Since World War II there has been a vast increase in opportunities for this form of crime (Cohen and Felson 1979). Put simply: the ‘stealability’ of property has shot up and the number of ‘stealable’ products has increased steadily over the years (‘mass private property’). This has made the population feel less secure, while at the same time, the police have been unable to respond appropriately.
- The decline in social control by traditional institutions such as churches, schools, neighbourhoods and families.
- Government policy to find more effective and cheaper ways to deal with security and protection by inviting private contractors to bid competitively.

Background of the Study

Much has been published on the subject. However, much of the literature is decidedly normative and ideological in character (Hoogenboom 1991; Johnston 1992; Biles and Vernon 1994; Loader 1997). Anyone who wants basic statistical data on manpower, number of companies, legislation, and operation conditions will find that only limited information is available (De Waard 1993; Spaninks and Peperkamp 1994; George and Button 1997; Jones and Newburn 1998). At the same time, there is a great demand for this kind of information. This contribution is intended to fill this gap, at least in part. For this purpose, this article is centred on four main questions, based on the evident need for information and the lack of information in the available literature.

1. How has the private security industry developed in terms of size and quality?
2. How does the size of the private security industry compare to the size of the police force?
3. How has legislation developed and changed?
4. Which possible trends and future prospects are to be expected?

In this contribution, the first two questions will be dealt with extensively. The question on legislation will be discussed briefly.

Because the available information is limited in scope, at the end of 1997 some 40 international experts on the private security industry in various countries were requested to supply information. Eventually, 27 of the 40 experts responded. The response from the countries belonging to the European Union (EU) was good. The response from European countries not belonging to the EU was mediocre to bad. Frequently, respondents could not supply all the answers, simply because the information did not
exist or was not available. Surveys carried out by means of questionnaires often elicit only a limited response. This survey was no exception.

In the analysis, answering the afore-mentioned questions with maximum clarity proved to be an impossible task as far as some countries were concerned. The countries involved have been indicated. In addition, international comparisons entail many problems. Countries differ in a great many respects. A number of problems which arose during the analysis include questions of definition, differences in registration procedures and their reliability, methodological problems, variations in data quality, and the different interpretations given to (legal) terminology. The final picture of the information gathered can be seen as 'the best educated guess'. The reference date of the information presented is late 1996, early 1997.

Before the private security industry is described from an international perspective, a more detailed description of the situation in the Netherlands is given in order to deepen insight into the branch. It draws on earlier work of the author (De Waard 1996).

**THE PRIVATE SECURITY INDUSTRY IN THE NETHERLANDS**

This section presents a short historical overview on the development of the private security industry in the Netherlands. Statistical information is presented on private security manpower, number of companies, and annual turnover.

Rembrandt van Rijn's masterpiece *The Night Watch* (1642) depicts an example of one of the first private security companies in the Netherlands. The task of this citizen's militia, paid for by Amsterdam citizens, was to protect and guarantee the safety of the population of Amsterdam. The first private night-security services were set up at the beginning of this century and may be regarded as the forerunners of today's private security organisations. It was mainly a matter of small businesses employing pensioners to check the locks of various premises at night. One of the largest private security organisations in the Netherlands market at present, the *Nederlandse Veiligheidsdienst* (Netherlands Security Service), started in 1911 as a firm of night watchmen. The first in-house security services were set up in the 1920s. The best known is the State Mines security service in the south of Limburg.

*Legislation*

In recent years, the private security industry has developed rapidly in the Netherlands as regards the provision of security services. The last two
decades in particular have seen a rapid expansion in this sector. In view of these developments, effective regulation has become essential. Historically the 1936 Law on Military Organisations inadequately covered the private security industry. Over the years several amended forms came into force. Finally, after more than 60 years, a separate Law on Private Security Organisations and Private Investigation Agencies came into force on 24 October 1997 (Stb. 1997, 500). The key points of this new law are summarised below.

Before being permitted to engage in activities as a private security firm it is necessary to submit an application to the Minister of Justice. Having received this application, the Minister will seek the recommendation of the Procurator General, who also acts as chief of police, for the judicial area in which the firm has its principal place of business. Authorisation requirements are concerned with the formal requirements, such as the obligation to obtain a licence in order to be admitted to the private security sector. Authorisation is given for a five-year period. The operational conditions play an important role in the Minister’s decision to grant authorisation. They concern material requirements such as possession of sufficient working capital, and the appointment of suitably qualified personnel. Staff members’ judicial records, personal circumstances and conduct must be such that they do not present any risk to the organisation. In order to guarantee their professional skill, staff members are required to receive training in security work. Every security officer must obtain the Basic Diploma for Security Employees within 12 months of taking up the post.

The law contains provisions covering the equipment of the security staff, uniforms, central alarm monitoring stations and vehicles for transporting cash and valuables. It is compulsory to wear a uniform. Employees are prohibited from carrying a weapon. Considering the nature of their duties they have no need for weapons. Carrying an identity card is compulsory. Dogs may be used in the performance of security duties if certain conditions are met. Basically, security employees have the same rights as other citizens and have no police powers such as the power of arrest or the right to carry firearms. The new legislation prohibits police officers from carrying out activities for private investigation agencies and private security organisations.

Every private security organisation must submit an annual report to the Minister of Justice. This must be done on the basis of a prescribed model in which information is requested on the number of personnel employed, the number of employees holding diplomas, the number of employees entering and leaving the service, the type of activities carried out and events
recorded during the year. Withdrawal of authorisation by the Minister is possible. He may take this action if there is an infringement of provisions, if a condition of authorisation is not met, or when facts have come to his attention which, had they been known at the time of authorisation, would have led to rejection. The Minister also has the opportunity to impose administrative fines. In this case the maximum fine is 25,000 guilders ($12,000) and it may be imposed for failure to comply with the administrative conditions associated with the licence, such as failure to meet the annual reporting obligation.

From 1 December 1993 private investigation agencies have had to get a licence from the Minister of Justice. In 1997, 630 private investigators were officially performing activities in the Netherlands.

**Companies, Personnel, and Turnover, 1981–1997**

As stated before, under the present law, private security organisations must submit an annual report to both the Minister of Justice and the head of the police for the district in which activities are carried out. This must be done on the basis of a prescribed model in which information is requested on the number of personnel employed, the number of employees holding diplomas, the number of employees entering and leaving the service, the type of activities carried out, and events recorded during the year. So, there is reliable data about the actual size and shape of the industry. This is in sharp contrast to the situation in the United Kingdom where it is difficult to obtain such data (Jones and Newburn 1995, 1998).

Table 1 shows the trend in the growth of the Dutch private security industry from 1981 to 1997. After steady growth from the mid-1980s till the beginning of the 1990s, the number of personnel in private security firms has stabilised. However, since 1995, there has again been steady growth. At the end of 1997 a total of 19,306 employees were active in Dutch private security firms (see Table I).

After 1987 the number of personnel in in-house security services declined. This was largely the result of subcontracting: businesses frequently chose to concentrate on their core tasks and hive off activities to private security firms. At the end of 1997 a total of 3,374 employees were active in Dutch in-house security services. Obviously, at the beginning of the 1990s, private security firms took over security work from companies and organisations that used to work with their own in-house security services.

The number of personnel at private central alarm monitoring stations has fluctuated over the last six years. At the end of 1997 a total of 559
employees were active in Dutch private central alarm monitoring stations. During 1997 a total of 1,708,100 alarm signals were received, of which 95% were false alarms. This percentage is comparable with that in other countries (Fieldsens 1994). In 1997 the total number of subscribers to central alarm monitoring stations was 271,800.

From the beginning of the 1990s the number of personnel has stabilised. At the end of 1997 a total of 953 employees were active in Dutch private security transport firms, transporting cash and valuables. The total number of vehicles used in the transport of cash and valuables is 290. According to the European Security Transport Association (ESTA), the cash-in-transit sector in the European Community employs about 45,000 people. The sector comprises about 200 companies, using 9,000 armoured vehicles. New technology is progressively introduced to protect crews from hold-ups, including the self-destruction of cash and valuables in the event of robbery.

The total number of security personnel in the Netherlands, effectively rising since the mid-1980s, stabilised in the early 1990s. However, in the last few years there has again been a steady increase in numbers. At the end of 1997 a total of 24,192 employees (158 per 100,000 inhabitants) were active in the Dutch private security industry.

The total number of private security firms is growing steadily, with the exception of those firms concerned with the transportation of cash and valuables. Private security firms (317 at the end of 1998) have increased more than any other sector. The number of in-house security services has stabilised since 1995 (304 at the end of 1998; see Table II).

The total turnover has increased sharply since 1987. In 1987 Dutch turnover was 340 million ($180 million). In 1996 this had risen to over 1.2 billion guilders ($640 million). Over a 10-year period, turnover increased by 358%. Excluded from the total amount in Table III is the overall market

---

**TABLE I**


<table>
<thead>
<tr>
<th>Year</th>
<th>Security firms</th>
<th>In-house security</th>
<th>Alarm monitoring stations</th>
<th>High security transport</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Absolute Index</td>
<td>Absolute Index</td>
<td>Absolute Index</td>
<td>Absolute Index</td>
<td>Absolute Index</td>
</tr>
<tr>
<td>1981</td>
<td>4,348</td>
<td>100</td>
<td>5,175</td>
<td>100</td>
<td>10,227</td>
</tr>
<tr>
<td>1986</td>
<td>6,033</td>
<td>139</td>
<td>5,980</td>
<td>116</td>
<td>12,962</td>
</tr>
<tr>
<td>1991</td>
<td>10,433</td>
<td>240</td>
<td>5,462</td>
<td>106</td>
<td>17,329</td>
</tr>
<tr>
<td>1997</td>
<td>19,306</td>
<td>440</td>
<td>3,374</td>
<td>65</td>
<td>24,192</td>
</tr>
</tbody>
</table>

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size of electronic and mechanical equipment (intruder alarms, locks and bolts, CCTV). Only very rough estimates of the size of this market are available in the Netherlands. For example, about 300 million guilders ($158 million) are spent on CCTV every year (see Table III). Almost 82% of turnover in 1996 was realised by the 21 largest firms operating in the Netherlands. The security guard sector accounted for 89% of the reported 1996 turnover.

**Final Remarks on the Netherlands**

More specific information on the Netherlands will be given in the next section of this article, where the international perspectives will be dealt with. As a general observation it is clear that the private security industry in the Netherlands has become a profession. It has lost its image of being a second rate or immature form of policing. It has acquired a sizeable and respectable position in the service industry. Surveillance and supervision by private security agencies is commonplace and widespread. However, they work almost exclusively on private premises, which include shops. In principle, private security employees are not deployed in public places, as surveillance here is the responsibility of the public authorities, that is the police, city guards and other surveillance officers employed by the authorities. The dividing line is still generally formed by the categories of the public and private domain.

However, over recent years collaboration between the police and the private security industry has increased. It is becoming more and more difficult to divide public and private space. The grey area in-between (semi-public places) is difficult to classify in either of the categories. The clear distinction has been muddied by the growth of, for example, shopping malls. The surveillance of industrial sites for instance, is now frequently performed by private organisations working under the direction of the police. In some cases, these joint projects have led to a 75% drop in crime, without displacement to other sites (Van den Berg 1995). Government policy since the mid-1980s has been to stimulate both private and public policing. The Government sees regulation of the industry as an essential factor to prevent undesirable developments. Strict enforcement of this regulation is necessary to promote a positive and professional image of the industry. Looking at the trends in manpower and turnover over the past 10 years, it is evident that the industry in the Netherlands has grown tremendously. It is expected that this trend will continue after the year 2000.
TABLE II

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Security firms</td>
<td>151</td>
<td>158</td>
<td>200</td>
<td>237</td>
<td>277</td>
<td>306</td>
<td>317</td>
</tr>
<tr>
<td>In-house security services</td>
<td>270</td>
<td>275</td>
<td>284</td>
<td>299</td>
<td>293</td>
<td>292</td>
<td>304</td>
</tr>
<tr>
<td>Central stations</td>
<td>33</td>
<td>33</td>
<td>33</td>
<td>34</td>
<td>33</td>
<td>32</td>
<td>32</td>
</tr>
<tr>
<td>Transport of cash and valuables</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

TABLE III

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Small firms (1–9 persons)</th>
<th>Medium firms (10–99 persons)</th>
<th>Large firms (over 100 persons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>340.1</td>
<td>13.8</td>
<td>79.8</td>
<td>246.5</td>
</tr>
<tr>
<td>1988</td>
<td>387.2</td>
<td>31.4</td>
<td>94.1</td>
<td>261.7</td>
</tr>
<tr>
<td>1989</td>
<td>470.2</td>
<td>28.3</td>
<td>101.8</td>
<td>340.1</td>
</tr>
<tr>
<td>1990</td>
<td>539.8</td>
<td>18.3</td>
<td>115.1</td>
<td>406.3</td>
</tr>
<tr>
<td>1991</td>
<td>616.4</td>
<td>20.8</td>
<td>110.5</td>
<td>485.0</td>
</tr>
<tr>
<td>1992</td>
<td>702.2</td>
<td>19.3</td>
<td>116.1</td>
<td>566.8</td>
</tr>
<tr>
<td>1993</td>
<td>751.2</td>
<td>25.1</td>
<td>134.7</td>
<td>591.4</td>
</tr>
<tr>
<td>1994</td>
<td>944.1</td>
<td>15.1</td>
<td>167.8</td>
<td>744.9</td>
</tr>
<tr>
<td>1995</td>
<td>1,082.2</td>
<td>24.6</td>
<td>168.2</td>
<td>889.3</td>
</tr>
<tr>
<td>1996</td>
<td>1,216.5</td>
<td>37.6</td>
<td>179.7</td>
<td>999.1</td>
</tr>
</tbody>
</table>

Source: CBS, 1998 (authors’ adaptation).
aExcluded in-house security services.

THE PRIVATE SECURITY INDUSTRY FROM AN INTERNATIONAL PERSPECTIVE

Although it was difficult to ascertain in many countries, the size of the private security industry was eventually determined for the 15 EU-countries and 12 other countries. In Table IV the most recent figures on manpower in the private security industry of the 15 countries belonging to the EU are presented. Table V presents information on manpower in 12 other countries. Then follows Table VI with the absolute and relative numbers for the police force inside and outside the EU. Finally in Table VII information is collated from these tables, giving totals, order of ranking and ratios for the public police force and the private security industry.

As noted in the introduction the findings must be regarded as tentative. The main problems in assessing the size of the industry have been concerned
THE PRIVATE SECURITY INDUSTRY

TABLE IV

Absolute and relative number of personnel by order of ranking of the private security industry in the European Union: 1996.

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (× 1,000)</th>
<th>Personnel Total</th>
<th>Personnel per 100,000 inhabitants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Britain</td>
<td>58,191</td>
<td>160,000</td>
<td>275 (1)*</td>
</tr>
<tr>
<td>Germany</td>
<td>81,187</td>
<td>176,000</td>
<td>217 (2)</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>398</td>
<td>800</td>
<td>201 (3)</td>
</tr>
<tr>
<td>Denmark</td>
<td>5,189</td>
<td>10,000</td>
<td>193 (4)</td>
</tr>
<tr>
<td>Sweden</td>
<td>8,713</td>
<td>16,000</td>
<td>184 (5)</td>
</tr>
<tr>
<td>Portugal</td>
<td>9,864</td>
<td>15,000</td>
<td>152 (6)</td>
</tr>
<tr>
<td>Ireland</td>
<td>3,563</td>
<td>5,150</td>
<td>143 (7)</td>
</tr>
<tr>
<td>Spain</td>
<td>39,143</td>
<td>53,000</td>
<td>135 (8)</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>15,287</td>
<td>20,200</td>
<td>132 (9)</td>
</tr>
<tr>
<td>France</td>
<td>57,667</td>
<td>70,000</td>
<td>121 (10)</td>
</tr>
<tr>
<td>Belgium</td>
<td>10,085</td>
<td>11,200</td>
<td>109 (11)</td>
</tr>
<tr>
<td>Italy</td>
<td>57,057</td>
<td>43,200</td>
<td>76 (12)</td>
</tr>
<tr>
<td>Austria</td>
<td>7,992</td>
<td>6,000</td>
<td>75 (13)</td>
</tr>
<tr>
<td>Finland</td>
<td>5,066</td>
<td>3,500</td>
<td>69 (14)</td>
</tr>
<tr>
<td>Greece</td>
<td>10,368</td>
<td>2,000</td>
<td>19 (15)</td>
</tr>
<tr>
<td>Europe (15 countries)</td>
<td>369,770</td>
<td>592,050</td>
<td>160</td>
</tr>
</tbody>
</table>

*The number in parentheses represents each country’s rank in each category among the European Union.

with the different definitions of what comes under the rubric ‘private security’, the lack of official data on which to base estimates in most countries, and problems caused by functional diversification within the industry (Jones and Newburn 1998, p. 55). The author agrees with Johnston’s (1992) observation that we should regard estimates of numbers employed in the security industry with a great deal of caution with such estimates being seen as, at best, broad indicators rather than exact measures. A replication of this effort could promote discussion and stimulate international comparative research in this area.

Table IV shows, by order of ranking, the absolute numbers and the relative number of people employed in the private security industry per 100,000 inhabitants in the EU-countries. The period of reference is late 1996. From Table IV it can be seen that within the EU almost 600,000 people are employed in the private security industry, equivalent to 160 for every 100,000 inhabitants. Of this total, 75% work for private security companies with the others employed in an in-house capacity. The average work force is 87 employees per firm. This estimate is in line with the estimate of the
TABLE V

Absolute and relative number of personnel by order of ranking of the private security industry outside the European Union: 1996.

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (x 1,000)</th>
<th>Personnel total</th>
<th>Personnel per 100,000 inhabitants</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Africa</td>
<td>40,436</td>
<td>363,928</td>
<td>900</td>
</tr>
<tr>
<td>USA</td>
<td>257,908</td>
<td>1,500,000</td>
<td>582</td>
</tr>
<tr>
<td>Australia</td>
<td>17,939</td>
<td>92,583</td>
<td>516</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>8,427</td>
<td>40,000</td>
<td>475</td>
</tr>
<tr>
<td>Canada</td>
<td>28,941</td>
<td>125,025</td>
<td>432</td>
</tr>
<tr>
<td>New Zealand</td>
<td>3,577</td>
<td>5,478</td>
<td>153</td>
</tr>
<tr>
<td>Lithuania</td>
<td>3,718</td>
<td>4,500</td>
<td>121</td>
</tr>
<tr>
<td>Norway</td>
<td>4,313</td>
<td>4,838</td>
<td>112</td>
</tr>
<tr>
<td>Switzerland</td>
<td>6,938</td>
<td>7,500</td>
<td>108</td>
</tr>
<tr>
<td>Poland</td>
<td>38,581</td>
<td>10,000</td>
<td>26</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>10,333</td>
<td>2,500</td>
<td>24</td>
</tr>
<tr>
<td>Turkey</td>
<td>61,113</td>
<td>6,000</td>
<td>10</td>
</tr>
</tbody>
</table>

European Commission Directorate-General for Employment, Industrial Relations and Social affairs (DGV 1995), that there are some 6,000 security businesses, 500,000 employees, and an annual turnover of €7 billion ($8.6 billion).

A remarkable finding is the high number of private security personnel per 100,000 inhabitants in Northern Europe. It appears that Great Britain, Germany, Luxembourg, Denmark, and Sweden are the leaders in the field of the private security industry. The Netherlands is ranked ninth with 132 security employees per 100,000 inhabitants. This is below the EU-average of 160.

For 12 non-EU countries data was collected on the estimated number of personnel working in the private security industry. Table V presents these estimates. Countries with a higher GNP (Great Britain, Germany, Sweden, Luxembourg, and the USA) tend to have a relatively high level of private security employees. On the other hand less prosperous countries, such as the Czech Republic, Greece, Poland, and Turkey, appear to have a lower level of private security.

Since most of the data is collected in countries other than Central and Eastern Europe, it is not useful to make comparisons between EU-countries and countries in transition. However, there is ample anecdotal evidence to suggest that in some Central and Eastern European countries security is becoming increasingly a private matter rather than a governmental responsibility (Economist 1997; Control Risk Group 1997).
### TABLE VI

Absolute and relative number of private security employees and police employees in the European Union and some other countries.

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (x 1,000)</th>
<th>Private Security Personnel Total</th>
<th>Private Security per 100,000 Inhabitants</th>
<th>Police Personnel Total</th>
<th>Police per 100,000 Inhabitants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>7,992</td>
<td>6,000</td>
<td>75</td>
<td>29,000</td>
<td>362</td>
</tr>
<tr>
<td>Belgium</td>
<td>10,085</td>
<td>11,200</td>
<td>109</td>
<td>34,712</td>
<td>344</td>
</tr>
<tr>
<td>Britain</td>
<td>58,191</td>
<td>160,000</td>
<td>275</td>
<td>185,156</td>
<td>318</td>
</tr>
<tr>
<td>Denmark</td>
<td>5,189</td>
<td>10,000</td>
<td>193</td>
<td>12,230</td>
<td>236</td>
</tr>
<tr>
<td>Finland</td>
<td>5,066</td>
<td>3,500</td>
<td>69</td>
<td>11,816</td>
<td>233</td>
</tr>
<tr>
<td>France</td>
<td>57,667</td>
<td>70,000</td>
<td>121</td>
<td>227,008</td>
<td>394</td>
</tr>
<tr>
<td>Germany</td>
<td>81,187</td>
<td>176,000</td>
<td>217</td>
<td>260,132</td>
<td>320</td>
</tr>
<tr>
<td>Greece</td>
<td>10,368</td>
<td>2,000</td>
<td>19</td>
<td>39,335</td>
<td>379</td>
</tr>
<tr>
<td>Ireland</td>
<td>3,563</td>
<td>5,150</td>
<td>143</td>
<td>10,829</td>
<td>304</td>
</tr>
<tr>
<td>Italy</td>
<td>57,057</td>
<td>43,200</td>
<td>76</td>
<td>278,640</td>
<td>488</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>398</td>
<td>800</td>
<td>201</td>
<td>1,100</td>
<td>276</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>15,287</td>
<td>20,200</td>
<td>132</td>
<td>39,216</td>
<td>256</td>
</tr>
<tr>
<td>Portugal</td>
<td>9,864</td>
<td>15,000</td>
<td>152</td>
<td>43,459</td>
<td>440</td>
</tr>
<tr>
<td>Spain</td>
<td>39,143</td>
<td>53,000</td>
<td>135</td>
<td>186,547</td>
<td>477</td>
</tr>
<tr>
<td>Sweden</td>
<td>8,713</td>
<td>16,000</td>
<td>184</td>
<td>27,000</td>
<td>310</td>
</tr>
<tr>
<td>Total EU</td>
<td>369,770</td>
<td>592,050</td>
<td>160</td>
<td>1,386,180</td>
<td>375</td>
</tr>
</tbody>
</table>

Non EU-countries:

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (x 1,000)</th>
<th>Private Security Personnel Total</th>
<th>Private Security per 100,000 Inhabitants</th>
<th>Police Personnel Total</th>
<th>Police per 100,000 Inhabitants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>17,939</td>
<td>92,583</td>
<td>516</td>
<td>51,486</td>
<td>287</td>
</tr>
<tr>
<td>Canada</td>
<td>28,941</td>
<td>125,025</td>
<td>432</td>
<td>75,364</td>
<td>260</td>
</tr>
<tr>
<td>New Zealand</td>
<td>3,577</td>
<td>5,478</td>
<td>153</td>
<td>6,967</td>
<td>195</td>
</tr>
<tr>
<td>Norway</td>
<td>4,313</td>
<td>4,200</td>
<td>97</td>
<td>10,100</td>
<td>234</td>
</tr>
<tr>
<td>South Africa</td>
<td>40,436</td>
<td>363,928</td>
<td>900</td>
<td>126,300</td>
<td>312</td>
</tr>
<tr>
<td>Switzerland</td>
<td>6,938</td>
<td>7,500</td>
<td>108</td>
<td>14,210</td>
<td>205</td>
</tr>
<tr>
<td>USA</td>
<td>257,908</td>
<td>1,500,000</td>
<td>582</td>
<td>828,435</td>
<td>321</td>
</tr>
</tbody>
</table>

Table V indicates that South Africa is well in the lead world wide as regards security services. The USA, Australia, Bulgaria, and Canada also have high positions in the world’s security market. For some of the countries mentioned in Table V some brief information is given on recent developments. Profiles of EU-countries are presented later in this contribution.

**South Africa**

The private security industry has grown dramatically in South Africa since 1990 with an estimated total value of just under 6 billion Rand. Official figures show that in 1997 there were 4,345 companies and 363,928
Size and order of ranking of the police force and the private security industry in the member states of the EU and some other countries per 100,000 inhabitants.

<table>
<thead>
<tr>
<th>Country</th>
<th>Police (A)</th>
<th>Private security (B)</th>
<th>Total personnel (A+B)</th>
<th>Ratio (A/B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>488 (1)</td>
<td>76 (12)</td>
<td>564 (4)</td>
<td>0.16 (14)</td>
</tr>
<tr>
<td>Spain</td>
<td>477 (2)</td>
<td>135 (8)</td>
<td>612 (1)</td>
<td>0.28 (12)</td>
</tr>
<tr>
<td>Portugal</td>
<td>440 (3)</td>
<td>152 (6)</td>
<td>592 (3)</td>
<td>0.35 (8)</td>
</tr>
<tr>
<td>France</td>
<td>394 (4)</td>
<td>121 (10)</td>
<td>515 (6)</td>
<td>0.31 (10)</td>
</tr>
<tr>
<td>Greece</td>
<td>379 (5)</td>
<td>19 (15)</td>
<td>398 (13)</td>
<td>0.05 (15)</td>
</tr>
<tr>
<td>Austria</td>
<td>362 (6)</td>
<td>75 (13)</td>
<td>437 (11)</td>
<td>0.21 (13)</td>
</tr>
<tr>
<td>Belgium</td>
<td>344 (7)</td>
<td>109 (11)</td>
<td>453 (9)</td>
<td>0.32 (9)</td>
</tr>
<tr>
<td>Germany</td>
<td>320 (8)</td>
<td>217 (2)</td>
<td>537 (5)</td>
<td>0.68 (4)</td>
</tr>
<tr>
<td>Britain</td>
<td>318 (9)</td>
<td>275 (1)</td>
<td>593 (2)</td>
<td>0.86 (1)</td>
</tr>
<tr>
<td>Sweden</td>
<td>310 (10)</td>
<td>184 (5)</td>
<td>494 (7)</td>
<td>0.59 (5)</td>
</tr>
<tr>
<td>Ireland</td>
<td>304 (11)</td>
<td>143 (7)</td>
<td>447 (10)</td>
<td>0.47 (7)</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>276 (12)</td>
<td>201 (3)</td>
<td>477 (8)</td>
<td>0.73 (3)</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>256 (13)</td>
<td>132 (9)</td>
<td>388 (14)</td>
<td>0.52 (6)</td>
</tr>
<tr>
<td>Denmark</td>
<td>236 (14)</td>
<td>193 (4)</td>
<td>429 (12)</td>
<td>0.82 (2)</td>
</tr>
<tr>
<td>Finland</td>
<td>233 (15)</td>
<td>69 (14)</td>
<td>302 (15)</td>
<td>0.30 (11)</td>
</tr>
<tr>
<td><strong>EU-countries average</strong></td>
<td><strong>375</strong></td>
<td><strong>160</strong></td>
<td><strong>535</strong></td>
<td><strong>0.43</strong></td>
</tr>
</tbody>
</table>

**Non-EU-countries**

<table>
<thead>
<tr>
<th>Country</th>
<th>Police (A)</th>
<th>Private security (B)</th>
<th>Total personnel (A+B)</th>
<th>Ratio (A/B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>287</td>
<td>516</td>
<td>803</td>
<td>1.80</td>
</tr>
<tr>
<td>Canada</td>
<td>260</td>
<td>432</td>
<td>692</td>
<td>1.66</td>
</tr>
<tr>
<td>New Zealand</td>
<td>195</td>
<td>153</td>
<td>348</td>
<td>0.78</td>
</tr>
<tr>
<td>Norway</td>
<td>234</td>
<td>112</td>
<td>346</td>
<td>0.48</td>
</tr>
<tr>
<td>South Africa</td>
<td>312</td>
<td>900</td>
<td>1212</td>
<td>2.88</td>
</tr>
<tr>
<td>Switzerland</td>
<td>205</td>
<td>108</td>
<td>313</td>
<td>0.53</td>
</tr>
<tr>
<td>USA</td>
<td>321</td>
<td>582</td>
<td>903</td>
<td>1.80</td>
</tr>
</tbody>
</table>

*The number in parentheses represents each country's rank in each category among the European Union.

Registered security guards. In terms of numbers, the industry is about three times larger than the South African Police Service. South Africa has opted for a narrow and fairly comprehensive model of regulation through a single statutory body, the Security Officers Board. The Security Officers Board has been far from effective as regards maintaining adequate standards of regulation. Key weaknesses of the Board include: it cannot be considered an independent body, as it represents almost exclusively the interest of the industry itself; it lacks the power to enforce regulations and there is a lack of sanctions for breaches of conduct; it is funded solely by the industry, which further undermines the independence of the Board.
Activities of the industry are coming increasingly into the political spotlight, since new legislation (Security Officer’s Amendment Bill) went before Parliament at the beginning of 1998. While not in itself providing a comprehensive regulatory framework, the Bill sets out a process in which this must be achieved: effectively a time limit of 18 months during which time the Government must draft a suitable regulatory framework for the industry. Regulation can serve to protect the public in the case of private security involvement in public policing activities (public order policing activities, foot patrols in public areas, and criminal investigations).

**Poland**

On 27 March 1998, the new law on security services came into force. Its provisions have regulated the issuing of licenses to security firms, and have introduced the licensing of employees. It is mandatory to complete a training course if the security employee is armed. There is general supervision by the Minister of the Interior. Between 100 and 150 companies are active in the industry, employing about 10,000 security guards (rough estimate).

**Norway**

With regard to the private security industry, there is comprehensive and wide regulation enacted in the Law of 13 May 1988. Currently, 184 private security firms are operating with a total of 4,838 employees. It is anticipated that the industry will expand over the next few years. The police force numbers 10,078 personnel.

**Republic of Macedonia**

There is no legislation that addresses the issue of private security. At the end of 1996, the Ministry of the Interior introduced a draft law on the protection of people and property that regulates the private security industry. Seven private security agencies are officially registered. In the coming years the size of the sector is expected to grow, expanding in size as well as resources. There is no information on manpower and turnover. Police personnel in 1997 numbered around 10,000.

**Turkey**

The private security industry is not regulated at all. Anybody can start a business with no questions asked. However, it is expected that within five years some regulation will be introduced. Some 250 companies were operating in 1997, with a total number of 6,000 employees. As Turkey’s
crime rate is expected to rise over the next 10 years, it is anticipated that there will also be a boom in the private security industry over the same period. Personnel in Turkey’s police force number around 150,000.

Bulgaria
Some 1,100 private security firms operate in Bulgaria, and lax gun control laws in the past have allowed some 40,000 employees of such groups to bear arms. Members of the former communist police and security forces, primarily staff these firms. Current members of the security forces also often moonlight for such firms. Some of these firms that provide security for expatriate homes, warehouses and offices actually commit robberies at those premises or perpetrate extortion attempts against their owners. Although private security firms have faced increasingly stringent licensing requirements, and privately owned weapons have been subject to re-registration since January 1995, there has been little change in the reliability of such organisations.

Republic of Lithuania

Czech Republic
Presently the industry is not covered by any special legislation. The private security industry is mentioned in the Czech Trade Act. Special legislation is currently under consideration by the Ministry of the Interior, department of Administrative Agendas. It is highly likely that this legislation will be introduced. A special unit will be created in the Ministry of the Interior to enforce and control requirements of the proposed law. Unofficially, there are approximately 2,500 private or legitimately registered persons who are licensed to provide security services. An unofficial estimate on turnover is 120 million US$.

Australia
Historically, criminal law, the plethora of company laws, and other civil laws applicable to any commercial enterprise have regulated the security industry in Australia. In the public debate, the majority view appears to
be that special legislation is required to remedy problems specific to the industry (Prenzler et al. 1998). The most significant trend has been the comprehensive regulation of contract and in-house crowd controllers. There has also been an expansion of regulation in the contract sector, affecting among others, guards, investigators and companies. The main feature of the new legislation in many states is a licensing system based on criminal record checks and basic training. Training is very minimal, between three days and two weeks on average. Separate weapon Acts allow some guards to carry weapons. Requirements vary between states. In 1996 there were about 92,500 guards and security officers working in the sector. There are 51,486 police personnel in Australia.

**United States of America**

Each of the 50 states has the power to license the security industry. At present the Senate has a major bill before it, the Private Security Officer Quality Assurance Act of 1997, which is the first bill to grant the Federal Government the right to provide some assistance in screening prospective employees. The states will continue to be responsible for their own additional licensing procedures regarding security companies. Presently, 82% of states regulate private security at the employee level. However, it should be reiterated that there are vast differences in regulation levels between the various states (Maahs and Hemmens 1998).

In 1997 the industry consisted of some 1,500,000 employees. Over 90% of contract security guards in the US are not armed. Separate training, annual training requirements, and vetting for armed guards are required. The number of contract security personnel is expected to increase by 50% by the year 2000. The industry is expected to expand due to the following factors: increased movement of security services from the proprietary to the contract sector; fear of litigation due to inadequate security; requirements by insurers, and the desire to make people feel safer. Turnover for the US private security industry (in US$millions): 1992: 29,109; 1996: 39,397; 2000: 53,424.

**Russia**

Russia is an extreme example of a lawless country. That is why potential victims in Russia often turn to commercial protection services, in the form of private security. In Russia, there is reported to be 10 times more private policemen than militiamen (Economist 19 April 1997). Whether or not the growth of private policing in some Central and Eastern European countries – in particular in Russia – is beneficial to (potential) victims is questionable. The distinction between private security and
racketeering in, for example, St. Petersburg can be quite hazy (Joutsen 1997, p. 6).

THE PRIVATE SECURITY INDUSTRY AND THE POLICE COMPARED

The problems encountered while attempting to assess the size of the private security industry were also evident when it came to estimating the size of the various police forces in and outside the EU. To get a picture of these estimates, a short study on the available information was produced. From this study it emerged that estimates given for the size of police forces varied considerably. For example, Italian police personnel were estimated to number 200,660 by Kangaspunta (1995), 301,492 by Benyon et al. (1994), and 257,000 by Bunyan (1993). These differences were also observed for a number of other countries. It was therefore decided to gather up these estimates by contacting persons and organisations within and outside the various EU-member states. The term ‘police personnel’ includes not only sworn officers who have the power to arrest, but also administrative personnel. Table VI combines the size of the private security industry and the size of the police forces.

What is very apparent from Tables VI and VII for the EU is the large number of police in Southern European countries such as Italy, Spain, Portugal, France and Greece. They are all above the average EU-figure of 375 per 100,000 inhabitants. This is in sharp contrast with the size of the private security industry, as shown in Table IV. Here we find Northern Europe at the top of the list. For the EU-states with data on both the security industry and police personnel, it is possible to calculate the combined number. The mean number is 535 per 100,000. Countries with the highest ranking for combined security forces are Spain, Great Britain, Portugal and Italy. Countries with the lowest ranking are Greece, the Netherlands, and Finland. Looking at the ratio between the private security industry and the police, it appears that Great Britain, Denmark, Luxembourg, and Germany are the leaders in the EU.

When we take a closer look at the police strength in seven non-EU countries it appears that they are all below the EU-average of 375. When we look at the total number of personnel in the field of security and law and order, South Africa is the outright leader, followed internationally by the USA, Australia, and Canada. The ratio between column B and A in Table VII is far above the EU-average of 0.43.
The Quality of the Private Security Industry in the EU

Information can also be given on the quality of the EU-countries' private security industry. Research conducted by the Confédération Européene de Service de Sécurité (CoESS 1997) indicates that Sweden and the Netherlands come first when quality is taken into account. Germany and Great Britain have the lowest score while these countries employ almost 60% of all EU-security personnel. The survey data comes from the most important clients of the private security industry. It is notable that in countries with a low quality score, no statutory national standards for entrance to any of the major sectors of the private security industry exist (Great Britain, Ireland and Germany). On the other hand, in countries where comprehensive and wide regulation exists, the quality, according to customers, is high (Sweden, the Netherlands). To define the quality of the industry the following criteria were used: extent and enforcement of rules and legislation; salary in relation to industrial personnel; labour law, education and training; relationship with Labour Unions; and the relationship between turnover and gross national product.

The Effectiveness of Police Forces in the EU and Seven Non-EU Countries

Much has been written on the effectiveness of the police (for an overview see Sherman et al. 1997). However, in the field of comparative research on this topic only limited information is available (Van Dijk 1998). For the purpose of this article we have used survey data on police effectiveness compiled by the World Economic Forum (WEF 1998). For the 15 EU-countries and the seven non-EU countries from Tables VI and VII, each country is ranked according to the effectiveness of its police. The survey data comes from the Executive Opinion Survey conducted each year by the WEF. The survey measures the perceptions of leading business executives about the country in which they operate. Responses came from 3,000 executives in 53 countries involved in the survey. The information from this survey is useful in measuring perceptions and facts about each country that are not measured well by quantitative data, such as the size of the police force or the private security industry.

The results show that the respondents from Norway, Australia, Switzerland, and Great Britain strongly agree that their police forces are effective in safeguarding personal security. Of the 22 countries reported, the Netherlands is in a modest fourteenth position. EU-countries with a relatively large police force (Spain, Portugal, Italy, and Greece) all have a low ranking. What is
apparent, when compared with the quality of the private security industry, are the modest positions in Table IX of Sweden, the Netherlands, and Belgium.

REGULATION OF THE PRIVATE SECURITY INDUSTRY IN THE EU

In this section a brief overview will be presented on the regulation of the private security industry in the EU. Effective legal regulation is seen as essential if high quality standards and professionalism are to be assured. With the aid of legislation and effective enforcement, it is possible to pursue a policy whereby desirable private business activities are encouraged and undesirable trends can be prevented. At the European level there are two factors which are essential to the future of the private security industry. One is training and the other is regulation and licensing. It is recognised (Zonneveld 1996) that the industry will not develop successfully without a well-defined regulatory framework. This requires sound co-operation with the public authorities, the police, judicial authorities, and numerous public and private training organisations. In the EU context, legislative provisions for control of the private security industry and the powers of the private security industry differ from country to country (De Waard 1993).
TABLE IX

Order of ranking of the effectiveness of the police forces in the EU and seven non-EU-countries.a

<table>
<thead>
<tr>
<th>Country</th>
<th>WEF scoreb</th>
<th>Order of ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norway</td>
<td>6,50 (2)</td>
<td>1</td>
</tr>
<tr>
<td>Australia</td>
<td>6,28 (3)</td>
<td>2</td>
</tr>
<tr>
<td>Switzerland</td>
<td>6,26 (4)</td>
<td>3</td>
</tr>
<tr>
<td>UK</td>
<td>6,23 (5)</td>
<td>4</td>
</tr>
<tr>
<td>Canada</td>
<td>6,20 (6)</td>
<td>5</td>
</tr>
<tr>
<td>Ireland</td>
<td>6,08 (8)</td>
<td>6</td>
</tr>
<tr>
<td>Austria</td>
<td>6,00 (9)</td>
<td>7</td>
</tr>
<tr>
<td>Finland</td>
<td>6,00 (9)</td>
<td>7</td>
</tr>
<tr>
<td>Germany</td>
<td>5,94 (11)</td>
<td>9</td>
</tr>
<tr>
<td>Denmark</td>
<td>5,92 (12)</td>
<td>10</td>
</tr>
<tr>
<td>France</td>
<td>5,85 (13)</td>
<td>11</td>
</tr>
<tr>
<td>USA</td>
<td>5,85 (13)</td>
<td>11</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>5,83 (15)</td>
<td>13</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>5,81 (16)</td>
<td>14</td>
</tr>
<tr>
<td>Sweden</td>
<td>5,52 (21)</td>
<td>15</td>
</tr>
<tr>
<td>New Zealand</td>
<td>5,50 (22)</td>
<td>16</td>
</tr>
<tr>
<td>Spain</td>
<td>5,30 (24)</td>
<td>17</td>
</tr>
<tr>
<td>Portugal</td>
<td>5,06 (27)</td>
<td>18</td>
</tr>
<tr>
<td>Italy</td>
<td>4,67 (30)</td>
<td>19</td>
</tr>
<tr>
<td>Belgium</td>
<td>4,65 (31)</td>
<td>20</td>
</tr>
<tr>
<td>Greece</td>
<td>3,72 (38)</td>
<td>21</td>
</tr>
<tr>
<td>South Africa</td>
<td>1,85 (53)</td>
<td>22</td>
</tr>
</tbody>
</table>

aSurvey statement: The police in your country effectively safeguard personal security so that this is an important consideration in business activity (1 = strongly disagree, 7 = strongly agree).
bThe number in parentheses represents the WEF ranking of the 53 countries involved.

Most EU-countries have enacted legislation in order to regulate the development and operation of the private security industry. These existing systems vary greatly in terms of scope and depth of regulation, and in terms of who is responsible for implementation and enforcement. To understand these differences the following list of basic requirements can be given: current legislation, separated or incorporated; entrance requirements for firms; restrictions on background of owner (experience, training, examination, criminal antecedents); entrance requirements for employees (training, education, examination, criminal antecedents); performance requirements; training/education; outfit/equipment; possession of (fire) arms; use of dogs on duty; government control; government interference/sanctions.
One way to give an impression of where the various EU-countries stand with regard to rules and legislation, is to use a classification of five basic regulatory models (George and Button 1997). For some countries a brief profile is given within these five models.

**Non-interventionist Regulation**

In this model there exists no statutory national standard for entry into any of the major sectors of the private security industry (Great Britain, Greece and the Republic of Ireland).

**Great Britain**

There are no government regulations governing the private security industry in Great Britain. The debate on security industry legislation in Great Britain was stimulated by the publication of a Private Member’s Bill in 1977, introduced by Bruce George, MP. His main aim was to make the industry more efficient, by addressing low wages, poor working conditions, and the problem of little or no training. Since then various bills have been put forward, but none has become law. Since the British Government did not introduce any legislation, the British Security Industry Association (BSIA) has taken on the task of laying down guidelines and codes of conduct for its members. These guidelines are binding.

The Labour Party has long campaigned for effective legislation of the industry. Strong legislation will force the so-called ‘cowboy firms’ to quit the business. The new Labour Government is committed to introducing statutory measures to regulate the private security industry to ensure that suitable individuals are attracted to the industry. Although the new Government has already made rapid progress, legislation has not yet been introduced in Parliament. This means that anyone can set up a private security organisation without any major restrictions. However, under Section 52 of the Police Act 1964, it is an offence to wear a uniform to impersonate a police officer. The use of guard dogs is controlled under the Guard Dogs Act 1975. As a matter of general policy it is illegal for civilians to carry firearms for self-protection or for the protection of others or their property.

**A Note on Northern Ireland**

Given the security situation prevalent in Northern Ireland, for approximately three decades Government has been necessarily cautious about aspects of private security. The general crime level is low, but the threat to persons
in certain occupations, or with certain politics is high. So there is large investment in physical security. The Northern Ireland Office, which is a UK Government Department, is responsible for Crime and Justice in Northern Ireland. It operates a Key Person Protection Scheme (KPPS) whereby persons under threat receive physical security enhancements to their property, e.g. lights, CCTV fence, bulletproof glass etc.

Because of the security situation, there is an act of parliament in force – The Northern Ireland (Emergency Provisions) Act. This requires all persons offering or providing security guard services for reward to obtain a certificate from the Secretary of State for Northern Ireland. Providing such services without a valid certificate is an offence punishable on conviction of indictment by a term of imprisonment of five years or a fine or both. The purpose of this legislation is to prevent paramilitary organisations raising funds under the guise of providing legitimate private security business – protection rackets, or perhaps even the opportunity to train men in uniform. A certificate will be required if a person’s business involves the provision of any form of security guard, including static guards, mobile patrols, dog handlers or security vans.

A certificate is valid for one year only and each year when it expires the vetting procedure is repeated. Throughout the year a registered company is required to inform the Northern Ireland Office of any new employees and this information is passed on to the police for security checking.

This is an interesting situation in that clearly national security interests will very much dictate the level of regulation even if in only one part of a country (Northern Ireland) where the prevailing situation elsewhere is one which is largely unregulated.

Republic of Ireland

The Republic of Ireland is one of three countries in the EU which have no statutory regulation governing the private security industry. Over the last 20 years the industry has experienced significant growth. There are plans to regulate an, as yet, unregulated industry. On 16 May 1997 the Minister for Justice announced that the Government had agreed to establish a Consultative Group on the private security industry, to review activities in the industry and to provide a forum for discussion on regulation of the industry (Hanley 1998). The Group concluded that further scope for voluntary regulation had been exhausted and that the time was now right to establish a statutory body that would introduce, control and manage a comprehensive licensing system for the industry. The system should involve the introduction of licences for individuals and companies in the
industry. This will involve applicants verifying their identity and checks will be made for evidence of a record of indictable criminal offences. There will also be minimum training requirements to be satisfied before a licence can be issued. There are some associated benefits which will arise from the introduction of a regulatory system: increased compliance with Revenue and Social Welfare Law, the levelling of the ‘playing field’ for reputable companies, and the improvement of conditions of employment within the industry. At the end of 1998 the proposals of the Group were still under discussion.

**Minimal Narrow Regulation**

In this model there are only minimal standards, and the sectors regulated do not extend beyond parts of the manned guarding sector and/or private investigators (Austria, Germany and Italy).

**Germany**

Germany has no separate legislation on the private security industry. Paragraph 34a of the Trade Regulation Act applies to the establishment of a private security organisation. This provision reads: “Anyone who wishes to guard the life or property of third persons on a professional basis must obtain a licence”. This paragraph was tightened up on 28 October 1994 by the Crime Control Act (Verbrechensbekämpfungsgesetz). Specific rules were given in relation to training and basic security knowledge. Since 23 November 1994 it has also been possible to check the criminal antecedents of security personnel. In addition, the Firearms Law applies to the possession and use of weapons by security personnel. It is not expected that changes to the legislation will take place in the near future. The size of the German private security industry is expected to expand in the years to come.

**Minimal Wide Regulation**

In this model, minimum regulations are also applied to sectors beyond guarding and private investigators, to include, for example, alarm system installers, security consultants and locksmiths. The standards generally relate to the character of the prospective employee and there is no minimum standard for employee training (Luxembourg).
Luxembourg

The private security industry in Luxembourg is governed by Loi du 6 juin 1990 relative aux activités privées de gardiennage et de surveillance. It applies to broad categories of the industry. There are minimal basic admission requirements and performance and training requirements. Government control is minimal, and sanctions are modest.

Comprehensive Narrow Regulation

In this model comprehensive regulations govern only parts of the manned guarding sector and/or private investigators. This includes the determining of standards for both training and operational purposes (Denmark, Finland, France, Portugal and Spain).

Denmark

The operation of the privately owned security industry is regulated by Act No. 266 of 22 May 1986. This is the ‘Law on security services’, Act No. 936 of 27 December 1991, ‘on alteration of different provisions on business activities on the basis of authorisation’. Regulation No. 936 of 23 December 1986 ‘on the security industry’ also belongs to the regulatory framework. The Act is in five parts, each covering a particular type of security service. The Danish Ministry of Justice is presently working on an alteration to the Regulation ‘on the security industry’, as regards the running of the commercial security industry by public authorities as well as the provisions pertaining to the training of personnel. Current legislation on the security industry comprises conditions for authorisation and conditions for implementation, as well as conditions concerning training and education, uniforms, identification, government control and sanctions. It is expected that an expansion will take place within the industry relating to duties in locations that have public access, such as pedestrian streets, shopping centres, parks etcetera. The Danish police do not participate in public/private commercial partnerships.

Portugal

The private security industry in Portugal is regulated by the Decree-Law 276 of 10 August 1993. Activities are licensed and controlled by the Ministry of Internal Affairs. There is at present a Bill that aims to improve the legal framework to promote the simplification of licensing procedures, to improve the fiscal system and to harmonise it with European rules. The
Bill is in the phase of final approval of the Portuguese Council of Ministers. The private security industry in Portugal is regulated according to the principles of subsidiarity and complementariness with the competencies of the public security forces, so that there will always be a special autonomy of the Portuguese State to regulate these matters. Some growth is anticipated in the private security industry. In Portugal there is no tradition of association between the industry and local police forces to protect certain areas.

**Comprehensive and Wide Regulation**

This model comprehensively regulates the private security industry beyond the manned guarding and/or private investigative sectors. This includes a range of regulations relating to training and operational issues (Belgium, the Netherlands and Sweden). There are standards intended to improve quality for both employers and employees and these include extensive training plus exams for security officers.

**Belgium**

On 10 April 1991 the Belgium private security industry got its legal basis with the law on security and in-house security services. It was amended on 28 August 1997. The key points of the legislation are very similar to those in the Netherlands (see above). The exceptions are that wearing a uniform is optional and weapons may be carried provided specific training has been received. A strict distinction is made between manned guarding activities and the more technological activities, such as the design, installation and maintenance of alarm systems. Both are governed by a separate Royal Decree. Special provisions relate to non-intervention in a political or industrial dispute.

**General Conclusions**

The purpose of this article is to describe, from an international perspective, the state of the art of the private security industry. Up till now, there has been little reviewing or research on this topic. When we look at the size of the industry it is obvious that it has grown tremendously over the past 20 years. At the end of 1996/early 1997, almost 600,000 employees worked in the industry in the 15 EU-countries. This means an EU-average of 160 per 100,000 inhabitants. In the European context the size of the industry varies greatly from country to country. Compared with an EU-average of
375 per 100,000 inhabitants for the police, the private security industry average of 160 is still small. The ratio in the EU between the private security industry and the police is 0.43. The private security industry in Europe is the secondary source of protection, while it is the primary source of protection in North America and elsewhere. Here we see ratios of 1.66 for Canada, 1.80 for the USA, and 2.31 for Australia. The absolute ‘champion’ in the security industry is South Africa. Here almost one person per 100 inhabitants is employed by protective services.

The private security industry is, like many other occupational groups, segmented. Differentiation exists on the basis of personal characteristics, recruitment and training, work preferences, and orientations to different key audiences. At the international level, the industry has become part of a wider order that includes the maintenance of law and order and crime prevention systems. The police and the industry both share responsibility for crime prevention and protection. The police and public have to accept that the security industry now performs a role, vital for community safety. Its role is primarily concerned with deterrence. It has a pro-active approach, whereas the police often have a reactive approach. However, there is a fundamental distinction between private and public policing: private security services are bought and sold on the open market, while public policing should be available to all. The police force is one of the most basic forms of public service. The police are given particular powers because they are accountable to government, and thereby to the public at large. This accountability in most countries is subject to statutory regulations.

The private security industry, by contrast, is not accountable to the public, but to the clients who contract for its services. It is argued (Hoddinott 1994) that the powers enjoyed by the private security industry demand the sort of accountability that only the police are required to have. Regulation is then linked with public accountability. What becomes clear from the brief overview on legislation is that at the international level such regulations vary widely between countries. Of course this legislation is liable to change. In most countries there is some form of legislation. Notable exceptions are Great Britain, Ireland, and Greece. In most EU-countries authorisation requirements and operating conditions are imposed. In general, they are the same for all countries. There are wide variations in the requirements and duration of the various training systems in the EU. As regards equipment (uniforms, weapons, identity cards, and use of dogs), the legislation is largely similar throughout the EU. As regards government control there is a wide variety between countries. There are also great variations in the number of possible sanctions when companies fail to respect the provisions of the law and its implementation.
Direct regulation is probably the most common method for reducing the number of 'cowboy firms' within the industry, and the most effective way to ensure the quality of the private security industry. From the analysis on the quality of the private security industry it appears that the comprehensive system of regulation seems to be more effective in producing a higher quality service. Some global trends call for much more active and explicit international co-ordination in the field of regulation. There is, for example, little doubt that the advantages of international interaction, networking, and co-ordination will be part of the industry’s objective. However, achieving international agreement on a regulatory framework will be difficult, as evidenced by the limited progress made in this area so far.

As a last point, governments in Eastern Europe often lack the necessary information to enable them to determine the regulation needed. Much can thus be gained from international best practices, exchange and collaboration. The goal of this exchange is to avoid unnecessary regulation that is later found to be unworkable. There is, for the moment, a regulatory void in Eastern and Central Europe and the former Soviet Union, as the industry only truly began to develop post-1989. A fundamental problem is the paucity of information available in the English language on private security. Furthermore in non-English speaking countries, the information on the industry is of variable quality and volume. Given the limited resources in most East-European countries’ regulatory frameworks should not attempt to over-regulate the industry. The enforcement of comprehensive and wide regulation is simply not possible. Here a comprehensive and narrow model is more appropriate. Regulation and the enforcement should be carried out by a credible and neutral (government) body.

Expected Developments

In this final section attention is given to future prospects. On the basis of available literature and expectations of the respondents, it is possible to detect the following developments within the private security industry. Generally, it is expected that an expansion will take place within the private security industry, both in respect of size and gross revenues. The ratios between private and public policing will be on an average in many countries.

Many governments will direct the police along the route of competition, value for money, tight budgetary accountability, and quality checks by customer consultation. This will give the private security industry an incentive to compete more with police organisations.

The police will accept that the security industry can in fact add value to its own core activities. Contracting out of non-core police functions can
help the police to provide higher standards of services to the public (police as 'specialists'). Contracting out enables the more costly (to employ) police officers to concentrate on the duties for which they are trained and to maximise their potential. A more cost-effective level of police services is the result.

The monopoly of using force in democratic societies will continue to be the exclusive domain of the police. This will ensure transparency between public and private actions.

In some parts of the world, the job of security guard will be one of the fastest growing occupations. The industry will, in the main, take over the job of protecting civilians. People will return to the medieval concept of a city, where citizens live behind town walls patrolled by guards, and where access is possible only at controlled gates (McRae 1994).

Private security officers will increasingly come into contact with the general public in public or quasi-public places. The emergence of the private security industry in residential communities is one such recent development (Bottoms and Wiles 1995; Noaks 1997; Stober 1997; Golsby 1998). There will be reluctance on the part of the police to formally acknowledge this role. However, it is expected that the police monopoly on law and order in residential communities will partly be taken over by private competitors.

The trend within the business world is to go back to the core business. This is the main reason why, for example in the Netherlands, almost 80% of security work is contracted out. It is expected that this trend will continue over the next few years.

Private security and public law enforcement will explore ways to meet the needs of both sectors with regard to crimes like occupational fraud and abuse (Bradford and Simonsen 1998). Governments will realise that security is not a commodity purely to be bought and sold, and therefore it needs good governance. Governments will increasingly regulate the development and operations of the private security industry. As a consequence stringent procedures for quality control, including the handling of complaints, will be incorporated in the private security company’s culture.

In countries where governments persist in policies of self-regulation, while not recognising the urgent need for public accountability, the industry will continue to have a bad image.

The international quality standard for services (ISO 9000) will become the benchmark for quality assurance within the private security industry.

Growth in the exchange of information that has become instantaneously and globally available presents many opportunities in certain parts of the industry. There is little doubt that the world has indeed entered something
of a new era in which global access to information has become reality. The bigger security companies will recognise a market niche: forensic accounting. Given the international character of financial crime, developments in this sphere are important to the different regions and nations of the world. In this connection, mutual transfer of expertise between public and private police will become important.

In many cases, such international firms might conform to regulation just as much as national firms, in other cases they might not. It is difficult, if not impossible, for governments to draw lines here: often there is no more than a voluntary 'standard' of good international behaviour. Given the world-wide opportunities for sharing knowledge and the dissemination of information, international frameworks for regulation will be high on the political agenda.

Virtual reality systems will replace most 'stealable' products in shops, hence reducing the cost of security and preventing crime. On a large scale, affordable smart security and safety systems will be introduced, including fire and personal alarm systems. Also, affordable smart 'visitor' cum intruder recognition systems will be available, based on neural networks and other forms of 'thinking' recognition systems.

In Central and Eastern European countries, security and law enforcement will increasingly become a private or commercial matter rather than a governmental responsibility.

REFERENCES


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PRIVATE POLICING IN CONTEXT

ABSTRACT. This article considers the development, growth and significance of private policing in a wider context. Section one suggests that the rebirth of private policing is associated with - and, in effect, demands - a change in the conceptual framework with which policing is analysed. While section one addresses the conceptual context of private policing, section two examines its theoretical context by considering various explanations for the post-war growth of commercial security. Moving from specific to general accounts, it is suggested that two explanations - one based upon sociological accounts of the development of modern societies, the other on genealogical accounts of developing ‘mentalities’ - provide a crucial context for understanding contemporary changes in policing and governance. In the next section, two of these changes - the growing influence of risk-based policing and the increasing significance of diverse patterns of governance - are considered in the context of the fragmented forms of security provision (commercial, municipal, civil and state policing) which are prevalent today. A short concluding section offers some ‘final thoughts’ on how these arguments impact on the governance of policing. One of the implications contained in this article is that the re-emergence of private policing needs to be considered not only as a problem, but also as an opportunity to identify and address critical questions of contemporary governance.

KEY WORDS: governance, policing, private security, risk society, security policy

Though the field of private policing remains under-researched, it has been the subject of increased attention during the last decade. Much of this attention has been negative, critics arguing that commercial security lacks effective regulation, has limited public accountability and demonstrates poor standards of recruitment and training. There has also been concern that the commercial sector’s penetration of ‘public space’ – as, for example, in the emergence of private street patrols in some jurisdictions – undermines the public police’s monopoly of certain ‘core’ functions. Recently, the involvement of commercial security companies in the policing of public protest and disorder – one of the most fundamental of these so-called ‘core’ functions – has provoked debate in Britain. A particularly controversial situation arose when environmental protesters tried to halt the building of the Newbury bypass in the South of England (Vidal 1996). Significantly, the authorities imposed order in this case by deploying a ‘cocktail’ of security agencies including contract security personnel, officers from the Health and Safety Executive, sheriffs, bailiffs, local...
authority employees and police officers from the local constabulary. Similar controversy has arisen as a result of conflicts between the British Field Sports Society (whose object is to defend the right of its members to hunt animals) and the Hunt Saboteurs Association (whose object is to subvert hunting). In this case, further piquancy is added to the cocktail by the Hunt Saboteurs Association’s allegation that the security companies employed by local hunts, recruit off-duty military personnel for ‘cash in hand’ (House of Commons 1995). Though such enterprise is forbidden by military regulations, allegations of military personnel ‘moonlighting’ for security companies are commonplace in the rural areas adjoining large military bases.

Though the growth of private security undoubtedly raises serious questions about the impact of commercial principles on ethics, justice and accountability, it is important to look beyond merely negative concerns. One of the implications contained in this article is that the re-emergence of private policing needs to be considered not only as a problem, but also as an opportunity to identify and address critical questions of contemporary governance. In order to justify that claim, the article considers the development, growth and significance of private policing in a wider context. To that end, what follows is divided into four sections. The first section suggests that the rebirth of private policing is associated with – and, in effect, demands – a change in the conceptual framework with which we analyse policing. While section one addresses the conceptual context of private policing, section two examines its theoretical context by considering various explanations for the post-war growth of commercial security. Moving from specific to general accounts, it is suggested that two explanations – one based upon sociological accounts of the development of modern societies, the other on genealogical accounts of developing ‘mentalities’ – provide a crucial context for understanding contemporary changes in policing and governance. In the next section, two of these changes – the growing influence of risk-based policing and the increasing significance of diverse patterns of governance – are considered in the context of the fragmented forms of security provision (commercial, municipal, civil and state policing) which are prevalent today. A short concluding section offers some ‘final thoughts’ on how these arguments impact on the governance of policing.

**Changing Problematics of Policing**

One of the most serious shortcomings of the sociology of policing has been its tendency to conflate policing (a social function) with police (a
specific body of personnel). The reduction of policing to the actions of a particular body of (state) agents is historically flawed since the state's relative monopoly of policing was the product of social and governmental conditions existing between the middle of the nineteenth century and the middle of the twentieth. In effect, the modern police's domination of policing has been the historical exception, rather than the rule, diversity and plurality of provision having been the historical norm.

The problems associated with this reduction have become increasingly apparent during the last 30 years, a period which has seen the rapid growth of commercial security in Europe, North America and elsewhere. During the same period we have also witnessed the 'greying' of policing (Hoogenboom 1991), a process whereby welfare and other agencies take on an increased responsibility for security functions. The situation is further complicated by the state's encouragement of citizen-based policing initiatives such as neighbourhood watch; by the increased involvement of the customs, the military and the state's own security services in policing; and by the growth of municipal security initiatives at the local level. Reiner's definition of policing reflects this growing diversity. Policing, he suggests, "may be carried out by a diverse array of people and techniques of which the modern police is only one" (Reiner 1997, p. 1005).

However, recognition of diversity presents us with new problems of definition. Once it is recognised that policing is a heterogeneous function undertaken by a plurality of providers – rather than a relatively uniform one undertaken by a single provider – the temptation is to replace a reductive definition with an expansive one. For that reason a common tendency, in recent years, has been to equate policing with social control. The problem with this equation, as several writers point out (Johnston 1992; Bayley and Shearing 1996; Reiner 1997; Jones and Newburn 1998) is that social control has long ceased to have explanatory or analytical value due to the breadth of its definition. For, if every form of social intervention – from state policing, to the provision of welfare and from capital punishment to childhood socialisation – constitutes an example of social control, the term explains everything and nothing. In order to avoid this problem and to rescue the concept of social control from mere banality, Cohen (1985) proposed restricting the term to 'organised' – and, therefore, purposive – actions undertaken by society to deal with problematic behaviour.

The validity of the concept of social control remains a matter of dispute (Bergalli and Sumner 1997). However, it is significant that this purposive element is also found in recent attempts to define policing in ways which take account of its growing diversity. For Reiner, whose definition owes much to Shearing (1992), policing involves "the creation of systems of
surveillance coupled with the threat of sanctions" (Reiner 1997, p. 1005). According to this view, policing is a purposive activity "directed at preserving the security of a particular social order" though, as Reiner insists, "the effectiveness of any form of policing is a moot point" (Reiner 1997, p. 1005: emphasis in original).

Jones and Newburn (1998) also distinguish policing from generalised social control and focus on its purposive character. In their view policing consists of "organised forms of order maintenance, peacekeeping, crime investigation and prevention and other forms of investigation – which may involve a conscious exercise of power" (Jones and Newburn 1998, p. 18) and where such activities constitute a defining part of the work of an individual or organisation. Clearly, this definition is intended to be more restricted than Reiner's since it excludes from consideration techniques of behavioural surveillance (such as the activities undertaken by neighbourhood watch groups). This restricted definition has advantages and disadvantages. On the one hand, it enables the concept to be operationalised more easily for the purposes of empirical research, an understandable concern for Jones and Newburn's (1998) study. On the other hand, it excludes from consideration both 'civil' modes of policing, such as organised acts of vigilantism (Johnston 1996) and actions by corporate bodies which, though not regarding policing as a central part of their activity, play an increasingly active role in security and governance (Shearing and Stenning 1987; Shearing 1992).

Bayley and Shearing define policing as "the self-conscious process whereby societies designate and authorise people to create public safety" (Bayley and Shearing 1996, p. 586). This definition owes much to Shearing's (1992) earlier contention that policing is, fundamentally, about the establishment of security or peace. Security, he maintains, always implies the preservation of some 'established order' against threat. The concept of security is, however, paradoxical. On the one hand, it is constituted by an absence, for as Spitzer (1987) suggests security exists when something (danger, threat, risk or harm) does not occur. On the other hand, security also demands the provision of positive guarantees. As Shearing puts it, "peace is seldom something that simply happens: it requires assurances of security" (Shearing 1992, p. 401: emphasis in original).

Policing may be defined as a purposive strategy involving the initiation of techniques which are intended to offer guarantees of security to subjects. Two things may be noted about this definition. First, it should not be assumed that policing, so defined, enjoys universal consent. On the contrary, it may be that the promotion of one person's security undermines
that of another. That outcome is by no means unusual and, in some cases—such as those examples of public order policing described earlier—may be inevitable. Secondly, policing is by no means an exclusively criminological activity and should not be imprisoned within the domain of criminal justice. Crime may be one source of people's insecurity, but security involves much more than the reduction of crime or fear of crime. The provision of security will, therefore, require policing to be linked to other areas of governmental activity. Yet, this linkage should not be misconstrued. To reiterate what was said earlier: though policing is a governmental activity—the act of governance (or 'rule') directed towards the promotion of security—it is not an exclusive function of the state. On the contrary, one of the most fundamental features of contemporary society is the dispersal of governance to corporate, commercial and civil sites located outside, or on the periphery of, the state. For that reason, it is important to consider the expansion of private policing in the context of wider patterns of governmental restructuring.

THE CONTEXT OF COMMERCIAL SECURITY'S EXPANSION

Explanations for the growth of commercial security take a variety of different forms, the most basic of which seek to identify key factors precipitating expansion. An early example of this 'factorial' mode of explanation may be found in the Rand Report's account of the 'forces spurring growth' in North American private security (Kakalik and Wildhorn 1971). Amongst the factors listed in this account are the following: high levels and increased rates of reported crime; increased public fear of crime; the security demands of the United States Government's space programme; increased threats from demonstrations, bombings and hijackings; the growth of the electronics industry and the associated development of manufacturers specialising in alarms and other security devices; increased property ownership arising from the growth of corporate and private incomes; greater demands for property protection and increased capacity to pay for it; and, last but not least, a developing perception that overburdened police forces, unable to stem the rising tide of crime, should be supplemented by private security provision (Kakalik and Wildhorn 1971, p. 4).

Clearly, there is something to be said for the factorial approach, though the number of factors listed by Kakalik and Wildhorn (1971) is considerable and the relative importance of each unclear. A later North American study, the Hallcrest Report, identifies a smaller number of factors which, it claims,
“largely explain the [...] increasing growth of private security in the midst of declining or stabilising rates of growth for public protection” (Cunningham and Taylor 1985, p. 111). First, there is an increased awareness – whether real or perceived – of crime. Secondly, there is a growth of crime in the workplace. Thirdly, there is an increased awareness and use of self-help protective measures, especially those involving commercial security products and services.

Though each of these studies identifies important factors in the growth of commercial security, factorial explanations – whether positing few factors or many – are limited by their a-theoretical, and largely descriptive, focus. A more sophisticated approach draws upon the connections between fiscal crisis, mass private property and ‘new feudalism’ (Spitzer and Scull 1977; Scull 1977; Shearing and Stenning 1981). This approach, justifiably, has been an influential one, though I shall refrain from discussing it further as its strengths and weaknesses are discussed elsewhere in this issue by Kempa et al. However, many of the themes contained in that approach – notably the commodification of security and the accompanying growth of private police ‘fiefdoms’ – are linked to wider debates about changing social structures and the forms of thought connected to them.

One version of that debate arises from sociological accounts of the transition from ‘modern societies’ – marked by the salience of class divisions, the modern state’s monopolisation of governance, the emergence of bureaucratic organisations and the development of functionally specialised institutions – to ‘high modern’ (Giddens 1990) ‘post modern’ (Crook et al. 1993) or ‘late modern’ (Bottom and Wiles 1996) societies. Though it is impossible to summarise a complex and lengthy debate in a few words, the following features are identified as indicative of this transition. First, it is argued that public and private sector organisations now share a common managerial ethic, ‘New Public Management’ (NPM). Application of NPM to public sector organisations, such as the police, leads to flattened management structures, devolved budgets, ‘dual’ labour markets (employing ‘core’ and ‘peripheral’ workers), customer-oriented work cultures, the sub-contracting of some services to outside bodies and the full transfer of others to the commercial sector. Secondly, changes are apparent at the socio-cultural level. Not only are the traditional class divisions which formed the basis of modern stratification systems intersected by alternative divisions (such as age, gender, ethnicity, religion, and nationality), mass consumption, itself, becomes a main form of self-expression and a chief source of social identity (Waters 1995). The effect of these changes is to produce a pluralistic, fragmented and diversified socio-cultural system.
Similar diversity is apparent at the governmental level. Privatisation policies aim to introduce market-based forms of service delivery into the public sector or, at the very least, to subject public sector organisations to the effects of quasi-markets. In Britain, by the mid-1990s, much of the Civil Service had been reorganised into agencies, all of them with business plans and clear statements of contractual responsibilities. However, such reforms also have the effect of distancing ministers and senior civil servants from responsibility for operational matters. The Head of the British Prison Service – whose organisation has become an ‘arms length’ satellite of central government – now bears responsibility for operational failings which would, hitherto, have been borne by the Home Secretary. Such reforms constitute an attempt to ‘reinvent government’ (Osborne and Gaebler 1993) and, by so doing, to blur conventional distinctions between levels of governmental responsibility. Other developments add further to the fragmentation of government and the dispersal of rule. In Britain, initiatives such as the Urban Programme, City Challenge and the Single Regeneration Budget have encouraged the development of governmental ‘partnerships’ between public, commercial and voluntary bodies.

Similarly, the rhetorical appeal to ‘community’ as a site of governmental authority has swept across the policy arena in both Europe and North America. This can be seen in respect of policing policy (‘community policing’), penal policy (‘punishment in the community’), health care policy (‘care in the community’), schools policy (‘community education’) and justice policy (‘community mediation’), to name just a few. Finally, at the international level, globalisation impacts on the sovereignty of nation states whose power is pushed upwards, downwards and outwards (Jessop 1993). For these reasons the conventional view that modern states govern through the exercise of authority, backed by their capacity to exert a monopoly of legitimate coercion (Weber 1964) has given way to a more uncertain view of government. This uncertainty is reflected in the complex imagery of governance, rule and the state now deployed by commentators, the state being described as ‘stretched’ (Bottoms and Wiles 1996), as ‘lean’ (Cope et al. 1995), as ‘unravelling’ (Crook et al. 1993) as ‘hollowing out’ (Jessop 1993; Rhodes 1994) and as engaged in techniques of ‘rule at a distance’ (Shearing 1996).

Another central theme in the debate about modernity concerns the growing importance of risk-based forms of thought and action. The ubiquity and inevitability of risk has become a dominant theme in everyday life. Eating is perceived as risky (dangers from pesticides, additives, ‘E’ numbers and BSE), but so is dieting (dangers from anorexia and bulimia). Work is defined as risky (the hazards of job-induced stress, sexual and racial
harassment in the workplace, or fear of redundancy), but unemployment is considered more so (the hazards of poverty, personal depression and social exclusion). Paradoxically, the resolution of some risks creates others, a point demonstrated in the pathologies and side effects arising from medical intervention (Illich 1975). Thus, the public’s demand for expert intervention in risk minimisation is coupled with a perverse lack of trust in the very solutions which experts invoke.

For Giddens (1990) this complex relationship between risk, trust and security is a defining feature of ‘high modernity’, risk being both globalised (distributed on a global rather than a local scale) and personalised (built into people’s subjective concerns about their identity). Beck (1992) sees ‘risk society’ as a distinct stage of modernity, superseding the ‘class societies’ of the industrial period. In his view, risk is the inevitable product of industrial growth since the thrust of technical innovation gives rise to global risks (nuclear war, pollution) which are beyond effective control. For Beck, risk society is also a society of ‘fate’ since offenders (those responsible for inflicting environmental pollution or nuclear warfare on the rest of us) will share a common destiny with those whom they have victimised. Moreover, where class societies were dominated by ideological disputes about the just distribution of goods, risk society, Beck argues, is unconcerned with the pursuit of ‘good’ normative ends such as equality and justice. The sole preoccupation of people within risk society is ‘preventing the worst’ (Beck 1992). Risk society is, in other words, a society obsessed with the pursuit of personal security.

These sociological accounts of the connections between risk, trust and security have, justifiably, been influential. However, they are not without their shortcomings. The concept of risk society may be applicable to the analysis of certain types of global hazard (e.g. environmental pollution) but it is certainly inappropriate to others. Attempts to deploy it in a criminological context are particularly problematical. For example, studies of repeat victimisation (Trickett et al. 1995) refute Beck’s (1992) proposition that all members of society – rich and poor, young and old, male and female, black and white – share an equivalent risk-status. A more general problem with the sociological approach, common to the earlier analyses of modernity found in Durkheim (1964) and Parsons (1964), has been to adopt an overly deterministic view – in Beck’s (1992) case a fatalistic view – of social change. In order to avoid sociological determinism some writers choose, instead, to adopt a genealogical approach towards the analysis of risk.

The genealogical approach has its roots in the work of Foucault (1977, 1991). The Foucauldian approach to the analysis of risk focuses on risk-
oriented action as the product of changing ‘menta]ities’ or ways of thinking, rather than as the mere effect of external sociological forces. Accordingly, those inclined to this approach describe the present risk-oriented order as a product of the new governmental mentalities of ‘post-Keynesianism’ (O’Malley and Palmer 1996) or ‘advanced liberalism’ (Rose 1996). Rose chooses to analyse risk as “part of a particular style of thinking born during the nineteenth century” (Rose 1996, p. 341: emphasis in original). This explanation links risk-based (or ‘actuarial’) thinking to the historical development of the statistical and human sciences and to the use of social scientific techniques in the management of aggregate populations by means of health, welfare and social security reforms. According to this approach, government during the present century has become more and more preoccupied with managing aggregate risks through actuarial and insurential techniques (Castel 1991; Ewald 1991). Such techniques are, fundamentally, proactive and pre-emptive ones, their objective being to anticipate potential risks and initiate actions to minimise the chances of their occurrence. This approach is central to the philosophy of risk management which shapes the working practices of commercial security. It may also be found in techniques such as designing out crime, offender profiling and situational crime prevention. In the view of some writers these techniques represent a decisive shift from disciplinary based modes of governance to actuarial ones (Simon 1988). In the following section I consider how far risk-based thinking has penetrated both public and private policing, and whether Simon’s proposition regarding a decisive shift to ‘actuarial justice’ is fully justified.

DIVERSITY AND RISK IN CONTEMPORARY POLICING

Diversity

Just as society and government exhibit growing diversity, so security becomes increasingly diversified. With that process, the public police’s relative monopoly over security — always a tenuous one — is gradually eroded. This monopoly is undermined by several developments, the most important of which is the global expansion of commercial security. In the USA, private police now exceed public police by a ratio of about 3:1. In Japan, the first commercial security company was only established in 1962, but by 1993 commercial security guards (321,721) comfortably exceeded the combined authorised police strength (259,000) of the National and Prefectural Police (National Police Agency 1994).

Comparative research on the size of the commercial security industry in 10 European countries (De Waard and Van der Hoek 1991; De Waard
1993) suggested that, despite the rapid expansion of the last 20 years, the industry in Europe – unlike that in North America or Japan – remained the secondary, rather than the primary, protective source. In addition, the authors identified numbers of police personnel, private security personnel, total security personnel (police + private security) and the ratio of public to private security for each of these countries. On the basis of those calculations it was concluded that while Southern European countries such as Portugal, Spain and France exhibited higher numbers of public police per 100,000 inhabitants than Northern European countries, the position with commercial security was less geographically polarised. Thus, Germany had the highest number of private security (307 per 100,000 population), followed by Sweden (182), Spain (165) and Portugal (150).

An article by De Waard outlining the latest results of this continuing programme of research is included in the present issue. Though, for methodological reasons, calculations for some countries (notably Germany and Britain) show significant differences from before, the general findings of the research support the earlier conclusions, private security remaining the secondary protective resource in all jurisdictions. However, there appears to be more evidence of geographical polarisation than was demonstrated before in respect of private security – though whether this is a real change or the product of methodological variation is uncertain. Whereas high levels of public police are still found in Southern European countries such as Italy, Spain, Portugal, France and Greece, Northern European countries – Britain (275 private security personnel per 100,000 population), Germany (217), Luxembourg (201), Denmark (193) and Sweden (184) – now occupy the top five positions in the private security ‘league table’. Of course, one should not read too much into this for, as De Waard in this issue rightly suggests, these calculations are merely the ‘best educated guess’ available at the moment. One should also remember that part of the problem of quantification relates to the definition of ‘private security’ deployed. Jones and Newburn’s (1998) recent study – taking a broader definition than De Waard’s (1999) – suggests that total employment in the British security industry amounts to 333,631, though they accept that for methodological reasons this might be a ‘significant overestimate’. If that figure is anywhere near true, however, it would suggest that Britain has 588 security personnel per 100,000 inhabitants and a public police to private security ratio of 1: 1.85 – a figure not dissimilar to North American ratios of 20 years ago (Johnston, forthcoming [a]).

Though the European security market is smaller than the North American one, it has expanded rapidly. In Britain, during the peak of that expansion in the mid-1980s, annual growth rates reached as high as 22%
per annum (Jordan & Sons 1991) and, today turnover exceeds £2billion per annum (House of Commons 1995). Research carried out by McAlpine, Thorpe and Warrier (MTW; see Narayan 1994) showed that the total market for security services and products in Germany, France, Italy, Spain and the UK stood at £11.2billion in 1992, with Germany (£3.7billion), Britain (£2.4billion) and France (£2.2billion) being the dominant participants. MTW predicted that the market would grow at 6% per annum, reaching a total of £14billion by 1996. Highest annual rates of growth were found in the electronics sector (e.g. CCTV at 11.4% per annum) though staffed services (guarding and cash-in-transit) still retained the dominant market share at £4.3billion.

It is also important to recognise that the industry is, itself, structurally diverse. In Jones and Newburn's (1998) British study, 51% of the companies sampled employed five or fewer people and 88% employed fewer than 50. As they point out, size is related to function, businesses in the investigative and electronics sectors tending to be smaller than those offering guard or bailiff services. It also has to be recognised, however, that a few large companies dominate the domestic and international markets. Currently, in the UK, four companies (Williams Holdings £372million; Securicor £310million; Group 4 £158million; and Rentokil Initial £110million) account for almost £1billion of market turnover (Garrett 1997). In Holland the Nederlandse Veiligheidsdienst (NVD) Group has an annual turnover of approximately $500million per annum. The Group consists of a network of European companies and American joint ventures whose contracts include the provision of security for Schiphol Airport, Phillips Petroleum and the Manchester Ship Canal (Securop 1998). The domination of large multinational corporations over domestic markets is mirrored in their increased penetration of overseas ones. The Pinkerton Organization has revenues exceeding $1billion and employs 47,000 personnel in 250 offices throughout North and Central America, Europe and Asia (Business Wire 1998). Its main North American rival, The Wackenhut Corporation, which employs 56,000 staff in a variety of functions including prison management and the provision of security services to nuclear facilities, experienced 24.4% growth in international sales in 1997, much of it through activities in South America, Africa and Europe. The company operates in 48 US states and in 50 countries (Hoover 1998). The Securicor Group employs 41,000 staff in a multi-functional organisation whose subsidiaries engage in a variety of security and non-security activities: cash transportation, guarding, alarms and electronic surveillance, the construction and design of prisons, personnel recruitment and hotel and leisure services, to name but a few. In recent years Securicor
has undertaken joint ventures in South Africa, South East Asia and the Americas.

These corporations operate both within and across national boundaries and, like all businesses have an eye open for new opportunities. In the last decade, security analysts have identified both new markets (e.g. post-Cold War Eastern Europe, post-apartheid South Africa) and new functions (e.g. airline security, counter-terrorism and the policing of migrants and asylum seekers) which have offered profitable areas for expansion. As to new markets, De Waard's article in this issue notes how far commercial security has penetrated Russia (where it is reported that there are 10 times more private police than militiamen) and South Africa (which has the highest private: public police ratio in the world). As to new functions, one of the most profitable areas for commercial penetration has been corrections. Consider the example of Wackenhut. In 1961 the total revenue for the Wackenhut Corporation amounted to $5.4million, all of it generated through the company's North American operations. Wackenhut's Corrections Division was established in 1984, its first contracts – as with Group 4 in the UK – being with the Immigration and Naturalization Service. It now offers a full range of services for the design, construction, financing and management of prisons. In addition, it provides both education and training programmes (in areas such as substance abuse treatment, counselling and social skills and problem solving) and medical, dental, food, laundry and transportation services. By 1995, such was the commitment of certain state, federal and national governments to prison privatisation, that the Corrections Division accounted for 12% of Wackenhut's $797million revenue. In 1997 the annual revenue from corrections increased by 50% (following a 38% increase the previous year) to account for 19% of the company's total revenue of $1,127million. Or, to put it another way, revenue from this single source is now almost double the revenue from all company sources ($123million) recorded in 1976 (Wackenhut 1998).

There is also the issue of how commercial security relates to other forms of security provision at the transnational level. This is not merely a question about the impact of transnational developments on the public-private sectoral divide – the issue of how commercial and public police interact with one another. It is also about how military and state security fit into that equation. The involvement of major security companies, such as Racal-Chubb, in both civil and military security (Johnston forthcoming [b]) and the continued exchange of personnel between state security, military security and the commercial sector has led some writers to speculate on whether a new 'military-industrial complex' might be emerging in the security field (Lilley and Knepper 1992). There is some evidence to support
this view. Commercial security companies have always recruited senior personnel from the public police and there are historical links between commercial, military and state security dating back to the era of Alan Pinkerton in the 1830s. Those links are also apparent today. The Wackenhut Corporation’s current Board of Directors includes George R. Wackenhut (a former FBI Special Agent), Julius W. Becton Jr. (a former lieutenant general in the US Army) and Paul X. Kelley (a former four star general and commander of the Marine Corps) (Wackenhut 1998).

One other significant development has been the commercial penetration of national security, defence and foreign policy by so-called ‘professional service companies’ such as Sandline, Defence Services Ltd. (DSL) Executive Outcomes (EO) and Military Professional Resources Inc. (MPRI). Typically, such companies specialise in the provision of military services to foreign governments, though the striking difference between them and the unscrupulous mercenaries of the 1960s is their respectability. As one commentator on Sandline notes “it is a new development – British officers of impeccable military credentials, Sandhurst-trained, retiring into commercial employment that places Guards and SAS skills at the service of troubled ex-colonial regimes” (Keegan 1998, p. 1). Sandline, like its competitors, not only selects personnel carefully, it apparently, enjoys government endorsement as well. The same is true of MPRI. The company, set up in 1987 by eight former senior military officers, specialises in military training and equipping, force design and management, concepts and doctrine, operational assistance and democracy transition assistance programmes for the military forces of emerging republics. MPRI has 400 employees and, in 1997, its volume of business exceeded $48 million (MPRI 1998). Significantly, the US government played a direct role in successfully lobbying the Angolan government on behalf of MPRI, the Angolans having originally hired EO, a competitor company, to reverse the military gains of the UNITA army. EO, established in 1989 as a wholly owned and registered South African company, has operated in support of armed forces, law enforcement bodies and private corporations in Southern Africa, West Africa, South America and the Far East. As a result of the massive ‘down-sizing’ of the South African armed forces in recent years, EO was able to draw upon personnel from the South African Police and the South African Defence Force (SADF). The company’s first contracts were to develop special warfare packages on covert operations for the SADF. In due course, work was undertaken on behalf of the mining industry to counter white collar crime and trafficking of high value commodities. In the early 1990s, following an approach from a South American drugs enforcement agency, EO provided personnel to undertake ‘Discretionary
Warfare’ (clandestine strikes) against drug-growers. Ever-aware of new market opportunities, EO publicity material comments on the world wide tendency towards the privatisation of security/policing services and predicts that “future peacekeeping/refugee operations will be conducted more and more by companies like EO” (Executive Outcomes 1998).

The increased interpenetration of civil, commercial and military security at the national and transnational levels is coupled with increased public demand for security at the domestic level. According to a 1993 British MORI poll, 55% of respondents supported residents setting up or paying for local security patrols; 27% expressed willingness to take part in such patrols; 27% were willing to pay extra tax to allow their establishment by municipal authorities; and 23% said they would pay for patrols run by commercial companies (Police Review 1993). This willingness on the part of the public to ‘embrace diversity’ (Johnston forthcoming [al) has been reflected in two significant developments. First, in a number of countries including the Netherlands (Hesseling 1995; Hauber et al. 1996), France (Kania 1989) and Britain (Johnston 1993; Jones and Newburn 1998), municipal policing initiatives have been put into place. In the Netherlands, the employment of uniformed City Guards to undertake street patrols is linked to a long standing governmental commitment to policies of social crime prevention (Ministerie van Justitie 1985). In Britain, two forms of municipal policing have been implemented. Some local authorities have established forces whose patrol officers have the right to exercise full police powers within a given territorial jurisdiction (e.g. as a park or open space). Other local authorities have, as in the Netherlands, set up patrol forces whose uniformed officers have citizen-only powers.

Also, British citizens have shown an apparent willingness to engage, more and more, in ‘self-policing’ initiatives, the emergence of which is linked to a wider discourse of ‘active citizenship’. In recent years government has both encouraged active citizenship, and sought to limit such activity to ‘responsible’ forms, such as neighbourhood watch. However, citizenship is an unstable concept and alternative forms of ‘autonomous citizenship’ have also emerged (Johnston 1992). According to our earlier definition, such ‘vigilante’ activity – using that term in a non-pejorative sense – undoubtedly constitutes policing (Johnston 1996), though it is clear that some forms of vigilantism involve pathological actions, including vicious acts of retribution against those who may (or may not) have contravened social or criminal norms. Having said that, other forms – such as preventive anti-crime patrols or measures aimed to protect groups from racial or sexual attack – may be relatively benign. The problem is, of course, that the gap between the two may be unstable, benign street
patrols mutating into vicious punishment squads in certain circumstances. Yet, we should not delude ourselves that that problem is unique to vigilantism. After all, as Karl Klockars's (1980) analysis of the ‘Dirty Harry Problem’ reminds us, similar mutations occur within the police.

Risk

Let us now return to the issue of risk. Risk-based thinking is, first and foremost, a pragmatic style of thought with instrumental objectives: to anticipate risks by proactive means, rather than react to them after the event; to calculate the potential losses (economic or other) arising from their occurrence; to establish a balance between such losses and the costs (economic or other) of intervention; to minimise and control risks and, if need be, to transfer them to some other agency such as an insurance company (Nalla and Newman 1990). Obviously, the application of these principles has been central to commercial security for more than a century. However, it is increasingly clear that public and private police are beginning to think and act alike. Thus, while commercial security companies pass on responsibility for risks to their insurers, public police pass on responsibility for crime prevention to private citizens, encouraging them to join neighbourhood watch groups or to invest in security hardware. Added to that is the fact, noted earlier, that states – supposedly sovereign public authorities – in pursuit of security, defence and foreign policy objectives, are now willing to pass on the risks associated with ‘foreign adventures’ to commercial-military service companies.

Since risk-based thinking involves anticipation, proactive engagement and actuarial calculation of the costs and benefits associated with any action, it requires the systematic generation of information for analysis. In order to produce such information it is necessary to undertake surveillance of those factors (individuals, groups and locations) which might be a source of risk; or which might facilitate the occurrence of risk. This means that the target for surveillance is not only the wrongdoer, but also the victims of wrongdoing along with anybody else who might, consciously or unconsciously, allow wrongdoing to occur. Shearing and Stenning (1981) were right, some years ago, to define surveillance as the core function of commercial security. Increasingly, however, that function is linked to the generic task of providing information for risk analysis (Ericson and Haggarty 1996), a task which both commercial security and public police, alike, define as a fundamental part of their everyday practice.

There are a number of ways in which the police have adopted risk-based thinking. Recently, the Head of the National Crime Faculty at the Police
Staff College in England announced a fundamental shift in criminal investigation “from an emphasis on resource allocation to [one on] detectability” (Pyke cited in Gibbons 1996, p. 4). This meant that the existing system of categorising crimes according to offence type and resource availability would be replaced by one linking available skills (personnel) and data quality (intelligence). By these means assessments can be made about the costs and benefits of deploying given investigative techniques and, indeed, whether the particular level of detectability justifies investigation being undertaken at all. Such developments are linked to the wider strategy of ‘intelligence-led policing’, one element of this strategy being the cultivation of informants, a policy now supported by the Audit Commission, the Association of Chief Police Officers and the Home Office.

One significant development in the drive towards intelligence-led policing has been the decision to deploy the security services in the fight against serious crime. Under the terms of the Security Services Act 1996, MI5 agents will work alongside police to tackle drug-related crime and terrorism. This development has interesting implications for the justice process. A recent comment from an unnamed ‘Home Office source’ suggested that “disrupting the activities of organised criminals may be a desirable role if MI5 is unable to bring them to justice” (cited in Gibbons and Hyder 1996, p. 5). In effect, the employment of ‘techniques of disorganisation’ (Johnston forthcoming [a]) is commonplace in state security services (where counter-intelligence, disinformation and misinformation are used) and in the commercial security industry (where the informal principles of ‘commercial justice’ have always prevailed). In the latter case the rationale of such informal techniques is to circumvent the formal justice system in order, more easily, to effect the speedy closure of a given problem. These developments raise two issues. First, there are obvious ethical questions about the maintenance of public justice. How, for example, can one ensure that those subjected to informal sanctions are ‘deserving’, rather than ‘undeserving’, targets? Secondly, the growing interpenetration of the different branches of security (civil police, commercial security, state security and the military) at both domestic and international levels undermines conventional distinctions between ‘high policing’ – concerned with the protection of the state – and ‘low policing’ – concerned with routine matters of crime prevention and order maintenance (Brodeur 1983).

Though these tendencies are of crucial significance, it would be wrong to conclude that they signify the wholesale replacement of disciplinary forms of justice with actuarial ones. Risk-based policing is by no means incompatible with other, more forceful, strains. In order to illustrate this,
it is useful to draw upon the Foucauldian distinction between the different modalities of rule – ‘sovereignty’, ‘discipline’ and ‘governmentality’ (the latter equating with the actuarial or risk-based techniques described here). Sovereignty consists of techniques exercised by an authority claiming the legitimate monopoly of coercion over a given territory. Spatial and territorial considerations are, therefore, central to the exercise of sovereignty. Disciplinary techniques, by contrast, aim to regulate the body. To take an example, the policing of public disorder demonstrates the principles of sovereignty very clearly since it is preoccupied with the control of territorial and symbolic space. Indeed, the very language of public order policing – ‘winning and losing “the ground”’ – confirms that preoccupation. Equally, public order policing deploys disciplinary techniques to move protesters from one location to another – a literal form of corporal discipline. Yet, more and more, the policing of public disorder relies, also, on risk-based techniques – enhanced surveillance of protesters, the construction of tension indicators, the use of detectives to gather intelligence and so on (Brearley and King 1996). The same may be said of Zero-Tolerance policing. On the one hand, the strategy deploys techniques of sovereignty and discipline to clear the streets of those who perpetrate so-called ‘quality of life crimes’. On the other hand, a key objective of Zero-Tolerance approaches is to enhance the collection of low-level information which, eventually, can be transformed into high level intelligence. Zero-Tolerance policing is not merely concerned with ‘incivilities’. It is linked to a variety of risk-based techniques including targeting and profiling of offenders, crime pattern analysis and geographical information systems.

Two issues arise from these developments. First, the combination and recombination of policing techniques based on risk, discipline and sovereignty, undermine traditional formulations – such as the distinction between reactive ‘force’ and proactive ‘service’ (Stephens and Becker 1994). Thus, the ‘techniques of disorganisation’ referred to above may combine proactive engagement with forceful (disciplinary) action. Yet, the objective of such action is not to enforce the law, but to impose discipline ‘by other means’. Secondly, such combinations and recombinations will pose issues of equity, accountability and effectiveness, demanding consideration of how diverse systems of policing are to be governed in the future.

**Some Final Thoughts on the Governance of Policing**

In Britain – a country lacking statutory regulation over commercial security – there has been lengthy debate about how to establish the controls which
might render private police accountable to the public (South 1988; Johnston 1992; Jones and Newburn 1996; George and Button 1998). Indeed, recent concern about the problems associated with lack of state regulation led the Labour Government to commit itself to future reform. Important as this issue is, however, it needs to be put into the context of the previous discussion. In this article policing has been defined as ‘the act of governance (or rule) directed towards the promotion of security’. Two developments have had a major impact on contemporary policing. First, policing (and governance) are now highly diversified, with public policing (and ‘state rule’) being supplemented by the actions of a wide range of civil, commercial and voluntary bodies. Secondly, the growth of commercial security is, itself, part of a wider shift towards risk-based thinking. This shift now pervades all public and private institutions, including the police. These developments raise two issues (Johnston forthcoming [a]). On the one hand, diverse policing, if left unchecked, may give rise to a fragmented system which combines the worst of all worlds: ineffectiveness (due to lack of co-ordination between the elements) and injustice (due to inequity in the distribution of the services). On the other hand, pre-occupation with risk – and, particularly, the assumption that every risk justifies a security response – if left unchecked, may threaten the emergence of an invasive policing system located within a ‘maximum security society’ (Marx 1988).

The implication of this view is that diversity and risk demand ‘good’ (effective, just and democratic) governance. Yet, we should not delude ourselves that ‘statutory control of private security’ – whatever the particular justification for it – constitutes a sufficient response to the problem. There are two reasons for saying this. First, the imposition of state control over a single element within a diverse security network – in this case commercial security – leaves unresolved the question of the relationship between the different elements. In other words, the traditional discourse of control which has shaped debate on the democratic governance of policing (and which is exemplified in the separate problems of ‘police accountability’ and ‘private security regulation’) is no longer adequate. The project of good governance can only proceed when security is understood as a relationship between commercial, public and voluntary elements. Secondly, the project of state control is also problematical. Good governance of security cannot be reduced to the imposition or re-imposition of state authority over policing for the simple reason that ‘the state’ – as a unified, authoritative, exclusively public body, with an in-built capacity to exercise sovereign control – is becoming a fiction.

This suggests a paradox. Diversity is associated with certain policing problems (over-policing; invasive policing; inequitable, ineffective and
unaccountable policing). Yet, in the absence of sovereign authority, diversity is also the context in which those problems have to be resolved. For that reason, good governance demands that we 'embrace diversity'. Elsewhere (Johnston forthcoming [a]), I have proposed a model of 'optimum policing', the purpose of which is to secure public interests under conditions of diverse security. Optimal policing may be defined as a system of security which is neither quantitatively excessive (to the detriment of social values and objectives other than security) nor qualitatively invasive (to the detriment of public freedoms) and which satisfies conditions of public accountability, effectiveness and justice.

One of the objectives of optimal policing would be to develop security as a public good. In the past, of course, the state (the 'public sphere') has been conceived as the repository of public interests. Yet, with its declining sovereignty and increased penetration by commercial interests, it becomes difficult to define the state as the sole preserve of the public good. Moreover, under diverse conditions, the state has become one player – albeit an important one – in a complex network of governing agencies. The challenge for democratic government is to ensure that the actions of those commercial bodies which participate in government accord, as much as possible, with the public good. That is a difficult challenge to meet since, behind it, lies the assumption that there is no immutable contradiction between commercial and public interests. Significantly, that suggestion is implicit in Shearing's discussion of New York's Starrett City Security Force (Shearing 1996) and in the analysis of 'business improvement districts' (BIDs) contained in the article by Kempa et al. in this issue. For, in each of these examples, it is demonstrated that commercial security can, under appropriate governmental conditions, begin to provide the rudiments of accountable, just and democratic policing. What needs to be explored in the future is how, in a market economy, governmental mechanisms can be put in place which ensure that public interests are protected in security networks composed, in part, of commercial elements.

REFERENCES


Gibbons, S., Change to criminal investigation planned to save time and money. Police Review, p. 4, 23 August 1996.


Keegan, J., Private armies are a far cry from the sixties dogs of war. Electronic Telegraph, Issue 1083, 13 May 1998.


*Police Review*, Fifty-five per cent favour private patrols. 6 August 1993.


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REFLECTIONS ON THE EVOLVING CONCEPT OF ‘PRIVATE POLICING’

ABSTRACT. Once popular ‘state-centred’ political frameworks, while declining in popularity on many normative agendas, nevertheless continue to guide how we think about and examine ‘policing’. Early studies into the ‘private policing’ phenomenon have thereby focused upon the formal paid private security sector, a set of agencies which do not depart too radically in appearance from traditional public police services. More recent empirical studies have yielded data inconsistent with the established conceptual frameworks. Theorists have been assembling these data into alternate ways of thinking about ‘collective life’, which may have profound implications for the ways in which to choose to govern in the future. Further research addressing developments in ‘networked nodal governance’ may be suggestive of progressive alternatives.

KEY WORDS: conceptual frameworks, governance, private security, security policy, welfare liberalism

INTRODUCTION

Underlying the ways in which collective life is ‘policed’ are dominant ‘modes of thinking’, or ‘conceptual frameworks’, which guide how we approach, interpret, and so attempt to act upon (that is, govern) our extended order. How we seek to govern collective life at a particular moment is revealing of how we tend to characteristically think about the relationships which exist between institutional Governments, non-state (that is, ‘private’) collective agencies, and individuals. As our views on the nature of these relationships change, alternatives in policing strategies become thinkable, and are often brought into being. A useful pursuit for the criminologist, therefore, is to trace back and forth between these two levels of analysis: looking at present policing practices in order to extract meaningful comments on broader political trends; and looking at political trends themselves in order to spell out their implications for future policing practices.

Along this vein of thinking, the ‘discovery’ of private policing in the 1970s in North America (Shearing and Farnell 1977; Shearing et al. 1974; Spitzer and Scull 1977), prompted much academic and practical interest. The notion that agencies other than those of ‘the state’ are actively involved

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1 We capitalise here in order to distinguish between ‘Government’ in its institutional sense and its alternate interpretation as a verb or action.
in the production of security and order abruptly confronted thinkers whom for the better part of the twentieth century had been ensconced in the mindset of welfare liberal politics – the dominant political logic of the middle decades of this century which presupposes the necessity of a strong and elaborate central Government to directly regulate the 'social' sphere (Gusfield 1989; O'Malley 1996; Rose 1996). Underlying this mode of political thinking is a rather simplified 'social contract' between the state and its citizens: supported by the mechanism of taxation, Government assumes responsibility for both administrating and implementing workable programmes for producing 'public' safety and security. Within such a framework, safety and security are conceived as 'social rights' to be equally distributed under state auspices and through public mechanisms across the wider 'social sphere' (that is, 'the social', see especially Rose 1996).

We can see clearly how the 'discovery' by Western scholars of private security agents hired by non-state auspices in service of private interests, challenged the guiding welfare liberal framework, which, as we have noted, was the promotion of uniform and non-negotiable moral conceptions of collective 'social' life under state direction and through state authority. Moving away from the tendency to see and interpret things in terms of the incumbent welfare liberal framework, however, has been a gradual affair. Our review of an emblematic sample of early empirical investigations into the private policing phenomenon, which forms the first major section of this article, reveals their focus to be centred upon those agencies and activities that most closely approximate our traditional understandings of what 'policing authorities' look like and do. Thus, in the earliest studies, there has been a near total focus upon formal private policing organisations (e.g. uniformed in-house and contract security corporations) and their affiliates (e.g. technical security and alarms specialists), which together constitute the paid 'private security sector'.

While acknowledging the importance of the findings of such 'first cut' empirical investigations into the private policing phenomenon, we proceed to examine more recent practical research which suggests that the paid private security sector reflects only a part of the full 'private policing' landscape. That is, recent and ongoing empirical investigations indicate that there exist a multiplicity of non-state policing agencies of diverse form which do not conform very closely in basic appearance, forms of power and authority deployed, or functions served, with welfare liberal models of 'policing authorities'. As a result of such findings, and especially in the Western academic context, there has been a growing lack of consensus as to what exactly the 'private policing' construct entails (see
In keeping with the evolution of the more general concept of 'policing' beyond the institution of the public police to include other agencies intentionally engaged in the process of producing safe and secure spaces in which individuals can live, work, and play, Bayley and Shearing (1996) have extended the concept of 'private policing' beyond the activities of the paid private security sector to include non-paid forms of community crime prevention.

Applying their broader definition, one can include as permutations of 'private policing' such approaches as vigilantism and other civil policing initiatives (see also Johnston, forthcoming), as well as complex 'public-private' co-operative initiatives which, while involving the public police, are also explicitly dependent upon mobilising a broader network of 'private policing' agents of a non-traditional form. In the second major section of this article, we examine some of what we consider to be the most illustrative recent empirical 'discoveries' in private policing, with a view to conceptualising the many 'novel' (and often surprising) spaces and functions into which private policing initiatives continue to expand. Developing this mode of analysis, we will attempt to illustrate that the private policing phenomenon is far larger and has much greater consequences for the ways in which individuals conduct their lives than is presently imagined.

On the whole, we would like to develop the suggestion that both our academic and political horizons may be broadened through the adoption of a concept of 'policing' as a process of 'networked nodal governance', understood as a complex of interlaced systems of agencies which work together to produce order. Such networks of security often transcend the established conceptual boundaries drawn between 'public' versus 'private' agencies, places, and functions. Accordingly, empirical research into such developments in private policing may be suggestive of adaptive 'conceptual frameworks' for approaching contemporary collective life from which progressive policy options may flow.

**First Cut Studies: Growth of the Paid Private Security Sector**

The first wave (or cut) of studies which explored the private policing phenomenon centred on the proliferation of the private security sector. These studies have focused upon both the growth in number of employees in this industry, as well as the types of spaces and functions that the private security industry has expanded to fill over the last three decades.
Empirical Magnitude of the Paid Private Security Sector

Empirical measures of the private security industry have proven to be conceptually and methodologically problematic (see especially, De Waard in this issue; Jones and Newburn 1995). Different nations deploy different definitions of the 'private security sector' in compiling their statistics – thus rendering these measures quite unreliable – while other nations collect no data on the industry whatsoever. That said, what follows is a very brief survey of some of the empirical work detailing the size of the private security sector with a view to extracting some general comments regarding global trends in the expansion of the industry.

In North America, it has been observed that paid private security agents greatly outnumber the public police, with the ratio estimated at nearly two to one in both the United States and Canada (Johnston 1992; Shearing and Stenning 1981; Statistics Canada 1997). Growth for the North American continent was rapid and steady beginning in the 1960s and continuing through the mid-1990s, and shows no sign of tapering off in the near future – especially within the context of the United States (Freedonia Group 1998; Johnston 1992; Kennedy 1995; Shearing and Stenning 1981; 1987). Indeed, it has been estimated that the US market for private security services will continue to grow by a steady annual rate of 8.5% through the year 2002 (Freedonia Group 1998). Updating Johnston's 1992 analysis, De Zee (1994) reports that in the US, average revenues for the private security sector exceed US$52 billion per annum, an amount nearly twice that generated by taxes for public law enforcement agencies.

In the context of Europe, the period spanning the mid-1970s to the mid-1990s is characterised by significant growth in both total agents employed and revenues generated by private security services, followed by a period of levelling-off beginning in the 1990s and persisting in most locales to the present (Johnston 1992; Jones and Newburn 1995, 1998; De Waard 1996 – but see De Waard in this issue, who notes a recent upsurge in the growth of the private security industry in the Netherlands).

In terms of absolute growth of the private security industry, the countries of North-Western (including the United Kingdom) and North-Central Europe have outstripped the Eastern and Southern Continental nations. In England it is reported that there are nearly equivalent numbers of private security agents and public police officers (De Waard in this issue; Johnston 1992, forthcoming; Jones and Newburn 1995, 1998). In the context of Germany, it is reported that the number of officially registered employees of contract security companies has increased from 30,000 in 1980 to 105,000 in 1994 (reliable figures are not available for the in-house
security sector, nor their affiliate security technology industries), although some significant portion of this growth must be attributed to the East-West unification process which began in 1989 (Nogalla and Sack 1998).

De Waard (in this issue; see also 1996) reports a substantial increase of approximately 14,958 employees (from approximately 4,348 to 19,306) in contract security companies over the period spanning 1981–1997. According to De Waard, this was accompanied by a decline of far lesser (yet still substantial) magnitude of approximately 1,801 employees (from 5,175 to 3,374) in the in-house private security sector, and marginal yet steady growth in the related security technology (that is, ‘private central stations’) and private transport industries.

While the nations of North-Western and North-Central Europe have exhibited a greater overall volume of growth in the paid private security sector, the nations of Eastern Europe (Aydin 1996; Johnston 1992), Asia (Fu 1993; Hou and Sheu 1994) and India (Nalla 1998) (a triad of spheres that we will subsequently refer to as ‘the East’), as well as Southern Europe, have exhibited a much greater degree of relative growth, expanding in each case to a fair size from an initial null baseline in the early to mid-1980s.

Representing Eastern Europe, Yugoslavia, Turkey, Poland, and Russia have all experienced significant growth in the paid private security sector (Aydin 1996; Johnston 1992). The experience of Turkey is emblematic of that of broader Eastern Europe. As Aydin (1996) documents, the paid private security sector in Turkey has grown from nil at the inception of the legislation in 1981, to an expanding industry of 2,227 institutions employing 34,928 persons in 1993. Rounding out the south-west of the Continent, France and Italy are host to paid private security sectors which in the mid- to late-1980s were smaller yet gradually gaining upon their public counterparts (Johnston 1992; Ocqueteau 1993).

Nalla (1998) notes that while China and Korea have traditionally relied on the state police to offer security functions to private enterprises, both Singapore and India have followed laissez-faire policies regarding the growth of the private security industry. Nalla goes on to report that, in India, “vendors estimate the total number of contract security guards in both private and government sectors is at least twice police strength (which in 1991 was approximately 1,150,000)” and further that “most of the vendors interviewed [. . .] felt that the private security guard business is a growth industry” (Nalla 1998, pp. 20–21).

Note that this decline in the in-house sector was not large enough to fuel the growth of the contract security sector; this can be rejected as a potential explanatory hypothesis.
Turning to the Southern Hemisphere, the growth of the private security industry in the South African context outstrips even that of the US (see De Waard in this issue; Shearing 1992, 1995) — amounting to an industry that has exploded in size since the fall of the apartheid regime in the early 1990s. Surveying global trends in the recent growth of the paid private security sector, we can agree with Nalla’s (1998) observation that there has generally been more a gradual expansion of the industry in those nations where there is a stronger tradition of centralised political control — the growth of the private security industry in Western liberal democracies has outstripped that of nations of ‘the East’, although, the case of South Africa serves as an important exception to this rule.

An important debate coming out of the literature addressing the recent expansion of the paid private security sector is whether the industry will follow the example of the US and the Netherlands and continue to expand in numbers of employees, or level-off as it appears to be doing in most of Europe. As Johnston points out: “it has been suggested that there may, eventually, be some contraction of labour intensive security due to the expansion of the electronics market” (Johnston 1992, p. 75). Kennedy commits to a more forceful position.

As engineering advances in the areas of access control, CCTV [closed circuit television monitoring devices], biometric identification, and with intrusion detection systems becoming more sophisticated, less reliance is placed upon security manpower and more is placed upon security technology; therefore the growth of employment in private security will eventually level off even as the protective shield of security expands its coverage (Kennedy 1995, p. 104) [parentheses added].

The point which Kennedy seems to be missing, which is nevertheless embedded in the subscript of this excerpt, has to do with the fact that advances in technology create (or rather, make available) a greater number of spaces, functions, and service markets that the private security sector is subsequently able to expand into. De Waard (1996, p. 233) makes this connection explicit: “Increased mobility and better communications equipment means that the security industry can explore new fields of activity [...] in the near future, private security companies may be responsible for surveillance in Dutch neighbourhoods and on housing estates”.

Here, De Waard is clearly on the right track when he concludes that technological advances need not result in the immanent levelling-off or potential decline in the total number of paid private security agents. The ‘new markets’ he imagines for a technologically-advanced private security sector, however, are emblematic of those spaces and functions conceived by researchers working at the ‘edges’ of the welfare liberal framework:
formerly ‘social’ spaces and functions which are less efficiently secured through the dated (‘social’) apparatus of the public police. Working within this dominant conceptual framework, it is not possible to consider that technological advancement need not only allow for the expansion of the private security industry within former ‘social spaces’ – but may create and/or facilitate in the creation of completely new ‘spaces’ and forms of ‘collective association’ for which ‘private policing’ may take on a wholly new face and fulfill novel functions in an emergent interconnected world. ‘Private justice’ and its administration are conceived and conducted in novel ways for novel spaces and types of human relationships, a set of points which we shall develop in the course of this article.

Spaces and Functions

‘Hybrid’ Places

The ‘first-cut’ empirical studies operating at the edges of the welfare liberal conceptual framework have revealed that the paid private security sector has made the greatest inroads into what can be characterised as ‘hybrid’ places, which are both legally defined and personally experienced as distinct from traditional forms of ‘public’ places which dominated the ‘social landscape’ at the highpoint of welfare political approaches. Physical places such as gated residential communities, ‘mass retail’ outlets, sporting and other ‘leisure’ complexes are generally accessible to everyone and are thereby ‘public’ in some sense – however, these places are primarily governed by the rules set by non-state or quasi-state entities and are ‘policed’ by private forces and are thereby not ‘public’ in the manner defined by the simplified ‘social contract’ which as we have indicated underlies welfare liberalism.

These hybrid places are aptly conceived as ‘fortified fragments’ (Caldeira 1996), wherein a privately defined order is both administrated by private auspices and implemented through private mechanisms. The general strategy for governing security in these fortified fragments is quite straightforward and consists of five principal highly-interrelated qualities, which are aptly illustrated in the instrumental order at work in that quintessential American playground, Florida’s Disney World (as detailed by Shearing and Stenning 1985).

First, the process consists of an on-going process of sorting, in which ‘undesirable’ persons are separated from the ‘desirables’. At Disney World, ‘undesirables’ are prevented from entering by the existence of an admissions cost. Similarly, membership in a gated community is predicated upon buying or renting property in that fragment, while access to most sporting and other ‘leisure’ facilities is restricted by entry fee, or in the
case of the shopping outlet, at least maintaining the general appearance of possible intent to purchase (that is, loitering is forbidden, as is other disruptive behaviour which interrupts the shopping of another person).

Secondly, governance within fortified fragments is apparently *consensual*, operating through the selective control of the availability of desired rewards: ‘orderly behaviour’ leads to the opportunity for reward, while disorderly conduct carries the sanction of banishment (that is, ejection) from the legitimate rewards system. In Disney World, mass retail outlets, and sporting and leisure complexes, forms of conduct which are grossly unacceptable by private standards are frankly eliminated by ejection through manipulation of zoning or trespass by-laws.

Thirdly, strategies for control are *embedded* in the environmental design and nearly every other participatory aspect of the ‘fragment’ experience. That is, control structures and activities have other less obtrusive-looking functions, obscuring their involvement in governing the conduct of the visitor. In Disney World, extensive use is made of physical barriers and systems of visitor conveyance, which limit the potentially hazardous or problematic choices for action available to the visitor (Shearing and Stenning 1985). Hence, within the instrumental order of the marketised fortified fragment, your behaviour is ‘consensual’ insofar as you are permitted (some might say *obliged* or *compelled* – on this see Rose 1989, 1996a) to ‘choose’ from a strategically-circumscribed range of selections.

Similarly, mechanisms of governance in gated communities, mass retail outlets, and leisure and sporting complexes are embedded in other activities and structures. For example, the brochures of ‘prestige communities’, such as Marblehead, San Clemente, California, state that their fences and gates exist to ‘protect an investment’ and provide a sense of ‘exclusivity’ (Blakely and Snyder 1997). ‘Lifestyle communities’, such as Blackhawk Country Club, San Ramon, California and the Polo Grounds in Boca Raton, Florida, describe their gates as a means to limit access to the community’s golf courses, polo fields, and tennis courts to paying members (that is, ‘the community’) (Blakely and Snyder 1997). The barriers achieve order and security through excluding undesirables, yet they are embedded within the landscape and are thereby generally understood as serving other, perhaps more pleasant and less imposing, purposes.

Fourthly, the order of the fortified fragment is instrumental rather than morality-based (that is, legally-focused). In Disneyland, *opportunities for disorderly conduct* are anticipated and removed rather than breaches of morality being targeted and punished in the model of legal justice: the emphasis is upon reducing future harms rather than upon punishing
completed legal transgressions. Similarly, the governing agencies in gated communities, retail outlets and leisure complexes are interested in preventing disorderly conduct rather than punishing crime after the event.

Finally, bad ‘decision making’ on the part of consenting member-participants is soon confronted by a residual system of coercive control. For example, Disney employees, beyond their primary function in completing the integrity of the fantasy vacation experience, are all also engaged in the secondary function of order maintenance – step out of the carefully constructed system of embedded control, and an employee in an ersatz Bahamian police uniform will step over and administer some very real ‘Disney justice’; behave or be ejected from the grounds (Shearing and Stenning 1984). Where behaviour goes too far awry in gated communities, shopping centres, and sporting or leisure complexes, private forces may physically detain or hand a person over to the formal justice system on the outside of the fragment. Where consensual governance breaks down, state-administered legal justice may be deployed.

Onlookers began to trace the implications of these ‘developments’ in private policing and broader trends in governance for democratic citizenship and human rights. In this connection, two sets of critical observations of utmost importance were made (see Bayley and Shearing 1996). First, the ‘naturalness’ of the construction of ‘the social’ as the singular (or even principal) focus of political organisation was challenged, as collective life was empirically shown to be far more fragmented – divided into many smaller units governed by their own distinct sets of ‘private’ (marketised) rules – than the dominant welfare liberal framework would suggest.

Related to this first point, it became clear to observers that the state did not have an absolute monopoly on either the definition of ‘justice’ nor upon its administration. ‘Justice’ as a private concept could be conceptually divorced from ‘social’ notions of the criminal law, ‘common morality’, and state-direction, and be conceptually connected with the market and its principles of decentred auto-regulation. Private (or enclave) justice administered purely through the market clearly does not result in the ‘social’ goal of uniform justice for all, as those lacking in purchasing power are systematically excluded from democratic participation (Shearing and Stenning 1981, 1985, 1987; Bayley and Shearing 1996).

With these insights into the nature of how the governance of security happens on the ground, it became possible for scholars to start to think about and examine ‘collective life’ in ways other than through the lens of ‘the social’, or nation-state. For some scholars, the image which began to tentatively emerge was that of the ‘neo-feudal’ order, wherein segregated fortified enclaves of privilege deploy a system of exclusionary justice.
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(Shearing and Stenning 1981, 1984, 1987). Despite the negative image such a pattern of exclusionary governance seems to paint, it must be said that private approaches to governing security such as those outlined above have the potential to be developed towards positive outcomes. Where viable communities, active civil life, and safe and orderly expanses of semi-public space can be built through providing such ‘rewards infrastructure’ as prestige or sporting lifestyle or access to other community/fragment services, the decrease in coercive measures required to police these semi-public places may reflect a worthwhile trade-off.

Additionally, where the governance of security within a fragment is directed by progressively-minded auspices, the standards of justice pursued may be inclusive and specifically target the concerns of marginalised groups of persons. For example, the governance of security on a University campus – a special form of ‘fortified fragments’ in that its order is not wholly market-based – often works towards securing progressive human rights for all school members. For example, at the University of Toronto in Canada, there existed in the early 1990s a Personal Safety Awareness Office (PSAO) whose mandate was to promote equitable access to University resources and facilities for students, faculty and staff. The PSAO thereby implemented a much more inclusive definition of justice than that of even the public police, who remain focused upon responding to breaches of the criminal law. The governance of security on University campuses is thereby illustrative of the potential for innovations in private security to lead collective life towards progressive outcomes (Wood and Shearing 1998).

The question nevertheless remains, ‘how can the poor participate in purely market-based approaches to enclave governance?’ Where individuals lack the purchasing power to buy into these marketised fragments to begin with, they are excluded from participation in the ‘consensual’ rewards system, with the effect that they are pushed outside into the ‘conduit spaces’ existing between fortified fragments to be differentially (and potentially excessively) policed through traditional coercive means. Further research directed towards understanding and taming the potentially undesirable effects of market-based justice differentially distributed across and in between ‘fortified fragments’ thereby began in earnest (See especially, Bayley and

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3 Consider the rising popularity of ‘Zero-Tolerance’ policing initiatives in the United States and the United Kingdom. Within such schemes, ‘quality-of-life’ offences – such as panhandling and public drunkenness – are targeted through aggressive arrest campaigns. These categories of offences obviously primarily involve indigent persons.

4 Attention should be called to the fact that the desire to tame the potentially undesirable consequences of market-based justice denotes a desire that such scholarship serve as the basis for political action (that is, that theory might serve as actionable thought). This
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Shearing 1996; Braithwaite, forthcoming). In what follows, we provide an indication of what more recent empirical investigations into the private policing phenomenon have been able to tell us about emergent trends in the practice of governance.

'Second Cut' Empirical Studies: Recent 'Discoveries' in Private Policing

Recent and ongoing research indicates that private policing continues to expand in spaces (both physical and non-physical) and in forms which do not conform to the exclusionary orders which typify the 'neo-feudal' enclaves described above, nor the coercion of the conduit spaces which exist between them. Notable among these conceptual 'innovations' are: research into civil policing initiatives (that is, vigilantism); the 'invention' of novel types of informal private policing agents within state-initiated 'community policing' and 'restorative justice' programmes; the movement of paid private policing services in purely public spaces - such as so-called 'business improvement districts' (BIDs); and private security in international, supranational, and 'virtual' spaces. All of these permutations of private policing involve the forging of connections between numerous agencies to form extended networks of regulatory power.

Civil Policing Initiatives: Vigilantism and Popular Justice

Until recently, there has been a lack of attention in the policing literature to non-paid forms of community-initiated crime prevention, especially with regards to the European context. With lesser private space and a history of state-direction in matters of security, non-paid private policing initiatives may be seen as an unusual activism for 'post-modern' academia. The respect for diversity which the non-absolutism of contemporary thinking has bred leads many academics to avoid explicitly evaluating and purporting to correct any shortcomings of existing modes of life; such practice is often (quite correctly) interpreted as imposing one's own (arbitrary) values upon others. Academics working in this area justify their 'activism' on the basis that they state the values (e.g. democracy, public safety, equity, human rights, and accountability) which guide their research concerns and emergent policy recommendations; others are free to adopt or reject the proposals coming out of such work on the basis of whether or not they consider that such recommendations will act in service of these values.

5This survey of developments in the private security sector is in no way intended to be exhaustive; considering our present audience, we have attempted to focus our discussion upon European developments, but have also drawn from the North American, African
have achieved lesser official and academic acknowledgement in Europe than in North America.

The research into non-paid forms of private policing in the United Kingdom is more robust than that for Continental Europe. In Great Britain, Johnston (1992, 1994) has charted the spread of ‘popular’ forms of governance, including citizen street patrols, volunteer police services, neighbourhood watch schemes, escort services for senior citizens, and vigilantism (see also Bayley 1994). Such groups serve mainly as ‘extra eyes and ears for the [public] police’, essentially filling an information-relay function between the community and the formal agents of law enforcement, although vigilante groups generally go one step further to take the application of the law into their own hands (Bayley 1994; see also Turk 1987).

In the context of Turkey, Aydin (1996) notes that officially recognised forms of ‘grass-roots’ initiatives which mirror mainstream developments in the US, Great Britain, and Canada, are virtually non-existent: “In terms of voluntary policing, in Turkey, there is no organised form of voluntary police such as the Special Constabulary or Neighbourhood Watch, but there are some individual volunteers who can be named as vigilantes.”

Aydin’s closing remark about the expansion of vigilantism in Turkey highlights the valuable point that ‘popular’ non-paid private security initiatives may take on unfamiliar forms in the context of nations with social and political traditions different from those of the researcher’s heritage.

In this connection, modern vigilantism, which is not very common in Great Britain or Canada (Johnston 1992), has tended to arise in those nations where there is a strong tradition of minimal government and individual autonomy, such as the United States, as well as in those nations where there is a profound sense of dissatisfaction with state government, such as in South Africa, Northern Ireland, Tanzania, and Turkey. In the latter case, vigilantism reflects a political struggle between the formal and informal systems of criminal justice; any indifference or lack of action on the part of state Government in these countries is often interpreted as a type of ‘tacit acceptance’ and support of popular justice structures. Yet, in these areas, informal justice structures operate in full view of the state, and all too often through democratically inappropriate and even brutal

and Asian continents as well. Our choices were guided partially by language barriers, partially by a desire to find the most illustrative examples of what we believe to be the most important trends in the shifting private security landscape today. Indeed, they may be more cogent illustrations evidenced elsewhere in Europe, of which we are simply unaware. To this end, the authors encourage further debate, and actively invite personally-directed correspondence.
practices. It bears emphasis, however, that in many of the communities where vigilante justice has flourished, those employing the popular means of justice are operating in a political and legal climate where due process and basic human rights have been suspended.

The Western Cape of South Africa displays a wide range of community-initiated responses to disorder and crime, including Township Popular Justice Structures, Neighbourhood Watch, and People Against Gangsterism and Drugs (PAGAD). This deep tradition of informal justice structures is seen to derive from the unique political history of South Africa; specifically, the inadequacy, inappropriateness and thereby perceived illegitimacy of the formal criminal justice system perverted by decades of apartheid rule (Nina 1995; Scharf 1996; Seekings 1994). In the first instance, Township Popular Justice Structures aim at both the control of disorderly conduct and support of positive community-building initiatives, and thereby involve a wide range of agencies in a non-state policing network, including self-organised surrogate banks, lotteries, insurance corporations, welfare agencies, community courts, and street patrols (Brogden and Shearing 1993). Street patrols and street committees patrol the streets to protect life and property, and act to apprehend and deliver offenders to community courts for punishment. These structures have continued to thrive following the official dismantling of the apartheid state, because the public police continue to be viewed as ineffective and corrupt (Nina 1995; Scharf 1991).

Vigilantism never seems to be far from Northern Ireland’s conflict-ridden recent history. When Catholic areas were attacked by Protestants in 1969 and early 1970, the IRA was unable to fulfil its traditional vigilante role as defender of the Nationalist communities (Hillyard 1993). In its absence, a system of Citizen Defense Committees was established. A year later a group of Catholic ex-servicemen set up the Peoples’ Army, which operates unarmed in defense of Belfast’s Catholic communities. The provisional IRA has also established a special ‘unit’ to deal with the local disorder problem, eventually going on to establish ‘Provo Police Stations’ in Catholic areas to address community order and document abuses by the security forces (Hillyard 1993).

As a final illustration, in Tanzania, state-supported vigilante groups (called sungusungu) which defend against cattle rustlers have recently been studied. The sungusungu have extended their operations to include the punishment of magistrates and policemen suspected of corruption (Bukurura 1993).

In contrast to vigilante-type activity, there are a host of other citizens’ groups in Canada, Britain and the United States devoted to the governance of security, who are involved in crime prevention associations, advisory
councils, community newsletters, and crime prevention publications and presentations (Bayley and Shearing 1996). As Bayley and Shearing (1996, p. 587) have observed: "[l]ike commercial private security, the acceptability of volunteer policing has been transformed in less than a generation. While once it was thought of as vigilantism, it is now popular with the public and activity encouraged by the police."

A vital point which is intimated in this excerpt – to which we shall return to examine in detail – is that the state itself (in the personage of public police) is actively encouraging the devolution of certain aspects of governing authority. Within many such initiatives, the state and public police are attempting to retain executive authority over setting the abstract standards of equity to which private systems of justice must conform, while leaving local non-state authorities to derive their own particular programmes for the governance of security (on the legitimation of the private security industry, see De Waard in this issue).

**Community Policing**

The desire on the part of public policing institutions (as representatives of the state) to mobilise citizens to participate in the governance of security is reflected in the shift in many police departments towards the adoption of ‘community policing’. Due to a number of standard reported explanatory factors, such as the need for fiscal restraint, the increasingly widespread recognition of the ineffectiveness of reactive policing in reducing crime and disorder, and demand on the part of the public for increased participation in defining the ‘policing priorities’ of their community – a set of influences which O’Malley and Palmer (1996) have collapsed within a broader hypothesis addressing the impact of the rise of neo-liberal politics – public police departments in many locales have engaged ‘community policing’ as a new mentality and programme.

Depending on the police department, and the particular social, political and economic context within which it is operating, ‘community policing’ programmes have assumed distinct forms. However, the common thread running through all programmes is the recognised need to develop multi-lateral partnerships between the public police and private agents in their district communities, wherein citizens assist in the determination of local problems and local solutions to security issues. No longer is it considered appropriate to provide centrally-planned ‘one-size-fits-all’ solutions to expert-identified obstacles to community order without taking into consideration the unique problematic conditions and beneficial resources to be mobilised in each locale.
In contrast with the relatively passive role played by the 'welfare liberal citizen' of decades past in the production and maintenance of community order, individual community members have come to be increasingly valued by some police forces for their experiential knowledge of the intricacies of local conditions (O'Malley and Palmer 1996). In seeking to activate self-regulating structures of 'civil order', community policing initiatives provide an opportunity for individuals to become more active community members, which can be conceived as a 'new' form of private agent in the networked policing process (see generally: Kratcoski and Dukes 1995; Johnston 1992 who talks about a shift toward 'autonomous citizenship', and Nogalla 1995, who discusses the analogous Continental concept of the active 'citoyen').

Restorative Justice

As we have outlined above, 'governing security' in the welfare liberal framework was considered to be properly conducted under the auspices of the state: 'policing' was conceptually equated with the public police, and offenders were subsequently processed through the courts and formal corrections phases of the criminal justice system. Within the welfare liberal framework, this system was conceived as a 'natural' linear progression. That is, the involvement of the public police in the administration of justice began with the need to investigate a criminal incident (in order to accumulate sufficient evidence for effective prosecution), and essentially ended with the presentation of such evidence at trial (whereupon the matter was turned over to the courts and finally the corrections system).

Contemporarily, however, the criminal justice system does not function in terms of this 'natural' linear progression. Rather, as the fundamental purpose of governing security shifts from the welfarist model of addressing past legal breaches to resolving matters of insecurity in the present and removing risks from our future, so too does the structure of the criminal justice system transform itself to better meet these new objectives. Ideally, it changes from a linear system that aspires towards self-sufficiency (yet obviously never achieves it) in dealing with individual offenders, to a set of highly interrelated nodes which co-operate both extensively with one another and with 'private' civil institutions to address risks to collective life (Long et al., forthcoming).

To illustrate this shift in structure, consider the instance of offender-victim conference proceedings - a particular initiative which is emblematic of the emergent 'restorative justice' paradigm. The goals of such proceedings are two-fold: first, to reconcile the offender with the victim through working out a resolution which is acceptable to both parties, as well as
to derive a programme for rehabilitative support that will work towards the reintegration of the offender into the community, and as a part of this process, ensure that he will not offend again. These multiple goals are pursued through the mechanism of a ‘contract’, which specifies the conditions which the offender must honour upon release (Braithwaite, forthcoming).

The unique aspect of (restorative) conferencing approaches is the means through which the conditions of the contract are enforced. Rather than relying upon the traditional threat of severe sanctions administered by the formal criminal justice system to deter breach of parole conditions, restorative justice contracts utilise a diffuse system of weak sanctions to govern their charges (Braithwaite, forthcoming). Within such a system, responsibility for the enforcement of the contract devolves to the ‘care/supervisory network’ which the state is able to engage in the regulatory programme. That is, family members, social organisations, employers, or other significant ‘gatekeepers’ who control access to rewards in the offender’s life become responsible to the state for guaranteeing the offender’s behaviour (Braithwaite, forthcoming). These ‘gatekeepers’ are thereby ‘conscripted’ by the administration of justice to serve as ‘novel’ forms of non-paid private police agents.

Restorative justice initiatives are not exactly like the ‘civil policing initiatives’ which we have outlined above, in that restorative justice proceedings are principally conducted under the watchful eye of the state, while the enforcement of its contractual conditions is conducted principally through civil media. Restorative justice thereby allows for the interaction of many ‘private’ conceptions of ‘justice’ (which may or may not be market-focused) under the protective penumbra of legal standards – and thereby has the potential to temper many of the most negative aspects of non-state justice by ensuring that they conform to basic legal standards.

The ‘Business Improvement District’

A key harbinger of things to come in the sphere of ‘private policing’ is the ‘business improvement district’ (BID) (NIJ 1998; Greene et al. 1995; Murphy 1997). In the US, there are literally thousands of examples of these new initiatives, several of the most prominent being in New York City, Philadelphia, and Baltimore. These associations are aptly understood as involving a multiplicity of private institutions acting together and with the public police in an effort to produce order in the neighbourhoods and public spaces (that is, ‘conduits’) which surround private places of business and semi-public places of mass retail, and other ‘leisure’ complexes.

In the United States, BIDs can be initiated under a wide variety of either
state or non-state agencies, such as private property owners, local housing development corporations, Chambers of Commerce, local Community Boards, members of City Council, the Mayor or a Mayoral Agency (Murphy 1997). The nascent BID is subsequently developed in consultation with a local Community Board, local/municipal levels of government, and the public police. What this indicates is that public security can be initiated and conducted through a wide variety of authoritative agents other than the public police (that is, under auspices other than the state) in emergent network models of security.

Conversely, it bears emphasis that such forms of private governance are often initiated and/or encouraged by the state. State ‘support’ can take several forms, including direct funding, as in the case of grants provided to six American communities by the National Institute of Justice for the development of ‘comprehensive community programmes’ (CCPs) – which essentially extend the logic of BIDs to residential communities (NIJ 1998) – as well as through the enactment of legislation which requires private security initiatives on private/semi-public property, a practice which has been documented in Spain (Johnston 1992). This is significant as both BIDs and CCPs reveal that the state is actively investing in the ‘privatisation’ or at least the ‘multilateralising’ of the process of governance.

BIDs also illustrate that private policing agents can take on unfamiliar forms when one looks outside of the traditional welfare liberal conceptual framework. Not only do BIDs employ paid members of the formal private policing sector; their systems of governance are dependent upon a much wider network of paid and non-paid ‘policing’ agents of a non-conventional form. For example, BIDs are in part ‘policed’ by ‘community service representatives’, who serve the primary function of acting as public concierges but also serve a surveillance and information-relay function to both formal security personnel and the public police (for a discussion, see Greene et al. 1995; Murphy 1997). Within the BID, and networks of security more generally, ‘policing’ involves the mobilisation of as many of the resources available within the area as possible – what Johnston refers to in this issue as a ‘security cocktail.’

Beyond the State: Private Policing in Global Spaces

In addition to assuming a prominent role in emerging security networks within state territories, both paid and unpaid forms of private policing authorities have begun to assume security functions both in between and outside of state spaces. To begin with, the activities of paid private policing corporations are becoming increasingly ‘transnationalised’ (Sheptycki
1998, Johnston, forthcoming). That is, private security agencies are acting across national borders, forming extended security networks involving the interaction of both independent companies and parent companies directing branch plants in other nations. This is especially relevant on the European Continent, where there is a move towards increasing co-operation and integration among member nations of the European Union.

Secondly, private security companies are being contracted by National Governments to perform 'state functions' in the international arena (Patterson 1995; Zarate 1998). In this regard, the United States has, by a great margin, been the largest exporter of private security services, although Finland seems also to have made a significant contribution in this area (Johnston 1992). Such international private security forces have been deployed by states in peacekeeping functions, bolstering regimes recognised as legitimate in times of insurrection. Accordingly, these international private security forces act as 'armies for hire' by state Governments – although the activities of such private forces have thus far been limited to the training of 'legitimate forces' (Zarate 1998). According to Zarate (1998), there is a professional code existing amongst such corporations barring taking action against either Governments or liberation movements which are recognised as legitimate by the international community.

The lion's share of business conducted by international security companies amounts to their acting as proxies for states in international affairs. As Julien Patterson – a prominent private security practitioner – notes:

As these [private security] companies enter into partnerships abroad, public and private security will face new challenges to develop initiatives with a global perspective [...] this venture indicates the ability of private security to operate co-operatively with the federal government on issues of global significance. (Patterson 1995, p. 35)

To this we would add the point that private security companies can also be directed by corporate auspices in the international arena just as much as they are by states. That is, such international security firms may be hired in service of corporate interests, which carries with it the danger that such armies will act to protect only the property and assets of their employers (Zarate 1998). The ascendancy of private security corporations in the

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6This raises an important area for empirical investigation to which the present authors were not able to turn owing to time constraints. It is not entirely clear whether branch-plant security employees are registered in the records of the parent or host nation. If the former is the case, this may go towards partially accounting for the continued expansion of the private security sector in the United States – the chief exporter of such services – which as we have already noted is not reflected to the same degree in other Western nations.
international arena may therefore indicate that market models of ‘justice’ are brazenly expanding in full view of the state to levels thus far unimagined.

Thirdly, private policing continues to grow in completely novel forms of spaces wherein states are essentially powerless to act. At the forefront of these is ‘virtual’ or ‘cyber’ space, which ‘exists’ only as an emergent sphere in the hyper-communications links of the Internet (Post 1996; Wise 1996; Zakalik 1996). The Internet is an icon of decentralisation, as multiple pathway redundancy is a key feature of its design. Communication in this network is thereby not mediated through any (predictable) centre, nor are any materials which circulate in this network ‘tangible’ in the traditional legal sense of the term. The state is thereby faced with what many would argue are tremendous technological and legal difficulties in policing cyberspace (Post 1996; Wise 1996; Zakalik 1996). In the first place, it is impossible to physically survey and so ‘police’ all of the material which circulates on the Internet from any one or limited set of regulatory centres. Additionally, even where disorderly conduct in cyberspace is successfully detected, effective criminal prosecution is hamstrung by myriad legal problems related to jurisdiction and ‘tangibility’ of evidence (see especially Wise 1996).

In response to such challenges, private security initiatives have sprung up to regulate cyber-space. A key strategy has involved the setting up of ‘Intranets’, which amount to ‘communities’ of like-minded Internet users whose common standards are enforced by their particular Internet Service Provider (ISP) (Kozinski 1997). Such ISPs essentially act as gatekeepers screening out information and guarding against conduct which is deemed offensive to that community network of Internet users. Within such private regimes of Internet ‘justice’, users themselves are also expected to take an active role in securing their own machines and forays into cyberspace, both through seeking out an Intranet/ISP community that shares their subjective standards for what is offensive, and purchasing and deploying the relevant security technologies (such as, encoders to ensure privacy of communications and security of sensitive files, ‘net nanny’ systems to block out subjectively offensive materials etcetera) (Kozinski 1997).

The point which emerges in our discussion of the growth of private policing both inbetween and outside of state spaces is that these regimes of justice are far more pervasive, impacting upon everyday life to a much greater degree, than one might presently imagine. Where approaches the study of ‘private policing’ from the dated welfare liberal conceptual framework, these modes of private policing are simply not visible for examination.
Towards a Novel Conceptual Framework

Accordingly, scholars have made efforts to move beyond such established 'social' modes of thinking. A notable example of this was the suggestion that a 'neo-feudal' order was emerging (Shearing and Stenning 1981, 1985, 1987; for an illustration of the influence of this framework in academic circles, see Johnston 1992; Jones and Newburn 1998; Nogalla and Sack 1998; Sheptycki 1998). The idea was that a disaggregated mode of political organisation was immanent, wherein small feudal-like enclaves – the fortified fragments that we have described above – would bunker-down and protect their own interests in the light of a 'hollowing-out' of the State.

As our review of more recent empirical research has indicated, however, the paid private policing sector reflects only a part of the full private policing landscape; there exists a number of unfamiliar forms of private policing agents and programmes which approximate security networks of maximally-interconnected, information-sharing nodes. In other words, it has become clear that not all privately policed 'enclaves' are as isolated from one another, nor as exclusionary, as we had previously supposed.

It is not our intention in this article to argue that one of these conceptual models for approaching the study of private policing and governance more generally is any more finally 'accurate' than the other. Rather, it seems that we have both patterns of private policing in operation in different locales at this point in time, each of which corresponds to one of two distinct political rationalities which seek in common to replace the moribund welfare liberal framework. The point that we would like to make here, is that we are at a key moment in our political history wherein we are poised to choose between these alternate approaches to security and order. Specifically, where we go in terms of approaches to governance and the role of private policing in this process will be determined by a series of key difficult active political choices which we must make in light of the 'globalised' system of capitalist economic trade and human relations which is emerging.

In this connection, we are presently experiencing what might be termed a 'crisis of government'. The world is changing at a radical pace, as rapid advances in communications technology make possible novel forms of human association and economic relations (for some interesting commentary on the 'globalisation' process generally, see Featherston et al. 1995; Deibert 1997; Eade 1997; Gray 1998). What this seems to mean is that traditional, state-centred rationalities and their corresponding institutions of government which have grown up since the sixteenth century are not well suited to addressing and securing contemporary human endeavours.
which are increasingly not state-centred.

According to Michel Foucault, the fundamental rationale or ethos for modern government – what he euphemistically calls ‘governmentality’ – amounts to “the right disposition of things, arranged so as to lead to a convenient end” (La Perriere, quoted in Foucault 1979/1991, p. 93). That is, government has traditionally sought to bring about desired ‘social’ ends through the application of rational strategies of management.

This fundamental purpose for government arose when it became possible to identify and so know of ‘convenient ends’ through the advent of precise techniques of observation and measurement, most important among these being the statistical sciences. With such conceptual tools at our disposal, the ‘purpose’ of government came to be conceptually equated with deploying strategies for closing the gap between a statistical norm (where society is on a given measure of interest) and an empirically-definable target measure (where governing agencies would like society to be on that measure; a known desired ‘end’). ‘Governmentality’ refers to the fundamental purpose of closing the gap between these measures.

The contemporary discourse of ‘globalisation’ – for which the only agreed upon central message seems to be that nobody knows for certain what the future may bring – directly threatens, or discounts the feasibility of such a fundamental purpose of government. We can no longer pursue statistically known ends, as our old tools for prediction and subsequent testing of interventions from the centre are simply obsolescent outside of the modern framework in which they were developed. Faced with a future whose outcomes are essentially non-imaginable and thereby non-calculable through existing technologies, institutional Government has hit a conceptual wall. It cannot do what it is supposed to, as its tools do not apply to the task at hand.

There are two possible political responses to such an unknown global order, both of which are represented in the divergent contemporary trends in private policing we have outlined above. On the one hand, where an uncertain global future is approached through a discourse of negativity, the natural response is to seal and protect already scarce resources from others, leading to a pattern of enclaves in which the privileged sequester themselves and exclude the ‘dangerous poor’. Thus, the deployment of private security within a static politics that approaches the globalisation issue with a defensive programme for (in)action may lead to the most negative of outcomes for democracy and human rights.

Developing this explanatory line, it would seem that the ‘debt crises’ of National Government – intimately tied in many accounts with the decline in relevance of the state in the emerging global order – had required or
precipitated that more and more physical space within the state and concomitant responsibility for directing safety and security in these areas be turned over to private management and services (Shearing and Stenning 1981). According to such views, the public police have simply been operating with fewer resources and thereby providing fewer services which the private security industry has expanded to fill, so that the new market-based and administered justice has been widely regarded as a programme of resigned adaptation rather than optimistic design (O'Malley 1997).

Looking at private security in its neo-feudal guise, there is little wonder that the continued growth of such services appears to many observers as an extraordinarily negative phenomenon (on this tendency to interpret developments in private security in a negative light, see Johnston in this issue), for it appears that there is no 'progressive good' which it produces to recommend it.

Our discussion has made it very clear, however, that in many cases the expansion of private security initiatives has been optimistically encouraged through state initiatives. To briefly illustrate, De Waard observes in the Dutch context.

> the work of private security companies is seen by the Dutch government as an effective tool to prevent and reduce crime [. . .] for that reason, the Dutch government suggests initiatives aimed at stimulating public-private partnerships in securing [. . .] semi-public spaces [emphasis added]. (De Waard 1996, p. 233)

Further, as O'Malley and his colleagues point out, many of the popular texts addressing political reform (see e.g. Eggers and O'Leary 1995; Osborne and Gaebler 1993) which have explicitly informed the development of policy in the United States embrace and encourage the fostering of private initiatives as an opportunity for 'social amelioration (O'Malley et al. 1997).

In place of defensive inaction, therefore, one may choose to respond to the challenge of non-calculable risks by structuring one’s affairs in such a manner as to be maximally flexible, poised to detect and act on-the-sudden challenges as they arise. What is required for the celerity and efficacy of response is the development of systems of political organisation which allow for the maximal reciprocal flow of information between persons affected by a given event. Clearly, the hierarchical structure of modern organisations – embodied in the structure of public police forces – are better suited to central planning and command rather than sensitivity to fluctuant external pressures. Coming out of practical research into the private policing phenomenon is the alternative model of 'networked nodal governance', which in some instances involves the connection of multiple private
agencies which state structures to derive maximally suited responses to present security concerns through ongoing experimentation. In this way, such networked systems have the potential to derive 'best practices' through successive approximation and repeated testing, rather than through centralised long-term planning.

We in no way wish to suggest that present approaches to networked governance are ideal, or lead inevitably to the protection and furtherance of human rights. Rather, it is our belief that further empirical research will help to distinguish what works from what does not in terms of furthering humanist objectives within novel approaches to producing order and security which are effective in contemporary global arrangements. It is impossible to speculate what politically-progressive policy alternatives the next iteration of research addressing private policing may make available to us.

**Conclusions**

Rejecting the welfare-liberal framework as a starting-point for research, a number of developments in private policing – and trends in governance more generally – become visible to the empirical researcher. First, concerning the areas in which private policing is expanding, it is clear that such growth is not limited to state-referenced 'private' and 'hybrid' places. Private policing may well be expanding into such 'obvious' approaches and spaces as uniformed patrol of local shopping centres and leisure complexes, but it is also expanding into such unconventional approaches and spaces as 'responsibilising' the residents of 'communities' of multiple types, 'mediating' global conflict, and 'patrolling' the Internet. The traditional public/private dichotomy has thereby lost a great deal of salience in characterising developments in the process of policing and the organisation of collective life more generally.

In the final section of this article, we indicated that the existing empirical research into innovative forms of 'private policing' suggests the following tentative conclusion regarding the present state of political life: we are at the crux of a major paradigm shift in how we as human beings define our political existence. The form of governance organised around a single auspices, a state bureaucracy which deploys as its central mechanism for governance the threat of force (coercion), has been superseded. Continuing to emerge are two alternate patterns of use for 'private policing', which correspond quite closely with two competing political rationalities which challenge the 'social' (welfare liberal) way of thinking about and governing collective life.
Where we go from here depends on the political interpretation we choose to assign to 'developments' in global life: we may choose to respond to the uncertainty of a global future either through a defensive politics of exclusion or a more optimistic politics of information-sharing and preparedness for change. Further empirical research into recently 'discovered' forms of networked policing will enable us to assemble the necessary practical detail to flesh out and improve our developing conceptual frameworks, so that political practitioners will be in a position to make informed policy decisions to guide future developments towards the more progressive of these two potential outcomes.

REFERENCES


Scharf, W., Comments and Recommendations about the Community Courts Discussion Document Circulated by the Ministry of Justice Transformation Task Group. 1996.


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ABSTRACT. This article examines a key explanation for the growth of private policing in North America and Western Europe – the influential ‘mass private property’ thesis (Shearing and Stenning 1981). The discussion of private policing in Western Europe still tends to be heavily influenced by theories developed in the North American context, theories which may be problematic in the contrasting legal, social and economic contexts of Western European nations. The development of more ‘Eurocentric’ theories has to date been inhibited by the relative paucity of empirical data on the rise of private policing in European countries. Recent research in Britain (Jones and Newburn 1998b) has begun to address this problem, and to map out some important contrasts with the North American experience. By considering these contrasts, it is possible to identify some key areas for future research on private policing in European countries and thus provide a more contextually-grounded series of explanations for what is happening to policing.

KEY WORDS: mass private property, policing, private security, urban change

The growth of private security in western industrial societies is now a central theme of discussions about the future of policing as we approach the millennium. A number of authors argue that the growth of private (and other non-state) forms of policing signals as fundamental a transformation in policing as that which occurred with the emergence of state constabularies in the nineteenth century (Bayley and Shearing 1997). In this article we have three main objectives. First, to review the evidence about the growth of private policing in North America and Western Europe. Secondly, to consider one of the central explanations for this development – the mass private property thesis. We briefly examine the evidence relating to the growth of this kind of property in the USA and Britain, and assess how far it helps to explain the rise of private policing in each country. Thirdly, to discuss other possible explanations for the rise of private security, and highlight the need for more empirically-grounded research on the growth of private policing in European countries.

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It is now commonplace to argue that there has been a rapid expansion of private policing both in North America and Western Europe over recent decades. Until relatively recently, the great majority of writing on private policing concerned North America, reflecting the fact that in the USA in particular there has been a long history of official interest in the subject. Corporate policing, especially the role of private police forces in industrial disputes in the early part of the twentieth century, was investigated by Senate and Congressional committees, and also was subject to a number of official reports (see Weiss 1987). The 1970s and 1980s saw the publication of two major official enquiries into private policing in the USA, which became known as the RAND and Hallcrest reports respectively (Kakalik and Wildhorn 1972; Cunningham and Taylor 1985). These reports provided a rich source of statistical data about the size and shape of the private security sector in the USA, and trends in growth over time. They also helped to stimulate a growing academic interest in private policing. Perhaps the most influential academic writers on the subject, Shearing and Stenning, drew on data presented in these reports to argue that the growth of private security amounted to a ‘quiet revolution’ in policing (Shearing and Stenning 1983). In particular, they pointed to the very large increases in the numbers employed in private security occupations in North America, and linked this growth to changes in the nature of urban space, an argument which we will consider in more detail below.

Drawing on a range of estimates of the growth of the private security sector over time, Shearing and Stenning (1981) point out the difficulties of accurate estimation in this field, and underline that even the extensive data available for the USA should be regarded only as indicative approximations. Drawing on census data and other estimates, they note that private security occupations expanded rapidly during the 1960s and particularly in the 1970s in the USA. Starting from a figure of 222,000 in 1960, they suggest that private security grew to employ 281,000 by 1970, rising to 435,000 by 1975 (Shearing and Stenning 1981). More recent figures point to continuing growth – one estimate put the numbers employed in private security at two million in 1990 (see Bayley 1994, p. 10).

Detailed empirical evidence about private policing in Western European countries has been much harder to find. However, it is now generally accepted that there have also been very large increases in employment in private security occupations in these countries over recent years. Johnston (1992) provides an overview of the private security sector in a number of
European countries and argues that the 1970s saw substantial increases in private policing, although he does not provide empirical data in support of this claim. De Waard (in this issue) makes an important first step towards filling this gap in providing the only currently-available comparative estimates of the size and shape of the private policing sector across a range of European nations. However, he emphasises the major problems encountered in providing reliable comparative estimates, and underlines that such figures need to be treated with caution. These estimates do allow some general observations on the industry to be made, but for the purpose of explaining the rise in private security, we need time-series data in order that trends in growth over time can be analysed. Evidence comparable to that utilised by Shearing and Stenning for North America has yet to be gathered for most Western European countries. Thus for example, although Johnston (1996) plausibly suggests that the main expansion of private security occurred in Western European countries slightly later than in the USA, as yet we have no reliable evidence to confirm this.

Our recent study in Britain began to address this gap by using census data to estimate the growth of private policing over time (Jones and Newburn 1998b, pp. 96–97). Although again we should underline the need to take the figures as approximate indicators rather than exact estimates, the data suggest that the period of fastest growth in Britain occurred prior to the 1970s (although growth has continued since then). The data suggest that it was during the 1960s that employment in security and related occupations outstripped that of public police officers in Britain. We should note that this was some 20 years prior to the major expansion of mass private property in Britain. Similar data for other European countries is a vital precondition for developing more grounded theories about the growth and implication of private policing in Europe. Without such data there is a danger that we may make generalised and inaccurate assumptions about the key factors driving changes in policing, public and private. In particular, data about the extent and timing of growth are essential to testing different theories about the main factors contributing to such growth. It is to this we turn in the next section.

**EXPLAINING THE GROWTH OF PRIVATE SECURITY**

Various explanations for the growth of private policing have been suggested. 'Fiscal constraint' theories concentrate on trends in public expenditure, and suggest that limitations on spending on public policing
creates a ‘demand gap’ which is filled by a burgeoning private policing sector. We have argued elsewhere (Jones and Newburn 1998b) that it is difficult to sustain such an argument in Britain. First, the roles of public and private policing bodies – and the functions each performs – are far from identical. It is barely conceivable, therefore, that what we have witnessed in recent years is a simple transfer of responsibilities from the public to the private sector. Secondly, there have in fact been substantial increases in public expenditure on public policing in the past 20 years. There has, for example, been a large increase in numbers of public police officers during that period. However, there is no doubt that demands upon the police (as measured by things like emergency calls, levels of reported crime, reported incidents, and traffic accidents) have clearly expanded exponentially, outstripping even the significant increases in public police resources that have occurred. A more realistic and persuasive position, therefore, might be to suggest that growing demands by the public have stimulated the expansion of both the public and the private sectors in policing. Although we have not examined data for other countries, it is reasonable to suggest that similar developments have been occurring across most Western industrial societies. This, however, is not a sufficient explanation for recent trends in private security.

Another possible factor influencing the growth of private policing is central government policy and, more particularly, policies aimed at the direct privatisation of policing tasks. Many Western European governments have been looking to contract-out the provision of public services to private contractors. It may be that such policies when applied to policing have contributed to the growing visibility of private policing. Again there is need for more rigorous comparative research on this subject, but in Britain at least it would seem that direct privatisation has not been extensive enough to explain the substantial growth in numbers employed in private policing which appears to have taken place. Thus, we must look for more fundamental explanations of what is happening.

Shearing and Stenning (1981) provide one such fundamental explanation. They present the growth of private policing as a function of deeper trends in property relations in modern societies. In particular, they point to the rise of what they call ‘mass private property’ in the USA over the past 30 years or so. In Shearing and Stenning’s view, it is the expansion of large privately-owned shopping malls, retail parks, work and educational complexes, theme parks and residential areas, which has resulted in a decline in the natural domain of public policing, and a simultaneous rise in that of private policing:
Because more and more public places are now located on private property, the protection of property – which lies at the heart of private security’s function – has increasingly come to include the maintenance of public order, a matter which was, hitherto, regarded as the more or less exclusive prerogative of the public police. With the growth of mass private property, private security has been steadily encroaching upon the traditional beat of the public police. In so doing, it has brought areas of public life that were formerly under state control under the control of private corporations (1993, p. 497).

This explanation is intuitively attractive, particularly for a European visitor to any of the major cities of the USA. The overwhelming impression for such a visitor is of huge shopping malls, private-walkways and office complexes, and gated residential communities, as well as the ubiquitous uniformed (and often armed) private security guard. There is undoubtedly a strong impression that this kind of property has expanded significantly since the 1950s. However, to date few empirical data have so far been provided from the USA which might provide a firmer foundation for this impression. This is even more the case with regard to Western European countries. We turn next to the evidence about mass private property in the USA.

**Mass Private Property in the USA**

Although the empirical data have yet to be linked directly with the growth of private security, it is clear that there is some significant evidence of the growth of mass private property in the USA. Developments are perhaps most marked in the retail sector. A number of sources have suggested that there was a major expansion in the number of privately-owned shopping malls in the USA after the 1950s. It has been estimated that the number of shopping centres in the USA was about 100 during the early 1950s, but by the late 1970s this had expanded to over 20,000 (Oc and Tiesdall 1997). By the 1980s, it was suggested that there were over 28,500 shopping malls in North America (Dawson and Lord 1983). Private shopping centres have come to dominate the retail trade in the USA and Canada, accounting for more than half of all retail sales by the early 1980s (Crawford 1992).

This process, largely occurring between 1960 and 1980, has been described as “the malling of America in less than 20 years” (Crawford 1992). She describes how different forms of shopping centre have developed within an increasingly sophisticated market. In particular, it is possible to distinguish ‘neighbourhood centres’ (serving a relatively compact community within a two mile radius) from community centres (three to five
mile radius). Above this level in the USA there are 2,500 ‘regional’ shopping malls which include at least two major department stores and a 100 shops, and serve customers from up to 20 miles away. Finally, there are 300 super-regional malls, which include five or more department stores and 300 shops, and have a catchment area of a 100 mile radius. Notwithstanding the clear significance of these trends, it is important to note that these developments have not been experienced evenly across the USA. For example, some states such as West Virginia maintain a very low relative concentration of shopping centres (Dawson and Lord 1983).

The growth of these retail developments in the USA has contributed to the emergence of what have been called ‘edge cities’ (Garreau 1991). Garreau has argued that edge cities are the latest phase in a transformation of American urban life which has been occurring since the 1950s. In Garreau’s words:

The first wave toward edge cities happened in the 1950s, when Americans moved their homes out of older downtowns and into brand-new suburbs. The second wave was the malling of America in the 1960s and 1970s, when purveyors of goods and services followed their customers home. The third wave moved the central historic purpose of cities, jobs, to where people had been living and shopping for two generations (1994, p. 1).

Garreau argues that since the 1980s, the USA has seen the emergence of at least 190 edge cities, which have been strongly related to increasing car ownership and changing commuting patterns. Fishman (1987, p. 17) has noted that “the simultaneous movement of housing, industry, and commercial development to the outskirts has created perimeter cities that are functionally independent of the urban core”. These findings have been linked to ongoing evidence about the drift of the American population away from the traditional urban centres. In particular, there has been evidence of significant shifts of the more affluent groups towards the suburbs over a long period. These trends have continued into the 1990s, leaving inner-city areas populated largely by the less well-off, and with particularly high concentrations of disadvantaged ethnic minority groups. Demographic shifts, sometimes characterised as ‘white flight’ have often been explained with reference to growing fears about crime and safety in urban America, and have raised concern about social polarisation and racial segregation.

Such concerns are a central theme in the work of Blakely and Snyder in their research on the expansion of another key example of Shearing and Stenning’s mass private property – gated residential communities. They have documented the substantial rise of gated communities in the USA.
since the 1960s (Blakely and Snyder 1995, 1997a). They argue that although walled communities have a long history, there has been a dramatic expansion in their number during the 1980s. Gated communities are part of the same phenomenon of sub-urbanisation described by Garreau. They now number at least 30,000 and may contain between four and eight million American households. Blakely and Snyder have identified different kinds of development, including the ‘elite’ communities for the rich and famous, which have the longest history. More recently, there has been a growth of ‘leisure and lifestyle’ related communities which cater to a specific group of people; e.g. golf enthusiasts can spend holidays in walled golfing communities, or older people may retire to gated retirement communities. Perhaps the most striking growth is that of gated communities among middle- and lower-income people, classified by Blakely and Snyder as ‘security communities’.

The fastest growing type of gated community is the security zone, characterised by the closed streets and gated complexes of the low income, working class and middle class perches. Poor inner city neighbourhoods and public housing projects are using security guards, gates and fences to keep out drug dealing, prostitution, and drive-by shootings. Other neighbourhoods, frightened by spillover crime from nearby areas, are obtaining city permission to take their streets out of public use, limiting access only to residents. In the inner suburbs, in areas both near to and far from high crime areas, new subdivision tracts and townhouse developments are built within walls, and existing communities tax themselves to install security gates (1997b, p. 6).

Blakely and Snyder have raised real concerns about the implications such developments may have for civic life in the USA. They refer to the ‘fortress mentality’ exacerbating the market trends for exclusionary measures in housing developments. They also refer to the growth of ‘private government’ whereby residents of particular areas secede from local taxation, and contract in their own security, street cleaning and maintenance, parks, and rubbish collection services. This further reduces the available resources for public goods provided by municipalities, and arguably exacerbates the disadvantage of the poor and inner city residents.

Such arguments about the progressive privatisation of public space, and the increasing social polarisation that is a consequence, have clear parallels in the work of Mike Davis on contemporary Los Angeles. He outlines a nightmare vision of the future, in which the affluent gate themselves behind ever higher fences, in areas protected by private police, whilst the ever more militarised public police are left to do battle with the criminalised poor in the crime-ridden ‘places of terror’ which the remaining urban public spaces have become (Davis 1990).
Another key example of 'mass private property' is the growth of privately-owned theme parks. Arguably, over the past several decades Americans have been spending progressively less of their leisure time in real public spaces such as public parks and beaches, and more time in privately owned (and privately policed) theme parks. The quintessential example of this is, of course, Disneyworld, the subject of a fascinating analysis of the hidden and embedded forms of corporate policing which Shearing and Stenning (1987) see as upholding what is essentially an instrumental order (rather than the 'moral' order traditionally associated with the public police). Data on the growth of theme parks is difficult to obtain, but what there are suggests that there has been a significant increase in the actual numbers of such parks over the last 30 years, as well as an increase in attendance numbers (Blank 1998). Attendance has shown strong growth into the 1990s. For example, between 1987 and 1997, attendance at the USA's top 50 theme parks increased annually by 3.6% to reach almost 161 million (Blank 1998).

Thus, there are some empirical data which suggest that there have clearly been significant developments of particular kinds of 'mass private property' in the USA over the past three decades or so. This has been particularly visible in the retail and residential sectors. It has certainly increased the extent to which Americans are policed by private security rather than the public police. However, three notes of caution should be sounded.

The first is the standard warning that correlation should not be confused with causation. Evidence about the growing extent of mass private property needs to be linked more explicitly to evidence about the growth of private policing. It does seem that the two have been growing simultaneously, and it is extremely plausible that they are linked in some way. This should not be read, however, as meaning that the primary impetus to the growth of private security is such developments in mass private property; such an argument requires other forms of evidence. The second point of caution concerns the danger of generalising across such a huge continental country of the USA. As was pointed out in Crawford's work on the growth of shopping centres, and in the work of Blakely and Snyder, there are very substantial regional variations in the USA. Thus, whilst gated communities and shopping malls have clearly expanded hugely in the USA over recent decades, this has been concentrated into certain areas, and left other areas relatively untouched. The third caveat is that we must be careful, despite the evidence of significant growth of mass private property, not to exaggerate either its extent or its impact. Thus as Hollen Lees (1994, p. 448) points out, somewhat in contrast to
Davis’ more polemical position, “even in what is supposedly the most
privatised environment in the United States [Los Angeles], there are lots
of public spaces”. There have undoubtedly been far reaching changes in
the American urban landscape, yet we are surely still some distance from
witnessing the full-scale arrival of Sorkin’s (1992) ‘new American city’
and the ‘end of public space’.

These points aside, there does seem to be some evidence for the growth
of mass private property in the USA. It is important to consider to what
extent similar developments are occurring in Western Europe. There is a
tendency among some commentators to discuss these North American
trends as if they are being reproduced in a straightforward manner in
European experience. At this stage, the available data are rather limited.
Here, we will confine ourselves to the pre-preliminary objective of
considering the degree to which mass private property has emerged in
Britain, and how far this might help explain what has happened to policing
in this country. However, the broader aim is to highlight the need for more
detailed empirical examination of developments in urban space and policing
in other Western European countries.

In a number of ways, and perhaps particularly in the field of criminal
justice, Britain has tended to look across the Atlantic for a lead, rather
than across the English Channel to its fellow-European countries. To a
degree this is related to a number of common political traditions, as well
as a shared language. The ‘Anglo-Saxon’ model of policing was the basis
for the development of police organisations in the USA. This tradition
emphasised limited government, and a view of the state as ‘service-
provider’, rather than the strong integrative symbol of the state in the
tradition of many other European nations. It might thus be reasonably
argued, that if any Western European country is likely to experience
similar developments in policing to those in the USA, it will be Britain.
It might also be inferred that if we find strong contrasts between the USA
and Britain, the contrast between the USA and other European nations
may be even greater.

Mass Private Property in Britain

The mass private property thesis has clearly struck a chord with
commentators on this side of the Atlantic, and a number of authors appear
to believe that similar developments to those outlined above in the USA
are occurring in Britain, and may help to explain what is happening to
policing (see Sheptycki 1997). However, the actual empirical evidence
about the extent and nature of mass private property developments in
Britain, and its relationship with the growth of private policing, is rather thin on the ground. Our recent study of private policing took some tentative steps towards addressing this gap, and suggested that the growth of mass private property appears to have been more limited in Britain than in the USA. The very fact that it has been relatively limited, and yet the expansion of private security has been very extensive, immediately casts doubt on the efficacy of the mass private property thesis. We will focus in this section upon the three key examples of mass private property discussed above; those occurring in the retail sector, the residential property sector and finally the leisure/entertainment sector.

Perhaps the strongest evidence for the appearance of mass private property in Britain concerns the retail sector. From the 1970s some parallels with the North American experience have become visible in Britain, to the extent that some authors have begun to refer to the 'Americanisation' of British shopping (Poole 1991). There has been a marked growth since the 1970s in the number of supermarkets, superstores, retail parks, and large privately-owned shopping centres (Beck and Willis 1995). Prior to the 1960s, private shopping mails of the type discussed by Shearing and Stenning were virtually unheard of in Britain. By the early 1970s, however, there were around 200 shopping centres, and by the mid-1990s the number had expanded to over 1,000 (Poole 1991). In particular, attention has been focused upon the emergence of regional shopping centres in Meadowhall (Sheffield), Lakeside (Essex), Brent Cross (North London), Merry Hill (West Midlands), Gateshead (Tyneside), Cribbs Causeway (Bristol), and most recently Trafford Park (Manchester).

Concerns about the future of traditional town centres have been raised by traders and others, especially in those towns and cities nearest to the large regional shopping centres. For example, it has been estimated that 65% of the British population now live within 30 minutes drive of one of the main regional centres. Various studies have estimated the loss of trade for town centre retailers resulting from the appearance of these huge regional shopping complexes. For example, Sheffield city centre lost between 15 and 20% of its trade after the Meadowhall shopping centre opened, and Birmingham city centre lost an estimated 10% of trade after the opening of Merry Hill (Oc and Tiesdall 1997). These developments have intensified the debate about the 'death of the town centre' and the 'doughnut syndrome' which predicts the emergence of the British versions of 'edge cities' (see above). Schiller (1988) analysed the various waves of decentralisation of British retailing, starting during the 1970s when supermarket chains began to open stores on the edge of the main urban
areas, and the main impact was upon food shopping. The second wave involved the decentralisation of more bulky consumer goods to the outskirts of urban areas, which required greater storage and floorspace than was available in the city centres. The third stage, which developed from the middle of the 1980s, was the emergence of these huge regional shopping centres and out-of-town retail parks selling the whole range of goods which were previously available in city centres. Trends in the numbers of superstores and retail parks seem to confirm this pattern. In the decade following 1983 the number of superstores in Britain grew from 1,270 to 3,500, and accounted for almost a fifth of total retail space (Beck and Willis 1995). The 1980s was also the decade of the 'out-of-town retail park'. Such developments grew rapidly during the 1980s, with the first one opening in 1982 and the number expanding to 260 by the early 1990s. Simultaneously, the number of small retail outlets fell dramatically during the past two decades, more than halving from 188,000 in 1971 to just 85,000 in 1991 (Beck and Willis 1995).

Thus, it seems clear that there have been important developments in mass private property in the British retail sector, which have increased the extent to which the shopping public is policed by private security rather than public constabularies. However, we should add that recent years have seen a significant slowing of these developments, inspired in the main by a reversal of government policy which has increasingly attempted to revitalise town centres. Whilst the overall drift of planning policy (as in other areas of government) during the 1980s was toward deregulation and market freedom, though there were distinct limits even to this (see Imrie and Thomas 1993), the early 1990s saw a more interventionist approach by central government. In particular, the planning guidelines issued by the (then) Department of Environment in 1993 and 1996 signalled a much more rigorous control via planning permission of such developments (DOE 1993,1996). Guidance in the late 1980s emphasised *laissez-faire* approach to urban development. By the early 1990s, concerns about the effects of out-of-town developments on traditional town centres, coupled with growing environmental worries about encouraging the use of the motor car, brought about a change in government policy. In particular, the most recent planning guidance – *PPG 6: Town Centres and Retail Developments* (DOE 1996) – is highly supportive of town and city centres. It emphasises the threat posed by out-of-town retail parks and shopping complexes, and explicitly seeks to hamper their development. Planners who wish to develop such complexes now must provide proof that there are no alternative sites available in or near town or city centres.
Although for some commentators the damage to town centres had already been done, it was clear that there was a sharp drop in the number of successful planning applications for shopping complexes and supermarkets during the early 1990s. Recent reports suggest that this trend is unlikely to change. A study carried out in 1998 for what is now called the Department of Environment, Transport and the Regions highlighted the negative impact of retail parks and shopping centres upon town centres and district centres (DETR 1998). The report, which was broadly welcomed by the government, provided a number of recommendations to control the growth of these developments in the future. For example, the report suggested that any proposals to build superstores over a certain size should in future be accompanied by a ‘Combined Retail, Economic and Traffic Evaluation’ (CREATE). It further recommended that planning guidelines concerning new developments near market towns and other district centres be made more restrictive. Finally, it should be noted that commentators have recently been emphasising the re-emergence of city centres, discussing the development of a ‘new urbanity’ in which the partial loss of retail functions has been off-set by the development of a wider range of new developments in increasingly ‘mixed-use’ city centres. Urban planners have stressed the importance of not inferring too much from developments in North America: “the economic robustness and the established historical advantages of cities and their central areas are not easily discarded: the transformation of British and European cities into a loose mosaic of edge cities is not a foregone conclusion” (Oc and Tissdell 1997, p. 19). Other authors have identified a range of factors which strongly resist the trends towards dispersal away from traditional town and city centres (Knox 1987). Thus, even in the area where the growth of mass private property has been most marked, that of retail, the continued decline of the ‘natural domain’ of public policing is not inevitable.

Turning to the residential sector, there have been some discussions (mainly restricted to the press) about the emergence of gated residential developments in certain parts of Britain. For example, it has recently been reported that the ex-Chilean dictator, General Pinochet moved to an exclusive private estate near Virginia Waters in Surrey, pending the Home Secretary’s decision about his possible extradition to Spain (Guardian, 2 December 1998). The same kind of estate has recently been the subject of other longer press articles, some of which have made predictions about the likely expansion of such developments in the future. For example, Glancey (1998) argued that “within years, a tide of these international ‘gated’ estates will have swept southern England”. However, the (admittedly limited)
available evidence suggests that this is almost certainly a considerable over-
statement. In particular, those gated communities which have appeared in
Britain appear to be confined to a tiny sector of the housing market, the
‘elite’ communities of the super-rich. There is no evidence whatsoever of
a general increase in the middle and lower income gated developments of
the kind which Blakely and Snyder (1997a, p. 6) are concerned about in
the USA, although clearly more research is needed on this topic, particularly
in the European context.

Lavery (1995) has argued that the growth of American style private
residential communities has been far more limited in Britain than in the USA,
and suggests that restricted land availability and interventionist planning
controls have been key factors in constraining such developments. In a
similar fashion, Bottoms and Wiles (1995) have argued that the key
difference between metropolitan development in many North American
cities and those in post-war Britain, is the massive intervention by local
government in housing markets. Other authors have also emphasised this
point. Boleat and Taylor (1993) stress that the American housing market
has historically developed in a largely unregulated fashion, and there has
been very little provision of social housing. This has been a key factor behind
the greater development of large privately-owned residential estates and
complexes, and the development of ‘gated communities’ policed by private
security rather than the public police (Benson 1990). The main source of
evidence about national trends in housing patterns in Britain provides little
support for the argument that mass private property has substantially
changed the housing market in Britain. Data from the General Household
Survey (GHS) show that the proportion of households living in traditional
public-street facing detached, semi-detached or terraced houses, was about
the same in 1993 as it was in 1971.

We should point out that urban planning specialists see the emergence of
gated communities as a continuation of the ‘suburbanisation’ trend which,
although perhaps more subtly, still contributes to growing economic and
social segregation. In particular, city planners have historically used
subtle design means to restrict access to provide exclusivity and privacy.
Blakely and Snyder note how “developers progressively sealed off
suburban residential areas by altering the old grid street patterns, moving
from the gridiron to interrupted parallels, to loops and lollipops” (Blakely
and Snyder 1997a, p. 8). Such developments have certainly been a feature
of British cities, along with other forms of access control such as single
use zoning, relative inaccessibility to public transport, and cul-de-sac
developments. One particularly interesting feature of our recent research
was the active attempts by the local authority in the case study area to
prevent the ‘deadening of public space’ due to such developments. The use of planning restrictions allowed the local authority actively to influence the design of residential and leisure buildings. These powers have been used proactively to avoid the further growth of cul-de-sac developments and other urban design features which have been linked with the notion of enclavisation. This level of intervention from what has long been seen as the most radical laissez-faire local authority in Britain suggests that the rapid emergence of gated residential developments is unlikely in the foreseeable future.

The final example of ‘mass private property’ concerned the emergence of large private leisure parks such as Disneyworld. Clearly, Britain and many other European countries have seen the emergence of such developments in recent decades. Whilst once again there is a dearth of empirical evidence on this matter, what evidence there is suggests that in terms of absolute numbers of theme parks, and in terms of numbers of visitors, there has been significant growth over the past two decades or so (British Tourist Authority 1997). However, pending the development of further research on this matter, it seems reasonable to suggest that, as in the retail and residential spheres, the dual issues of land availability and planning controls will work to prevent a transformation in this field.

Overall, although elements of the mass private property thesis are undoubtedly detectable in the British context (and probably also in other European countries), there are clear and important contrasts with the situation in North America. Our study suggested that the growing complexity of urban spatial forms cannot be adequately captured by the conception of mass private property. We found it impossible to simply divide the variety of spatial forms existing within one locality into neatly-opposing categories of ‘public’ and ‘private’ (Jones and Newburn 1998b). In addition to an increasing disjuncture between private ownership and private space, the range of institutional owners of property and providers of policing is becoming more complex. Recent reforms in education, health and other aspects of policy, have encouraged the development of ‘quasi markets’ in public services, with providers increasingly required to imitate aspects of private corporations. This particularly applies to the examples of mass private property which we have not looked at in detail here. In the context of Britain and many other Western European countries, many educational institutions, leisure complexes, and hospital sites have been owned and run by ‘the state’—either national or local— or other ‘non-market’ organisations. For this reason, we would argue that what we would call ‘mass hybrid property’ has been of greater relevance in Britain (and Europe) than ‘mass private property’.
In our view there are clear problems with the relatively uncritical application of the mass private property thesis from the USA to Britain, and by implication to other Western European countries. First, although the available data are currently limited, the sheer extent of the growth of this kind of property appears to be significantly less marked in Britain. Yet there has clearly been a substantial expansion in private security which suggests that we need to look beyond property relations for our explanation. Secondly, even in the USA where the growth of mass private property has been much more spectacular, the link between such developments and the rise private security is not underpinned by rigorous empirical evidence. Thirdly, the mass private property thesis posits that, in part, the rise of private security is linked with the increased social polarisation visible in the urban landscape. In the UK, there is indeed clear evidence of increasing social polarisation and exclusion (Hutton 1996; Oppenheim and Harker 1996), and that the most impoverished citizens are increasingly located in marginal urban ghettos. However, much of this separation has been achieved without walls, gates, closed circuit television and private security patrols. Rather, a combination of urban planning and social housing allocation has been key.

Although we question the extent to which the growth of private policing can be related in any straightforward way to the expanding ‘natural domain’ of private security, this does not mean that we would wish to deny that the changing nature of urban space has had a crucial impact on the nature of policing. It is important to recognise, however, that this impact has been far more complex and finely-graded than the mass private property thesis would appear to allow. It is now widely accepted that there has been a growing ‘blurring’ of the spatial (and other) boundaries between policing bodies in most Western industrial countries (see Johnston 1992). However, as we have pointed out elsewhere, the mass private property thesis discusses blurring in one direction only, that is the apparent growing spatial remit of ‘private’ policing bodies as compared with public bodies. It is clear that the boundaries are also being blurred by increasing incursions of the public police into private space (Jones and Newburn 1998a). A number of examples of this were provided by our local study of policing in Wandsworth (Jones and Newburn 1998b). For example, it is clear that in many countries (including the USA) ‘public policing’ is now far more likely to penetrate the ‘private space’ of the home and family than it has done in the past. The past 20 years or so have seen major developments in the policing of domestic violence and child abuse, via which actions which were once defined as ‘private’ have been increasingly re-defined as ‘public’ and within
the proper remit of the criminal law (Hoyle 1998).

In Britain, recent debates have focused upon the *expanding* spatial and legal remits of the public police. Public police surveillance has expanded massively, both in terms of the absolute degree and the diversity of methods, whilst mechanisms of regulation have remained weak (Maguire and John 1996). Similarly, in the USA, the work of Gary Marx (1988) has documented the 'surveillance creep' of public policing agencies over several decades. In Britain, civil libertarians recently raised concerns about the expanding legal powers of the police on private property. For example, the Criminal Justice and Public Order Act 1994 introduced a new criminal offence of aggravated trespass which extended the powers of the public to deal with travellers, raves etcetera on private property. Finally, the Police Act 1998 has enhanced the powers of the police to tap telephones and use surveillance devices on private premises – again expanding rather than contracting the spatial domain of public policing.

Furthermore, it seems clear in the UK that the increasing degree of complexity visible in the policing division of labour has not involved, to any significant degree, the transfer of responsibilities from the public to private sector. Rather, some of the recent growth in private security appears to be more closely connected to changes in organisations other than the public police. Thus, for example, in the drive towards cost savings in the 1980s organisations were under increasing pressure to shed staff who were considered inessential. Often, such staff included those with 'caretaking' functions such as station masters, school caretakers, bus conductors, park keepers and the like. Arguably, in some cases the disappearance of such individuals allowed certain forms of crime and disorderly conduct to increase. Eventually, when the situation had deteriorated sufficiently – crime and disorder had risen to unacceptable proportions – organisations were forced to attempt to re-instil order. However, rather than re-employing the type of caretaking staff that had been laid off in earlier years, most turned to the private security sector. Private security staff have therefore replaced some 'agents of social control'; rarely, however, having been direct replacements for public police officers. Instead of thinking of recent developments as being indicative of the changing balance between the public and private sectors, in reality it is more accurate to view both sectors as having expanded with the overall consequence of an increased formalisation of policing in all its major forms.

It is clear that there have been fundamental changes in the nature of policing in Western societies. In part at least, these may be related in a number of complex ways to developments in urban space. In particular,
the growth of private security across most Western countries has raised questions about the future of the public police organisation, which is facing increasingly fierce competition in a 'market' for policing services. We would argue that the growth of mass private property has been one of a number of related developments which has contributed to the rising profile (and absolute size) of the private security sector in many countries. However, we question the degree to which it should be regarded as the key explanation. As we have suggested, although little concrete evidence is available, it appears that such developments have been much stronger in the USA than in Britain (and probably than in other European countries). We need much more rigorous empirical estimates of the nature and extent of the growth of private policing, and changes in the nature of urban space. These need to be more contextually-grounded, and related to the specific contingencies and local contexts of the countries concerned.

Few would disagree with the proposition that the policing division of labour is in a period of, potentially quite significant, transition. In understanding this process of change it is important that we focus our attention on the finely graded nature of change both within and between different societies, and that we avoid over generalisation. However, terms like a 'trans-nationalisation' and 'postmodernisation' are all too easily bandied about as if they neatly encapsulate what is happening to policing (which we have reservations about) or, even, as if they actually explain the causes of the changes being witnessed (which we would certainly wish to contest). It seems to us that contemporary criminology is still some distance from understanding what is currently happening to policing. There is, in particular we think, a tendency to exaggerate the degree of novelty in the new arrangements that are emerging, and to overstate the extent to which all developed economies are similarly subject to transnational or global pressures. This, as we have attempted to show above, is certainly the case in relation to the impact of property changes on policing arrangements.

Whilst it is undeniable that there have been some quite radical changes in property relations in recent decades, the impact of these on policing is as yet generally unproven and, anyway, inconsistent. Two further, and major, steps are therefore necessary. First, the association between changes in property relations and private security must be subject to detailed empirical inquiry. Secondly, the focus of inquiry must move beyond property relations and focus upon a set of broader structural changes (see Jones and Newburn 1998a, p. 104). The collection of detailed comparative information which examines the contrasts as well as the similarities
between developments in different national contexts will provide the basis for a considerable advance in our understanding of the dynamics of change in policing.

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REFERENCES


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ENFORCING CORPORATE SECURITY POLICY USING PRIVATE INVESTIGATORS

ABSTRACT. This article focuses on the use of private investigators as external agents, commissioned to enforce internal corporate security policy. After describing the sorts of services private investigators provide to industry and commerce and the legal contexts within which they operate, it considers private investigators as a form of secret police within private justice systems defined by companies. It considers the relationship between notions of public good and commercial expediency and raises important questions about the problem of controlling activities which are purposefully kept from legal scrutiny.

KEY WORDS: ethics, private investigators, private security, security policy

INTRODUCTION

The private security sector is one of the largest employers in the UK (Jones and Newburn 1995) and comprises a wide range of commercial activities (Gill and Hart 1997a). These include the manufacture and installation of security hardware, the provision of guarding, patrolling and cash-in-transit services, and various forms of security and risk consultancies. Indeed, there is currently much debate about the role that the private security sector should play in modern society (see Johnston 1991). At least part of the difficulty in deciding what is appropriate is ideological: how much of what has traditionally been viewed as the state’s responsibility can be transferred to organisations who are governed by profit? There is also a lack of clarity about which form of provision is best (see Button and George 1994, 1998) and confusion abounds. This is certainly the case with the sub-group which forms the subject of this article. Although often marginalised, even scorned throughout its history (Gill and Hart 1996), the private security enterprise also encompasses the often-misunderstood and traditionally ignored sub-sector of private investigators (Gill et al. 1996).

Private investigators should be considered in any comprehensive study of private security. Clients seek private investigators’ services for many reasons, ranging from murder investigations to tracing missing heirs. Moreover, private investigators have various important roles in informing, supporting and enforcing corporate security policy. The importance of such policies is paramount as, within private organisations, they often have
greater and more immediate impact on their members’ lives than any system of state law.

This said, like various other significant elements of the UK’s policing infrastructure, private investigators have never been subject to detailed and objective scrutiny. In fact, they are particularly conspicuous by their absence from much of the existing research, whether on policing as a whole or private security in particular. This inspired the authors to conduct a study exclusively dedicated to the work of private investigators in the UK.

One of the earliest findings of this research was that many private investigators also felt that their role within society, the value of their services and the problems they faced, have been overlooked and under-valued for too long. Many individuals also felt a sense of grievance that no matter how diligently they observed both the law and voluntary codes of professional ethics, all private investigators were associated with devious behaviour and malpractice by default. In other words, while they accepted that ‘cowboys’ and ‘dodgy characters’ exist within the trade, they did not think it fair for society to cast all investigators in the same negative light. Perhaps for these reasons, many agreed to participate in the project and those that did provided a rare insight into their esoteric world.

With the aim of gaining the most accurate overview, the research utilised a variety of methodological approaches that yielded a good deal of interesting quantitative and qualitative data on a wide range of relevant issues. Following a comprehensive review of the available literature and some informal contact with practitioners, a postal questionnaire was distributed to 1,700 private investigation agencies and yielded 206 replies (12.1%). The purpose of the questionnaire was twofold. First, to gather general background data on numbers of employees working for private investigation agencies; their professional background and education; types of activity undertaken and methods used; most regular client groups; agencies’ typical fee rates and their gross annual turnover. The second objective was to facilitate further contact with respondents and achieve their participation in further more in-depth research. The authors and their researchers subsequently were able to conduct personal interviews, to study individual case histories and their outcomes and, whenever possible, engage in participant observation of ‘live’ investigations by private investigators.

In addition, a second postal questionnaire was distributed to 1,500 solicitors – the most frequent users of private investigators’ services – and this yielded a response rate of 6.4% (96 responses). This part of the research asked solicitors why they used private investigators, how they selected investigation agencies and what kinds of tasks they asked them to undertake. It also enquired whether they employed private investigators
for their own purposes or on behalf of their clients and what procedures they invoked to ensure they conducted enquiries and other tasks to the appropriate standards and how these were defined.

The authors have published various articles on private investigators, each of which examines private investigators from a specific perspective. These include their use and services (Gill et al. 1996); their history and culture (Gill and Hart 1996); as an example of ‘policing as a business’ (Gill and Hart 1997a); their legitimacy and relationship with other policing bodies (Gill and Hart 1997b); and comparisons of activities undertaken and cultural representations of private investigators in the UK with those in the US (Gill and Hart 1997c). This present article builds upon and differs from these in that it focuses primarily on the services private investigators provide to industry and commerce — probably the largest and most significant customer base for the private security sector as a whole. Private investigators’ operations within the private world of the corporate environment are of interest to anyone concerned with the scope of private security activities and their implications for other forms of remedial action. Of particular concern are their potential impact on employees and private investigators’ role as key actors in some important ‘alternative’ approaches to administering justice within the workplace.

The article will begin by summarising private investigators’ history and traditional activities before going on to outline and discuss the services they provide to business. As one of the most interesting and important features of their use is the client demand to circumnavigate formal systems of due process and ‘state justice’, the article will then focus on the legal, ethical and commercial issues that pervade private investigators’ activities. It will conclude by building upon previous work by the current authors and others to consider the social implications and impact of rigorously (and invariably secretly) policed systems of private justice in the workplace.

**Who Are Private Investigators?**

There is no precise legal definition of private investigators in the UK. However, such a person may be reasonably described as “an individual who either runs or is employed by a business which provides investigative services for a fee” (Gill et al. 1996). Private investigators’ origins, like most other elements within the private security sector, pre-date the advent of public policing by many years. In fact, in the UK (with the exception of a few enterprising members of the legal profession), private agents once provided the only form of post-incident intervention in the policing of...
crime (Draper 1978; Johnston 1991; Gill and Hart 1997a). Until the mid-nineteenth century, virtually all other policing activities concentrated on either prevention by deterrence or public order functions. Until this time, the British establishment considered all forms of investigative policing to be intrusive and distasteful (Reiner 1994).

Practitioners remained entirely unregulated and it was only the introduction in 1847 of a detective branch in the Metropolitan Police that brought about significant change to these circumstances. At this point the integration of investigative policing into the crime control activities of the public police caused private investigators to seek pastures new to ensure their survival. This led them for the most part to two areas of activity, both of which continue to be in high demand. First, as the public police dealt exclusively with criminal matters, the need for investigative services to support actions under the civil law did not diminish. However, the second area of activity in which private investigators flourished was the rather more murky world of matrimonial enquiries, tracing absconded debtors and various tasks for the burgeoning industrial sector – invariably to undermine the trade union movement (Draper 1978; Johnston 1991; Gill and Hart 1997a).

While public police investigators were theoretically subject to similar public accountability, discipline and codes of practice of their uniformed colleagues, private investigators were left to police themselves: a situation that remains entirely unchanged to this day. Although the Metropolitan Police made a concerted effort to control the activities of its detectives and protect their vulnerability to corruption, (e.g. by rotating them back to uniformed duties after short periods of time) history suggests that there are inherent problems in monitoring certain forms of investigative work (Reiner 1994). This seems to be a consequence of the covert nature of many investigations and the close proximity it affords between detectives and offenders, particularly when infiltration of organised criminal networks is required. If this can be a problem with legally and democratically accountable public officials, then it inevitably raises many questions about the implications for an entirely unregulated group of like practitioners. Private investigators in the UK have no obligation to demonstrate proof of either competence or good character, neither must they belong to any form of professional association – the most common and accepted form of self-policing for other comparable professions. The truth of the matter is that, at least within the UK, no one national professional association for private investigators has very much in the way of recognised authority.

A link between public police and private investigators does exist, perhaps most significantly in the constituency of their members. The authors' research revealed that some 80% of private investigators are retired or
former public police officers and many stated this to be their main selling points, particularly to local members of the legal profession. However, as notorious cases of malpractice by ex-police officers working as private investigators indicate (not to mention those still serving, particularly in certain detective branches) former police officers may be just as capable of certain types of offending as are other groups. One interesting finding that emerged from the research was the view, common among many private investigators, that former police officers often feel dis-empowered in private practice because they no longer have access to police powers or police information resources. A few practitioners, including some former police officers, suggested that this often causes them to break the law. They argued that as police training does not prepare officers to infer confidential information from fragments legitimately gleaned from publicly accessible sources, many feel compelled to rely on 'old boy networks' whose members can access statutorily controlled police records on their behalf.

These factors, coupled with the covert and confidential nature of much of their work and the fact that they are commercially motivated (Gill and Hart 1997b), affords many opportunities for malpractice and even criminal activities by private investigators (Draper 1978; Johnston 1991; Reiner 1994; Gill and Hart 1996). This is not a repeat of the allegation that all private investigators are scoundrels. The current authors’ research found that many private investigators are dedicated to the rule of law and relevant ethical codes and feel very strongly that the trade should be subject to greater accountability. In support of this, the principal British trade associations – the Association of British Investigators and the Institute of Professional Investigators – have both campaigned in earnest for the introduction of a system of statutory regulation. These have enjoyed the support of a number of British politicians, including Bruce George MP and Norman Fowler, who have submitted various Parliamentary Bills over the past 25 years advocating such a system. However, none of these have succeeded in becoming law and the British Government has seemed remarkably reluctant to introduce what has been described as a 'licence to snoop' (Draper 1978; Heims 1979). In addition, the nature of their work generates significant problems in formulating a regulatory system which would be practical and enforceable given the nature of the rationale by which private investigators are usually retained (George and Button 1997a).

To gain a better understanding of these ideas, in particular what is argued to be the need for some form of meaningful control, it is helpful to identify private investigators’ principal client groups and their rationale for employing their services. This information provides an indication of the nature of private investigators’ activities and helps to remind observers...
that they respond to a market demand. Certain aspects of the nature of this demand are important because they impact directly upon any initiative to regulate or control private investigators.

WHO USES PRIVATE INVESTIGATORS?

The private investigators' postal questionnaire invited respondents to list their most common client groups and which kind of client they had worked for on their most recent case. Their responses mentioned miscellaneous private companies, insurance companies, private individuals and members of the legal profession. However, this latter category clearly emerged as dominant in the client population and personal interviews with investigators and studies of case histories subsequently supported this. However, the postal questionnaire to solicitors asked respondents to indicate which type of clients they were acting on behalf of on the most recent occasion that they had instructed a private investigator. These responses revealed that over one quarter had been acting for private companies. In addition, over three-quarters of private investigators stated that they had worked directly (that is, without receiving instructions via a solicitor) for private companies in the preceding year. Indeed, following instructions issued to private investigators by the legal profession, insurance companies and miscellaneous private companies are the most frequent customers of private investigation agencies.

Receiving instructions from private individuals is still common enough to be noteworthy. However, the research showed the Hollywood image of a wealthy and attractive female approaching a private investigator to gather information about her husband's extra-marital affairs to be outdated. Although many private individuals seek help with regard to matrimonial matters, the research indicated that this has greatly diminished following changes in matrimonial law. Many investigators also stated that they would not accept such cases under any circumstances, partly because they found it difficult to extract payment from such clients. However, another reason cited was that they felt their involvement risked scandal and this could undermine their credibility in the more lucrative field of providing commercial support for private companies. As this client group is the primary focus of the article, it is important to consider why they use private investigators and for what purposes. Only by understanding the needs that private investigators meet can a rational and informed appraisal of their role be developed. As the article will now show, these needs may be more closely related to 'procedural avoidance' than 'law enforcement'.
Why and How Do Private Companies Use Private Investigators?

Private companies' use of private investigators can be seen as an extension or 'contracting out' of the enforcement of corporate security policy and the sorts of tasks private companies ask private investigators to undertake are many and varied. The research revealed the most common to be: claims investigations for insurance companies; employee vetting, theft and internal fraud investigations for other types of companies; debt collection, asset tracing and 'due diligence' enquiries about other companies; and to a lesser extent corporate intelligence gathering and counter-espionage activities.

In the legal context, the civil law provides the context for the majority of private investigations which come under the scrutiny of due process. These include the majority of claims investigations on behalf of insurance companies, many of which serve to establish either liability or the precise consequences of the incident which led to the claim. With regard to organisations other than insurance companies, it is important to remember that no public investigation service exists to provide comprehensive support to anyone pursuing civil actions (often imprecisely termed 'private prosecutions'). Although the central government's Department of Trade and Industry investigators or local government-based Trading Standards officers may accept certain types of problem for investigation, private investigators are in many cases the only professional investigative resource available to support civil matters (Gill and Hart, forthcoming). Public support may be granted in the form of legal aid, although this is only available to private individuals and subject to rigorous means assessment criteria. In the civil context, typical activities undertaken by private investigators include the serving of writs and other legal documents and gathering evidence to inform and support civil actions. Both companies and private individuals may seek court actions for such matters as debt recovery, culpability or negligence resulting in accidents and non-conformance with court orders.

However, in spite of the apparent monopoly of the public police over criminal investigations, many companies also prefer to seek private provision for solutions to crime problems. There is nothing new about this, even in the context of recent history. Nearly 25 years ago, studies on private security in the United States found that up to 80% of employers acknowledged that there were certain types of offence they would not report to the police (Cunningham et al. 1990). While the results of many (and probably most) criminal investigations by private investigators never come to court (discussed later), it is interesting to consider why companies choose
to refer criminal matters to fee-charging private investigators when they may have every right to ask for public police assistance free of charge.

First, many investigators claimed their clients had often approached the police in the first instance following discovery of criminal activity either against or within their organisations, but the police either directly expressed disinterest or otherwise indicated this by inaction. "The police tend to consider it a 'private matter' and have even informally referred clients to our services on occasion having assessed the nature of the complaint" (Personal interview). Indeed, there is supporting evidence that the public police regard crime within the workplace to be of secondary concern (see Gill 1994, 1998) and that they prefer to concentrate their resources on dealing with offences against the general public.

Secondly, there appears to be a dominant view within many private companies that police involvement should be considered the last resort, especially in response to internal offences. This is based on the rationale that companies risk losing control of the investigation once the police are invited to respond. This creates the possibility that investigative activities are more likely to be conducted with police interests, as opposed to corporate or business interests, as the first priority. As the role of the corporate security function is to defend assets in a way that supports and facilitates the organisation's core activities (Burrell 1998), police involvement may be defined as potentially contrary to the company's interests - especially if they were to argue for prosecution. In these circumstances the ultimate objective is loss prevention rather than law enforcement (Clarke 1987; Johnston 1992) and resorting to court action may incur more direct or indirect losses than the offending behaviour. This view is further emphasised in high profile cases which, if publicised without the organisation's management and control, can undermine market confidence and other aspects of corporate reputation and market position. As Johnston observes: "[w]ashing one's dirty linen in public is both counterproductive and pointless when deviance is defined 'in instrumental rather than moral terms'" (Johnston 1991, p. 503).

Finally, private companies may feel under pressure to disclose certain information which they would prefer to remain confidential to the police during an investigation. This may concern working practices, customer and supplier details and other 'company confidential' information. Private investigators offer an attractive solution to all the above problems. Understanding the nature of the advantages they offer provides an important insight into the potential limitations of many systems of statutory regulation, the current limitations of informal systems of accountability and mechanisms of the 'market regulation' of private policing activity.
The first thing to acknowledge is that all criminal investigations in the UK are subject to various statutes, perhaps most notably the 1984 Police and Criminal Evidence Act (PACE). PACE provides the legal framework for the police in terms of evidential standards, operational procedures and rules for interviewing suspects and witnesses and the recording of statements. While this law is slightly ambiguous when applied to private agents, it is generally accepted that best practice is to abide by PACE in all investigations into suspected criminal activity. If, therefore, private investigators are instructed to conduct enquiries into any form of crime, they are effectively obliged to adhere to these standards if they intend to present evidence in a court of law. Despite this, corporate clients as paying customers still retain a far higher level of control over the activities of private investigators than they would over any public policing body. This control is manifested in various forms. First, they can choose which investigation agency to retain and even approve or otherwise individual investigators allocated to their case. Secondly, they can retain total control over which members of staff and information sources investigators will be allowed access to and impose contractual obligations to observe a 'code of silence' regarding any aspect of the company's activities. Thirdly, they can also abort the investigation at any time they see fit for whatever reasons and without an explanation.

On reflection, it is difficult to argue against the availability of such an alternative to public provision. Put another way, it is even more difficult to argue for coercing victims of crime to use the public police if such action is likely to cause them more harm than the original wrongdoing. The requirement for all investigations for presentation in the criminal court to be conducted according to the rules of PACE, provides a universal and apparently effective standard to ensure against malpractice or other forms of abuse by private investigators. The present authors therefore have no difficulty in expressing their support for the availability of competent and ethical alternatives to public police investigations in such cases.

However, beyond the high level of control over criminal investigations under PACE, clients can also specify a key feature of investigations which rests completely beyond the control of their public sector colleagues: their outcome. This provides an even greater array of options: “[t]here is a 'private' criminal justice system wherein employer reprimands, restrictions, suspensions, demotions, job transfers, or employment terminations take the place of censure by the public system” (Cunningham et al. 1990, citing the 1971 Private Security Task Force).

This possibility takes criminal investigations into a realm beyond due process and affords almost absolute control over the investigative process
and, in effect, the administration of what effectively becomes ‘private justice’. This term has sinister overtones evocative of ‘retribution’, ‘revenge’ and other words that denote rejection of democratically accountable systems for dealing with behaviours deemed to be undesirable. However, private justice systems can be essentially benign and are supported, even encouraged by public systems as being in the interests of the greater good. For example, Henry (1987) suggests how they have helped to rationalise and assist industrial relations:

Irrespective of their political position, [...] theorists agree that a change has taken place in the form of discipline at work from ‘authoritarian-punitive’ which is characterised by harsh, rigid, irregularly applied sanctions meted out to workers whose rule-breaking is perceived as wilful and deviant acts, to a ‘representative-corrective’ model that uses ‘the co-operation of employees’ to promote ‘self-discipline’. (Henry 1987, p. 48)

Nevertheless, as this article will show, more cynical interpretations of this freedom do exist and serve to meet private needs possibly at the expense of wider interests. Borrowing Henry’s terms, the use of private investigators to enforce corporate security policy does not always conform to the ‘representative-corrective’ model.

A common criticism of public systems of justice, particularly in left-wing criminology, is that they emphasise ‘working class’ anti-social activities (e.g. street crime) and favour private companies by immunising them from the risk of prosecution for deeds which may have greater negative social impact (see Croall 1992). However, private companies’ use of private investigators reveals another perspective on this argument in that they appear to feel that the interests of public justice do not coincide with their own, even when they are victims of crime. This is why many resort to particular forms of private justice as a more effective alternative.

Within the context of private justice, all notions of appropriate investigative methods, the paying client may (within reason) specify evidential standards and other aspects of the enquiry process. As the investigation and its results will rarely be subject to any form of legal scrutiny, investigators are free to use whatever methods they see fit in the interests of speed and efficiency. They are therefore under no obligation to conform to PACE or other statutes and may even choose to break the law. Taking the example of an incident of employee theft, once investigators establish an offender’s guilt to the client’s satisfaction, he or she may/can be pressured into resigning the post, forfeiting any back pay and the right to a period of notice. In cases where criminal collaboration is suspected, the threat of prosecution as a response to non-co-operation can be used to
learn the identities of accomplices. When confronted with what appears to be overwhelming evidence of guilt and the immediate prospects of dismissal and a criminal record, most suspects prove willing to comply with any request.

Clearly, these strategies and tactics provide a very attractive alternative for any client with various and possibly conflicting interests at stake. Private investigators can meet the need for cost-effective, rapid case disposal with no legal costs other than their fees, and absolute discretion and control by the client. They are motivated to respond to clients' needs because they are engaged in the business of policing for profit and it is in their first interests to cultivate 'returning customers'. Moreover, as indicated by the solicitors' questionnaire, most clients choose private investigators based on recommendation by others who have used their services or established reputation. These are assets which private investigators are motivated to protect and this provides one form of market regulation of the trade. However, the freedom to use what are perceived to be the most effective investigative methods, does raise the risk of false confessions or even falsified evidence geared to 'fit up' a particular individual. Yet as in most cases this would not solve the client's problems, it would be of little advantage – unless, of course, the client ordered the false allegations.

This raises an interesting and potentially distasteful range of possibilities that expose serious shortfalls in any system of 'market regulation'. Many investigators who claimed to operate within ethical boundaries stated that there is a demand for services that can only be considered to be of dubious legitimacy. All those who participated in the authors' research could cite instances when clients, including members of the legal profession, had directly asked them to perform illegal or unethical actions. While some cited occasions when they had been asked to organise a serious offence, such as murder or serious assault, these most commonly included gaining unlawful access to confidential information, such as criminal records, medical histories and bank account details. Such activity marks the point where many established investigators draw the line:

By breaking the law you risk everything: your business, your reputation and probably your freedom. One of my first priorities is to be able to sleep at nights without fear of someone coming knocking at my door, whether to arrest me or take revenge for something I shouldn't have done in the first place. (Personal interview)

However, often in the same breath, many of the same investigators argued that there was a 'moral precedent' which they felt obliged to observe when conducting enquiries into certain types of 'malicious' behaviour.
If somebody's running a business which they put their back into every working day and someone comes along and starts taking it to pieces, whether through fraud, thieving or simply not paying their bills, we've got to do something to help. The people we investigate are professionals and by that I mean they're bloody devious. (Personal interview)

Others elaborated on this theme by expressing disillusionment with the police, the courts and other elements within the criminal and civil justice systems. A common sentiment was that the law does more to protect the offenders' rights at the expense of those of their victims and that this created the need to 'cut a few corners'. This might involve impersonating someone to obtain their bank details, ex-directory or mobile telephone numbers or similar confidential information. This sort of activity can inform other 'legitimate' tactics which investigators may engage in if there is any chance of a case going to court, although the information gathered may be perfectly sufficient to inform the client's decision on how to deal with the situation at hand.

If employers have no desire to pursue legal actions against offending employees, activities by private investigators have two objectives. The first is to gather evidence – preferably in the form of video footage of actual criminal or other offensive activity. This serves two purposes: first, to demonstrate to the employer that his or her suspicions were correct; secondly, to extract an admission of guilt from the offender. This leads to the second objective which is to persuade or coerce the offender to resign the post, in favour of what is presented as inevitable dismissal. It is the manner in which this second objective is sometimes achieved which is likely to raise greatest concern for civil libertarians. Faced with overwhelming evidence of their guilt, together with an opportunity to escape the consequences of a formal prosecution, few offenders are likely to insist on due process as a means of exposing a possible abuse of their civil liberties.

While the purpose of tape recording all interviews under PACE aims to prevent this problem, this *modus operandi* by private investigators is often the primary means by which they can promise efficiency. Experienced investigators are able to operate in a manner that approaches the thresholds of legality without actually breaking any laws, even though the information they gather may not conform to the standards of evidence which the courts demand. However, their actions raise many issues about the *legitimacy* of such operations and this is best considered from two perspectives which, in these cases, are likely to be in conflict. The next section of the article will therefore consider legal and commercial perspectives on legitimacy.
While most countries have developed systems for law enforcement and policing which delegate the legitimate use of force to statutorily empowered public bodies, such as the public police, the right to defend private property within reasonable boundaries is an inherent feature of permitting its ownership. Reiss summarises the manifestation of this principle with the following examples: "to protect against illegal intrusion or to ensure redress against it we empower our public police to search, seize and arrest. To protect their interests against employees, we permit employers to develop files of personal information." (Reiss 1987, p. 20)

The democratic state and its law enforcement agencies derive their legitimacy from democratic accountability. This gives government the legal right to define systems to ensure order in society, usually with the interests of the people it is elected to represent and the nation as a whole. Beyond the creation and maintenance of employee records, private companies evolve entire systems for maintaining their own definition of 'internal order'. This can be legitimised by the concept of 'private peace': "private authorities can be authorised, at the discretion of the state, to define separate private peaces so long as they are not in conflict with the public peace" (Shearing and Stenning 1987, p. 11).

Hence an organisation can specify rules to which workers must adhere as a condition of employment and suppliers and even clients must conform as a condition of contract. Taking employees as an example, these rule structures are often far-reaching. They may apply both at work (e.g. undertaking to accept 'stop and search' by security officers) and elsewhere (e.g. agreeing not to discuss company confidential issues with people from outside the organisation). Within the bounds of legality, such systems provide important support for the protection and maintenance of organisations' viability. In fact, with reference to the wider public interest, they relieve state agencies of a significant law enforcement burden (Cunningham et al. 1990). Moreover, as they are specific to and defined by each individual company, it is not the responsibility of the state to ensure compliance by providing policing services. In support of private justice, Henry writes that: "private justice, while opposing state law in the interests of its own social form (the factory enterprise), is simultaneously supporting the wider social structure, because industrial relations are maintained and industrial production continues to flow" (Henry 1987, p. 60).

However, private justice systems may facilitate greater discretionary power for its enforcement agents than state law confers upon public policing operatives. This flexibility can create opportunities for irresponsible or
otherwise undesirable actions. Moreover, as they are not designated as 'law enforcement officers', private agents' actions are justified "in terms of management practice rather than legal authority" (Reiss 1987, p. 25). This said, it is rarely likely to be in the interests of any private organisation to 'justify' certain actions publicly. For a private company to even admit that it has an internal theft or any other form of security problem may damage its reputation and have a negative impact on trade. This effect is likely to be exacerbated if any unconventional or 'dodgy' enforcement solutions are also exposed. This is aptly illustrated by the ongoing 'McLibel' case brought by fast-food company McDonalds. Consider the following extract:

The High Court fight – dubbed David meets Goliath – is between the world's biggest fast food chain and ex-postman David Morris and former gardener Helen Steel. The pair are accused of distributing leaflets that claim McDonalds food causes cancer, destroys the environment and exploits children. McDonalds, which has a turnover of £15 billion a year, have hired a galaxy of QC s and solicitors to fight the case [. . .] The court heard yesterday how private investigators infiltrated group meetings in North London to find out why they were targeting the burger firm. (Midgley 1994)

The reference to David and Goliath was repeated in many papers on both sides of the Atlantic and clearly sets the stage with McDonalds in the role of villain. Four of the seven private investigators employed by the firm admitted to distributing the leaflets in question with the purposes of exaggerating their impact and the protestors' commitment to wide dissemination of allegedly libellous material. Another admitted slipping the lock of the London Greenpeace office to gain entry, and then photographing the contents of the office1 (McSpotlight 1996). It is clear that public exposure of such actions can do little to support the company's interests, although many would argue that it does a great deal to illustrate the lengths companies will go to in order to protect their assets.

These factors bring private agents ever closer to the limits of legal tolerance and clear conflicts arise when perceived private needs cannot be met within the overriding framework of state law. When the maintenance of private peace requires actions which are illegal other than merely 'suspect', the stakes are significantly heightened. By definition, state law then effectively constitutes a legitimate threat to illegitimate forms of private peace and illegal covert actions must be conducted in absolute secrecy to avoid discovery. This is the domain in which some private investigators may choose to specialise and that which, because of its covert nature, is the most difficult to monitor and control.

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1Source: The McInformation Network (http://www.mcs spotlight.org/).
This article has described the nature of the services private investigators provide in support of corporate security policy and highlighted some situations when these may involve illegal or unethical activity. This overview raises some important questions about the practicalities of implementing an effective system of control for private investigators. Given the often covert nature of their work, how can any system of regulatory control ensure that the law and ethical standards are respected and observed? In short, how can one police the unseen?

It is clear that different systems of regulation contain their own difficulties (George and Button 1997; see also Vagg and Harris 1998). To be effective, any regulatory system must transfer responsibility for compliance to relevant actors, that is, to ‘those in the know’. The authors’ research revealed that the only parties likely to be privy to the specific methods used in the sorts of circumstances discussed in this article are individual private investigators, perhaps others working in the contracted investigation agency and the agency’s clients or their designated representatives. This begs the question of what responsibilities could be imposed upon each of these parties and how realistic it is that these measures will be effective?

Individual private investigators should be subject to some form of licensing system in the interests of their clients, people who may become the subject of investigations and society as a whole. This would require a commitment to operate within the law and the adoption of an ethical code supported by a recognised professional body. As with other professions, such a body would form the first regulatory tier and membership would be conditional upon meeting minimum training requirements and displaying core skills, and providing a way in which each firm could be audited. There would need to be a separate enforcement authority which had real teeth. Further, the publication of ethical standards and a clear mechanism for dealing with complaints would provide a strong incentive for investigators to ensure their behaviour conforms to standards.

The law could impose responsibility for investigators’ actions on their managers or the proprietors of detective agencies as well as individual investigators. In other words, both the organisation and the individual would need a licence to practise. The law could also impose clearly defined responsibilities for clients. These would not solve all problems because of the covert nature of the activity, but at least there would be meaningful penalties for those caught, and that threat would be likely to provide a greater deterrence than the rather limp system which presently operates. Moreover, just as Maguire and Norris (1992) have argued that police
detectives might be better controlled by training, stronger management, and
the development of a culture based on ethical behaviour, so too might these
help in making private detectives better accepted as an alternative to state
policing and more accountable for the work they undertake.

There is every chance that, in line with other types of private security,
the demand for private investigation services will increase. It is crucial that
we consider and assess their role, they have too long been forgotten. Their
work is important, and too important to be left to the shortcomings of self-
regulatory forms of control.

REFERENCES

Burrell, D., Presentation on the ‘British American Tobacco Corporate Security Strategy’
to the Association of Security Consultants’ Annual Conference, Metropolitan Police

Button, M. and B. George, Why some organisations prefer contract to in-house security
staff. In: M. Gill (Ed.), Crime at Work: Increasing the Risks for Offenders, pp. 201–

Clarke, M., Prosecutorial and administrative strategies to control business crime: Private


George, B. and M. Button, Why some organisations prefer in-house to contract security

George, B. and M. Button, Private security industry regulation: Lessons from abroad for
the United Kingdom? International Journal of Risk, Security and Crime Prevention,


Gill, M., Crime at Work II: Increasing the Risk for Offenders. Leicester: Perpetuity

Gill, M. and J. Hart, Historical perspectives on private investigation in Britain and the

Gill, M. and J. Hart, Policing as a business: The organisation and structure of private


Proceedings from the GERN Seminars on ‘Policing and social control in Europe: The
public-private divide’, forthcoming.


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CRIME IS A SOCIAL PROBLEM

ABSTRACT. This article seeks to place the study of crime and criminals in the social policy context. Criminal careers research is critically evaluated and modern social trends are outlined as a background to an exploration of the interaction between criminological research findings and social policies for youth in trouble. A contrast is drawn between individualised explanations of criminal behaviour and approaches which seek to place crime in its situational and social context.

KEY WORDS: crime prevention, criminal behaviour, criminal career, juvenile delinquency, social policy, situational factors

There has traditionally been a tension within the criminological literature between those who favour individualised explanations of criminal behaviour (often rooted in psychological theories) and those who argue that crime is a social situational phenomenon; a product of social structures and not some individual pathology. There is, however, a third dimension which is often forgotten or left out and that is that as criminologists the work we do is fundamentally social (see Muncie 1999). To the extent that criminology is concerned with studying the phenomenon of crime and criminals, the work we do shapes the way in which society understands such phenomena and responds to such matters (see e.g. Audit Commission 1996; Henry and Milovanovic 1994). It is not sufficient, therefore, for criminologists to debate individual versus social means of understanding criminal behaviour, without placing these debates in their social, or social policy, context.

The broad aim of this article, therefore, is to draw out the links between criminological theories of crime causation and wider social policies in an attempt to illustrate the dynamic inter-relationship between theory and practice. At the present time an individualised understanding of criminal behaviour dominates criminology, social policy and general (public) opinion. Probably the best example of this sort of thinking and certainly the most influential in recent times is the criminal careers research. To begin with, therefore, this article will take a critical look at criminal careers research. Partly because, it is argued, criminal careers data does not have the strength or robustness to support the social policies which are being built upon it and partly because a critical appraisal is a useful mechanism for developing an understanding of the criminal careers approach and of
contrasting this with more social situational approaches – a distinction we will need to take into the second and third sections of this article.

Before we can go on to explore the dynamic interaction between social policy and criminological theory we need to understand something of the contemporary social context. The second section of this article, therefore, is a brief exploration of major themes in contemporary social policy, especially as they have related to trends in social provision. This is necessary if we are to understand some recent trends in thinking about juvenile criminal behaviour and the nature of state responses to it. Finally, in the third section of this article the links between individualised models of understanding crime and criminals, and modern social policies will be made more explicit through an examination of some common contemporary approaches to juvenile crime.

CRIMINAL CAREERS RESEARCH AND EARLY INTERVENTION

Criminal careers research has a long and distinguished pedigree. For many people – politicians, academics, professionals, journalists and the general public – there is an inherent logic to the findings of criminal careers research which gives it an appeal and a recognition over and above that commonly experienced for most research. The essence of criminal careers research, its premises and promises, are cogently summarised by David Farrington, a leading UK proponent.

The criminal career approach is essentially concerned with human development over time. However, criminal behaviour does not generally appear without warning; it is commonly preceded by childhood anti-social behaviour (such as bullying, lying, truanting, and cruelty to animals) and followed by adult anti-social behaviour (such as spouse assault, child abuse and neglect, excessive drinking, and sexual promiscuity). The word 'anti-social', of course, involves a value judgement; but it seems likely that there would be general agreement amongst most members of western democracies that these kinds of acts were antipathetic to the smooth running of western society. It is argued that offending is part of a larger syndrome of anti-social behaviour that arises in childhood and tends to persist into adulthood. There seems to be continuity over time, since the anti-social child tends to become the anti-social teenager and then the anti-social adult, just as the anti-social adult then tends to produce another anti-social child. (Farrington 1994, p. 511)

This approach involves, therefore, not so much the study of crime as the study of criminals. Basic to this study of criminals is the notion that certain people exhibit high levels of anti-social behaviour and that this is somehow part of their nature which we can study as it commonly develops over a
life-time (including its manifestations in child rearing practices and the effects of this). Criminal careers research also suggests that these anti-social people tend to be those members of society who commit crime (that is, acts officially designated as offences by criminal statute), and, perhaps more importantly, that these anti-social behaviours provide indicators which allow us to identify potential offenders (at a relatively young age) and those most likely to be offenders at any age.

The apparent attraction of this research is to be found in the simplicity of its basic argument. If anti-social people commit crime, and if we can identify and measure anti-social indicators in the very young (which are likely to predispose these individuals to lives of crime) then we can intervene in the lives of the very young to correct this anti-social behaviour and prevent future delinquency.1

That the seeds of criminal behaviour are sown in the very young and that criminal behaviour is a developmental process is an increasingly powerful belief. The idea that we can, and indeed should, intervene early to 'nip offending in the bud' is an increasingly popular political response to crime and criminals that is directly bolstered by this belief which is rooted in the findings of criminal careers research. But how reliable is the criminal careers research? To what extent should we use it to inform our approach to the treatment of offenders, and potential offenders? Criminal careers research can be used to justify excessively interventionist approaches towards the young. To justify such approaches we need to be confident in our beliefs. Arguably the criminal careers research does not warrant this degree of confidence because it suffers from two basic problems: on the one hand methodological issues, and on the other, problems concerning matters of interpretation.

Research methodology is becoming ever more sophisticated as advances in statistical analysis facilitate increasingly complex analyses. There is a danger in this development, however, that the enhanced levels of our sophistication cloud the fundamental bases on which research is undertaken. Like most fields, criminal careers research tends to be undertaken with a characteristic methodological approach. There are, of course, variations in methodology between studies, but the longitudinal study is generally regarded as the most reliable for criminal careers research (allowing the identification of causes of criminal behaviour). It is

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1Or, more sinisterly, in the case of those for whom intervention does not appear to work, we can enforce measures upon their parents or take steps to remove them from society and thereby prevent them from going on to commit offences. See for example the issue 'Early Intervention' of this journal (Vol. 5, No. 2) and the comment of Gatti on that issue (Vol. 6, No. 1).
worthwhile, therefore, looking at the most basic aspect of typical criminal careers research methodology, that is, the sampling frame.

Because criminologists tend to be pre-occupied with criminals, criminal careers researchers typically focus their studies on social strata within the population where official criminal statistics show that most offenders are grouped – and to form their research samples from within this group (that is, sampling from the most deprived areas and not the increasingly well-off). There are serious methodological problems with this research strategy:

- the samples are often quite small – and sometimes too small to justify the significance attached to the results of sophisticated statistical manipulation;
- criminal careers research dates very quickly; a study which began, say, 30 or more years ago may now be revealing its most interesting results, but how relevant these results are for today is questionable. For example, how useful is data about the experience of early childhood and adolescence in the 1950s for an understanding of youth today?
- focusing the research sample in a particular strata of the general population that is known to exhibit certain characteristics is, of course, likely to produce research results that confirm the presence and prevalence of those characteristics;
- inferring from the presence of those characteristics (that is, anti-social behaviour) that they are causally related to criminal behaviour cannot be substantiated without knowing the prevalence of anti-social and criminal behaviour within other social strata. We cannot understand criminal behaviour without reference to those people who do not offend because there may be a common characteristic shared by offenders that is also shared more widely within the population.

For example, one of the risk factors shown to be a highly correlated indicator of persistence within the course of a ‘criminal career’ is unemployment. Firstly, unemployment is a social problem and not just an individual one, and when criminal careers researchers present the category of anti-social behaviours as if all members of society were in agreement about such matters, this is to obfuscate value judgements in the guise of scientific research. Secondly, unemployment is a characteristic of multiple deprived communities, so is crime and a wide range of other factors. But criminal careers research, by its own admission, is meant to be about criminals and not crime. Criminal behaviour is found in a wide range of groups within the general population, thus criminal careers research focusing on crime and not criminals has created at best, a partial picture of offenders. The way in which criminal careers research has selected a
sub-population of the general population and studied it in detail has only been possible because of the blurring between crime and criminals.

Criminal careers research also has problems concerning the interpretation of findings. Criminal careers research, in summary, argues that certain individuals exhibit certain anti-social behaviour and characteristics which (while they may differ in significance over the life-span of an individual) are highly correlated with criminal behaviour. This argument is sustained by studying groups of individuals at several times during their lives, identifying these anti-social behaviours and characteristics and by measuring criminal activity, and then by performing statistical analyses of these findings to demonstrate correlations. Criminal careers researchers tend then to conclude that anti-social behaviour etcetera is highly correlated with the onset and prevalence of offending—and that these correlations can be traced over time. This, however, is just one conclusion that can be reached from an analysis of such data.

To a large extent the criminal careers research methodology involves studying individuals and their behaviour, at different times during their lives, in the context of the social situation these individuals find themselves in at each of these periods in time. The research typically finds a high degree of correlation between various factors and criminal behaviour. The criminal careers research thesis rests on the basis of the correlations as they are found at each sampling point and over time, that is, these correlations are interpreted to mean that offending is related to an individual’s anti-social behaviour both developmentally and at particular points in time.

Criminal careers researchers have typically set out to test a hypothesis, that is, that individual characteristics, over the life-span, are correlated with offending behaviour. In the search to prove this hypothesis, alternative explanations of their research findings have not generally been explored. However, an equally plausible interpretation of the findings of criminal careers research is that offending is related to a range of situational factors and not individual characteristics.2

Research by Sampson and Laub (1993) which is based on a re-analysis of the original research data, on the onset and development of offending behaviour over the life-span, collected by Sheldon and Eleanor Glueck, questions inter alia the conclusions of typical criminal careers research. The Gluecks’ work, the debate in criminology that it sparked and the criticisms made of it, are far too extensive to review in detail here (see Glueck and Glueck 1964, 1974; Sampson and Laub 1993). In short, the

2Thus, if, for example, unemployment is one of the factors which is highly correlated with offending, and employment is highly correlated with desistance then perhaps it is the employment status that ought to be the target and not the individual.
Gluecks’ research demonstrated the relationship between age and crime, and how youth delinquency was indicative of adult offending. The primary explanation of the onset of delinquency, posited by the Gluecks, was rooted in family relationships and dynamics. Early childhood family experiences, it was contended, were related both to delinquency in youth and offending in adulthood, that is, early life experiences shape an individuals’ future life-course to a significant degree.

For Sampson and Laub, the Gluecks’ explanations of delinquency were too heavily reliant on the emphasis of early family experiences (and the psychological paradigm this involved), and gave too little recognition to the possibilities for change and the potential influence of situational factors over the life-span. Based on their re-analysis of the Gluecks’ original data, Sampson and Laub produced a more complex explanation of the onset and persistence of offending behaviour, based on a more dynamic understanding of the way in which individuals may respond to changing life circumstances and influences at different stages from infancy, through adolescence to adulthood (see also Haines and Drakeford 1998).

It is important to note how Sampson and Laub eschew explanations of delinquency that are rooted in psychological models of individual pathology. Instead, Sampson and Laub’s model comprises three main themes:

The first is that structural context is mediated by informal family and social controls, which in turn explain delinquency in childhood and adolescence. The second theme is that there is strong continuity in antisocial behaviour running from childhood through adulthood across a variety of life domains. The third theme is that informal social capital in adulthood explains changes in criminal behaviour over the life span, regardless of prior individual differences in criminal propensity. (Sampson and Laub 1993, p. 243)

Thus the emphasis in this research is on ‘individuals’ and not ‘variables’ (as in the criminal careers research), and the focus of attention is shifted onto the implications for an individual’s development of various social factors and the ongoing relationship between an individual’s subsequent behaviour and the likely implications of this behaviour for future events. These implications are, however, avowedly ‘social’, that is, punitive or incarcerative criminal justice responses can, and do, damage social ties in such a way as to promote rather than diminish offending behaviour.3

3Those fortunate to be in work tend to be in employment situations which are much more demanding. It is increasingly the case that both parents work. Family relationships become increasingly stretched and strained as a result of these structural changes in employment. This is not to suggest that stressed out parents deliberately mistreat children, but it is churlish not to recognise the diminution of the quality of family relationships in modern households and to ignore the impact of this on child-rearing and thus the behaviour of children.
In this way Sampson and Laub’s re-analysis of the Gluecks’ data provides some support for the critique of the criminal careers research, by de-pathologising individuals, and demonstrating the importance of situational factors for delinquent development and continued offending. The conclusions of modern criminal careers research are, therefore, partly based on the individualisation of social problems. This process attributes to individuals the multiple pathologies of being unemployed, homeless or in poor social housing conditions, living in large families, being excluded from school etcetera. Conditions which are social pathologies or problems of the state (and of state policies) over which people, and especially young people, have no direct control.

The significance of this problem may be diminished, at least as a justification for intervention, if the correlations between these factors and criminal behaviour are robust. One must cast doubt on this robustness, however, because of the methodological problems often associated with criminal careers research noted previously.

**SOME MODERN SOCIAL TRENDS**

In short compass it is not possible to provide a brief description of modern social trends in one country, let alone at a broader European level – there is just too much detail. The closer one looks at individual countries, and more so at local areas within countries, the more detail one finds it necessary to describe, as local factors play a more and more important role in shaping local events. However, we live at a time of increasingly globalised social relations where there is an increasingly intense relationship between globalised events and local happenings (Giddens 1990; Haines 1996). It is possible, therefore, to draw out some, albeit fairly broad, themes with a relevance beyond individual countries for Western Europe generally.

A particularly useful theoretical device for encompassing the importance of both globalising and localising tendencies of late modernity (Giddens 1990) is the ‘hollowing of the State’ thesis (Lash and Urry 1987). According to this thesis the role and power of national governments is diminished (or hollowed) both ‘above’ and ‘below’. The hollowing from above arises out of the increasing role and power of supra-national (globalised) structures – globalised economic/financial markets, globally unregulated trading, supra-national governmental structures etcetera. National governments are hollowed from below by the process of shifting ‘State’ provisions into ‘arms length’ agencies, and non-governmental
organisations or the private sector. The result is that national governments are less able to determine and control state activity.

Intimately bound up with this hollowing process is an economic belief in the importance of shifting taxation from income to expenditure, which has resulted in a reduced ability of national governments to raise taxation. Reducing public expenditure is a public/political policy of widespread currency (Gray and Jenkins 1986; Hoggett and Hambleton 1990; Humphrey and Scrapens 1992). The result is that national governments are less able to pay for services, even if they believe them to be desirable or necessary.

The product of these trends is a system of government where governments themselves are weakened – politically and economically. Governments have progressively diminished the extent to which they directly provide or control the range of services or structures within which citizens live out their lives. The result of these government policies means there are generally reduced levels of public service provision – and in many cases services that we previously enjoyed no longer exist.4

Paradoxically, the general hollowing of the State has been accompanied by increased efforts on the part of national governments to exert more control over the remaining activities of state agencies. This control has been pursued through an increasing and pervasive ‘managerialism’ (Farnham and Horton 1993; Mascarenhas 1993; Peters 1986; Prior 1993).

For present purposes, it is important to refer to some of the main organisational correlates of managerialism at the local level, most notably a distinctive pattern of organisational re-structuring in line with a senior management world-view (Berger et al. 1974; Haines et al. 1996). Thus modern organisations have typically moved away from generic structures of team organisation towards a much more specialised model of service delivery where teams are constructed with the specific purpose of delivering those services which are contained and defined in strategic policy documents (Pollitt 1993). Thus, for example, we rarely now find teams established to deliver services to both adults and children, more typically we not only find teams set up to deliver children's services, but we find a number of separate teams that are created to deliver particular children's services such as: family support, child protection, youth justice etcetera (Haines 1995). The result is not only a move away from universalism to specialism, but this has been accompanied by a proliferation of local projects, funded centrally and locally as well as by other non-state sources,

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4Running parallel with the diminished State are increased levels of social need and greater social exclusion as the harsh realities of market driven individualised provision further disadvantage the economically deprived.
designed either to meet the needs of particular client groups or a specific need in isolation, and often funded on a short term basis (Haines 1997).

In England and Wales, in the 1970s, mainstream social welfare services were generally provided through generic structures of service delivery. Teams of social workers were organised to be close to the communities they served, and to provide those communities with a wide range of services – largely in response to the expressed needs of these communities. As we moved into the 1980s, however, these generically organised teams began to separate out into a number of discrete specialisms. New team structures were developed to provide specialist services to specific client groups – largely within the policy agenda set by government and a re-articulated professional philosophy couched in preventative terms. And, quite naturally, these specialist teams increasingly grew to define their role in terms of the internal imperatives of their own area of work (Haines 1996).

All of this, of course, was taking place in the context of a growing public sector managerialism. Governments, at this time, were generally reducing public sector expenditure such that these emerging specialist teams found themselves operating with reduced budgets and in the context of government-set strategic policies for each of these separate services. These twin processes, feeding off each other, led generally to the narrowing of services and the enhancement of specialist modes of organisation, and the opening up of gaps in service provision between these mainstream specialisms.

These gaps in mainstream provision have a twofold impact. They create a tension for governments which leads to the establishment of initiatives, that is, a combination of a strategic policy plus cash and time limited funding, designed to be attractive to local agencies who make bids to run projects in local areas within the parameters of the initiative. Secondly these gaps open up the opportunity for non-governmental agencies to develop projects which colonise these barren zones. These projects, by their very nature, are highly locally specific – although they may fall within a wider paradigm, as has happened, for example, in the case of restorative justice (Haines 1998) – and often are the product of fad or fashion, sometimes led by the interests of charismatic individuals rather than the broader interests of social policy.

The overall pattern of service provision which results from these developments and process is highly differentiated and fragmented. There is thus a tendency for ‘justice by geography’ or a high degree of variability in the range and type of services available in between local areas, the persistence of gaps in service provision to particular client groups or to meet particular needs, and increasingly targeted and interventionist service provision aimed at particular sub-populations. The question for the final
section of this article, therefore, becomes: how do these overall trends in social provision interact with criminological theories of crime causation to form our understanding of crime, offenders and criminal justice policy?

JUSTIFYING EARLY INTERVENTION

There is, of course, no single or simple answer to this question; but there are some identifiable trends. The philosophy of, for example, the provision of mainstream services to children within the overall processes outlined above has shifted away from protection through intervention into the family (where the interests of the child are put first and a degree of control over parental behaviour is common), towards an approach which puts supporting the family as its primary aim (see e.g. Colton et al. 1994).

This change in philosophy has little to do with a general improvement in the position of children in society or a general reduction in the harm done to children; nor does it appear to have much to do with any general change in the behaviour of parents. Eekelaar (1991) has, however, argued that the shift towards family support services is intimately linked to changing notions about the role of the ‘State’ (Eekelaar 1991; Stewart 1995).

For right wing governments, an interventionist State tramples on parental responsibilities in ways which are politically unacceptable. The hollowed and economically diminished State, of various political hues, also seeks to replace spheres of public and State activity by private and family activity. The product is a complex dynamic involving a shift from social policy to individual policy. The State which either seeks to provide fewer services, or which is unable to, quite naturally seeks to bolster the role and responsibilities of the family. Social problems become family problems, and individuals are now responsible for things which previously would have been seen as a State responsibility.

There is a tension, however, and a sense in which national governments must be seen to be doing something about the public’s perception of major social problems. The difficulty for modern governments in this respect is that they tend to have either cut out a whole range of services altogether, or established arms length agencies or allowed projects to proliferate to deliver services (which government is less able to control or change). This causes particular problems for governments which pursue a policy of family or individual responsibility when these families are perceived to fail in some way.

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5 Governments, after all, comprise elected politicians whose main objective is to stay in government.
Governments no longer have the resources at their disposal to engineer social policies with universal objectives. Minimalist or hollowed governments no longer possess or control the resources or services to intervene in families who are perceived to be failing. Typically the middle range of services which might have met the needs of these groups is significantly diminished, cut altogether or out of the control of governments in a plurality of local non-governmental agencies. In these circumstances, governments have little choice, thus they find themselves in the position of making use of ‘emergency services’ such as those for dealing with serious or persistent delinquents at the earliest stage of intervention. Not only do we find ourselves, therefore, in the position where services which were previously targeted at high risk, serious or persistent offenders are now being deployed to deal with much younger people with much less serious offending patterns (or even those who are identified as anti-social and, therefore, likely to develop more serious offending patterns), but these services retain their essential character, that is, they are intensive, targeted at individuals and premised on an individual pathology model.

It is at this point where criminal careers research, and other material which sustains early intervention as an objective, interacts with the basic nature of modern states. In common with modern social policy, criminal careers research individualises social problems, it provides a justification for an absence of universal social provision (as wasteful and unnecessary) and a rationale for the targeting of state services at those where they are going to have their most beneficial impact – thus, in a common-sense sort of way, it makes good sense to intervene early and effectively.

In the UK the discourse about youth (particularly the popular media and political discourse) is about the problems that youth present. In particular the discourse is about young people and crime. Criminal careers research helps to sustain this discourse. For example, the way in which criminal careers research tends to blur the distinction between ‘anti-social’ behaviour and ‘criminal’ behaviour makes it easier to target criminal justice resources and actions at young people doing little more than playing. Thus, it is a small step from the logic of early intervention to policies of Zero-Tolerance policing – which tend to be disproportionately targeted at youth. There may not be anything in the criminal careers literature which supports such punitive policies, but criminal careers, early intervention and practices like Zero-Tolerance policing form a nexus in which ideas and practices feed off each other.

The individualisation of social problems and the pathologising of youth inherent within the criminal careers paradigm provides a path for social policies based on individual responsibility and opens the way for a cadre of professional activity predicated on individual responsibility and
individual pathology. Thus, for example, one commonly finds practices within restorative justice projects which seek not to restore the juvenile, but which seek to ensure that the juvenile restores the victim (who may well be a relatively wealthy, socially integrated adult); and new forms of juvenile pathology are invented as topics for study and justifications for treatment – as in the case of Attention Deficit Hyperactivity Disorder (see Moser and Doreleijers 1997).

It is naive for social scientists to ignore or diminish the significance of these processes. Criminologists and social scientists must not only consider ethical issues (Gatti 1998), they must also take into account the impact of their work on the development of social policy and the application of criminological knowledge to practical strategies for dealing with juvenile crime.

Prevention is, of course, better than cure. But it is important to emphasise that much offending, and the behaviour of youth in general, is situational and that improving the situations (communities, schools, work, family etcetera) in which young people live out their lives is the most constructive response (Junger-Tas 1997). Preventing, for example, school exclusion is a more constructive response to juveniles who experience difficulty in education, than sweeping the excluded off the streets with intensive forms of policing. A general preventative strategy should be targeted at youth in general and not just youth who offend. Policies aimed at maximising the opportunities for all youth should be the goal of social policy, not the punishment of young people who are powerless to change the situations they find themselves in.

REFERENCES


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The Sixth European Colloquium on Crime and Criminal Policy was organised by the European Institute for Crime Prevention and Control, affiliated with the United Nations, in Helsinki on 10–12 December 1998. The purpose of the European Colloquium was to bring together researchers and policy-makers to discuss research findings in key areas of crime prevention and criminal justice, and their possible impact on policy in Europe. Earlier colloquia in the same series have been organised since 1988 at two-year intervals in Oxford, England (Hood 1989); Buchenbach, Germany (Kaiser and Albrecht 1990); Noordwijkerhout, the Netherlands (European Journal on Criminal Policy and Research, 1(1), 1991); Romainmotier, Switzerland (European Journal on Criminal Policy and Research, 2(4), 1994); and Bled, Slovenia (European Journal on Criminal Policy and Research, 5(1), 1996).

The themes for the Sixth European Colloquium paralleled the topics of the workshops planned for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in Vienna on 10–17 April 2000: combating corruption; crimes related to the computer network; community involvement in crime prevention; and women in the criminal justice system. In addition, one session dealt with indicators of crime trends and the operation of criminal justice.

**COMBATING CORRUPTION**

The first theme of ‘Combating Corruption’ was introduced by Petrus van Duyne. He noted that one of the components of corruption is a decision-maker who is guided by rules and criteria from which he or she has the power to deviate, and who is in principle accountable for the propriety of his or her decision-making to another authority. Further components include an exchange relation between a decision-maker and an interested

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*The full text of the various reports and commentaries, together with a summary of the discussion, has been published by HEUNI.*


person who offers or promises an advantage in exchange for a desired decision outcome, and the hidden, improper nature of this exchange relationship.

Van Duyne emphasised that his focus is on the individual decision-maker, on what happens when people become corrupt, on what affects decision-making, on who has an interest in the decision, and so on. He noted that a typology can be presented of six interactions (in the public and private sector and in politics) between interested parties who influence one another in ways that are not part of legitimate decision-making; these interactions are described and illustrated in the paper.

Van Duyne noted that corruption frequently develops as a 'top-down disease'. He described the 'successful leader paradox': the more successful the leader, the more he or she is trusted, and the less he or she becomes accountable. In time, leaders may come to behave as if they were the 'owner' of the organisation, and may feel that they can decide freely on how to dispose of the assets and people of the organisation. Other social processes that may take place are that the leader begins to assemble a retinue and 'court' (which has its own socio-psychological consequences), and that the recruitment standard begins to degenerate into favouritism. This favouritism may in time lead to clientilism, whereby the new recruits assemble their own courts.

In discussing the prevention and control of corruption, Van Duyne noted that the focus should be on the highest levels of public and private leadership. Two 'truisms' should be applied systematically, the transparency principle and the 'first servant' principle. The transparency principle involves the openness of decision-making, and subjecting it to control. The 'first servant' principle, in turn, emphasises that no one is placed so highly that the rules do not apply to him or her; no self-exception may be made.

Each of the three commentaries used the perspective of a single country or group of countries to examine Van Duyne's paper. Sabrina Adamoli noted that the 'buyers' and 'sellers' of corruption are rational people who analyse the costs and benefits. In this, both objective (institutional) and subjective variables are involved. The subjective variables are essentially the 'moral' costs linked with the individual's aversion to committing a criminal offence. In this respect, the willingness to commit an offence depends on whether the culture in question is more or less accepting of corruption. In some cultures corruption can be found on both a high and low level. This is the case, for example, in Italy, which provides examples of 'environmental corruption': corruption may spread to the extent that it becomes systemic, and in certain environments the decision-maker does not even need to ask
for a bribe, since the bribe is paid as a matter of course. For this reason, efforts to prevent and control corruption require action from the highest level of both public and private leadership. Such action should not be limited solely to penal sanctions, since not only may sanctions seem ineffective and inefficient (as in the case of Italy), but may even have undesirable effects. More attention should be paid to the reduction of the opportunities for corruption, and to the development of strategies that touch all sectors of public life, enhancing the transparency of decision-making.

Miklós Lévay noted that it is important to study corruption not only as an individual phenomenon, but also as something that has a societal context. Corruption, for example during the socialist era in Central and Eastern Europe, has system-specific features. Under such a totalitarian regime, the attitude towards corruption came in fact to be one of acceptance. It has been said in Hungary that corrupt behaviour was one way of making life liveable in the ‘upside-down world’ of socialism. This attitude has been inherited by modern society. Among the factors that have helped to generate new corruption are privatisation, the lack of capital, and inappropriately drafted or incomplete legislation.

Ahti Laitinen commented on the main paper from the Finnish perspective. Also in Finland, the question of the definition of corruption is problematic. He noted that Finnish law criminalises bribery but practice suggests that the operationalisation of bribery varied considerably. Laitinen also noted that corruption can also be collective behaviour: corrupt activity can take place between two organisations. For example, the briber may be acting on behalf of a municipality, seeking an (illegal) benefit from the State not for himself or herself, but for the municipality as a whole. Another example is provided by the relationship between states and multinational enterprises. The power of the organisational level has increased dramatically over the past 100 years. This generates more possibilities for corruption, also as a form of collective behaviour.

The discussion on the theme of ‘Combating Corruption’ covered such themes as research, prevention and control. It was emphasised that research was needed on the factors (economic, social, cultural, political and so on) that increase or inhibit corruption. Victimisation surveys should be developed, and extended to both the business community and to higher levels of decision-making. Measures of prevention and control that were mentioned included the improvement of the salaries of decision-makers, vigorous elimination of the ‘bad apples’, codes of conduct, financial disclosure systems, elimination of the tax-deductibility of bribes paid, and arrangements that foster the reporting of corruption and the protection of
the 'whistle-blowers'. None of these measures can work in isolation, and each may have its drawbacks.

WOMEN IN THE CRIMINAL JUSTICE SYSTEM

Katarina Tomasevski’s paper on ‘Women in the criminal justice system’ reviewed the lessons learned in the process of developing women’s rights as human rights, and sought to apply this in a criminal justice context to the position of women. Tomasevski noted that within the United Nations context in general, little had been done about women’s issues in criminal justice until the 1990s. The perspective the gradually changed in three different fora in the United Nations, the Commission for Human Rights, the Commission for the Advancement of Women, and the Commission on Crime Prevention and Criminal Justice. These fora began to deal with such issues as violence against women.

Among the approaches developed was ‘gender mainstreaming’, whereby gender issues were to be considered in connection with all issues – including crime prevention and criminal justice. One of the debates in the application of mainstreaming is whether the emphasis should be on fair and equal treatment of women, or on preferential treatment. The former had been the original goal. Preferential treatment subsequently came to be advocated on the grounds that it was the best way to correct an imbalance in power. Both approaches had their costs and benefits, also in the criminal justice sector. For example, the use of specialised institutions for women, or the development of specialised units (such as special police units) may be in conflict with the principle of mainstreaming, and may in fact hamper the attainment of equal status. Moreover, the criminal justice system by itself can at the most provide short-term safety for women, but cannot ensure long-term independence.

Tomasevski’s paper also dealt with the three aspects of women in the criminal justice system, women as victims, women as offenders and women as criminal justice practitioners. In reviewing the research on these issues, Tomasevski noted that more information is needed in particular on women in custody, and on women as practitioners.

In his commentary on the main paper, Juan Medina noted the difficulties in developing a European perspective on the wide variety of topics covered by the present theme. Among these difficulties are the lack of appropriate statistical and empirical data, and the poorly developed network of criminologists, institutions and other entities working on the theme in the
different countries. There is a growing interest in the topic in Europe, and for example more attention is being devoted to it in the media and by policymakers.

In her commentary Frances Heidensohn noted that issues related to women and the criminal justice system have in fact been dealt with for over a century. Examples include violence against women, and trafficking in women. This early debate has influenced the early feminist movement. The two approaches to women's issues in the criminal justice context identified by Tomasevski, equality and preferential treatment, are not necessarily the only ones, but do provide a good start. Previous experiments with preferential treatment ultimately proved to be more damaging than helpful to the position of women. Heidensohn noted that, in addition to the human rights approach, attention could be paid for example to women's issues under the third pillar of the Maastricht treaty, and to the possibilities opened on the non-governmental level, for example through strengthening a European network of policewomen. As for research, it was true that much that is available comes from the United Kingdom and the United States, but in addition to the references in the main paper, a considerable amount of other research could be noted. This should provide a start in developing strategies nationally, and attention should and can be paid to what strategies might work in other countries.

In the discussion, reference was made to the emergence of new research and to the possibilities of the application of the survey method to this issue. Standardised questionnaires should be used with a sufficiently large sample, and comparative data should be collected. The results of the Fifth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems have been analysed from the point of view of possible links between violence against women and the status of women. Although women tended to be victimised more widely in developing countries than in developed countries, at a certain level of women's empowerment it appeared that the amount of violence against women began to increase. It was suggested that this could be due to a 'redefining' of violence at a certain level, to the tendency of more empowered women to regard aggressive male behaviour as violence more often than less empowered women, who might in turn regard such behaviour on the part of males as 'normal', or alternatively (or simultaneously) not as something that should be reported either to the authorities or even to researchers. It was also suggested that men might feel threatened by more empowered women, and react in a more aggressive manner.
Indicators of Crime and of the Criminal Justice System

Rosemary Barberet presented a paper on 'Indicators of crime and of the performance of the criminal justice system'. She noted that not even survey data on crime are value-neutral. However, a combination of approaches can be used in order to shed light on other heretofore hidden aspects of crime. For example, victimisation surveys can be expanded to include youthful populations, and questions can be included that could reflect the extent to which victims may in another capacity be offenders. Barberet also urged the development of indicators that could be 'exported' internationally, although in this respect she noted that comparative research has been replete with problems caused by errors in translation and by misunderstandings. Finally, she noted that attention must be paid to helping policy-makers understand the utility of the results of the analysis, and how to apply these results to policy formulation.

In respect of performance indicators, much work has been undertaken in the United States and in the United Kingdom. In particular the Audit Commission in the United Kingdom has developed performance indicators for various governmental sectors that can be applied in much the same way as an audit would be done in a private company. This process has had the added benefit that organisations have been encouraged to go through the process of defining organisational goals. Nonetheless, it should be recalled that, as was the case with indicators of crime, also indicators of the performance of criminal justice reflect criminological theory, and are thus not value-neutral. This is true, for example, of measures of prison performance. Barberet also cited examples of how the performance indicators developed for specific fields may raise conflicting goals and conflicting values. Such conflicting performance indicators may confuse the practitioners charged with their application.

In commenting on the main paper, Elmar Weitekamp noted that for many years, little had changed in respect of crime indicators. Earlier attempts had been made to give greater precision for example to crime statistics so that they would be more useful as indicators, but for example police statistics have in practice changed little. Weitekamp noted examples of how these statistics provide a misleading view of the extent or seriousness of crime. Moreover, several countries do not carry out surveys, at least not on a regular basis, and thus also in this respect the necessary indicators of crime trends are lacking. As for performance indicators, rigorous evaluation research is missing from almost every country.
Anna Markina observed that her comments focused on the perspective of a country in transition, where there is considerable reliance on official statistics, and research is underdeveloped. She noted that the clearance rate is commonly used as a performance indicator. However, during the Soviet period, crime tended to be recorded only if the offender was known; this inevitably ensured what appeared to be a very high clearance rate, but what was actually at odds with reality. Also other examples can be cited of the way statistical data can be manipulated to 'produce' what appear to be positive results. Markina also pointed out examples of problems in the international comparability of statistical data, and in the comparability of national data over time; examples include translation difficulties and changes in legislation.

Kauko Aromaa observed that three levels can be distinguished in the discussion on crime: that of 'all crime', that of 'recorded crime' and that of 'beliefs about crime'. Although the assumption is that we are talking about 'all crime', we are generally referring to 'recorded crime', and our decisions are actually being made on how we interpret these data, by our 'beliefs about crime'. Other measures are needed to come to grips with the level of 'all crime'. We should also seek to define in respect of what aspects of crime we are seeking to develop indicators – is it the number of motivated offenders, the presence of suitable targets, or the presence of capable guardians?

Gordon Barclay focused on the experience in the United Kingdom with official statistics and criminal justice performance indicators. He noted that in England, performance indicators were being applied to many aspects of governments, such as mass transport, schools and health care. The Government had decided that each Government department should define its aims, objectives and targets. The successes or failures of the Government would be determined by this. In respect of official statistics, Barclay noted that these, as was the case with surveys, are subject to error and must be validated. He noted that in international comparisons, misunderstandings may arise even over basic concepts. Barclay concluded by noting that despite – or indeed because of – these possible sources of error, the data can still be used. The process of publishing the data and of having them corrected is often better than deciding not to publish at all.

In the discussion on this topic, several points were raised. It was acknowledged that official statistical data are prone to error, but it was pointed out that the victimisation survey literature suggests that police statistics are in fact a relatively good measure of crime. The question was raised about indicators of those types of crime that are difficult to measure,
such as corruption, organised crime and money laundering. One problem noted here is that 'common' crime often involves discrete events (such as thefts or assaults) while for example corruption can be an ongoing process. Another major problem is that the definition of such concepts as 'organised crime' is vague. One suggestion was to seek indicators of system variables that help in assessing the size and distribution of such crime. The importance of alerting policy-makers to the utility of indicators of crime trends and of the performance of the criminal justice system was stressed. Such indicators can help policy-makers in better understanding the problems with which they are confronted, and in developing the appropriate response.

PUBLIC/PRIVATE PARTNERSHIPS IN CRIME PREVENTION

The discussion on public/private partnerships in crime prevention was based on case studies. Pawel Mlicki began with a presentation on 'Crime prevention in Central and Eastern Europe: A psychological analysis'. He began by noting that although the paper deals with Central Europe in general, there are considerable differences between the countries. The structures of police are different, and they operate differently. He noted that although there has been much research on the political, economic and social transition in Central and Eastern Europe, there has been little research on the psychological transformation. A key element of his analysis is the theory of 'learned helplessness', which had been developed in the United States at the end of the 1960s and the beginning of the 1970s. The theory is based on individual expectations. If an individual is placed in a situation where he or she cannot influence the environment, this individual learns to expect that bad things will occur to him or her, and that there is nothing that he or she can do to prevent this. Even if the environment changes to the extent that an individual could in fact influence this environment, under 'learned helplessness' the individual does not realise this change and remains passive.

Mlicki suggested as an application of this theory to the Central and Eastern European countries that under the socialist regime, the public and the individual police officer came to learn that there was nothing that the individual can do to change the environment. This may have been true to a large extent under socialism, but there has been a change in the environment in several respects. The police in Central and Eastern Europe at least on paper have become more democratic. Consequently, the police are accountable and subject to sanctions. There is more room for individual initiative and personal responsibility. Nonetheless, the expectations are high:
the individual police officer must be responsible and accountable. These are qualities which are difficult to learn. Furthermore, along with the increase in democracy, the police must be transparent and more open to democratic control. Yet another fundamental change is in the economic sector. The norms regarding corruption may differ between Western Europe and Central and Eastern Europe; in the latter, corruption tends to be regarded as the legitimate redistribution of wealth. It is widely understood that the police are not paid sufficiently, and corruption is tacitly accepted. At the same time, the shift from a planned economy to a market economy provides individual police officers with other, and more lucrative, job opportunities.

Dragan Petrovec emphasised the differences between the countries of Central and Eastern Europe. For this reason, his focus was on one country, Slovenia. He noted that in general, it could be said that under socialism, there was a strong state but weak democracy. Socialism was based on common (corporate) ownership, restrictions on private property and on state regulation of most of the vital areas. Modern and democratic criminal law emerged in Slovenia after 1959, although there have been occasional abuses of power, for example in respect of dissidents. Since the transition at the end of the 1980s and the beginning of the 1990s, there has been a slow reanimation of democracy. Political and economic independence have had side effects. It had been realised that the state as a whole is an expensive enterprise. Financial restrictions had been placed on government activities in education, health care, crime prevention and other fields. Security came to be regarded as a financial commodity. Private security agencies emerged. One of the negative developments in this respect is that there are no unified standards in terms of ethical neutrality, and no strict adherence to rules or to the law. A more positive development has been the emergence of private initiatives for the assistance to victims.

Karsten Ives presented crime prevention activities in Denmark. He emphasised that the point of departure should be the local level. This is where the crime is committed, and this is where crime prevention must be carried out. The approach to crime prevention must be made more 'professional'. This has been done, for example, organisationally, through the establishment of crime prevention councils, such as in Denmark in 1971. The underlying rationale of the Danish Crime Prevention Council is that only joint action will prove successful. The council brings together representatives of over 40 agencies and organisations. This joint approach must also be evident on the local level; social issues, educational institutions and the police must be involved nationally as well as locally. Denmark is a society where considerable crime prevention technology exists. This, however, may lead to a bifurcation of society, which in turn may lead to
even greater demands for protection. Similar tendencies can be seen in other countries; for example closed circuit televisions are being set up in public areas in for example Norway and in the United Kingdom. The Danish Council prefers to see crime prevention as a tool for keeping society together, and wants to activate members of the public to become involved. The Council is seeking to build up local networks that have an impact on the daily life of the members of the public, and has developed recommendations for how local initiatives should be initiated.

**CRIMES RELATED TO THE COMPUTER NETWORK**

In his paper Andrzej Adamski noted that crimes related to the computer network were a side-effect of technological development. A computer system can be seen as both an object and as a tool of criminal activity. In the first case, offences involving a computer network can involve three security aspects, the availability of the network (with the crime involving denial of service), the integrity of the network (the deliberate introduction of a malicious programme into the system) and the confidentiality of data (breaking into the network, eavesdropping). In the second case, ‘old’ forms of crime can be committed digitally. Examples are telecommunications and marketing fraud, deceptive advertising, and securities fraud.

There are few studies of network-related crime as such. However, there are surveys in for example the United States, the United Kingdom and Australia that ask various respondent groups about the perception of the threat posed by computer-related crime. Moreover, the research has to some extent been replicated, thus providing some information on trends. The results indicate that most computer abuses are not related to network-specific incidents, such as hacking, but for example with the introduction of computer viruses. Secondly, more offences are apparently committed by ‘insiders’ (employees) than by intruders. Thirdly, there appears to be a positive correlation between the detection of incidents and the development of measures for monitoring. Fourthly, when the number of computer hosts is taken into account, it would appear that although the amount of network-related crime is increasing, the individual victimisation risk is in fact decreasing. This reflects the fact that the growth of the Internet is faster than the increase in criminal incidents.

Regarding the reduction of the possibility of such crime, priority should clearly be given to technological means. This refers to target-hardening measures in particular. A recent survey of security measures demonstrated the very low level of security awareness, and the fact that the control of
access to the computer network was very lax. A second approach is through increasing the risk of apprehension. This involves, first of all, the training of law enforcement officers. Police forces should establish trained units specifically devoted to computer-related crime. Another element is co-operation, including with service providers. Such co-operation should be national and international. A third element in many countries would be the reform of criminal procedure, since often criminal procedure does not envisage the needs of the investigation of computer-related crime.

In his commentary, Antti Pihlajamäki noted that the practitioner is less interested in why a person committed a crime, and more in how this crime had been committed. Criminal law and procedural law are underdeveloped nationally and in particular internationally. This lack of international development, international concordance and international procedural co-operation is a problem because information crime is often an international crime.

In his commentary, Henrik Kaspersen raised the general question of the definition and the seriousness of computer crime. He noted the difficulties in obtaining comparative data. The statistics and the views of victims tend to be unreliable. Few offences are reported to the authorities; one estimate is that the reporting rate is only about 5%. One of the reasons many countries have enacted laws in this field already since the 1970s in order to clearly stipulate the limits of acceptable behaviour.

Kaspersen noted that hacking can in itself lead to other offences, and its seriousness should thus not be underestimated. He also noted his disagreement with the suggestion that hacking can be 'innocent fun'. Hacking compromises system security, and those responsible for this system security may have to invest considerable resources in making their system more secure. This additional expenditure of resources is in itself a damage caused by hacking.

As for prevention, Kaspersen noted that computers as such are unsecured. Most computer users are not aware of the risks involved when computers are networked. Something should be done by the industry or the government in order to promote security awareness. This same process is taking place in connection with the telephone systems. The co-operation of industry must be secured; they must be made aware that the product is unsafe. The Government should set standards, and should make persons and corporations liable for violation of these standards. An awareness programme should be directed at the potential victims. Furthermore, victims should be given information on the possible threats and given different alternatives, so that the victim can make informed choices. There are already technical means available by which the potential victims can
decrease the risk of computer crimes, although clearly more work on the development of such means is necessary. Finally, what is needed is well-done risk assessments.

REFERENCES


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THE DEPARTMENT OF CRIMINOLOGY AT STOCKHOLM UNIVERSITY

INTRODUCTION
The Department of Criminology at Stockholm University is the only university based criminology department in Sweden. The first chair in criminology was established in 1964. The department was set up in 1970, first as a subdivision of the Department of Sociology, but since 1987 it has existed as a department in its own right within the Faculty of Social Sciences. From the beginning, the staff has primarily been recruited from the fields of law and sociology and thus the department has the same academic orientation as other institutes and departments of criminology in Scandinavia in the second half of the twentieth Century.

The regular staff consists of three full professors and four researchers/lecturers. In addition the department employs two part time administrators. The department also has some affiliated teachers and thesis supervisors. Some 20 doctoral students work at the department either as research assistants or in other postgraduate positions. One member of the regular staff and half of the research assistants are female.

The department has a total annual budget of around 1.7 million Euro. Some 40% of the budget derives from external sources, mainly research foundations and government authorities. Most of the departments’ doctoral students are financed through external funding.

TEACHING
The department has an average of 200 regular students per term on the undergraduate and graduate levels, two thirds of whom are female. In addition to criminology the students have mainly studied sociology, but also psychology, political science, economic history, law and other disciplines. The department is becoming increasingly engaged in extra mural teaching, primarily for personnel from law enforcement and local crime prevention programmes.

The department offers Bachelor’s, Master’s and Doctoral programmes. A Bachelor’s degree requires six terms of study (each of five months duration), including three terms of criminology ending with a dissertation.

A Master's degree requires an additional year with one term of criminology, also including a dissertation. A Doctor's degree is scheduled for four years but usually takes longer.

The courses offered cover descriptive accounts of crime, quantitative and qualitative method, criminological theory and criminal policy. In its teaching, the department stresses historical approaches to crime and punishment as well as 'modern' areas such as gender and crime, terrorism, drugs and economic crime. The courses are given in Swedish with the exception of occasional courses given by visiting professors from abroad in the Doctoral programme.

**Research**

Up until the early 1990s the department had been fairly small. Since then, however, research has expanded, and several projects have been started. The research is empirically orientated with a tradition of employing official crime statistics and survey methods. The research is characterised by a historical and constructivist approach, especially with regard to explanations of crime policy; alcohol, drugs and crime; victims, youth crime and social exclusion.

*Crime and Crime Policy*

The analysis of Swedish crime policy constitutes a major research orientation of the department. Of the many projects within this programme, a number also employ a comparative European approach (Westfelt 1998; Tham 1998a; Estrada 1999). The comparative approach is also applied to descriptive accounts and analyses of the legal system and of trends in crime and punishment as portrayed by official statistics and other indicators (Sarnecki 1994; Von Hofer 1995, 1997a, b). Studies on crime among immigrants could also be included here (Von Hofer et al. 1997). A project on the evolution of the Swedish police also ties in with the European perspective on questions of terrorism, refugees and the European Union. Other projects, whose focus is primarily limited to Swedish crime policy, take up the politicising of crime policy (Tham 1995a), the evolution of just deserts and the effectiveness of policies aimed at regulating environmental pollution.

*Alcohol, Drugs and Crime*

The department has been very much involved in research on Swedish drug policy (Lenke 1995, 1998; Nilsson 1995; Olsson 1995; Tham 1995b, 1998b). Some of this research too is grounded in a comparative European perspective (Lenke and Olsson 1996, 1998). Several studies concern the relationship between alcohol and violence, especially on the aggregate level.
Victims

The department is becoming increasingly involved in victimological research. Earlier projects have dealt with rape and repeat victimisation. One present project focuses on victims of domestic burglary, another on violence and threats against homosexuals ('hate crimes'). Another project is concerned with mediation, looking at both its introduction in Sweden and the meeting between victim and perpetrator. The distribution of crime, fear of crime and victimisation in Stockholm is studied in another project, this time using an ecological approach. Finally there are two projects focusing on lethal violence, the one looking at Stockholm since the sixteenth century, the other at the whole of Sweden during the 1990s.

Youth Crime

There are several projects that focus on juvenile delinquency. The project 'Criminal networks in Stockholm' is both a quantitative and qualitative analysis of the interactions and relations between young offenders known to the police (Sarnecki 1998). Research on juvenile delinquency also includes a study of self-reported criminality among school children based on national surveys, a follow-up study of reformatory school youths and a study on vandalism in the public transport system. Juvenile delinquency is also studied in projects that focus on drugs and crime policy.

Social Exclusion

Other projects at the department take up issues related to the field of social exclusion. The project 'Level of living among prisoners' compares the living conditions of the inmate population and the total population on the basis of representative survey data. A further study concerns housing evictions, and still another looks at marginalised women and their relationship to drugs, crime and prostitution. The department is also engaged in a comparative project with six other European countries, 'Social exclusion as a multidimensional process; sub-cultural and formally assisted strategies in coping with and avoiding social exclusion'.

REFERENCES


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SELECTED ARTICLES AND REPORTS

This section contains a selection of abstracts of reports and articles on the central topic of this issue. The aim of publishing these short summaries is to generate and disseminate additional information. Most of the articles have been published in other journals in the English language, although we aim to incorporate French, Dutch or German literature on the subject. General information on criminal policy and research in Europe can be supplied by the WODC Documentation Service (infodesk@wodc.minjust.nl). Single copies of the articles can (when used for individual study or education) be provided by the WODC Documentation Service.


In the Netherlands there is an ongoing debate about private detectives and their necessity or desirability. In Belgium this debate started with the Law on Private Detectives of 19 July 1991. The authors of this book consider the opinion of people in the private security industry on these matters. They discuss the place of the security industry within the national frameworks, the regulations in Belgium and The Netherlands and the use that can be made of crime mapping and profiling. The authors also offer case studies on several types of fraud, among others concerning health, telecommunications and transport/cargo.


In Belgium, a high ranking police commissioner of the Judicial Police has been brought to court because of a disturbing relationship between police detectives and Private Detectives, informants and employees of private companies. The starting point for this research was the position of police officers. Which factors have contributed to the genesis and the continuance of informal and problematic interactions between public and private police? Given the vast amount of material available, the methodology became rather complex: a synthesis of various techniques was necessary, accompanied by a two-stage analysis. The results were set in the politico-economic context of the socialisation of police officers, the police organisation and the informal norms which govern everyday police life.


In recent years, the private security industry has developed rapidly in the Netherlands with regard to the provision of security services. The last two decades in particular have
seen a rapid expansion in this sector. Their role has become a profession. Duties have expanded and have grown more complex. This is partly caused by the fact that the police are giving lower priority to ‘non-police functions’. This paper presents a short historical survey on the development of the private security industry in the Netherlands. Statistical information is presented on manpower, number of companies, and turnover. Possible trends and future perspectives concerning the private security industry are described and commented upon.


Some form of regulation of the private security industry in the United Kingdom looks inevitable in the next few years and yet there has been very little debate on what form it should take or research on other countries’ experience on this issue. Therefore the authors decided to undertake research on different countries’ experience of regulations of the private security industry. This paper presents a summary of some of the preliminary findings of their research into different regulatory systems across the globe. It starts by explaining some of the problems in conducting comparative research across international boundaries and then moves on to explore some of the influences that shape regulatory systems. The paper then identifies some of the criteria from which regulatory systems can be differentiated and on basis of two of these, five models of regulation are described. Finally the authors make some preliminary conclusions on what they believe to be the most effective model of regulation that the Home Office should consider developing.


This paper is based on findings from a project dedicated to the study of private investigators in the UK; a group variously considered to be among both the most romantic and the most sordid figures in private policing. Such perceptions are deeply embedded in popular culture and – the authors argue – are promulgated by media portrayals that emphasise their least savoury elements. Nevertheless, their clients continue to pay good money for their services, as private investigators often provide expertise which is unavailable elsewhere. This paper seeks to evaluate their efforts by discussing the types of services they provide for different client groups. It discusses alleged illegal behaviour and professional malpractice and the possible impact of statutory regulation. It argues in favour of greater control, not least because it might render private investigators’ services available to a broader clientele.


Regulation of the private security industry is an issue that crosses political boundaries. To date, calls for regulation have largely fallen into two camps, either statutory licensing using existing British Security Industry Association Inspectorates, that is the present
system of self-regulation backed up by statute, or statutory regulation backed up by an independent body. However, what is essential, before regulation is even contemplated, is a co-ordinated systematic investigation of the industry to determine exactly what it is that requires regulation.


In this article several problems that the police experience are described. The first problem consists of deliberations whether, and to what extent, the privatization of certain police tasks is possible. The second problem is the social control of crime and the third involves a new perception of police management.


Against a backdrop of uncertainty created by an escalating and unmet public demand for police protection, and the re-emergence of unregulated commercial security, this paper has three aims. First, it outlines the developments in security provision currently unfolding in Britain and reviews some of the responses that have been made. It then develops a critique of recent suggestions that private security is best countered by introducing novel ways of meeting the public demand for a visible police patrol presence. Finally, it offers an alternative way of responding to the commodification of security, one suggesting that the concept of private security is in fact an oxymoron.


Loader addresses some of the normative considerations raised by private security; reflecting, in particular, on the meanings that security has as a social good within liberal democratic societies, and considering the criteria that ought to be employed in order to decide how that good is distributed and regulated. He begins by developing a principle critique of the case put forward by economic liberals and literarians for allowing the market an extended role in the allocation of security provision. He then assesses the merits and shortcomings of the dominant alternative discourse (in Britain at least) that seeks to subject the security market to specific kinds of legal regulation; before reflecting on how the provision of security might be reconfigured in ways that accord greater priority to questions of equity and democratic deliberation.


There is wide variation among states in the type of behaviour that disqualifies individuals from becoming a security guard. There is also variation among states with respect to the minimum requirements for becoming a security guard. Roughly one third of the states
require that applicants be either citizens or legal residents of the United States. One half of the states have a minimum age requirement. The most common minimum age for both armed and unarmed security guards is 18 years; however some states have different age requirements depending upon whether or not the guard is armed. It should be reiterated that there is a vast difference between regulation levels among the states. What passes for regulation in some states is little more than asking applicants to promise that they are qualified to be a security guard.


The modern security services industry – guarding, investigations, alarm monitoring and armoured courier – evolved in the United States during the second half of the nineteenth century. By the mid-1990s the industry represented almost three times the number of personnel employed as those in local, state and federal law enforcement combined. The effort to create uniform standards in the industry has been uneven. Historical antecedents for major industrial components are discussed. Problems and opportunities are identified in this article.


This article describes three competing work styles (crime fighters, guards, and bureaucratic cops) in the private security sector. The article offers some policy implications (recruitment, training, and service delivery) for organisations employing security forces. It concludes by offering suggestions for future research informed by security officer occupational typologies.


In this article the question is posed whether a negative public opinion about the police opens the door for private policing initiatives. This question is answered by the results from two surveys among representative samples of the population of Freiburg am Breisgau, Germany. These surveys were held in 1991/1992 (n = 2,344) and in 1994 (n = 1,118). One of the findings is that people would rather see more police officers on the street than more security guards. These findings are also compared to other research in Germany.


The Security Providers Act was introduced in the state of Queensland, Australia, in
1993. The Act, and the regulations promulgated in 1995, were designed to improve the conduct and skills of security officers, especially crowd controllers in licensed premises. The Act is an important step forward in the regulation of the security industry. However, a number of faults have limited its effectiveness, and these can in part be related to incomplete consultation. The Act omits large segments of the industry. Training requirements are inadequate, and there has been no national articulation to allow interstate portability of licences and uniformity of licensing requirements. There is also a need for more pro-active auditing of compliance and for evaluation of the impact of the Act. With the trend towards increased regulation, this case study provides important lessons for policy makers and lobbyists regarding the development of security legislation.


The paper contrasts two stories about the origins of community policing, one that locates its emergence within the police and the other that locates it within private security. It argues that both stories need to be recognised if community policing is to be understood.
Aims and scope. The European Journal on Criminal Policy and Research is a platform for discussion and information exchange on the crime problem in Europe. Every issue concentrates on one central topic in the criminal field, incorporating different angles and perspectives. The editorial policy is on an invitational basis. The journal is at the same time policy-based and scientific; it is both informative and plural in its approach. The journal is of interest to researchers, policymakers and other parties that are involved in the crime problem in Europe. The European Journal on Criminal Policy and Research is published by Kluwer Academic Publishers in co-operation with the Research and Documentation Centre (WODC) of the Ministry of Justice. The journal has an editorial policy independent from the Ministry.

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The growth of the private security industry is probably one of the most striking developments in the criminal justice field. It is precisely the growth of this type of industry that characterises our forthcoming entry into the 21st century: a market-economy with public–private partnerships; a growing information technology with new surveillance possibilities; prodigious attention paid to crime and security. This issue not only condenses the existing knowledge and points of view on the subject, but also adds new information to the academic debate.