Public and Private Policing: Issues and Options for Collaboration within Australia

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1. **Background to Policing Partnerships**

In Australia we are at the cross-roads in regard to future directions of policing. On the one hand we have the present and more traditional approaches whereby public police forces/services are our front line both in terms of investigative and preventive policing roles. On the other hand we have a burgeoning private security (private policing) sector including quasi law enforcement agencies such as the Australian Protection Service and other government bodies, who are accepting more and more responsibility for all facets of community and corporate policing.

If we are to be serious about combining expertise and resources in ensuring the most effective policing outcomes, then we must adopt strategies that initiate equitable policing partnerships involving all agencies and the community. We must move away from the notion that policing partnerships are only possible so long as control rests with the public policing bureaucracies. Crime prevention partnerships must evolve by all stakeholders mutually agreeing to share expertise and experience. This does not mean a blurring or lessening of legislative responsibility in relation to the role of public police. Rather it means a willingness by public police forces/services to acknowledge both their expertise and their limitations and to acknowledge that communities, corporations and other government agencies may well have similar levels of expertise and experience.

Partnership does not imply that public policing agencies are necessarily to be regarded as the dominant partner members. Maximum benefit in partnerships is more likely to come from an approach of partnership equity.

The rationale for developing equity partnerships in crime prevention is the rapid growth of the private policing sector in Australia with its often un-defined mix of experience and expertise. Despite this growth, much of the private policing sector is unsure of its directions, legislative limits and capacity to offer its collective services to the improvement of policing as a whole. The Australian experience of the growth of policing by the private sector is similar to experiences of the USA, Canada and the UK. Throughout these four western countries, the corporate sector, individuals, community groups and other government or quasi-government departments are exercising policing functions which traditionally have been left to what we normally define as the public or government funded and controlled police services or forces. By far the largest increase in the visible private policing of western societies has come from the private security industry. In Australia over the past 10-15 years we have seen the security industry grow significantly in both quantity terms and, much less significantly, in quality terms. The security industry now outnumbers our public police services by between 2 and 3 to 1 depending on the State in question. For example, in New South Wales at the end of 1997 the state-wide public police service numbered 13,100 serving officers while the combined estimates of security managers and practitioners in New South Wales is estimated at 32,000 plus. What is interesting is the comparison between 1992 and 1997. In 1992 in New South Wales the (public) police numbers were marginally less than in 1997 while the estimates of security practitioners operating in the State were significantly less. Comparisons of numbers are: NSW Police (1992 - 12,900) and
2. **A Whole-of-Community Approach to Policing**

Notwithstanding the involvement of the private security industry, there are many Australian examples of public policing functions being shared with, or being absorbed by, commercial and community organisations whereby the focus of policing has shifted from the traditional crime reporting and investigative crime tracking to much more of an approach that identifies conditions likely to encourage crime that in turn establishes strategies, with or without the police, to the prevention of crime.

The **security industry** continues to exercise a significant role in crime prevention and crime management either in co-operation with the police or in isolation from the police. Examples in relation to the industry’s alternative policing roles include crowd management, street patrolling, mobile patrolling and some investigative functions.

The **corporate sector** continues to employ its own investigators, crime analysts and crime prevention strategists who may or may not have powers beyond exercising a limited policing role within a particular commercial enterprise. Corporations are these days more likely to police crime “in-house” because of possible adverse publicity and are increasingly avoiding contacting government policing services to monitor, investigate solve or prevent criminal activity.

Similarly, **government departments** sometimes seek to police their own employees, calling on various internal or external policies, procedures, regulations or tribunals to deal with a wide range of offences that might normally be dealt with in the public arena. Commonwealth or State departments often have a process of gradual disclosure whereby investigations are first carried out by internal inquiry before moving to formal charges and court proceedings.

**Urban and rural communities** are now beginning to exercise a role in crime prevention in conjunction with uniformed police services. Individuals and groups are continuing to show an interest in numerous crime prevention initiatives ranging from the more traditional neighbourhood (or other) “watches” to having a significant say in the design features of particular residential or recreational precincts with the express aim of increasing personal safety and protecting the community’s other assets.

In recent years we have seen the emergence of various community groups working in conjunction with local councils who, in more and more cases, are establishing community crime prevention committees as a mainstream component of shire or local council business.

Contributions from **individuals** independently contracted as consultants or as volunteers are also being recognised by some public police services. In past decades now there was a strong resistance throughout Australia to the volunteers-in-policing concept. The resistance was based on a rationale that limits policing only to those
who are academy trained sworn recruits with the special powers vested in them by governments. However, these barriers are slowly being removed. Particularly when it comes to non-investigative policing or crime prevention policing, both the community and the corporate sectors are now much more willing to exercise their knowledge and give of their time to act in partnership with police. In turn various police services across Australia are now realising the value of collaboration with government agencies, community groups and with corporations in ensuring that workplaces and community precincts remain relatively crime free.

Any form of co-operative or collaborative policing requires a willingness on the part of public policing agencies to share much more openly their own experiences and their own limitations in combating and preventing crime. In reality, it is a pointless exercise for police services (forces) to seek public sector, corporate sector and community cooperation unless the policing agencies become more transparent in the way they operate. This in part will mean a willingness, for example, to share resources, to disclose information and to invite participation in a range of initiatives that may result in corporations or communities knowing as much or more than the police and, in the end, receiving greater acknowledgement for their ability to prevent or solve crime with or without police assistance.

In the US, Canada and the UK, there are numerous examples of clearly defined short term and long term collaborative policing strategies between the public police services, the corporate sector, the community sector and individuals acting independently. In Australia over the last two decades in particular, there seems to have been a willingness on the part of all society’s stakeholders to recognise the limitations of public policing agencies. Finite government resources and government policies dictate these limitations. Finite resourcing has caused all State and Federal policing agencies to re-assess and re-define what has now been coined as “core police business”. Core business and out-sourcing have become synonymous with a narrowing of public policing boundaries. In turn the public policing agencies of those countries has acknowledged the need for greater collaboration between themselves and the wider private policing options.

The security industry remains the most obvious and visible example of alternative and structured policing by the private sector. The US has lead the way in this trend with Canada, the UK and Australia gradually following.

However, in Australia, examples of clearly defined long term collaboration between public police services and the security industry are hard to find.

It is unfortunate that in the private - public policing debate, the security industry is seen as either the major supplier of alternative policing services or the only supplier of alternative policing services. Policing by corporations, governments, the community sector and by individuals is seen as peripheral policing. On the other hand, the security industry’s contribution to alternative policing is now almost regarded as mainstream or even core policing.
While the rest of this paper focuses on the relationship between the security industry and public policing agencies, I would like to digress to illustrate a current example of collaboration between an individual hired as a policing volunteer within the NSW Police Service; an example that has lead to changes in the Service’s approach to obtaining vital video evidence.

The volunteer in this example wanted to work with a local patrol, undertaking the usual volunteer policing activities. These include helping police with victim support and community liaison.

In the course of the volunteer’s routine duties he was introduced by the local patrol to the video tracking system for alleged armed hold-up offenders. Video images of a hold-up are processed and forwarded to the relevant police patrol for possible suspect identification and/or investigation. Unfortunately the current processing time for the images ranges from 2-3 weeks; an unacceptably lengthy delay. The volunteer - a career computer expert - has been able to devise a solution to the problem whereby video image recognition and dissemination now takes less than 24 hours. (In fact, with the latest digital technology, there is no reason why images cannot be digitally transmitted almost instantaneously to a number of police sources including police patrol cars.)

This example of a chance understanding of policing methods has lead to an immediate change to obtaining fundamental evidence designed to benefit the whole NSW Police Service.

How many more examples would come to mind if the various State and Federal police services would more readily expose their current procedures, practices and limitations to the scrutiny of the corporate and community sectors. Does it not make economic sense for our public police to share expertise and resources across all sectors of society? If we are to seriously seek the co-operation of all society’s stakeholders in combatting and preventing crime, then there has to be a much more open approach by public policing agencies to engage all forms of expertise and to share in resource allocation.

3. Private Policing by the Security Industry

As mentioned earlier, it is the security industry that has the longest record of collaboration with public policing agencies in crime management and crime prevention. However, the relationship between the industry, in its various specialisations, and public police services has not in the main been clear nor has it been productive; particularly in the case of collaboration within Australia.

While the security industry continues to state its willingness to share more of the community’s policing responsibilities, there are a number of structural and functional reasons that limit any extension to the current position. The corresponding reluctance of the various public police jurisdictions reluctant to relinquish their traditional hold on crime fighting and crime prevention has already been mentioned.
We can divide these structural and functional concerns into comparisons between our police services and security services. These comparisons relate to perceptions of professionalism, contemporary policing roles, security industry roles, police and security powers, police and security accountability and police and security training.

4. Security Industry Professionalism

Throughout Australia our public policing agencies have, in the post-war decades, been gradually professionalising their service delivery. Whether by public pressure, royal or other commissions of inquiry, public or media scrutiny, political direction or internal reform, State and Federal police services have been presenting a much more credible profile than was the case even 10 years ago.

The security industry, on the other hand, still lacks any sense of the need for real reform towards a professionalised, credentialed vocation. That said, it is clear that there are pockets of the industry determined to initiate a concerted drive towards professionalism. There are key players in positions of security management and there is a new breed of career minded practitioners who are recognising that the security industry must be seen in a more favourable and a more professional light than has been the case up to this point.

However one of the main stumbling blocks to the industry being seen as the provider of professional services, relates to the wider community perception of the term “security”; what services come under that term, who provides those services and who measures the outcomes of those services. There is no point in the security industry claiming high levels of ethical standards and professionalism if the community and corporate client base cannot confirm this claim through the delivery of improved (professional) services.

As mentioned above, the public policing agencies in Australia have made a concerted effort to address issues of standards, appropriate services and perceptions of professionalism in the way that they do business. I will explore the current situation with the New South Wales Police Service in particular and then will briefly compare police roles, police powers, police accountability and police training with the current situation in the security industry.

4.1 Contemporary Policing Roles

Contemporary policing around the world has now moved from being relatively uncomplicated and centrally structured to being highly complex and less structured with a view to offering police services in a decentralised way, responding to communities at point of need. Generally in Australia the roles and responsibilities that go with contemporary policing have expanded to a point where policing is considered (or should be considered) as a profession in its own right; a profession that matches the claims of other vocations and professions such as law, medicine, teaching and engineering. In 1995 a television campaign was launched in New South Wales to make the community more aware of the complex nature of contemporary policing. A series of commercials were produced by the ad agency, Campaign Palace. In the
longest version (2 minutes), each of the main and demanding roles of the New South Wales Police service were depicted.

(video clip - by Campaign Palace - shown at this point - 1 minute 58 seconds)

In the span of viewing a 2 minute video clip, it is difficult to take in each of the roles that we have just seen. I have counted 16 specific roles that demand high levels of knowledge and skills in their understanding and execution. In summary these are:

I. knowledge of a community or corporate precinct
   • establishing community contacts and partnerships
   • communication skills in lines of command
   • team work
   • the ability to rescue people (or cats out of trees)
   • the ability to resuscitate people
   • the ability to negotiate and release hostages
   • removal or arrest skills
   • consoling, comforting or counselling skills
   • investigation skills
   • interviewing skills
   • information analysis skills
   • the ability to prepare prosecution briefs
   • compiling statistics and reports
   • management of traffic
   • management and support of colleagues

All these roles are directed towards the wider community. They all have community support but the skills required to carry them out are not often understood by the community; hence the commercial television campaign.

4.2 Contemporary Security Industry Roles

While I have seen a number of training video clips on specific security roles in relation to corporate and community property protection and while I understand that the security industry has a highly visible role in the management and conduct of major sporting and other events, it would be interesting to ask Campaign Palace or any other ad agency to produce a video similar to the one we have just seen in order to better understand that security practitioners too, in today’s climate, are being asked to perform similarly skilful roles. Unfortunately, the community still sees the security industry as static guards outside banks or shopping centres, as bouncers at night clubs or as mobile patrols cruising an industrial complex, but the reality is that the private security industry is making considerable inroads into new and more demanding roles requiring knowledge and skill levels equal to those being demanded of our public police.

I have argued that there is no reason in the future why the two core areas of policing - investigation and prevention - cannot be undertaken (provided all roles and responsibilities are clearly codified) by public policing agencies and all other stakeholders in the private/community sectors.
The security industry, as the current leading (visible) private policing provider, can share more of both roles more immediately.

Traditionally in Australia the security industry has focused on the corporate environment. However it is becoming clear that Australian (public) policing agencies and the security industry are able to offer collaborative services across both the corporate and community sectors, - as we have seen in the United States and elsewhere.

It is therefore imperative that we do re-define the roles of security practitioners and that we see security practitioners as providing a front line service in much the same way as we see the most junior of our police providing a front line service and being required to demonstrate high skill levels in providing that service.

We could easily translate 12 of the 16 key public policing roles that we have seen (in the video clip) across to the security industry. With the exception of the skills of arrest, the skills of hostage negotiation and the skills of preparing prosecution brief, security practitioners ought to have, and in many cases do have, the abilities to fulfil the other 12 roles. I am of course taking the traditional perception of static or patrolling security out of the equation and re-defining security as a much more pro-active and complex set of roles that require sophisticated levels of knowledge and skills including those related to teamwork, investigations, analysis, communication, the development of partnerships, etc. We must begin to acknowledge that, like policing, security practitioners and managers are being expected to exercise more strategic and demanding roles at higher levels of professional standards.

While accepting that the roles of security providers should mirror those of our police services we can envisage a structure of private security within which we can define those roles more easily. The main areas of a growing security industry include:

- the protection of property, people and information
- risk management and risk assessment
- design and installation of security technology and security systems
- investigation and detection

While the security industry’s roles and areas of responsibility have traditionally been linked to the corporate sector, increasingly there will be an overlap into the community sector and it is in this overlap that there will be much greater co-operation between our police services and our security services.

5. Police Powers

The authority and powers of police services in Australia are very clearly defined in State and Federal legislation. These powers are constantly tested by the courts and the police themselves have a very clear idea of the limits of those powers. Our State police services are often calling for greater powers in order to allow them to tackle some of the more difficult contemporary policing issues. However politicians, the legal
profession and even the community sometimes are reluctant to greatly alter those powers.

Police powers are also reasonably well known by the community; particularly by offenders and victims. We have been made aware over the decades of the limitations of police powers under various pieces of legislation. We are also constantly being reminded by the media and the courts of just how often police powers are exceeded. The reverse is true of the security industry.


In Australia the powers of those providing security services are less clear and are less well known. Rick Sarre, an Associate Professor of Law and Legal Practice, University of South Australia, has written extensively the difficulties in both understanding, defining and applying authority and powers across the security industry within Australia. He claims, and is supported by other authors, that there is uncertainty and confusion within States as to the powers of forcible removal from property, search, seizure, and arrest. Sarre (1994) is correct when he says that within Australia “private security personnel are constantly at risk... of being sued for assault or false imprisonment either for their initial action (where they were wrong in their assessment), or in circumstances where they do not hand a person over to a police officer as soon as possible after apprehension”.

I believe that as security practice legislation is reviewed State by State, the review should incorporate clearly defined powers; defining those powers in a way that signals the opportunity for co-operation with State and Federal police services. As the distinction between the roles of public police and the roles of the security industry are becoming more and more blurred it is urgent that we take the opportunity to investigate how both forms of policing and can be given legal authority to share roles, responsibilities and resources.

Our public police services are already stretched in terms of resources and the security industry may well be in a better position, as it is largely corporately funded, to complement police services in jointly fulfilling community and corporate policing expectations.

7. Police Accountability

Police powers are constantly being scrutinised by the community, the media, offenders, victims, politicians, tribunals and royal commission after royal commission. As in the United States, the UK, Canada and in parts of Europe, Australian police services/forces are among the most accountable of any in the world. Particularly in Australia there seems to be an almost obsessive focus on our police by the media seeing itself as an advocate to question almost every aspect of police roles and powers. Our police are highly visible, their roles and actions are definable and they are “spotlighted” at every opportunity. Police are subjected to media enquiries, ombudsmen, criminal justice commissions, independent commissions against corruption, police complaints, authorities, royal commissions and other internal disciplinary codes or investigative mechanisms.
Issues of police accountability in Australia are, more often than not, linked with pressures for reforming police structures, police powers, police functions and specific police roles. In their book *Australian Policing: Contemporary Issues*, Chappell and Wilson (1996) make the point that community scrutiny of policing and community involvement in monitoring police accountability has really been a phenomenon of the last 10 years; sparked by the more recent and very public Royal Commissions into the police services of Queensland and New South Wales.

We have almost reached a point in Australia where our public police services are feeling decidedly jaded by the numbers of accountability inquiries - either formal or informal - that they are faced with. However it is critical that government policing services remain transparent in the way those services are defined and delivered and it is critical that the definition of policing be in large measure the responsibility of local communities.

8. Security Industry Accountability

Contrast this openness with the almost total lack of accountability evident within the security industry nation wide. Public police accountability far outweighs the accountability required of private security practitioners. Again, Rick Sarre (1994 and 1997) has written about this lack of accountability problem. Currently the private security industry is accountable through civil law actions brought by corporate or individual clients, usually under duty of care provisions, through government legislation usually by some loosely worded or inadequately written licencing provisions, through industry self-regulation, through market forces and through criminal law where misconduct can lead to individual prosecutions.

If the security industry is to advance its cause in terms of professionalism and in terms of increasing its roles and collaboration with our police services then there needs to be much greater debate on accountability and there needs to be much better legislation in terms of linking powers and authority more directly to questions of accountability including a strong emphasis on ethics.

With the security industry claiming a degree of professionalism, but not being able to actually demonstrate that professionalism to the satisfaction of government, corporate or community clients, there is no sustainable argument to suggest that accountability solely through industry self-regulation will suffice.

The industry, like other vocations and professions, must be publicly accountable. That is while some self-regulation is possible, it should not be afraid to allow the scrutiny of independent boards, tribunals or commissions who are able to exercise independent judgement of the efficiencies, outcomes, and quality of service delivery that will be evident as the industry moves towards greater professionalism and as it aligns itself with our public police services in shared roles and responsibilities.

The suggestion that the security industry be either controlled by or made accountable to the various public police services in Australia is also dangerous. While it may be argued that public policing roles and private policing roles are becoming more and
more blurred, the distinctions in the short term will remain. It is therefore desirable that both forms of policing should be accountable to their own client constituency, to their own legislation, to their own regulations, to their own policies and to their specific structures and methods of practice.

9. Police Education and Training

As our various police services in Australia have moved towards more complex tasks, higher levels of skill and even higher levels of accountability, so there has been a recognition that police training and indeed police education should be broadened and deepened and should be given formal recognition i.e. police should receive the same formal qualifications as the other professions e.g. law, medicine, teaching, engineering etc. Police standards and effectiveness are in part addressed by an increased focus on education and training programs that combine intellectual rigour with operational relevance and that culminate in the awarding of recognised tertiary qualifications that are nationally and internationally acknowledged.

In Australia today police academies are combining with TAFE colleges and universities to develop, teach and award these courses. It will not be long before police recruits will be required to have a Bachelors degree in policing; a degree that is as well recognised as a Bachelor of Medicine, Bachelor of Education, Bachelor of Law and Bachelor of Engineering.

As these qualifications for police become commonplace in Australia over the next decade, so the community will begin to recognise the value of our policing services, the complexity of policing operations and the high levels of multi-skilling required of police officers.

10. Security Education and Training

We all know in Australia that the security industry is light years behind every other vocation and every other service oriented vocation in terms of minimum training and education standards.

Over the past two decades, there have been constant calls from some sectors of the industry to adopt national minimum competency training requirements, while other sectors of the industry seem content to argue for the status-quo i.e. the industry has come along way without the need for formal and accredited training/education pathways so why change?

The argument to allow the status-quo is a nonsense if we are to be serious about raising the professional standards of the security industry and if we are to be serious about raising the profile of the security industry in the minds of corporate and community stakeholders. Currently the security industry’s training track record speaks for itself - it is totally inadequate and is in total disarray. It is to be hoped that those who have now agreed on national minimum competency standards will insist that those standards form part of a clearly defined training and education pathway that brings
with it career rewards as well as the high levels of professionalism that the security industry is seeking.

here is no point in developing minimum competency standards and then allowing those standards to be taught and monitored mostly by private training providers when there is a perfectly acceptable set of public providers - TAFE colleges and universities - whose core business has been to provide training and education successfully for a raft of professions over decades, if not centuries. It is absolutely imperative that all future security industry training (basic and advanced knowledge and skills in key practice areas) and education (in areas of policy, design, analysis and management) be structured in a way that encourages ongoing learning that will lead to formal certificates, diplomas or degrees.

11. Conclusion

This paper has reflected on the need for greater co-operation in all aspects of policing between State and Federal policing agencies, all levels of government, the corporate sector, community organisations and individuals acting independently. The security industry has been highlighted as one obvious option for the sharing of more collaborative and more flexible policing roles.

There is however, much more room to move in establishing collaborative policing between public policing agencies, other government departments, the corporate sector, community organisations and individuals. Given the complex nature of contemporary policing generally and given the growing demands of a socially sophisticated and culturally diverse community, it is imperative that we work through governments, through community consultation, through industry associations and through the practitioners themselves. Through this consultative process will come appropriate legislation, regulation, demarcation and co-operation that will bring greater clarity of roles and responsibilities, and will enable both the public and private policing sectors to collaboratively advance the cause of policing professionalism.

12. References

