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**Expert Group on Civilian Private  
Security Services**

Vienna, 12-14 October 2011

**Civilian private security services: their role, oversight and  
contribution to crime prevention and community safety\*****I. Introduction**

1. In its resolution 18/2 of 24 April 2009, entitled “Civilian private security services: their role, oversight and contribution to crime prevention and community safety”, the Commission on Crime Prevention and Criminal Justice (CCPCJ) noted the importance of effective oversight of civilian private security services (CPSS) by competent State authorities to ensure that they were not compromised or misused by criminal elements, including organized criminal groups, and invited Governments: (a) to examine the role played on their territory by such services, assessing, where applicable and consistent with their national laws and administrative policies, the contribution of such services to crime prevention and community safety; and (b) to determine whether national legislation provided adequate oversight.
2. In the same resolution, the Commission decided to establish an open-ended intergovernmental expert group, inviting experts from academia and the private sector to become Members of that group to study the role of CPSS and their contribution to crime prevention and community safety and to consider, inter alia, issues relating to their oversight by competent State authorities.
3. With a view to preparing the organization of the above expert group, a planning meeting, attended by experts in their individual capacity, was organized by the United Nations Office on Drugs and Crime (UNODC), with the financial contribution of the Government of the United Arab Emirates, in Abu Dhabi from 10 to 11 May 2010<sup>1</sup> (hereinafter referred to as “Planning Meeting”).

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\* Prepared by Robin Wickham Palmer and Mark Button, UNODC consultants.

<sup>1</sup> The report of that meeting was presented to the CCPCJ at its twentieth session as document E/CN.15/2011/CRP.2.



4. Pursuant to CCPCJ resolution 18/2, the Secretary-General requested Member States through a note verbale dated 22 June 2010, to provide information on: (a) the role played on their territory by CPSS; (b) the contribution of such services to crime prevention and community safety; and (c) whether national legislation provides adequate oversight of civilian private policing. A total of 43 States responded to the note verbale.<sup>2</sup>

5. An analysis of the replies provided by States was presented to the CCPCJ at its twentieth session in the Note by the Secretariat on Civilian private security services: their oversight and their role in and contribution to crime prevention and community safety.<sup>3</sup> It indicates that the majority of responding States reported positively on the impact of CPSS and their contribution to crime prevention and community safety. Some States however stressed that the implications of using private security services could be negative due to the malfunction of those services. Most of the reporting States indicated they had an adequate legal oversight of private security services with a department responsible for authorization, as well as for oversight and monitoring. A few States, however, reported their legal oversight over CPSS to be deficient. The Note concluded that the role of CPSS was still subsidiary in most of the responding States, while primary responsibility for public order, safety and security rested with the States.

6. Drawing on the conclusions of the Planning Meeting and on the analysis contained in the Note by the Secretariat on responses by Member States, the present background paper has been prepared with a view to aid the discussions of the Open-ended Intergovernmental Expert Group. It contains recommendations that the Open-ended Intergovernmental Expert Group may wish to consider and, through the CCPCJ at its twenty-first session, address to States.

## II. Overview and definition

### A. Overview

7. It appears that the size and role of the civilian private security industry have grown dramatically across the globe in recent years. In spite of controversies on how accurate statistics and data are and what should be counted as private security industry, the substantial growth in most countries of the private security industry is not contested. A few examples include in France, a growth of the industry from 100,000 personnel in 1982 to 160,000 in 2010; in Japan, from 70,000 guards in 1975 to 460,000 in 2003; in South Africa, from 115,000 in 1997 to 390,000 in 2010. In India there are 7 million security personnel, outnumbering police officers 4.98 to 1. In Guatemala the ratio is 6.01, in Honduras 4.88, in South Africa 2.57, in the United

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<sup>2</sup> Algeria, Argentina, Azerbaijan, Bahrain, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Canada, Chile, Colombia, Croatia, Cyprus, Czech Republic, Ecuador, Egypt, El Salvador, Finland, Germany, Guatemala, Hungary, India, Jamaica, Japan, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Monaco, Norway, Oman, Paraguay, Philippines, Portugal, Republic of Korea, Russian Federation, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey and United Arab Emirates.

<sup>3</sup> Contained in document E/CN.15/2011/14.

States of America 2.26, and in Australia 2.19. Some large transnational companies employ more than 500,000 staff worldwide.<sup>4</sup>

8. Increased pressures upon the law enforcement community have resulted in many places around the world in the “privatization” of some police functions, with the civilian private security industry filling the gaps left by the overstretched police and playing a growing role in crime prevention and community safety. The privatization of the police has occurred at a number of levels. There has been load shedding, where the police withdraw from providing certain functions and private security fill the gap; contracting out, where services are still provided by the police but a contractor is used to supply that service; and the embracement of private sector practices by the public police, such as charging for services and accepting sponsorship.

9. Some of the sectors in which CPSS operate around the globe include: patrolling public streets; transporting valuables; protecting critical infrastructure; providing security at airports and other major public transport hubs; responding to alarm activations; conducting surveillance; securing order and dealing with crowds at large public events; and investigating crimes. In many States there has been an expansion in mass private property and gated communities and in both, the civilian private security industry usually assumes the primary role in providing crime prevention and community safety.

10. In some States there has been evidence of problems associated with the expansion in size and role of the civilian private security industry. These vary from State to State, but have included, among others: the criminal infiltration and involvement of organized crime in the industry; corruption; little or no training for civilian private security guards; the abuse of authority and excessive use of force by personnel; generally low professional standards; inadequate legal accountability mechanisms; and non-compliance with the law.<sup>5</sup>

11. Many States have responded to the growth of the civilian private security industry by enacting legislation to regulate it. The nature and effectiveness of the regulation has varied considerably between States, with some investigating or promoting changes to existing controls. Some States have also sought to more effectively integrate CPSS in the provision of crime prevention and community safety through formal measures such as obligations to participate in the response to emergencies, to cooperate with law enforcement personnel, to share information; and in some States certain personnel have been given special legal powers.

## **B. Definition**

12. There is no commonly accepted definition of CPSS. For the purpose of the present paper and based on the recommendations of the Planning Meeting, the following criteria are considered indicative of CPSS:

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<sup>4</sup> Small Arms Survey (2011) Small Arms Survey. Available at [www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2011.html](http://www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2011.html)).

<sup>5</sup> UNODC-UNHABITAT *Introductory Handbook on the Policing of Urban Space (2011)*, United Nations Publication, Sales No.V.11-80387, available from [www.unodc.org/documents/justice-and-prison-reform/crimeprevention/11-80387\\_ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/11-80387_ebook.pdf).

(a) CPSS provide security-related services with the overall objective of protecting or securing people, goods, sites, locations, events, processes and information from predominantly crime related risks.<sup>6</sup> Services which expressly or implicitly have offensive mandates are not included in the CPSS category;

(b) CPSS are legal entities or individuals supplying services for payment;<sup>7</sup>

(c) CPCC are private entities or individuals, not public entities. They may include commercial firms, not-for-profit organizations, as well as lone individuals;

(d) CPSS are officially accredited and regulated;

(e) Services provided by CPSS may be preventive, supportive of public law-enforcement agencies, and, where permitted, complementary to public law-enforcement agencies.

13. It should be noted that private security companies providing anti-piracy protection services on commercial ships may meet the above-mentioned criteria of CPSS, provided their primary function is protective, without any offensive mandates.<sup>8</sup>

14. Private military companies (PMC) or private military and security companies (PMSC)<sup>9</sup> are excluded from the scope of the present paper, even if part of their operations may fall within the scope of CPSS.

15. Although CPSS are in various countries providing services in private prison and detention facilities, this is also considered as an area requiring specific attention and guidance and beyond the scope of the present paper.

### III. Oversight and regulation of CPSS

16. Consistent with States' primary responsibility to provide safety and security to citizens, the oversight and regulation of CPSS' activities are a responsibility of Governments. Oversight of CPSS should aim to ensure that they respect the law and do not abuse or overstep their powers when fulfilling their legitimate role as defined

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<sup>6</sup> It is important to note "predominantly crime related risks" otherwise the definition could include any entity or operative engaged in protecting. Civilian private security services include services in the following broad sectors: manned guarding services (uniformed security guards); installers, distributors and manufacturers of security equipment; private investigators; and security consultants.

<sup>7</sup> In some countries volunteers, sometimes referred to as vigilantes, provide security services such as patrol services, with or without the sanction of the State. Introducing "for payment" in the definition excludes this group.

<sup>8</sup> See: International Maritime Organisation (2011a) *Interim Recommendations for Flag States Regarding the Use of Privately Contracted Armed Security Personnel on Board Ships in the High Risk Area* (London); and International Maritime Organisation (2011b) *Interim Guidance to Shipowners, Ship Operators, Shipmasters on the Use of Privately Contracted Armed Security Personnel on Board Ships in the High Risk Area* (London).

<sup>9</sup> For the body of international law and rules applying to PMSC, please refer to the Montreux Document on *Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies during Armed Conflict As defined in the Mercenary Conventions: International Convention against the Recruitment, Use, Financing and Training of Mercenaries [UNGA Res. A/RES/44/34], and the OAU Convention for the Elimination of Mercenarism in Africa [OAU CM/817(XXXIX), Annex 2, Rev 3]*.

in law or regulations. Effective oversight is primarily achieved through comprehensive regulation of CPSS.

17. While there are United Nations standards regarding the use of force by law enforcement officials,<sup>10</sup> there are no United Nations standards specific to civilian private security. However, there is a growing number of international reports, declarations and models, as well as handbooks which call for the effective regulation of CPSS and offer some proposed guidelines. These include the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) report on Private Security Companies in South Eastern Europe, subsequent Sarajevo Code of Conduct for Private Security Companies, and accompanying Sarajevo Client Guidelines for the Procurement of Private Security Companies; the joint Declaration of the Confederation of European Security Services (CoESS) and the European Trade Union Federation (UNI-Europa) on the European Harmonization on Legislation Governing the Private Security Sector; and the International Association of Security and Investigative Regulators Model Statute for the Regulation of Private Security Officers and their Employers.<sup>11</sup>

18. Mechanisms established for the regulation of CPSS may be inspired by existing mechanisms to ensure police oversight and accountability,<sup>12</sup> as they share similar roles of protecting people's rights, maintaining order and guaranteeing stability and security. Given the academic and legal debates over what constitutes CPSS it is important that the term is clearly defined in national legislation regulating the industry, and that its activities and responsibilities are clearly set out, as well as possible sanctions for infractions (whether criminal or administrative). In some countries CPSS personnel are given special rights and powers. Most commonly these are to carry firearms or non-lethal weapons, but may also include powers to request identification, to use force, to conduct searches, and to arrest individuals.<sup>13</sup> In South Korea for instance the legislation distinguishes between General Security Officers and Special Security Officers. Only the latter can carry firearms. It is important that all powers are set out clearly in the legislation and that such powers are limited to the territory of the State and subject to its laws.

19. Legislation also needs to set out what CPSS are prohibited from doing. This may include: intervening in political and labour conflicts; intercepting communications; making video or audio recordings or taking photographs on the site being protected; making unauthorized use of uniforms; using information on their clients; and acting in a way that might harm the rights and freedoms, life,

<sup>10</sup> Code of Conduct for Law Enforcement Officials, General Assembly resolution 34/169, annex.

<sup>11</sup> Also see: UNODC-UNHABITAT *Introductory Handbook on the Policing Urban Space* (2011), United Nations publication, Sales No. V11-80397, available from [www.unodc.org/documents/justice-and-prison-reform/crimeprevention/11-80387\\_ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/11-80387_ebook.pdf); UNDP Pacific Centre report on Enhancing Security Sector Governance in the Pacific; available from [www.undppc.org/fj/\\_resources/article/files/Enhancing%20Security%20Sector%20Governance%20in%20the%20Pacific%20Region.pdf](http://www.undppc.org/fj/_resources/article/files/Enhancing%20Security%20Sector%20Governance%20in%20the%20Pacific%20Region.pdf); the Organization for Economic Co-operation and Development (OECD), Development Assistance Committee (DAC) Handbook on Security System Reform available from [www.oecd.org/document/12/0,3343,en\\_2649\\_33721\\_38907340\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/document/12/0,3343,en_2649_33721_38907340_1_1_1_1,00.html).

<sup>12</sup> See UNODC *Handbook on Police Accountability, Oversight and Integrity*, Sales No. E11.IV.5, available from [www.unodc.org/documents/justice-and-prison-reform/crimeprevention/PoliceAccountability\\_Oversight\\_and\\_Integrity\\_10-57991\\_Ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/PoliceAccountability_Oversight_and_Integrity_10-57991_Ebook.pdf).

<sup>13</sup> E/CN.15/2011/14, at para. 34.

health, reputation, dignity, property or lawful interests of natural persons.<sup>14</sup> The purpose of clearly defining the limits of CPSS powers is to prevent their abuse and ensure that the rights of other citizens are protected. To effectively regulate the conduct of CPSS personnel, the adoption of a code of conduct/ethics of CPSS with accompanying sanctions for infractions, should be considered.

20. Legislation regulating CPSS usually sets out the standards required of CPSS. These may include the requirement for a designated person responsible for the entity; a minimum level of insurance; appropriate equipment; a minimum level of resources. In many regulatory systems once a provider is authorized to provide CPSS there are additional requirements they must keep in order to have their authorization regularly renewed. These may include, keeping lists of employees, keeping records of incidents, having to inform authorities of specific kinds of incidents, and having to wear identification.

21. In some countries CPSS performance is adversely influenced by relatively poor conditions of employment. CPSS need to comply with all relevant national and international laws governing working conditions, and incentives to do so could be included in the legislation. Working in the civilian private security industry can be dangerous with high risk of injury and even death. It is therefore important that measures are taken to minimize the risk of workplace violence and to ensure standards of health care. Appropriate remuneration also ensures high levels of quality and reduces the risks of unfair competition. States should ensure appropriate working conditions conducive to maximizing the effectiveness of CPSS personnel.

22. The role of CPSS in crime prevention and community safety necessitates certain basic minimum standards of education, literacy, language and character. States should therefore identify minimum standards for the recruitment and selection criteria for CPSS personnel to carry out their duties. CPSS personnel need, inter alia, to be able to communicate with those they are protecting and to write reports if they are to be effective.

23. A common problem in many countries with no or inadequate regulation is employment of those with inappropriate character in the CPSS sector. As persons to be trusted, often with access to sensitive and valuable locations and information, it is vital staff employed are of good character. There is wide variation among regulatory systems on what these minimum standards should be.<sup>15</sup> Therefore, it is proposed that States establish minimum standards referring to character, including criminal record. These standards should be stricter when CPSS personnel are allowed to carry firearms in the performance of their functions. Particular attention should be given to a personal history of violence, especially towards women and children. Vetting and oversight should be in place to ensure known human rights abusers are not employed in CPSS.

24. In addition to regulation by the State, possibly complemented by self-regulation by CPSS, there is a wide variety of non-governmental organizations

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<sup>14</sup> E/CN.15/2011/14, at para. 35.

<sup>15</sup> See CoESS/ UNI Europa (2004) *Panoramic Overview of the Private Security Industry in the 25 Member States of the European Union*. Retrieved June 20, 2011, [www.coess.org/pdf/panorama1.pdf](http://www.coess.org/pdf/panorama1.pdf).

which have taken an interest in CPSS through monitoring and research and in doing so contribute to their oversight and accountability.

25. Oversight should also aim at preventing and addressing corruption in CPSS.<sup>16</sup> “No-bribery” clauses should be included in all CPSS contracts as part of a greater system to curb corruption in contracts between the public security organs and CPSS. These contracts should furthermore contain provisions about information regarding agents and intermediaries, publication of some of the documents involved in the contract process and the appointment of an independent monitor with access to all materials involved in the contractual process. The independent monitor should be an independent technical expert, and should review all documents for corrupt practices and bias, and should be available to hear and decide complaints from all parties to the contract.

26. Bribery should not only be prohibited but should be clearly defined in national laws and training manuals. Where gifts are concerned, it is appropriate for States to ban gifts of a value greater than a certain, predetermined amount. Modest hospitality (e.g., working lunches) should be acceptable but hospitality that could influence partiality should be banned (e.g., the use of corporate aircraft free of charge). In addition, there should be proper procedures for the disposal of gifts, and registers of all gifts and offers of gifts, should be kept and updated frequently.

27. Clear guidance should be given to both CPSS and public security operators on identifying when conflicts of interest exist. All officials should be required to disclose conflicts of interest when they first arise. A clear procedure should be followed in conflict of interest cases: a certain time frame established within which affected persons should act, and details of documentation to be completed should be available.

28. Post-separation regulations (i.e., on leaving employment for a new employer) should contain limitations on the activities that a previous employee of State security organs or private security companies may be engaged in immediately after resigning from their employment. In this regard, officials should be required to request formal permission from previous employers in cases where he/she accepts an offer of employment (this would remove the risk of such a person using information obtained through his/her previous employment to the advantage of his/her new employer). Former employees of State security organs and CPSS should also be prohibited by States from receiving gifts and payments related to his/her employment for a period of at least two years after leaving office.

29. Single source procurement may only take place under limited circumstances, and must be subject to the maximum controls to ensure the integrity of such procurement. Single sourcing should also never be allowed where it is used for the selection of a preferred vendor.<sup>17</sup>

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<sup>16</sup> See the United Nations Convention against Corruption, in particular articles 12 (private sector), 21 (bribery in the private sector) and 22 (embezzlement of property in the private sector).

<sup>17</sup> For an illustration of transparent procurement processes, see SEESAC: The Sarajevo Client Guidelines for the Procurement of Private Security Companies 2006.

The Intergovernmental Expert Group may wish to recommend that States consider:

30. Reviewing, evaluating and revising existing regulation of CPSS and where there is currently no regulation, enacting specific comprehensive legislation for the regulation of CPSS:

- (a) Defining CPSS in national legislation;<sup>18</sup>
- (b) Defining the activities and responsibilities of CPSS;
- (c) Defining any associated powers of CPSS providers and personnel;
- (d) Defining activities which are forbidden for CPSS providers and personnel to undertake, strictly limiting the use of force and establishing a system to enforce sanctions for infractions;<sup>19</sup>
- (e) Ensuring that an effective regulating body is established to oversee conduct of CPSS within its borders and that this includes the oversight of training;
- (f) Regularly reviewing and evaluating the effectiveness of regulation and bringing forward reforms to address any weaknesses;
- (g) Adopting a code of conduct for CPSS personnel.

31. Establishing minimum standards of operations for CPSS providers:

- (a) Setting minimum standards of eligibility for CPSS providers to supply such services;
- (b) Setting minimum standards of operation for CPSS providers;
- (c) Ensuring compliance among CPSS providers with all national and international laws, national labour laws, practices and regulations relating to the personnel they employ, including relevant health and safety rules, and respect for the human rights of all persons;
- (d) Ensuring that adequate licence documentation is issued to CPSS personnel, which contain at least a photograph and other relevant identification information.

32. Ensuring appropriate working conditions conducive to maximizing the effectiveness of CPSS personnel which should include:

- (a) Ensuring that all licensed CPSS provide employees with a working and training environment in which minimum standards of health and safety are maintained;
- (b) Ensuring the work of employees of CPSS are remunerated in accordance with set salary levels.

33. Establishing minimum standards for the recruitment and selection criteria for CPSS personnel covering:

- (a) Standards of education, literacy and language skills;

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<sup>18</sup> See proposed criteria which can be considered indicative of CPSS in Section II, B. above.

<sup>19</sup> This is covered under section IV below.



(b) Standards of character, including previous records of criminality (including previous convictions) not appropriate for personnel working in the CPSS sector;

(c) Standards of training and competence for all functions of the CPSS personnel in their jurisdiction.

34. Encouraging relevant NGOs which can play an important part in the oversight of CPSS through:

(a) Identifying and preventing any abuses perpetrated by CPSS personnel and providers;

(b) Raising awareness of appropriate standards to be complied with by CPSS personnel and providers.

35. Considering the applicability of the United Nations Convention against Corruption — in particular articles 12 (private sector), 21 (bribery in the private sector) and 22 (embezzlement of property in the private sector) to the CPSS. In this regard, States should:

(a) Ensure that contracts with CPSS contain specified “no-bribery” pledges and sanctions for non-compliance;

(b) Appoint an external monitor to ensure the transparency of contracts between the public security organs and CPSS;

(c) Ensure that all training programs of CPSS include education in the avoidance of bribery, corruption and other unlawful practices, and on ethical business behaviour;

(d) Ensure that the Codes of Conduct for CPSS strictly prohibit bribery, embezzlement, corruption and other unlawful practices, including unethical business practices;

(e) Issue clear guidelines, which are updated periodically, to private security operators about the appropriate responses when offered a bribe, gift or hospitality;

(f) Issue clear guidelines on appropriate behaviour for persons in a public security organ directly involved with a CPSS body, regarding having financial interests or personal involvement in such a CPSS body;

(g) Issue clear guidelines on the resolution of conflicts of interest in general;

(h) Ensure that post-separation regulations are created for employees of public security organs and CPSS bodies;

(i) Ensure that public security organs do not engage in single source procurement of CPSS;

(j) Ensure that public security organs appoint CPSS bodies according to transparent and fair tender and other procedures;

(k) Ensure that CPSS operators are strictly prohibited from embezzling any property, funds or things of value entrusted to them or obtained by them by virtue of their position.

## IV. Complaints, inspections and sanctions

36. Taking into account the risks inherent in CPSS functions of non-compliance with regulations and codes of conduct, and mistakes and abuses in the exercise of legal powers and the use of force, a system to receive complaints of an appropriate gravity should be part of the general oversight of CPSS as it is for law enforcement officials. Complaints against CPSS personnel should be investigated impartially and where severe enough tried by an appropriate impartial body. Some low level complaints such as rudeness should be dealt with by the CPSS provider. More serious complaints such as violence, abuse of human rights, and racist behaviour are more appropriately dealt with by impartial structures.

37. CPSS personnel should therefore be held accountable at three levels: self-regulation, administrative action, and criminal liability. Most States implement a system of sanctions that allows them to penalize transgressions and breaches of the regulations in force and such penalties vary among different systems.<sup>20</sup> Generally, the lowest breaches start with warnings and fines, rising to suspension of licence temporarily or permanently, and revocation of licence. Serious breaches can be dealt with by criminal courts and open a full range of penalties including imprisonment for the most serious cases.

38. In order for CPSS and their personnel to comply with applicable regulations, appropriate standards and detailed codes of conduct are necessary,<sup>21</sup> and such compliance can be more effectively ensured through constant inspections and appropriate penalties. This highlights the necessity for regular informed and non-informed inspections to maximize compliance. Appropriate penalties for breaches of the regulations and illegal pursuit of CPSS are also necessary to deter non-compliance. It is also important to publicise the relevant provisions through all appropriate mechanisms to ensure that CPSS personnel are aware of them.

The Intergovernmental Expert Group may wish to recommend that States consider:

39. Subjecting CPSS and their personnel to procedures relating to the receipt and investigation of complaints against them through:

- (a) Establishing mechanisms for the receipt and impartial investigation of complaints against CPSS personnel and providers by any person;
- (b) Defining the nature of complaints to be subject to these mechanisms;
- (c) Utilizing an appropriate impartial body to determine guilt and penalties for the most serious complaints and create an appropriate appeals process;
- (d) Publicising the existence of these provisions;
- (e) Ensuring that serious cases are brought to the criminal justice system for prosecution.

40. Developing standards for the provisions of CPSS and encouraging the development by private industry of codes of conduct;

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<sup>20</sup> E/CN.15/2011/14, at para. 40.

<sup>21</sup> E/CN.15/2011/CRP.2.

41. Ensuring regular inspections of CPSS providers to maximize compliance and allocating adequate resources for that purpose;
42. Specifying appropriate penalties for transgressions and breaches of CPSS regulations and for non-compliance.

## **V. CPSS contribution to crime prevention and community safety**

43. States have a primary duty of protecting the security of their citizens and all persons within their jurisdiction and maintaining and promoting crime prevention and community safety. CPSS working for governments, local communities and the corporate sector may play an important complementary role in preventing crime and enhancing community safety. This is recognized by the United Nations Guidelines for the Prevention of Crime<sup>22</sup> which encourage government institutions, all segments of civil society and the corporate sector to work together to prevent crime.

44. As indicated in the Note by the Secretariat on Civilian private security services: their oversight and their role in and contribution to crime prevention and community safety,<sup>23</sup> the majority of the States reported positively on the impact of CPSS and their contribution to crime prevention and community safety. Some States noted a significant contribution of CPSS to community safety, and highlighted their tasks and activities, and their role in informing the police. Most States reported that the significance of CPSS in crime prevention ranged from general to vital. Some States stressed that the implications of the use of CPSS could be negative due to the malfunctioning of those services.

45. CPSS are predominantly using situational crime prevention measures with the aim of reducing the risk of crimes occurring against those they protect. CPSS can contribute to a reduction of crimes in general, a reduction of specific crimes, and improvements in perceived feelings of security. The information provided by responding States indicated that CPSS can contribute for example to a reduction in bodily injuries and harassment, vandalism and graffiti on public transport. CPSS was also found to increase passengers' subjective feelings of safety on public transport (especially women and elderly passengers).

46. CPSS can enhance the chances of offenders being apprehended. In retail outlets it is common in many countries for them to be the primary force apprehending offenders engaged in shop-theft and other low level crimes. In a secondary role, CPSS can also alert law enforcement officials and provide information which enables them to apprehend offenders. In the United Arab Emirates the professionalization of CPSS has contributed to increased deterrence against crimes.

47. CPSS can also work in partnership with the State in responding to incidents. Depending upon their severity and the arrangements of the State this can be as primary responder before the State actors arrive or to provide additional resources to support State actors. In some States, State or local authorities incorporate CPSS into

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<sup>22</sup> Economic and Social Council resolution 2002/13, annex.

<sup>23</sup> Contained in document E/CN.15/2011/14.

their response to disasters, and assign to CPSS the duty to cooperate and assist public law enforcement officials. In several cities in the United Kingdom, and recently in Australia, law enforcement officials, local authorities and the civilian private security industry are brought together in a partnership to help prevent terrorist incidents and to respond together jointly in the event of a major attack.<sup>24</sup>

48. To maximize CPSS contribution to crime prevention and community safety, they are in certain States fully integrated in partnerships at all levels and in all sectors where they make a significant contribution. In the United States of America, relevant guidance encourages such an approach.<sup>25</sup> In addition to promoting CPSS contribution to crime prevention, close cooperation with the police also allows for better monitoring of CPSS by the police, thereby strengthening oversight.

49. Many States declared the cooperation of CPSS with the police as being one of their main contributions to crime prevention and/or public safety. The Russian Federation reported that, on the basis of its relevant national legislation of 1992, those services cooperated with the relevant State authorities in the detection and prevention of crime. Several States reported that CPSS were obliged to cooperate with and/or assist the police in various other forms, such as passing on information of criminal activities and helping with gathering evidence.

50. A few States reported that they had special mechanisms for cooperation involving the police, CPSS and civil society for the prevention of crime. Thailand stated that it considered CPSS to be a part of the community policing network, a strategy of the Royal Thai Police for crime prevention and suppression.<sup>26</sup>

51. Information-sharing is an important aspect of cooperation between State security actors and CPSS. CPSS often have an obligation to provide public security organs with information about threats and vulnerabilities they become aware of. Similarly the public security organs can share information obtained with CPSS. The Virginia Police and Private Security Alliance is an organization specializing in mall security, private investigations, corporate security and law enforcement. This organization makes use of a Fast Fax system in order for information sharing to take place in a fast and efficient way between the public and private sector. Fast Fax systems are also used by various other partnership organizations in the United States of America. The South African Police Service signed a Memorandum of Understanding with private security operators in one of South Africa's cities authorizing private security operators to staff the police call centre. Valuable information can then be called in by Members of private security companies. This cooperation also assists police in mapping hotspots for crime.

52. The cooperation of CPSS with the police is often not limited to the national level, but extends to local or municipal level. Cooperation results in improved response times to critical incidents, and improved communication and

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<sup>24</sup> See [www.projectgriffin.org.uk/pages/procedures.php](http://www.projectgriffin.org.uk/pages/procedures.php).

<sup>25</sup> See US Department of Justice (2005) Engaging the Private Sector to Promote Homeland Security: Law Enforcement — Private Security Partnerships. Available at [www.ncjrs.gov/pdffiles1/bja-210678.pdf](http://www.ncjrs.gov/pdffiles1/bja-210678.pdf) ). The Homeland Security Advisory Council which advises the Federal Government and includes representatives from the civilian private security industry (see [www.dhs.gov/files/committees/editorial\\_0331.shtm#0](http://www.dhs.gov/files/committees/editorial_0331.shtm#0)).

<sup>26</sup> E/CN.15/2011/14.

information-sharing.<sup>27</sup> Private security employees should be trained about roles, responsibilities and capabilities of public law enforcement agencies and public law enforcement agencies likewise need to be trained about the same regarding private security employees.

The Intergovernmental Expert Group may wish to recommend that States consider:

53. The following principles as underpinning the contribution of CPSS to crime prevention and community safety:

(a) All levels of government should continue to play a leadership role in the development of crime prevention programmes and in enhancing community safety;

(b) CPSS should be recognized as having an important complementary role in crime prevention and community safety and representatives should be involved in partnerships at all levels and in all sectors where they operate in a significant capacity;

(c) CPSS should be subject to appropriate government regulation and programmes which improves standards to enhance CPSS contribution to crime prevention and community.

54. Prioritizing the development of partnerships directed at achieving coordinated action plans between the public and private security sectors. Such partnerships should recognize the central role of governments in the regulation of CPSS, and be in line with the United Nations Guidelines for the Prevention of Crime.<sup>28</sup> In this regard States may:

(a) Encourage strategic partnerships between CPSS and public security organs;

(b) Provide funding for research about collaboration between the CPSS and the public security sector and for the evaluation of such cooperation;

(c) Establish and encourage specific training programmes focusing on cooperation and collaboration;

(d) Establish an appropriate body to oversee the implementation of cooperation and collaboration between State security organs and CPSS.

55. Actively engaging providers of CPSS in information-sharing efforts directed at maximizing the opportunity to prevent criminal acts. In particular, States may:

(a) Aim to strengthen information-sharing between CPSS and public security organs;

(b) Aim to set up secure information sharing networks;

(c) Enact laws that protect information provided by the CPSS;

(d) Ensure coordination between all levels of public security organs in sharing information with the CPSS;

<sup>27</sup> COPS, IACP National Policy Summit Building Private security/public policing partnerships to Prevent and Respond to Terrorism and Public Disorder 2004 at p26. (See also Homeland Security Advisory Council Private Sector Information Sharing Task Force Information Sharing between Government and the Private Sector 2005).

<sup>28</sup> Economic and Social Council resolution 2002/13, annex.

(e) Rules concerning the ethical and lawful use of information should be considered for inclusion in any Code of Conduct for CPSS operators.

## VI. Training of CPSS

56. Adequate training of CPSS personnel is necessary to ensure that they have the essential skills for the performance of their work.

57. There have been a number of attempts to develop a model training standard for CPSS staff. CoESS and Uni-Europa have developed a European Training Manual covering a range of issues considered to be essential for such personnel. In the United Arab Emirates a common standard of training has been created applicable to all the Emirates under the National Security Institute and in partnership with the police and international experts. In the United States of America, the American Society for Industrial Security (ASIS) has also developed a standard called the “Private Security Officer Selection and Training Guideline”.

58. States may define several levels of training required from CPSS personnel. In Belgium, for example, the training for operational staff and managerial staff differ.<sup>29</sup> The International Association of Chiefs of Police has set three different classes of licence as a guideline: The Class I licence is for a Security Officer or Unarmed Alarm Responder; Class II licence is for an Armed Security Officer or Armed Alarm Responder, and a Class III licence is for an Armoured Car Security Officer. The Security Industry Authority in the United Kingdom requires different kinds of training to be undertaken for the different situations that CPSS personnel could encounter. Although there are two main types of licence, the Front line and Non-Front line licences, different training modules should be undertaken for different security service qualifications.<sup>30</sup>

59. States may define core issues to be included in the training. In the Swiss Federation the authorities are required to ensure that all CPSS receive training which includes inter alia training on the use of force and human rights, personal privacy and procedural law.<sup>31</sup> Internal training may provide employees of a CPSS provider with training in issues of cultural sensitivity and gender issues.

60. To maximize the quality of training, States may also consider developing an adequate mechanism of certification to ensure the capacity, integrity and quality of entities and persons providing training.

61. To encourage professionalism of CPSS personnel, States may create a set of professional qualifications CPSS personnel can achieve, including refresher training. States may consider developing adequate mechanisms for CPSS personnel to obtain professional qualifications, directed at ensuring sustainable training.

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<sup>29</sup> “Mobility in the Private Security Industry” Information for Employers, Belgium CoESS, 2010, p. 9-13.

<sup>30</sup> The different licences are: Front line Door Supervisor licence; Front line Close Protection licence; Front line Cash and Valuables in Transit licence; Front line Public Space Surveillance CCTV licence; Front line Security Licence; Front line Vehicle Immobiliser licence; the Key Holder licence, and the Non-front line licence (SIA Licensing criteria, April 2010 p13).

<sup>31</sup> Ordinance on the Use of Private Security Companies by the Federal Government of 31 October 2007, Article 6(b) and (e).

62. The need for training standards to also apply to managers and supervisors is recognized in some countries. CPSS in many countries are characterised by high labour turnover of junior staff and it is therefore important that the managers and supervisors are also adequately trained beyond the basic standards for entry personnel. This helps to create a culture from top to bottom of organizations of professionalism rooted in higher training and education. It also recognizes that supervisors and managers have different and more demanding tasks which require further education and training.<sup>32</sup> In addition, States may encourage senior managers with responsibility for CPSS to acquire appropriate knowledge in relevant industry laws and processes to ensure regulatory compliance.

63. Raising the professional standards of CPSS is not solely influenced by the State. Self-regulation by industry bodies, non-governmental organizations, professional and trade associations and education/training providers also have a significant role in enhancing standards above the minimum and maximizing compliance. These can also be utilized to encourage continuing professional development.

64. Higher levels of education and training of CPSS personnel may be achieved by different stakeholders working together on this goal. States may wish to encourage universities, colleges and other relevant educational and training agencies to offer ongoing higher professional programmes relevant to CPSS.

The Intergovernmental Expert Group may wish to recommend that States consider:

65. Including the following elements in standards for training of CPSS personnel, where States decide to adopt such standards:

(a) Specific standards for training of CPSS personnel, which indicate the number of hours and topics to be covered;

(b) The following subjects should be completed, as a minimum: The role of CPSS and its contribution to crime prevention and community safety; The relevant legislation relating to powers of arrest, evidence, and the use of force; Communication skills relating to oral and written reports; Conflict resolution and de-escalation skills; Customer and client service skills; Emergency procedures for natural disasters, accidents and other emergencies; Human rights and adherence to national and international human rights standards and norms;

(c) Where CPSS personnel may carry firearms and/or non-lethal weapons, minimum training standards should be mandated for their use (including refresher courses);

(d) A set of training standards for each sphere that a CPSS officer might operate in;

(e) Ensuring that all training is accompanied by appropriate assessment and evaluation methodologies to measure the competencies of the CPSS personnel;

(f) Ensuring that all CPSS personnel undergo basic training before any other training is undertaken.

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<sup>32</sup> In Belgium for example in addition to basic operational training of 130 hours a middle manager must undergo a further 40 hours and a top manager a further 106 hours. CoESS/ UNI Europa op cit.

66. Developing a mechanism for certification of persons and entities providing training to CPSS personnel which should include:

- (a) Ensuring that training institutions are properly equipped to provide CPSS training;
- (b) Granting licences to operate as the provider of CPSS training.

67. Encouraging professionalism of CPSS personnel by developing adequate mechanism for CPSS personnel to obtain professional qualification which should include:

- (a) Providing CPSS personnel with adequate certification or licensing, which indicates the specific security services such person is allowed to provide;
- (b) Ensuring that the training of CPSS personnel is updated periodically.

68. Encouraging ongoing higher professional programmes relevant to CPSS. These could be:

- (a) Developed in consultation with the regulating authority, law enforcement community, professional and trade associations, non-governmental organizations and clients;
- (b) Offered to all levels of personnel working in CPSS;
- (c) Accredited by appropriate bodies where appropriate;
- (d) Be used as a basis for continuing professional development and career progression.