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**FACULTÉ DES ÉTUDES SUPÉRIEURES
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**FACULTY OF GRADUATE AND
POSTDOCTORAL STUDIES**

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GRADE / DEGREE

Department of Criminology

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Research and Analysis of Malpractice in the Field of Private Security

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**RESEARCH AND ANALYSIS OF MALPRACTICE IN THE FIELD OF
PRIVATE SECURITY**

Mathieu Joseph Jacques Lavigne

Thesis submitted to the
Faculty of Graduate and Postdoctoral Studies
In partial fulfillment of the requirements
For the MA degree in Criminology

Criminology
Faculty of Social Sciences
University of Ottawa

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395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file Votre référence
ISBN: 978-0-494-48637-5
Our file Notre référence
ISBN: 978-0-494-48637-5

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ABSTRACT

The growth of private (and other non-state) forms of policing signals as important a transformation in policing as that which occurred with the emergence of state constabularies in the nineteenth century (Bayley and Shearing 1996; Shearing and Stenning, 1987). The number of private security officers operating in Canada has long surpassed their public counterparts and their everyday presence can be readily seen. Research in this field, insufficient in its quantity, has illustrated that the role of policing is no longer exclusive to government agents—the once clear dichotomy that was is now blurred. The field of private security has received considerable attention on behalf of academics in recent decades, and the vast bulk of it has in fact been rather negative. Critics have argued that commercial security lacks effective regulation, has limited public accountability and demonstrates poor standards of recruitment and training (Johnston, 1999; Johnston, 1992; Jones & Newburn, 1998; Loader, 1999). The research presented herein attempts to examine the potential consequences of such conditions.

The exploratory research presented herein has for intent to bring to light, describe and document the extent of malpractice as a reality of private security work. Operating under the hypothesis that malpractice in the field of private security is common and accepted behaviour within the lower, non-managerial ranks of the industry, 47 individuals employed as security officers in Ottawa were surveyed via a self-administered questionnaire to assess their rate of participation in acts otherwise thought of as malpractice and to assess whether or not they did so knowingly and willingly. Findings

appeared to confirm the previously hypothesized statement. On multiple items respondents confirmed as constituting malpractice, only a small number of participants reported never to have taken part in their commission. On average, more than 60% of respondents admitted to having committed some form of malpractice. In conjunction with a high number of officers who are fully aware of the wrongful nature of their actions, it becomes disconcerting to realize that malpractice appears to occur often and with the full awareness of the perpetrators. Security providers and policy makers nationwide should heed the warning signs and implement solutions that, only through considerable additional research, may work to instill a more secure sense of security.

The veracity of the phenomenon stood out in the sampled population as a potentially harmful consequent of academically criticized working conditions. Though the exploratory nature of the research presented herein does not necessarily provide the tools required to draw meaningful inferences with regards to causes and effects, the results have nonetheless opened themselves to various conclusions and recommendations.

First and foremost, malpractice, as defined in this research, exists in the field of private security. Officers employed by security firms tend to engage in such activity on a consistent, if not regular basis. The severity of the offence may vary greatly and is understandably finely tuned to its rate of occurrence; however, the smallest symptoms retain its importance when considering the broader unaddressed regulatory issues. In light of this analysis, it becomes apparent that actions should be taken by managerial ranks to more accurately identify and deal with such behaviour; if not to correct it, at the

least it may deter and decrease its existence.

Additionally, it was made evident in this research that rates of participation in acts of malpractice were not necessarily contingent upon any misconceptions or confused attitudes toward the types of behaviours that would generally be classified under its heading. Officers reported engaging in such behaviours with full knowledge and a firm belief that their actions were wrongful. It thus seems that employee comportment rules and regulations are successfully disseminated to the lower ranks of security officers. In light of this, efforts should perhaps be aimed more toward an enforcement and identification aspect rather than toward an improved communicative approach.

Further empirical research is a must if we are to truly understand the different manifestations of malpractice within the private police and the risks they may pose for the industry and the public they are often tasked to protect. In particular, we must better acquaint ourselves with the motives and the driving forces that would prompt an initial act and any action, or lack thereof, that would encourage subsequent ones. The exploratory goals of this research have but reaffirmed a dire need for additional descriptive analysis of this field of study.

AKNOWLEDGEMENTS

I am grateful to my advisor, Daniel Dos Santos, for the care with which he reviewed and gave advice on the original manuscripts; and for the numerous conversations that clarified my thinking on this and other matters. His efforts in helping me create this work may only be matched by the combined efforts of all my colleagues, friends and family who provided material and spiritual support at critical and opportune times: I thank them too. I am further indebted to all the individuals who participated in this research, for this could not have been created without their grateful participation. I wish to also thank Dr. George Rigakos for igniting in me a flame of interest in the ever-expanding field of private policing and its dire need of academic attention.

And to my mom and dad, without whom I would not be here today, thank you for making this a reality.

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I. INTRODUCTION

The situation that follows was described to me by a close friend at the time. In 2001, he worked for a large security firm in Ottawa that catered to such special events as concerts and large public fundraisers. He was no more than 18 or 19 years of age and could not be characterized by a level of maturity unbecoming his age. In the days following one such event, where he was posted to provide access control at the entrance gates, he proudly, and with a certain air of fulfillment, showed me his personal collection of various items and substances he had confiscated from concertgoers that particular evening. For every five attendants attempting to enter the venue with prohibited items, one of those discoveries would somehow find its way into this individual's personal pockets. With an attendance list numbering in the thousands, the fruits of his labour need only be left to the imagination.

I must admit that my friend's blatant disregard for company policy, or moral and legal codes for that matter, did not really come as a surprise to me. What really concerned me however was the simple fact that he was not the only security officer acting this way but that in reality it was, as he described, common and accepted behaviour within his ranks. In effect, their behaviour served to conform within the subculture of their enterprise, where, at times, they would all pool their gains together and divide it equally among themselves at the end of the night. Applauded by their unsuspecting supervisors for their thorough searches, they simply appeared more motivated by their personal gains than by the satisfaction of performing their assigned duties in a professional and honest fashion.

The field of private security has received considerable attention on behalf of academics in recent decades, and the vast bulk of it has in fact been rather negative. Critics have argued that commercial security lacks effective regulation, has limited public accountability and demonstrates poor standards of recruitment and training (Johnston, 1999; Johnston, 1992; Jones & Newburn, 1998; Loader, 1999). Is such behaviour as is illustrated in the above example the simple and unavoidable result of such occupational conditions? It would be easy to disregard this type of activity as to simply be expected or representing human nature on behalf of young and minimally trained private security officers; essentially, this is perhaps isolated and minor malpractice having no significant social impact.

Considering David Bayley and Clifford Shearing's (1996: 587) argument that policing systems in modern and developed economies have undertaken a radical change, a significant shift can be observed in the rapid expansion of the private security industry. Where policing was once the monopolized function of state-run police bodies, the concept of policing as a function of the organization established to provide it is now undertaken by a variety of other private industries. 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 1996; Shearing and Stenning, 1987).

These private policing bodies remain subject to socially established and state-sanctioned

rules, norms and regulations. Their activities and behaviours are further governed by internal rules and regulations established by the private organizations themselves. Any infraction on the part of the individuals entrusted to perform the duties of the private policing industry constitutes an act of malpractice. Understandably, the range of activities falling within this realm stretches from the simply immoral act to the more serious and illegal (usually immoral as well) of activity. Malpractice itself then, whether as an illegal act against the eyes of the state or the industry, or deviant acts in the eyes of the judicial and moral codes of both camps constitutes a subject of enquiry in dire need of exploratory and descriptive analysis.

Providing the beginnings of an answer and to shed much needed light on this activity is what this research is intended to achieve. Though it may be over-zealous to hope for a complete and accurate picture, it is nonetheless necessary to document and bring to light the extent to which evidence of malpractice in the field of private security may surface. Is this activity conducted willingly and knowingly? More importantly perhaps, is malpractice the result of the activities of a marginal few or is it, as my friend suggested, common and accepted behaviour within the lower non-managerial ranks of the company echelons. It is the general working hypothesis of this work that the answers to these questions lean towards the affirmative. These areas of enquiry are thus intended to shape the very core of this research.

Working hypothesis: Malpractice in the field of private security is common and accepted behaviour within the lower, non-managerial ranks of the industry and not simply the unfortunate actions of a marginal few. They engage in this form of behaviour knowingly and willingly.
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Before delving deeper into such an exploration however, one must fully be aware of the various terms and concept involved in this field. What follows in the first section of this work is a brief review of the literature pertaining to policing, private policing and malpractice. A firm understanding of these concepts is a required element of any study of malpractice in the field of private security. Secondly, an examination of various theoretical positions will be presented with the hope that this research may bridge some of the analytical gaps unavoidably present within them. Together, these two crucial components will form a skeletal frame upon which further and finer-tuned analysis can be developed.

It is, at this point, important to remind readers that the work presented herein is not an attempt at empirical research in the narrow sense of the term. Instead, the empirical section serves only as an example or as an illustration to give additional weight and support to broader theoretical engagements. My aim here is to promote further thinking and deliberation on the addressed issues and should not be regarded as a stern empirical attempt to thoroughly explain a given phenomenon. I have avoided taking a strictly explanatory and empirical stance by molding the empirical aspects of this work into a format similar in their function to, perhaps, a case study. The data acquired exemplifies but a tiny and freshly wiped portion of a much larger and still foggy window peering into the world of private security, malpractice, resistance and power. This will appear evident as one proceeds further through the text.

II. REVIEW OF LITERATURE AND THEORETICAL FRAMEWORK

THE PROBLEMATIC DICHOTOMY

Rigakos (2002: 36) defines “policing” as the “activities of any individual or organization acting legally on behalf of public or private organization or person to maintain security and/or social order while empowered by either public or private contracts, regulations, or policies, verbal or written.” Working with this new definition of what policing entails, one finds that the role of policing is no longer exclusive to government agents. The increasing privatization of policing, as seen in the growing number of private security agencies and other private individuals engaged in similar roles has hindered and blurred the distinction between a public responsibility and a private one. It is presented in this section that a clear distinction between “policing” as a public or private service is no longer available. Such dichotomy is increasingly problematic because it no longer holds true that the two differ widely from one another. This issue will be introduced briefly here so as to pave the way for a more in-depth analysis of their respective status

Status, roles and functions

Public police function as part of the executive arm of government, operating on its behalf to enforce laws, preventing crime, maintaining peace and order, responding to emergencies and helping citizens when needed (Murray & McKim, 2000). In order to fulfill their mandate, special powers are bestowed upon them, possessed by no other

citizen. There is a multitude of other law enforcement statuses, such as customs or immigration officers, environmental protection officers, fire marshals, securities investigators, and park officers. Though generally empowered to enforce specific statutes, the scope of their authority is limited in comparison to public police officers.

Private security personnel are typically employed by companies or individuals to operate on their behalf and private interests (Murray & McKim, 2000). They essentially have no other mandate to initiate action on their own volition and operate under the powers and protections granted all citizens in the Criminal Code and the delegated rights of property owners under provincial trespass and landlord and tenant acts (Rigakos, 2002; Murray & McKim, 2000). As such, the scope of their activities is usually limited to civil matters.

The status of private security, however, is undergoing change that renders the situation not as clearly defined. Increasingly, such statuses become interchangeable between private and public entities (Rigakos, 2002: 40). The use of private security in shopping malls or housing projects translates into greater contact and a changed relationship with the public. Government entities are increasingly entering into contracts with the private sector for such security functions as the enforcement of government regulations, and local bylaws, further blurring any clear distinction between public and private policing. In such instances, is private security serving a private interest or public one? If private security personnel were sworn in as special constables under provincial police acts to exercise peace officer powers, would they still be private security personnel or some hybrid private/public security officer? Attempts at answering this question epitomize the

difficulties faced with when trying to separate the roles that public and private agencies now increasingly share.

The distinction between public police and private security is further confounded by the terminology used (Murray & McKim, 2000). Private security continues to use such descriptive terms as ‘enforcement’, ‘patrol’, and ‘crime-prevention’ that are more generally attributed to police activities. Perhaps the result of a simple lack of any other terminology, many private security supervisors and managers are however former police officers who draw little to no difference between their past and present role (Murray & McKim, 2000; Rigakos, 2002).

A shared history and deeply intertwined roots further support the vanishing distinction. In fact, the current powers of public police services are but an extension of rights citizens have already possessed for centuries. It was not the powers of private parties that were extended from state powers (Rigakos, 2002). Traditional Anglo-Saxon systems of communal policing eventually led to private policing enterprises, which essentially paved the way for public policing bodies.

Today, if a broad definition of policing is to be used, private policing is indeed undergoing considerable change (Murray and McKim, 2000). The notion of policing can include such activities as monitoring traffic cameras, disseminating traffic control information, protecting employee health and safety through various mechanisms, collecting debts, electronic monitoring and camera surveillance of all kinds—whether of

premises, public sites, or insurance claims forms, and even levying fines (Murray & McKim, 2000). In this sense, the distinctions between the private and public domains or between civil, criminal, and administrative matters disappear and public police become very much a minority among a plethora of other private bodies. In the words of Stenning, “it is now almost impossible to identify any function or responsibility of the public police that is not, somewhere and under certain circumstances, assumed and performed by private police (cited in Nalla & Herauxl, 2003: 283).” The status of public police and private security are basically different but the changing requirements for public security is obscuring that fact. If a difference is evident between the two it can only be found in the way they are commonly defined. These various definitions are centered on the concept of the “police” rather than of “policing” and will be examined further in subsequent sections.

DEFINING THE PRIVATE POLICE

In the last few decades there has been an increasing awareness that the bulk of the research pertaining to the subject of policing has not accurately reflected the broad range of bodies engaged in the process (Johnston, 2000a; Reiner, 2000). Yet, even if limited interest has been paid to the study of private policing, research continues to show that the private security sector employs considerably more people than the public police and undertakes a wide range of functions (Cunningham et al., 1990; Jones and Newburn, 1998; DeWaard, 1999). Before the various bodies engaged in private policing are discussed however, it is important to explain what is meant by the term private policing

so as to establish a skeletal frame upon which further analysis can be built. To do this however, one must examine the terms separately so as to identify the different bodies that situate themselves within the dichotomy of 'private' and 'policing.' Bear in mind that this is intended as a brief introduction to the debate as a detailed explanation would constitute an entire book in its own right.

What is policing?

The term 'policing' is frequently misunderstood. It is thus important to define it carefully before engaging further. Prior to the middle of the eighteenth century, 'policing' referred to the regulation of government, morals and economy (Johnston, 1992: 37). It was only after this time that the term 'police' started to mirror the maintenance of order and the prevention of crime. Subsequently, the term 'police' became indicative of the group of men established to undertake these functions (Johnston, 1992: 37). This undoubtedly created a problem insofar as the 'police' began to be seen as the only body capable of policing. It is therefore important to differentiate these terms since there are many other bodies engaged in the process of policing. 'Police' refers to a particular organization while 'policing' refers "to a social process of which the former and *other phenomena* are a part (Reiner, 1994: 718)." Indeed, the argument has recently been put forth that the vast bulk of policing is now carried out by people and organizations other than the police (Rawlings, 1995).

The term 'police' is considerably easier to define in comparison to 'policing' (Reiner, 1994). Simply put, as outlined by Reiner (1994: 715), the police are the body of men and

women employed by the state who patrol the streets, deal with crime, ensure order and who undertake a range of other social service-type functions. Policing, on the other hand, is an essential function of contemporary society that “contributes to a particular social order and that is carried out by a variety of different bodies and agents (Reiner, 1994: 715).” One must also differentiate policing from social control, which comprises of virtually everything that contributes to social order (Reiner, 1994: 716). As such, social control is a much broader and a more general concept which may include such agencies as parents, schools, youth clubs and the media, to name a few (Reiner, 1994: 716). Furthermore, one must point out that there has been and continues to be a long standing debate on what constitutes social control, one that for reasons of constraint will not be discussed in any particular depth here (see Cohen and Scull, 1983). Cohen (1985), however, has extensively criticized the vast encompassing definitions of social control, blaming them for turning social control into what he calls a “Mickey Mouse” concept. As a result, he restricts the use of the term social control to “the organized ways in which society aims to produce a particular social order (1985: 28).” Cohen thus offers the following definition of social control as: “those organized responses to crime, delinquency and allied forms of deviant and/or socially problematic behavior which are actually conceived of as such (1985: 29-30).” It is therefore evident that the police, along with many other bodies, play a part in social control; providing a clue as to its essence insofar as policing may be regarded as a specific *aspect* of social control.

Reiner (1994) further contends that policing refers to those activities intended to maintain the security of a particular social order, activities designed to achieve these aims. This

therefore helps to separate policing from social control in as much as the latter “encompasses all those processes and activities aimed at producing a particular social order (Reiner, 1994: 714).” Policing, therefore, can be regarded as one of the many aspects of social control, “encompassing systems of surveillance combined with the threat of sanctions for the breach of a particular order with the particular aim of maintaining the security of that particular order (Reiner, 1994: 712).” Reiner defines policing in the following way:

“an aspect of social control processes which occurs universally in all social situations in which there is at least the potential for conflict, deviance, or disorder. It involves surveillance to discover actual or anticipated breaches, and the threat or mobilization of sanctions to ensure the security of order. The order in question may be based upon consensus, or conflict or oppression, or an ambiguous amalgam of the two, which is usually the case in modern societies (Reiner, 1994: 722).”

In more familiar terms, drawn from the above definition, the police conduct patrols, undertake investigations, apprehend offenders and pass on those with sufficient evidence to the court system. Those who are then found guilty by the courts are then punished accordingly.

It is thus clear that many bodies outside of the traditional definition of police are engaged in these same processes. Vigilante groups of citizens are often formed to patrol streets and apprehend offenders, providing their own unique form of ‘justice’ or to hand them over to the proper authorities. Many private security firms patrol areas, conduct investigations and pass on offenders to police. Other public bodies are also engaged in these processes. Health and Safety commissions, for example, conduct investigations and

inspections of the workplace in the aim of pursuing criminal prosecutions. Policing can also be achieved through technology. Through the use of cameras, for example, deviant behavior can be deterred and investigated and offenders detected and prosecuted.

What is private?

There has recently been a noticeable preference on the part of academics to use the term ‘commercial’ rather than ‘private’ in their investigations of non-public policing (Johnston, 2000a; Loader, 2000). ‘Commercial’ offers a much narrower perspective as it tends to exclude voluntary initiatives and in-house security working for the public sector. On the same token however, it does seem to appreciate the increasing commercial activities of the public sector. Notwithstanding, the term ‘private’ is much simpler to define when attempting to clarify the public-private dichotomy.

Jones and Newburn (1998) have described the public-private distinction as one of the “grand dichotomies” of Western thought. As their analysis suggests, at face value the distinction appears rather clear-cut; public and private are differentiated simply by the sectors to which they belong. If they are part of the government and funded out of taxation then they are public, whereas if provided by companies through fees then they are private (Jones and Newburn, 1998). In the middle of these two extremes, however, lies a grey area marked by its inability to fit. This area has been further complicated in recent history as a result of privatization to the point where it is now necessary to examine the degree of “privateness” and “publicness” (Jones and Newburn, 1998:30) of any particular agency. A clear footing in either camp is but a blurred illusion.

Jones and Newburn (1998) have also contributed to this debate by offering what they consider (unsurprisingly) to be the most significant factors to analyze the public-private dichotomy of policing. These are: the mode of provision, the source of funding, the nature of the relationship between the provider and the user, and the employment status of the employees (Jones and Newburn, 1998). First, mode of provision on the public side insinuates that services are sourced by the 'state' whereas the private provision of these same services would be funneled through organizations operating in the open market. Secondly, public funding is achieved through public taxation whereas on the private side funds are gathered through the payment of fees. Thirdly, a private relationship between provider and user is generally based upon the awarding of contracts through competition whereas in a public relationship, "there is often a monopoly of supply, which is frequently provided universally (Jones and Newburn, 1998)." Finally, but not least, private individuals have no special employment status, while many public officials hold special powers. This final criteria is the most commonly used factor in distinguishing the degree of 'privateness' or 'publicness' of any particular policing agency, one that is becoming even murkier in the face of many newly-appointed special constables (Rigakos, 2002).

This discussion of the many intermingled factors that are used to distinguished what is deemed 'private' and what is 'public' serves only to illustrate the simple truth that there exists a vast variety of agents and organizations that are everyday involved in the policing process and who, also, exhibit characteristics associated with 'privateness'. A major

player in this process is the private security industry. Indeed, it is often seen as the “King Kong” of private policing.

THE PRIVATE SECURITY INDUSTRY

Though recently faced with heightened levels of attention by academics and policy-makers, the private security industry remains a largely under-researched area (Reiner, 2000). This section aims to explore the growing role of the private security industry in policing. It begins by examining the size of the industry and continues with a more detailed look at the activities of private security organizations involved in policing. Before this can be undertaken however, let us establish what is meant by the term private security industry, as it is very open to many different interpretations and definitions.

What is the private security industry?

Considerable debate in academic, legal, policy-making and industry circles continue to exist over what constitutes private security (George and Button, 2000). Although we will not immerse ourselves too deeply in this arena, it remains important to distinguish the different sectors as some are very clearly engaged in policing, whereas many simply are not or play a very ambiguous role (George and Button, 2000). For instance, a Closed Circuit Television (CCTV) system itself could be considered an instrument of policing but not the installer of this system. For our present purposes, the definition supplied by George and Button will be used:

“The term private security industry is a generic term used to describe an amalgam of distinct industries and professions bound together by a number

of functions, including crime prevention, order maintenance, loss reduction and protection; but these functions are neither common nor exclusive to all the activities of the private security industry, though the more that apply to a particular activity the more clearly it can be considered as private security. To be included within the industry, personnel must have a primarily security role, whether this is full-time or part-time, and there must also be an employment relationship, whether as an employee or self-employed. The industry also includes certain public sector security employees ... where their role is paralleled in the private security industry, the interest served is private and hold no special statutory powers. The services and product of the private security industry are also generally categorized into a number of distinct sectors. There is also a large gray area around and in some cases between these sectors ... called the 'margins' of the private security industries (George and Button, 2000: 15)."

The distinct sectors identified by George and Button include manned security services (static manned guarding, armored pickup services, door supervision and access control, and close protection services); private sector detention services, security storage and destruction services; professional security services; and the security products sector. This, however, is but one definition. Many others have been attempted (see Draper, 1978; Shearing and Stenning, 1981; South, 1988; Manunta, 1999; George and Button, 2000).

The size of the private security industry

The tremendous growth of the private security industry in Canada during the postwar period together with the greater use of technology and management control systems in the public police has led Stenning and Shearing (1980) to describe the changes as a 'quiet revolution.' Though the exact size of the industry remains subject to much academic debate, insofar as clear definitions are not always generally agreed upon, one thing is, however, clear: the industry has expanded significantly from the small specialized

organizations catered to the very rich to a multi-billion dollar industry (South, 1988, Jones and Newburn, 1998).

The most recent Canadian statistics outlining the size of the industry can be seen in Table 1 and Table 2. According to the Census, from 1991 to 1996 the total number of police officers decreased 4% from 61,280 to 59,090. Between 1996 and 2001, the number of police officers increased 6% reaching 62,860. During this same time period, employment in the security industry continued to grow and the number of private security workers consistently exceeded that of police officers. There were 84,000 people working as private investigators and security guards in 2001 in Canada, compared to just over 82,000 in 1991 (see Table 1).

Table 1.

Police officers, private investigators and security guards,¹ Canada 1991, 1996 and 2001

	1991	1996	2001	% Change 1991-2001	% Change 1996-2001
Police Officers	61,280	59,090	62,860	3	6
Total Private Security	81,095	82,010	84,000	4	2
Private investigators	8,215	12,230	10,465	27	-14
Security Guards	72,880	69,780	73,535	1	5

Totals may not add up as Census data are randomly rounded to base 5.

1. Counts for police officers, private investigators and security guards are estimates from the 1991, 1996 and 2001 Census of Population and represent persons aged 15 years and older who were employed in the week prior to census day.

Source: Statistics Canada. Census of Population

These are however very conservative figures that often tend to exclude “in-house”

security staff as well as door supervisors (bouncers). When considering these positions, as is the case in much of the academic literature, the ratio is estimated to be almost two security officers for every one public police officer (Campbell and Reingold, 1994; George and Button, 2000). Although it is difficult to compare these figures with other countries because of differing definitions of what constitutes security staff and because of

Table 2.

Police officers, private investigators and security guards,¹ rates per 100,000, Canada, 1991, 1996 and 2001

	1991	1996	2001	% Change 1991- 2001 ²	% Change 1996- 2001 ²
Police Officers	224	205	209	-7	2
Total Private Security	297	284	280	-6	-2
Private investigators	30	42	35	16	-18
Security guards	267	242	245	-8	1
Population ³	27,296,859	28,846,761	30,007,094		

1. Counts for police officers, private investigators and security guards are estimates from the 1991, 1996 and 2001 Census of Population and represent persons aged 15 years and older who were employed in the week prior to census day.

2. Percentage change based on unrounded figures.

3. Populations represent counts established by the 1991, 1996 and 2001 Census of Population.

Source: Statistics Canada, Census of Population

the different roles police play in different jurisdictions, Cunningham et al (1990) estimated there were 2.6 security staff for every one police officer in the US. In the UK the ratio was estimated to be 1.4 security officers to every one police officer (George and Button, 2000: 35) and, in Australia, 1.5 security officers to every one police officer

(Reynolds and Wilson, 1997: 43).

Private security and policing

The private security industry contributes to policing by supplying both personnel and products (George and Button, 2000). Many such products require human assistance to effectively operate, although there are now complex systems that can do so without human input (i.e. speed cameras and photo radars). While the focus of this work remains on the personnel who work in the private security industry, there is, nonetheless, an extensive body of literature on various security products – particularly CCTV – where there is no space to consider (Beck and Willis, 1995; Gill, 1994 & 1998; Norris et al., 1998; George and Button, 2000).

As mentioned in previous discussion, there generally are four broad aims for the police: to fight and prevent crime; to uphold the law; to bring to justice those who break the law; and to protect, help and reassure the community. All of which are in some degree or manner undertaken by the private sector. Most private security measures are aimed at preventing crime. They are also used to uphold laws in addition to the internal rules of the organizations within which they operate. Although bringing to justice those who break the law is hardly a main function of private security, there remains a significant element of this. In the retail sector for instance, security personnel are every year increasingly involved in the apprehension of customers and staff for theft, who are then handed over to police for further prosecution (Rigakos, 2002). Additionally, much of the equipment used by the private security sector is often vital in bringing offenders to justice

(i.e. video evidence from CCTV cameras). Finally, the private security industry is primarily involved in protecting, helping and reassuring those who pay for its services while often overlapping with that of protecting employees at work and the public in private places.

It therefore seems as though the only thing the public police still have a monopoly over is the use of firearms. This, however, is not the case in many other countries where private security officers are routinely armed (De Waard, 1993). For example, The General Orders of the Fort Worth Police Department (USA) outline the range of force officers should employ and the conditions for when they should employ it (cited in McKenzie and Gallagher, 1989). Level 1 force is officer presence; level 2 verbal commands; and level 3 control and restrain. These types of force are often used by certain types of security personnel. Bouncers, for example, often have to use these levels of force in the course of their duties when the use of such force is legal and, unfortunately, all too often when it is not (see Rigakos, 2002). Security officers in shopping centers as well as those found in courts often use this range of force. Level 4 (use of chemical agents such as tear gas and pepper spray) is not a legal option in Canada for private security personnel, nor is level 5 (temporary incapacitation) – although there have and continues to be calls for security officers to be armed with such items. One suspects, however, there may be a number of security personnel who carry such weapons illegally or against company policy for their own protection. This is often the case where pepper spray is prohibited but the use of a legal alternative such as bear repellants can be easily purchased. Finally, level 6 (deadly force) – although not frequently used by security personnel – has been used legally in

some instances of self-defense and also illegally (CBC Canada, June 2007).

Jones and Newburn (1998) found that the London Metropolitan Police Service (MPS) and the private security industry in the UK undertook the same tasks. Virtually every activity undertaken by the police was offered as a service by the private sector in some form or other. This is illustrated in Table 3.

While most private security personnel do not have any special statutory powers, they are nevertheless still regarded as authority figures by the general public (Sarre & Prenzler, 1999). As Sarre and Prenzler (1999) have argued:

“Private security personnel are a formidable force for good or ill in modern society. In many countries they substantially outnumber the police. As agents of property owners they possess considerable powers, and their authority, while on private property, more often than not exceeds that of conventional police. It is therefore somewhat anomalous that questions regarding public police accountability continue to receive far more attention from academics, civil libertarians and policy makers than private operations do (1999: 24).”

Moreover, while conducting their duties on private property and acting as agents of the property's owner, private security personnel have certain rights that can in essence become de facto powers (Rigakos, 2002; Stenning and Shearing, 1979; Sarre 1994). In some instances these powers may include the right to search, the right to eject someone from the property and the right to interrogate. Other powers and privileges also apply when operating on private property, such as the ability to conduct intrusive surveillance. Many security personnel also routinely use their citizen's right of arrest that most of us may not consider using no matter how clearly it may be seen as lawful. In Rigakos'

studies of a major security organization in Toronto, Canada for instance, some private security officers had recorded arrest rates that rivaled some public police officers (Rigakos, 2002).

The claim that private security personnel have no special powers would thus appear to be very misleading. In the retail sector alone for instance, significant numbers of customers

Table 3.
Functional boundaries in policing in the UK

Function	Metropolitan Police	Parks Police	British Transport Police	Housing patrol	Post office Investigation Department	Private Security
Respond to calls	X	X	X	X		X
Investigate crime	X	X	X		X	X
Arrest offenders	X	X	X		X	X
Maintain public order	X	X	X	X		X
Visible patrol	X	X	X	X		X
Traffic control	X	X	X			X
Parking enforcement	X	X	X	X		X
Accident investigation	X	X	X			X
Crime pattern analysis	X	X	X		X	X
Security surveys	X	X	X			X
Alarm response	X	X	X	X		X
Noise/harassment	X	X		X		X
Prisoner escort	X					X
CCTV monitoring	X	X	X	X		X

Source: Jones and Newburn (1998)

and staff have experienced the powers of security staff. Additionally, in some instances

some private security personnel have special statutory powers. Prison custody officers working in private prisons in the UK, for example, possess powers comparable to prison officers working under the Criminal Justice Act of 1991 (Sarre and Prenzler, 1999). Generally, however, most private security officers do not possess such powers.

REGULATING THE PRIVATE SECURITY INDUSTRY

It was illustrated in previous sections that a wide range exists in the number of public, private and hybrid organizations that are engaged in policing. Of particular concern is the extensive role of the private security industry. Concerns about issues of accountability and control and the various anxieties that usually surface tend, also, to largely be aimed at the private security industry. As Stenning and Shearing have argued: “If private security personnel are in reality no different from ordinary citizens, a law which treats them alike seems most appropriate. But if in reality they are not, and the law still treats them as they are, it becomes inappropriate (1979:263).”

The previous sections have clearly illustrated the general idea that private security officers are in fact not like ordinary citizens as they do things most citizens rarely would consider doing. The aim of this section is, therefore, to examine the structures that regulate the Canadian private security industry. Some of the international experience of regulation is then explored, using George and Button’s (1997) model of analysis. The chapter then moves on to outline the newly improved Private Security and Investigative Services Act of Ontario through an examination of its central features such as licencing,

adequate training standards, symbols, and complaints mechanisms.

Government regulation

Government or statutory regulation refers to the provincial government (which has jurisdiction over this industry as delineated by our constitution) developing some type of mandatory licencing or regulatory scheme. All provinces have set in place some form of regulation through specific private security acts. For example, in Ontario the legislation is referred to as the Private Security and Investigative Services Act (a revamped version of the Private Investigators and Security Guards Act). Similarly, most European countries and many American states have some type of government regulation (Gerden, 1995).

Under the various pieces of provincial legislation that require the licencing of certain categories of security, the usual practice is that both the employee and the employer must be licenced. Standards are minimal. Licencing is generally concerned with the following: criminal convictions, moral character, financial position, and competency (Kinnear, 2000). Usually, other conditions must also be met when establishing an agency, such as minimum insurance coverage and experience levels (George & Button, 1997). All provinces require the licencing of contract security guards and private investigators. Aside from this, there are many differences between provinces in how they regulate security positions.

Since many aspects of public policing and private security are very similar, some

proponents of government regulation often point to the various levels of regulation within policing as, perhaps, justification for strengthening the accountability legislation for the private security sector (Kinnear, 2000). In Ontario for example, formal accountability mechanisms in policing include the Police Services Act, the Ontario Civilian Commission on Police Services, the Special Investigations Unit, and Royal Inquiries, as well as internal affairs departments. Proponents would also argue that the industry is so diverse and competitive that it cannot regulate itself without government intervention (Kinnear, 2000). Opponents may argue that government regulation is too bureaucratic and that licencing is simply a mechanism for governments to generate revenue (Morrison, 2000).

Self-regulation

Self-regulation involves industry members establishing standards for themselves. In Canada, for example, certain segments of the security industry voluntarily belong to associations promoting professional standards, such as the following:

- Association of Certified Fraud Examiners (ACFE)
- Canadian General Standards Board (CGSB)
- The Canadian Society for Industrial Security (CSIS)
- The American Society for Industrial Security (ASIS)
- The Federal Association of Security Officials (FASO)
- The Canadian Alarm and Security Association (CANASA)
- The International Foundation for Protection Officers (IFPO) (George & Button, 1997)

These associations in general try to “establish and maintain minimum standards for members with respect to recruitment, training, and employment of personnel, and the quality, advertising, and selling of security products and services (Shearing and Stenning, 1982:48).” Opponents of self-regulation point to several problems associated with this kind of control. The diversity of the security industry, in which competition is paramount, is considered a major stumbling block for getting all industries together to seek solutions (Morrison, 2000). As well, self-regulated approaches typically have voluntary participation, with the result that many security firms—especially the smaller ones—do not seek membership. Another weakness is that the association members, who are nonpolice personnel, are unable to obtain criminal background checks of their members. Lastly, and perhaps more importantly, there can be an actual or perceived conflict of interest when industry members establish standards and then later investigate themselves to ensure compliance (Morrison, 2000).

On the other hand, self-regulation would allow the industry owners, much like any other business owners across the country, to determine for themselves how to run their business. This would reduce government red tape (many believe that governments are too far removed from the process and/or too political to make competent decisions concerning the regulation of the industry (Kinnear, 2000)). Some argue that the licencing requirements of contract security companies are already too heavily regulated relative to other private enterprises (Kinnear, 2000).

Combination

A combination strategy involves mixing government regulation with self-regulation. Opponents of self-regulation assert that a better solution for setting standards would be a stakeholder approach involving the security industry, government, police, security clients, and academics (Morrison, 2000). The bringing together of key stakeholders to improve standards for security guards in Canada has been examined by the Canadian General Standards Board (CGSB). The thinking behind this board's approach is that the clients will demand that security companies follow the standards set forth by the CGSB.

Other forms of governance

In addition to regulatory practices, the private security industry is subject to a number of other indirect factors such as clients, unions, owners, customers of organizations, and marketplace dynamics as well as by a number of "indirect" laws (Hughson & Connolly, 2000). In particular, clients have considerable control over the security industry. For instance, the client can require adherence to certain standards. If the company does not perform adequately enough, available remedies open to clients range from not renewing the contract to terminating the contract before completion and possibly seeking damages (Hughson & Connolly, 2000). An example illustrating the power of the owner involves recruitment of security personnel. It is obviously in the owner's best interest to seek qualified employees and, therefore, there is a large onus to hire the 'right' people, as opposed to relying on others (such as government) to determine competency or reliability.

Further “indirect” methods include the Criminal Code, tort law, property law, contract law, employment and labour relations law, and human rights law, as well as the Charter of Rights and Freedoms. For example, as a general rule the Criminal Code allows private security agents the same authority to arrest and detain as any private citizen. Likewise, the use of force is governed by both criminal and civil laws. Thus, security agents who use excessive force may be subject to both criminal and civil liability. The criminal charge may be for assault; civilly, they may be held responsible for torts such as assault, false imprisonment, and/or malicious prosecution.

So even if no formal regulation exists, there are still many factors that place controls on security personnel and companies. However, many of the above measures are typically more reactive than proactive. Being sued after the fact rather than preventing the occurrence in the first place is a typical example of a reactive measure.

International approaches to controlling the private security industry

In the majority of industrial nations, state governments have, in some form or other, responded to the growth of the private security industry by creating statutory frameworks within which the industry must operate (Shearing & Stenning, 1981; George & Button, 1997; Yoshida, 1999; DeWaard, 1999; Prenzler & Sarre, 1999). Participants in the creation of such frameworks include, to name a few, all states in the European union, Hong Kong, Hungary, Jamaica, Japan, New Zealand, Russia and Trinidad and Tobago (George and Button, 1997). In nations under the rule of a federal system of government, one often finds regulations at state level. In the U.S.A., for instance, 42 states and

Washington DC all have such framework, as do all Canadian provinces and all the states and territories of Australia (George and Button, 1997; Prenzler and Sarre, 1999). In some of these jurisdictions the structures have been in place for a considerable amount of time. The state of Missouri passed a statute regulating private detectives in 1885, Pennsylvania in 1887 and New York in 1898 (Moore, 1990). In Ontario, the licencing of private detectives can be traced back to 1909 (Slater, 1982). In Europe too there has been a long tradition of regulating private investigators. Legislation was enacted in Italy in 1940, in France in 1942, and Switzerland in 1943 (Button, 1998). The Nature of these regulatory systems, however, varies considerably between countries (George & Button, 1997). These differences will be examined in the following section.

Comparing regulatory frameworks

George and Button (1997) have identified three aspects of regulatory measures that can be used to compare and contrast the myriad of systems in existence globally. These are, the width of regulation (how many sectors of the industry are regulated), the depth of regulation (the number and type of regulations to be met by security firms and their employees) and, finally, the agent responsible for regulation (George and Button, 1997). Upon identification and further analysis, George and Button (1997) were able to identify five models of regulation set out in Table 4.

The republic of Ireland and Great Britain (before the enactment of legislation in 2001) are examples of the non-interventionist models. Northern Ireland is an example of the minimum narrow model, where the only applicable standard relates to an investigation

into the background/character of the firm itself (Button, 1998). New Zealand is an example of the minimum wide model, where manned guarding, private investigators, and

Table 4.
Five models of Regulation

Non-interventionist	There is NO statutory licencing system for the private security industry
Minimum-narrow	Minimal regulations apply but these only extend to the manned guarding and/or private investigators sector.
Minimum-wide	Regulation applies to the wider security industry but only with minimum requirements
Comprehensive-narrow	There are regulations that seek to raise the quality of the industry (such as training standards and standards of operations for firms) but these only apply to manned guarding and/or private investigators.
Comprehensive-wide	Quality enhancing regulations are applied to the wider private security industry.

Source: George and Button, 1997

installers of certain security equipment are subject to regulation (Button, 1998). These standards however relate to character and articulate no minimum training standards. Denmark is an example of the comprehensive narrow model, where both the contract manned guarding sector and private investigations are regulated. However, in regards to the manned guarding sector, employers and employees must meet comprehensive standards that go beyond mere character requirements to standards aimed at improving the overall quality of private security services. For example, security officers must complete 120hrs of training within six months (Button, 1998). Finally, Belgium is an example of the comprehensive-wide model. This country regulates the manned guarding

sector (including in-house) private investigators and alarm installers. The framework also includes standards intended to improve the quality for both employers and employees. These standards include 120 hours of training (with an exam) plus additional formation for other specialist roles (a further 16hours for guard dog handler for example). George and Button (1997) logically conclude that the “comprehensive” system of regulation would seem the most likely to provide a higher quality contract guarding sector.

Additional evidence for the most effective apparatus for regulation is seen when analyzing reports on existing modes of regulation and statutes. In British Columbia for example, the Oppal Commission undertook an enquiry into the private security regulatory system in place. Their conclusions recommended the further widening and deepening of regulation (Oppal, 1994).

Reforms of regulatory frameworks throughout the world’s industrial nations also support the “comprehensive” and “wide” models of regulation. In many parts of the U.S. and Australia, states have reformed their regulatory systems from minimal to more comprehensive models. Several states have also amended existing legislation to widen and deepen regulation. Germany has also recently moved from a “minimal” to a “comprehensive” regulatory model and, in France and Spain, further widening and deepening are under consideration.

In Canada, in August 2007, the Private Security and Investigative Services Act, 2005

(2005) came into force to replace the antiquated Private Investigators and Security Guards Act (2000). Discussed further in the next section, it extended controls to the wider private security industry, including in-house security, private investigators, bouncers and loss-prevention personnel. At current time, this system is one of the widest and deepest in the world. There is, therefore, evidence that supports the comprehensive and wide models of regulation described by George and Button (1997) as the model most jurisdictions are moving towards and as the best for raising standards in the industry.

The new Private Security and Investigative Services Act, 2005

Who is affected?

Under the previous legislation, in-house security personnel including bouncers, store security officers and some loss prevention professionals were not required to be licenced or to have any formalized training in the Province of Ontario. The new legislation, overseen by the Ministry of Community Safety & Correctional Services, imposes training, licencing, reporting, monitoring and other standards broadly across the security industry, including almost all in-house and contracted security and investigative personnel and their employers (Herberman, 2007).

There are some notable exceptions under the Act, including lawyers, police officers, insurance companies and insurance adjusters and their employees, provided that they are licenced under the Insurance Act and are acting in the regular scope of their employment. In addition, individuals who were employed as private in-house security guards or investigators as of August 22, 2007 and who were not required to be licenced under the

former legislation or whose employers were not required to be licenced under the former legislation are not required to obtain a licence under the new Act. This exemption does not, however, extend to the employer itself, which must register, nor does it exempt in-house security employees from the training and reporting requirements under the new legislation (Herberman, 2007).

Licencing

The Private Security and Investigative Services Act, 2005 requires that security personnel apply for and obtain an annual licence allowing them to act as either an investigator or a security guard. The Act further requires that any company which employs security guards or private investigators must register with the Ministry through the Registrar of Private Investigators & Security Guards, no later than August 23, 2008 (Herberman, 2007).

The Act provides for six distinct types of annual licences including licences to act as a private investigator, to act as a security guard, to act as both private investigator and security guard and licences to sell the services of the above. The legislation prohibits any person from acting in the capacity of an investigator or security guard or any business from the selling of security services unless the proper licences have been obtained.

Unlike its predecessor legislation, which required only a criminal background check, the new Act provides far more stringent licencing requirements. In order to be licenced, individuals must establish that they have a clean criminal record, are over 18 years old,

are eligible to work in Canada and have completed a prescribed training course followed by a Provincial exam. In addition, applicants must provide the Ministry with a declaration setting out all convictions and outstanding charges against them in federal, provincial and foreign jurisdictions for which pardons have not been granted and to provide authorizations, fingerprints and/or other information so as to enable the Registrar to conduct background checks and to obtain other relevant information. Businesses that provide security services must also submit similar declarations and authorizations on behalf of each director, officer and partner of the business (Herberman, 2007).

In addition to the licencing requirements, the new legislation also mandates that, effective August 23, 2008, all licenced businesses involved in the selling of investigative or security services obtain and provide proof of general liability insurance with minimum liability limits of \$2 million.

Code of conduct

By regulation, there is now a binding Code of Conduct on the security industry. The Code essentially provides that licence holders must act honestly and with integrity, that they must exercise their power in an appropriate fashion and that they are obligated to safeguard the privacy of individuals and treat members of the public with respect.

Failure to abide by the Code is an offence under the Act, and may result in a complaint to the office of the Registrar. A conviction for breaching the Code or any other provision of the Act could potentially expose one to imprisonment for up to one year and/or penalties

including fines up to \$25,000.00 for individuals and up to \$250,000.00 for businesses.

Of note, the legislation provides that where a business is guilty of an offence under the Act, every director, officer or partner who authorizes, permits or acquiesces to wrongdoing is also guilty of that offence (Herberman, 2007).

Training

In order to underscore the requirements of the Code of Conduct and to provide guidance as to the expectations and limitations of security personnel the legislation imposes training as a pre-requisite to licencing.

Formalized training under the Act is scheduled to become mandatory on November 30, 2008 (Herberman, 2007). As indicated previously unlike previous “on the job” and in-house training systems, the Act now mandates that training take place through a college, university, private college or an independent trainer who is recognized by the Ministry. Subsequent to that, the individual is required to pass a Provincial exam prior to licencing approval.

In order to act as a private investigator or a security guard, the Act mandates that licencees undergo “basic training” the scope of which is yet undefined. The legislation does provide for a wide exemption from the basic training requirement in favour of several existing security professionals including: former police officers, military personnel and persons who were employed as full or part time security guards or private investigators for 6 or 12 months respectively between November 30, 2005 and November

30, 2008 (Herberman, 2007).

Basic training, although not specifically defined in the Act, will likely provide a rudimentary framework outlining the general standards expected of security professionals and accordingly, may well have to be supplemented by employers so as to adequately address training issues and legal liability protection should licencees or their companies find themselves in litigation.

Beyond basic training, the Act bans the use of cable or tie strap type restraints and provides that all security personnel whose jobs require the use of firearms, handcuffs, batons or canine assistance be required to undergo annual “specialized training”, including training on applicable laws, exercise of judgment, safety practices, theories on the use of force and practical skills.

Security equipment

As indicated above, under the new legislation security professional may not use firearms, handcuffs, batons or dogs unless they have completed an approved training course in the preceding 12 months and are otherwise compliant with pre-existing legislation such as the Federal Firearms Act (Herberman, 2007).

The use of handcuffs and batons is only permitted if the equipment is issued to the security office by his or her employer and that employer has adequate liability insurance covering the risk associated with the use of that equipment. Batons are specifically restricted for use as a defensive tool.

Guard dogs are also restricted by the legislation. The use of dogs for the purpose of crowd control, or in the pursuit or restraint of individuals has been banned (although use of dogs to detect individuals and things is permissible).

When dogs are permitted, they must first be trained to obey the commands of their handler and thereafter must be on a leash, accompanied by licenced security personnel. Dogs cannot be used to guard premises or property unless they are accompanied by a licenced security guard.

In addition, business which use dogs are required to create written policies in respect of the care and handling of the animals, including feeding, housing, transportation, veterinary care, retirement and euthanasia. Animals cannot be sold or given away unless the person accepting the animal is advised that it was previously used as a guard dog (Herberman, 2007).

Restrictions on vehicles and uniforms

Many security companies have designed their logos, vehicles and apparel to mirror that of peace officers thereby creating the potential of confusing the public. While undercover security officers continue to be permissible, effective August 23, 1999 the Act requires that vehicles used for security purposes (if marked) must have the word “Security” on both sides, front and back and can not have red, blue, gold or yellow stripes on it, or any combination of those colours.

Similarly, security uniforms must clearly display the name of the security company and identify the wearer as a security guard. Similarities that may cause the public to mistake a security guard or his or her vehicle with that of a peace officer (including police style hats and badges) have been banned (Herberman, 2007).

Reporting requirements

Perhaps the biggest impact on businesses and organizations employing security guards lies in the reporting and recording requirements of the Act, which provide that businesses keep specific records detailing security services. Under the Act records must be kept for at least 2 years and include information related to present and past security officers and their equipment (Herberman, 2007).

In terms of employees, the Act requires that employers keep a list of all security officers currently employed by the organization or previously employed within the past 2 years as well as those persons employment contracts, dates and locations of postings, certificates of training, and policies and procedures directives in force.

Records pertaining to the issuance of batons, handcuffs, firearms and other equipment including dogs must also be retained. Those records must include the name of each security officer, proof of training, the credentials of the trainer, and proof of liability insurance (Herberman, 2007). Furthermore, employers must keep an equipment list detailing when specific equipment was issued to specific security officers, the location at

which the equipment was used and a threat assessment detailing why such equipment was necessary.

Finally, employers must ensure that each time handcuffs, batons or firearms are used the security officer complete “Use of Force Report” in a form prescribed by the regulations. That report identifies the security officer, provides details of the incident and force used, notes any injuries sustained and confirms reporting of the incident to the employer who must then sign the form acknowledging the incident.

The arrival of the Private Security and Investigative Services Act, 2005 has the potential of significantly altering the way in which all Ontario security officers govern themselves and has the potential of greatly impacting the way in which employers train, instruct and monitor staff. The Act also has the potential of creating a trap for those employers who fail to understand and implement its requirements or who fail to closely monitor both their own security staff and those of firms with whom they contract for services. It will, however, provide some much needed oversight in an industry historically lacking in regulatory control.

BAD POLICING

An area of interest that remains highly under-researched in regards to the private security sector focuses on an exploration of the advent and degree to which employee malpractice is present in the field of private security work. With the number of private security

guards continuously rising and the scope of their functions widening, we must take a closer look at the quality of the services they provide.

At current time, no distinct study was located on this specific topic; however, as there is a plethora of established research on issues of malpractice and corruption pertaining to the public police, it is hoped that such a knowledge base may be easily adaptable to the private sector. As the once clear dichotomy between the private security industry and the public policing sector becomes increasingly muddled, the opportunity for comparison between the two camps has intensified considerably. This section will explore the concepts of malpractice and corruption as established in the traditional policing literature and hopefully provide some parallels by which the private sector may be analyzed further.

What is corruption and malpractice?

In regards to issues of malpractice and corruption, the established research generally outlines an area of debate situated within the context of definitional problems (Moran 2005: 59). Too broad a definition dilutes the concept so as to include any and all acts that may violate ethical, legal or moral norms. On the other hand, too specific a definition and one risks restricting the focus to particular acts or omissions. It is thus the apparent consensus in the literature to accept a broad definition but to further categorize certain acts according to degrees of severity and increased importance (Moran, 2005: 59). It appears commonplace to use broadly defined concepts that are further subdivided and categorized within various typologies.

Probably the best-known typology is that of Roebuck and Barker (1974), which has eight

Figure 1.

Types and Dimensions of police corruption

Type	Dimensions
Corruption of authority	When an officer receives some form of material gain by virtue of their position as a police officer without violating the law per se (e.g. free drinks, meals, services).
'Kickbacks'	Receipt of goods, services or money for referring business to particular individuals or companies.
Opportunistic theft	Stealing from arrestees (sometimes referred to as 'rolling'), from traffic accident victims, crime victims and the bodies or property of dead citizens.
'Shakedowns'	Acceptance of a bribe for not following through a criminal violation i.e. not making an arrest, filing a complaint or impounding property.
Protection of illegal activities	Police protection of those engaged in illegal activities (prostitution, drugs, pornography) enabling the business to continue operating.
'The fix'	Undermining of criminal investigations or proceedings, or the 'loss' of traffic tickets.
Direct criminal activities	A police officer commits a crime against person or property for personal gain 'in clear violation of both departmental and criminal norms'.
Internal payoffs	Prerogatives available to police officers (holidays, shift allocations, promotion) are bought, bartered and sold.
'Flaking' or 'padding'	Planting of or adding to evidence (argued by Punch to be particularly evident in drugs cases).

Source: (Newburn, 1999)

categories, to which Punch (1985) expanded upon by adding a ninth. These types are summarized in Figure 1, ranging in a hierarchy from rule breaking to lawless behaviour. The issues of contention raised by this list of 'corrupt' activities are twofold. First, whether it is realistic to consider all of them to be corrupt (Newburn, 1999), and if so, what is it that links them all together? If not, on what basis might some of the activities be excluded from the list? The second issue relates to the fact that Roebuck and Barker's (1974) typology was ordered in a hierarchy from the least to the most 'serious'. Implicit in this model, and in much writing about police corruption, is the idea that officers who become corrupt tend to start at the bottom with the least serious offences and then progress some or all the way along the road to the other end of the spectrum (Newburn, 1999). This problem – referred to by Kleinig (1996: 36) as the 'slippery slope argument' – will be discussed later in this section. First, let us consider what these activities have in common.

The problem of definition

As was previously mentioned, there are many competing definitions of corruption. Some are broad and inclusive suggesting that police corruption is loosely identified as deviant, dishonest, improper, unethical or criminal behaviour by a police officer (Roebuck and Barker, 1974). There are also significantly narrower definitions. James Q Wilson (1963), for example, distinguishes between activities such as accepting bribes (which he along with everyone else considers to be the prototypical form of corrupt behaviour) and 'criminal' activities such as burglary on duty (which he considers to be qualitatively different – criminal but not corrupt). Although both acts are criminal, the point of

Wilson's distinction is that bribery of police officers involves the exploitation of authority in a way that burglary by police officers need not. There is a parallel here with work on so-called 'white collar crime' (Klockars, 1977).

Both white-collar crime and what Stoddard (1968) referred to as 'blue coat crime' (police corruption) are those committed in the course of duty (Newburn, 1999: 14). Thus, as Klockars puts it, "if police officers steal from the scene of a crime they are called to investigate, they are corrupt. If they steal from their families, from their friends, or from stores and homes without the cover of their police role, they are merely thieves (1977: 334)." Police corruption, it is generally accepted, thus necessarily involves an abuse of position – what is corrupted is the 'special trust' invested in the occupation (Newburn, 1999). Here then we have one element for inclusion in a definition: the exploitation or misuse of authority.

This 'special trust' need not be limited to the public police sector. In essence, private security officers operate under similar degrees of trust placed upon them by the organization itself and its clients. It can therefore be argued that private policing officers can be corrupted in similar ways by misusing this authority. For instance, it may be corrupt when security officers commit criminal acts under the cover of such trust (Klockars, 1977: 347). However, most discussion of corruption goes further and includes reference to activities that are not necessarily criminal, commonly referred to as acts of misconduct or malpractice (the acceptance of gratuities or minor 'kickbacks'); activities that do not involve the provision of services (indeed, activities that may involve the

failure to ‘police’); and, activities that do not involve the exchange of money (or other material goods) (Newburn, 1999). Sherman’s classic (1978) solution to this issue is to argue that corrupt acts involve the ‘illegal use’ of organizational power, but that ‘illegal’ refers to violations of administrative codes and civil law as well as the criminal law. Thus, McMullan’s definition of corruption is seemingly more apt to include a range of such activities:

“a public official is corrupt if he accepts money or money’s worth for doing something he is under a duty to do anyway, that he is under a duty not to do, or to exercise a legitimate discretion for improper reasons (1961: 183-4).”

Punch (1985) broadens this definition in two ways. He defines corruption as occurring:

“when an official receives or is promised significant advantage or reward (personal, group or organizational) for doing something that he is under a duty to do anyway, that he is under a duty not to do, for exercising a legitimate discretion for improper reasons, and for employing illegal means to achieve approved goals (1985: 142).”

This definition Along with that adopted by Punch recognizes that the particular ‘ends’ of corrupt activity may not involve personal reward but, rather, may be undertaken for the benefit of a wider group or the organization as a whole (Newburn, 1999). Such a definition differs from Goldstein’s (1977) view that corruption is designed to produce personal gain for the officer or others. Secondly, Punch (1985) broadens the definition to include not only illegitimate but also ‘approved goals’ – what is sometimes, but often rather misleadingly, referred to in the UK as ‘noble cause corruption’.

Many definitions of corruption wrongfully exclude such misconduct as sleeping, drinking, taking drugs or having sex while working, feigning illness, reckless driving and

other forms of deviance. They do so because such misconduct doesn't involve 'material reward or gain' (Palmer, 1992: 52). In such cases the corrupt 'motivation' is argued not to be present. Perhaps the most inclusive definition of corruption is provided by Kleinig (1996:166) and explained as follow:

“Officers act corruptly when, in exercising or failing to exercise their authority, they act with the primary intention of furthering private or departmental/divisional advantage (Kleinig, 1996: 166).”

The advantage of this definition is that it allows many acts and practices that may never show themselves as corrupt – for example, doing what one is duty-bound to do solely for personal advancement – to be included within a definition of corruption (1996). This would clearly cover over-zealous activities with the aim of personal advancement (Newburn, 1999: 17). Though such activities may not be what we normally think of as corrupt, Kleinig (1996: 169) argues that they should be considered to be so because they are nonetheless motivated by the 'spirit of corruption'. As he argues, it is motivation that is the key to understanding corruption. Corruption and malpractice, at heart, therefore appear to be an ethical problem before it is a legal or administrative problem (Newburn, 1999). Nonetheless, the discussion provides the following general observations:

- in attempting to define corruption and malpractice, attention must be paid to the means, the ends and the motivation behind the conduct;
- corruption need not necessarily involve illegal conduct or misconduct on the part of a an officer (the goals of the action may be approved);
- corrupt acts may involve the use or the abuse of organizational authority;
- corruption may be 'internal' as well as 'external', i.e. it may simply involve two (or more) officers; and
- the motivation behind an act is corrupt when the primary intention is to

further private or organizational advantage (Newburn, 1999: 23).

A question of ethics?

Within police services, as with all organizations, there are certain practices that may be considered to 'deviant' but are nonetheless tolerated. In some cases however, they may differ only in degree from activities that would almost uniformly be considered corrupt. Thus lays the question: At what point does malpractice constitute corruption?

As Goldstein (1975: 28) notes, a police manager who declares himself against corruption is immediately faced with a number of difficult questions about his stance: "Does he mean an officer should not accept a free cup of coffee? How about a meal? What about a Christmas gift? What about a reward sincerely offered for meritorious service? And what about a tip offered by a visiting dignitary to the officer who served as his bodyguard (1975: 28)?" Goldstein goes on to say that these are all issues that are on the periphery of the 'corruption problem'. Though they are rarely what prompted the police manager to speak out about corruption and are unlikely to be of particular concern to those troubled by the perceived existence of corruption, they nonetheless raise some fundamental questions about the organization itself (Newburn, 1999:17).

Answers to questions of gratuities and trust have always been variable at best. Minor gratuities have often been accepted as a normal part of ordinary police work (Newburn, 1999). However, at the head of what Sherman (1978) refers to as 'reform police departments' – departments attempting to fight corruption within their ranks – a rather hard-line stance on the issue tends to be present. O.W. Wilson, one of the best known

American police reformers, was firmly against even the acceptance of a free cup of coffee, and Patrick V Murphy, the Commissioner of New York in the aftermath of the Knapp Commission famously stated that: “except for your paycheck, there is no such thing as a clean buck (quoted in Goldstein, 1975: 29).” The question remains, therefore, where and how is the line to be drawn in practice?

By far the most ample discussion of this question is provided by Kleinig (1996) and the discussion that hereto follows will rely heavily on his position as outlined in his work. Kleinig begins by pointing out one significant difference between ‘bribes’ and ‘gratuities’: bribes are generally of a significant size and often in proportion (at least) to the ‘favour’ being requested, whereas gratuities tend to be more ‘symbolic’. Moreover, he argues that whereas bribes are offered and accepted in order to corrupt authority, there is nothing in principle that implies that the offer of a gratuity is done with the intention of influencing the exercise of authority or that, alternatively, even in cases where the actions of an officer are aimed at securing a gratuity, that the gratuity wouldn’t have been offered anyway. Nonetheless, the question of whether it is appropriate for police officers to accept gratuities remains a difficult one for managers. Kleinig’s arguments in favour of, or in opposition to, acceptance of gratuities and similar benefits are outlined in Figure 2.

Perhaps the strongest argument against the acceptance of gratuities results from the idea that the provision of policing is deemed to be a ‘public good’ (Jones and Newburn, 1998). In so being, there lies a presumption that individuals and groups cannot or should not be prevented from using them and, moreover, that policing is indivisible: it cannot

meaningfully be divided amongst individuals and groups (Johnston, 1992). As Feldberg

Figure 2.

Arguments supporting and opposing the acceptance of gratuities and benefits

A. Arguments in support of acceptance	
Appreciation	Natural and reasonable to show appreciation to those providing a public service. Rude to refuse.
Not Significant	Gratuities are not significant enough to buy or cultivate favour.
Officially offered	When offered officially by a company or corporation (e.g. the discounted 'Big-Mac') no personal sense of obligation can develop.
Links with the community	Part and parcel of fostering close links with the community including business people. In turn, a fundamental of 'good policing'.
Police culture	An entrenched part of police culture. Any attempt to end it will result in displeasure and cynicism.
Trust and discretion	Attempts to prohibit acceptance imply that officers cannot be trusted to exercise discretion and are incapable of making sensible moral judgments to guide their behaviour.
B. Arguments in opposition to acceptance	
Sense of obligation	Even the smallest gift inevitably creates a sense of obligation if it becomes regularized.
'Slippery Slope'	Gratuities lead to a 'slippery slope' where the temptations become imperceptibly greater and refusal increasingly difficult.
Remove temptation	Not all officers can exercise proper judgment on what is reasonable to accept. More sensible for the organization to remove temptation altogether.
Purchase preferential treatment	Businesses which offer gratuities are, in essence, seeking to purchase preferential treatment (e.g. encourage greater police presence in the vicinity of their business).

Source: (Newburn, 1999)

(1985: 274) puts it: "gratuities are simply an inducement to a police officer to distribute

the benefit of his presence disproportionately to some taxpayers and not others,” or in the case of private security agents, as an inducement to concentrate efforts on the more ‘generous’ clients. Gratuities are an encouragement to treat policing services as a ‘club good’ (Newburn, 1999). As such, attempts at defining the realm of activities to be included in a definition of corruption and malpractice necessitate an examination of both the ‘ends’ and the ‘means’ of such conduct.

The ‘slippery slope’ to ‘becoming bent’

A number of tricky ethical dilemmas have been raised so far in this section. Before concluding however, one additional issue must be considered—the relationship between minor and major transgressions of the rules of ethical conduct, particularly whether there is a ‘slippery slope’ leading the former to the latter. According to Kleinig (1996: 174), the path to serious forms of corruption often begins through small acts of deviance that become increasingly addictive. There are two versions of the ‘slippery slope’ argument, he suggests, the logical and the psychological. These are described in Figure 3 as follows.

These steps are quite individually small, often beginning with the acceptance of perks such as free coffee and meals from restaurants, but the overall journey is long and often may be terminated along the way (Newburn, 1999). The key policy implication of Sherman’s argument however, is ensuring that there is some point or boundary, where the redefinition of self that is required is so great that most will be discouraged from making the leap. As Kleinig (1996: 153) points out, what is interesting about this version of the

slippery slope argument, is that it does not necessarily hold the acceptance of minor gratuities to be unacceptable (though Sherman is clearly uncomfortable with such gratuities). What is problematic about their acceptance is that doing so requires a redefinition of self that makes the acceptance of more significant 'gifts' easier (Newburn, 1999).

Figure 3.

Two versions of the "Slippery Slope" argument

'Logical' version	States that because even the acceptance of a minor gratuity involves the same implicit rationale as the acceptance of cash thereby compromising professional impartiality for personal gain, the person who does the former undermines the grounds they may have had for refusing the latter. The logic is that because both are wrong, or both are wrong for the same reason, having engaged in minor acts of illegitimate conduct opens up the way for more significant transgressions. A second version of the argument has it that although the 'gap' between minor and major transgressions may be significant, there are many other transgressions in this gap which make the setting of some 'logical boundary' impossible. Whichever version of the argument one adheres to, the 'logical' conclusion is that the acceptance of minor gratuities like a free cup of tea ought to be avoided.
'Psychological' version	The best known example is that contained in Sherman's (1985) paper 'Becoming Bent'. Sherman's focus is on the police officers' <i>moral career</i> or the process of self-labelling that takes place as an officer moves from minor perks to more serious forms of corruption. He argues that there is a continuum from one to the other which involves a series of stages each of which require a moral decision to be made. Each stage involves a gradual redefining of the 'self' as who will accept (ever more serious) forms of bribery.

Source: (Newburn, 1999)

There is no easy solution to either the question of definition or to the ethical problems outlined. The discussion only shows the simple, albeit uncomfortable, fact that complex ethical problems are an inherent part of police work. Acknowledging these problems and their intricacies is an important step toward the development of a coherent and useful

administrative policy response.

TOWARDS NEW THEORETICAL GROUNDWORK

Though overlapping with previous discussion, this particular section hopes to more accurately situate the focus of this research within the theoretical framework of the post-modern criminological thought. Insofar as this camp may be limited to some degree and occlude various conceptual and analytical constructions, this chapter will nonetheless attempt to illustrate a way in which further research in the area of malpractice and the private policing sector may contribute to various theoretical gaps within it. Findings, regardless of direction, may prove invaluable for reasons of practicality. It has been suggested that the most effective method of combating this activity is to prevent it before it actually occurs. Observations of any sort will surely benefit future decisions regarding training, safeguards, and preventive policies. Not limited to this however, such a study will also influence broader theoretical developments.

A Foucauldian view

As mentioned in previous sections, significant contribution to explain police privatization is offered through an analysis of Foucauldian criminology. Departing from the traditional focus of state centrality, Foucauldian theorists argue for fragmented conceptions of power (Rigakos, 2002). We no longer live in a society where our actions are governed by the ideals of a singular entity. That being said however, we remain subordinate to ‘governments’ in their collective sense. This new kind of governmentality

is argued by Foucault to have been made possible by the establishment of various “knowledges.” Through the various discourses of experts, institutions and disciplines, we accept their knowledge as truth and attribute onto them the power of governing.

The rise of neoliberalism has accomplished much to explain this decentring of the state. As Garland argues, “laissez-faire economics and the modes of governance that arise from it are linked to a retreat by the state (Garland, 1996: 446).” As part of this retreat, as Rose suggests, states turn responsibility over to citizens for providing the means for their own safety, security, and general well being (Rose, 1996). Communities are made more and more responsible for solving their own crime problems. Individuals within their respective communities have a responsibility to govern themselves, to conform to social norms and expectations and to avoid risks by taking the necessary precautions. The state of human agency is now one of a radical actor in whom the notion of self-empowerment and individualization take firm hold. As such, communities have begun to turn to the private market to manage their own affairs.

In light of this, Shearing and Stenning have put forth a well-known thesis on the rise of private policing (Shearing & Stenning, 1983). Essentially, they suggest that “mass private property” has shifted the responsibility of maintaining the peace to large corporations who under the guise of privatization hire private security agencies to serve and protect their interests. Whether acting under doctrines of loss prevention or peace management, policing (private or public) is no longer the strict monopoly of the state.

Power is no longer in the hands of singular elites but lies in the many interconnected, informal yet influential relationships found within the communal entity. The role of governance has taken a major shift where the community and players within it are seen as the principle purveyor of governing knowledge. It remains, however, that what this knowledge entails is nevertheless influenced and deemed to be appropriate for dissemination by the state. As such, individuals may be free to self-govern in as much as they conform to the previously accepted norms and values of the social. As Rose suggests, the rhetoric of individuality is limited insofar as we self-discipline and self-govern in a way that does not illicit state intervention (Rose, 1996). In essence, social structure is situated in a way in which we all have an equal interest in our self-empowering as long as it is directed towards and subordinate to the governing knowledge. As previously mentioned, we have come to internalize the knowledge passed through governance and are thus expected to act accordingly. In Foucauldian terms, “unlike the monarchical state, which uses brute force to control its subjects, the 'democratic' state requires internalized and sophisticated coercion to perform this function (Foucault, 1991: 89).” Notwithstanding, surveillance of the masses and punishment accordingly is applied to ensure conformance to those who, shall we say, dare to resist.

It was stated that “truth emerges only within a structure of rules that control the language, the discourse (Foucault, 1983).” In essence, our institutions and schools of thought, our universities and leaders, our ministers and our parents, and our teachers, all collaborate to create a context in which something is established as "true." Within these intertwined social layers, individuals find themselves under constant observation; bombarded in

every way by normalizing ideals. Social structure is hijacked by these so-called “truth-tellers” and it is these truth tellers who, armed with knowledge, hold and often unwittingly serve ultimate power.

Foucault discusses three primary modes of control: hierarchical observation, normalizing judgment, and the examination (Foucault, 1977). To a certain extent, control over people (power) can be achieved merely by observing them. This is best exemplified by his work on prisons. The concept of panoptics, as the brainchild of Jeremy Bentham, which Foucault describes as the ultimate example of power and control, illustrates how power acts implicitly in sculpting individual behaviour according to established norms. The mere fear of being observed, even if not directly observed, will elicit certain compliance with behavioural norms. Individuals become conditioned to expect the surveilling gaze, internalize it, and discipline themselves as a result. They accept conformity without hesitation in light of its equivocal origins and normalize their behaviour according to established standards; as Foucault describes it, they become “docile.” The goal of disciplinary power is thus not to exact revenge and punish, but is meant to reform behaviour. In other words, it is meant to elicit “normal” behaviour and impose the dominant social standards. As such and as Himmelfarb (1965) suggests, the panopticon is but a machine for the exploitation of the powerless by the powerful in so far as discourses of normality are decided upon by the latter rather than the former. This is best put in her words in the following way:

“The contractor was the key to Bentham’s scheme, and in more than the sense that is by now all too obvious. As one proceeds in this study of the

panopticon, what emerges is more and more a travesty of the model prison and the model reformer. But the travesty is not yet complete. The final turn of the screw, the final pitch of perfection, is the discovery that Bentham himself actually intended to be the contractor and the governor of the prison (Himmelfarb, 1965: 219-220).”

This concept, in light of private security, is best illustrated through managerial attempts at controlling private security agents’ behaviour. Through the ethnographic analysis of Rigakos, one finds many examples of how private policing agencies have implemented control mechanisms to essentially supervise their own employees (Rigakos, 2002). For instance, with due gratitude to technological advancements in the field, the upper managerial echelons have devised ways with which to monitor and track the whereabouts and actions of particular, if not all officers in the ranks. An example is seen in Rigakos’ account of the Deister Gun device which keeps an electronic record of all sites and patrols an officer has reported to during his shift. This record can be kept indefinitely for future review and scrutiny if problematic situations arise. This exemplifies the importance that surveillance has taken in monitoring the watchers in concurrence with the rest of the watched population.

This being said however, the concept of panoptic surveillance as a means to efficiently constrain problem behaviour only appears functional in so far as targeted individuals assume responsibility in their reformation. It assumes a willingness to conform and as such appears to occlude from view instances where resistance is applied to combat such mechanisms. This issue of resistance has not been developed in very much detail by Foucauldian scholars and as such requires further elaboration on our part.

Foucauldian accounts of governmentality and risk occlude from view the possibility that resistance in its very essence and practicality may not necessarily be futile, especially in regards to policing. Malpractice within the context of policing can be viewed as a form of resistance toward formal policy, rules, and expectations (Rigakos, 2002). As such, evidence of its occurrence seems to fall, in the very least, outside the parameters of risk ideology. Let us engage these issues in further depth.

Risk has become institutionalized insofar as a myriad of institutions collect and amass knowledge about the population. Police, financial, and insurance institutions, for example, collect data and information in an effort to categorize individuals and situate them within various risk categories for easier management.

Governance has thus retained a certain degree of necessity. For instance, it plays a large role in “statistical enumeration, insurance, discipline, regulation, standardization, norm setting and inspection (Garland, 2003: 50).” However, as we move further away from a welfare model and increasingly migrate toward the free-market, the role of private institutions or risk industries gains heightened consideration.

As the main mechanism for ordering populations, the police have become the central hub of risk management. Ericson and Haggerty argue that we now look to the police as the primary provider of expert knowledge (Ericson & Haggerty, 1997). In a sense, they have become expert information brokers who collect information and feed it to other institutions where further decisions can be made. As such, policing has become a generic

function relying increasingly on technological advances that dictate what “kind” of knowledge is deemed necessary to be collected. Police officers have as a result become simple automatons and de-skilled data collectors. They are seen as expert knowledge brokers wherein their main goal is to turn abstract knowledge into practical knowledge for their own internal management purposes.

As Ericson and Haggerty suggested, the police have become de-skilled insofar as opportunities for discretion are increasingly limited (1997: 23). They must answer to the risk system and their actions are thus governed by risk information and communication formats. Their decision-making process, questions to be asked, and elements to be investigated are increasingly dependent on and dictated by report formats. They become more reliant on administrative goals and targets, are under constant surveillance and scrutiny and essentially become nothing more than data collectors collecting raw data that’s processed for future use by the administration. In this light, bureaucracy trumps culture in as much as police subculture is no longer the best way to look at and understand why police do what they do.

In light of this research however, it may become apparent that the so-called death of subculture may be an overstated concept. It may have inarguably been changed by risk ideology but it is not necessarily dead. As mentioned earlier, instances of resistance as depicted through acts of malpractice may indirectly affect and perhaps even contribute to and strengthen ideals of subcultural membership (Rigakos, 2002). For example, a collective response to discontent concerning certain departmental policies or rules can

quite possibly reinforce subcultural values and attitudes. Police subculture may no longer be the best way to explain why police do what they are supposed to do but may help explain why they do what they are not supposed to. In less enigmatic terms, resistance as depicted through overt acts of defiance to departmental rules, as depicted by Rigakos' discussion on the "art of ghosting" and as can be illustrated in further research, can offer some valuable insight into the inner workings of subculture formation. Whether shared ideals and values, which may help to essentially define a subculture (Johnston, 1992), promote actual corruption or if corruption in itself generates a surrounding subculture is a valid question that should not be disregarded when studying the actions of police.

Another example of this can be offered in regards to arguments put forth by Ericson and Haggerty that police action is constrained by report formatting (Ericson & Haggerty, 1997). Not arguing against this thesis, it can be further suggested that police decision can also be influenced by the wish to avoid reporting. As is often the case in the contemporary activities of private security personnel as well as their public counterparts, some officers routinely "cut corners" or modify the course of events or encounters to circumvent the need of filling out elaborate reporting requirements (Bogard, 1996). This form of behaviour, especially in light of public police agencies, is often indirectly tolerated by the police subculture, if not reinforced by it to some extent (Skolnick, 1966).

The actuarial justice system that we now find ourselves subject to is everyday engaged in the mentality of governing through expert knowledge as acquired through such 'reporting' and automated efforts. The risk society relies on statistics to classify order

and 'know' populations. As such, expert systems adopt an 'insurance-based' managerial order so that institutional decisions become increasingly dependent on the production of risk knowledge (Garland, 2003). This thinking is about the management of populations through statistical knowledge and the erection of categorical representations of individuals.

Risk theorists point to the idea that human agency has become organized in terms of risk categories thereby deteriorating class distinctions that were the traditional focus of most criminological theories. It could be put forth, however, that most low-risk groups are nevertheless made up of wealthier and privileged individuals. Class distinctions may not be entirely extinct and occluding this facet may lead to the ignoring of important societal conditions.

An example of this concept in light of the contemporary activities of private policing agencies is made clear when one focuses on the underlying driving force of such organizations. As previously alluded to, private agencies are essentially market and profit driven. As such, the interests of those who, quite simply put, can afford private security may evidently clash with the interests of those who cannot. Pertaining to Shearing and Stenning's mass private property thesis, this becomes evident when analyzing citizen complaints and victimization reports. Most cases of reported victimization, whether grounded in truth or exaggeration, nevertheless tend to originate from individuals of lower socioeconomic status, who unsurprisingly seem to form the high risk group of individual who tend to be denied entry to the properties in the first

place (Initial Security Canada, 2004). Though the research on this is practically inexistent and convincing evidence cannot be arrived at too rashly, this nonetheless paints a rather broad picture of the existence of remaining class distinctions that, according to risk ideology, should no longer be worth consideration.

Some final thoughts

A Foucauldian analysis may be better suited to provide a theoretical base upon which one may gain further knowledge on the increasing privatization of policing and yet may also profit from further research on closely tied issues of resistance as expressed through corruption and malpractice. Future research in this area will provide further knowledge of these issues, which seem obfuscated by Foucauldian scholars.

Though the discussed frameworks do much to assist in the conceptualization of police action, it remains that gaps in the analytical frames of risk and governmentality can be expanded upon through a study of malpractice and corruption within private police agencies. Instances of such may provide further evidence of how individual beliefs and attitudes can influence resistance industry mechanisms of power as depicted through acts of malpractice. A Foucauldian analysis provides a greater and more complete knowledge base while also opening itself to greater benefit from future research on the topic. In addition to its more recent conception and thus contemporary applicability, it also establishes greater and less distinct parameters that allow for significant multi-angled attacks.

III. METHODS OF INQUIRY

In the previous section I outlined a theoretical framework for this project that seeks to bridge gaps in previous research while asking new questions about the private security industry. This investigation extends the scholarship of risk and governmentality discourses while emphasizing the role of Foucaultian conceptions of resistance as depicted through acts of malpractice. As Wagner (1984) has pointed out, behind each set of research question, there exists a sometimes explicit, sometimes implicit orienting strategy. In this project I address the postulates of my conceptual framework by undertaking an exploratory study of private security officers. There are two central research questions emanating from this model and driving this project:

1. How common and to what extent is evidence of malpractice visible, at an individual level, in the field of private security?
2. Are security officers resisting the mechanisms of control of their industry by engaging in willful malpractice?

These questions require the researcher to describe first the rate of security officers' involvement in behaviours that fall within the broad realm of professional malpractice, and second, how their behaviour is perceived in their own personal opinions and beliefs in terms of right and wrong.

In 2004 I conducted research on the private security industry as part of an undergraduate

honours' thesis. The aim of the project was to examine public attitude towards agents of the private security industry. In the course of that study it became increasingly apparent that the Canadian public was growing more and more uneasy about safety and security provision, both public and private (see International Crime Victimization Survey, 1992). As a result, private security companies were receiving a considerable amount of media attention and were often depicted as an adequate solution in the appeasement of such public concerns. Without available evidence to the contrary, a study of the likelihood to which the industry may exacerbate such public uneasiness becomes warranted and necessary.

I arranged to conduct this research in late February 2007 and collected data until mid-June. The methods I employed reflected the overall exploratory objectives of this project and the various time constraints placed upon it. That is, I employed a quantitative survey approach reflecting this study's dual (i.e., descriptive and theoretical) mandate. As Fowler (2002) argues, there are occasions when the goal of information gathering is not to generate multiple statistics about a population but to describe a set of people in a more general way. In the following section I will describe the tool used for such purpose in greater detail.

Self-administered survey

The purpose of the self-administered questionnaire (see Appendix) was to assess security officers' varying rate of involvement in certain acts of misconduct as well as the personal opinions held in regards to such actions. Providing participants with the option of a self-

administered questionnaire, to be completed at their convenience in a time and place of their choosing, rather than a formal interview, encouraged participation and minimized the demands of interaction between participant and researcher. In light of the sensitive nature of the interrogation, this served a dual purpose by helping to assure their safety and promote a stronger response rate by maximizing the number of participants willing to divulge potentially sensitive information. This further promoted the claim that strict anonymity was to be ensured at all times. Once the questionnaires are completed and returned via mail, there is no longer a possibility to identify specific participants who chose to participate.

Who are these private cops? Where do they come from? What experience do they have? What education do they come equipped with? These are important questions, but in accordance with ethics requirement concerning the confidentiality of respondents' answers, no identifiers were included in the questionnaires except such general demographic measures that serve a purely descriptive mandate.

Designing a good survey instrument involves selecting the questions needed to meet the research objectives, testing them to make sure they can be asked and answered as planned, then putting them into a form to maximize the ease with which respondents and researchers can do their jobs (Sudman & Bradburn, 1982; Converse & Presser, 1986; Shwartz & Sudman, 1992; Fowler, 1995). Understanding what a good question is and how to use questions as measures is certainly the foundation of good survey instrument design. Multiple yet practical steps were used to ensure the production of a good data

collection instrument.

The questionnaire was developed into two parts with items relating to behaviours considered to be internal rule violations as well as items included in Roebuck and Barker's (1974) typology. Such questions were designed on a four-point scale where 1 represented "never" and 4 "always" in relation to their rate of participation. A second set of questions was designed to measure their opinions regarding their actions. This was done on a five-point Likert Scale where 1 represented "Strongly Disagree" and 5 represented "Strongly Agree." The questionnaire was designed to be brief and concise yet yield a general but accurate picture of the existence of misconduct within the industry.

Questionnaires were then randomly handed out to officers at their work sites in Ottawa, ON, Canada. The only selection criterion was current employment within a private security organization. Selection was not contingent on any other demographic variables. A total of 120 survey packages were distributed containing the questionnaire and a self addressed and stamped enveloped for return. Of the 120 distributed surveys, 47 usable responses were returned, generating a 39-percent response rate.

Limits of the sample

Essentially, sampling was done from a set of individuals who share a common occupation. The sample appeared comprehensive and representative of the sample frame. Furthermore, when comparing the demographics of the sample to national census data on

Canadians employed as security officers, the sample further stood out as generalizable to the much larger population of security officers.

The data for this research were gathered from a sample of individuals employed in the private security field. That being said, it is important to note that participants were identified and thus approached by the researcher based on an identifiable uniformed appearance. Many private property owners supplying their own “in-house” security staff sometimes elect to have a security presence that is not visible, sporting no distinct uniform. These individuals, as a direct result of their desired cloak of invisibility, would prove too difficult to locate and were thus occluded in this study. Findings are thus limited to the population of security officers who work for private security firms—those institutions who compete for contracts, license their officers and provide, according to various provincial regulations, a distinctively visible and marked presence.

The above alludes to another aspect of survey research worthy of discussion, ease of contact of participants (Fowler, 2002). Participants were identified and located by frequenting their work sites. As such, officers selected for this research worked in locations accessible to the general public and occluded those working in restrictive environments (although many officers work at more than one static post or have worked in many different locations in the past). This also occluded mobile patrol officers who patrol a multitude of sites from the comfort of a company vehicle.

Particular attention was however paid to include participants who worked during every

possible time of day. Work sites were accessed and participants approached both in the morning hours and evening hours. Though it appears as though most security officers operate on a rotating shift schedule, working both daytime and nighttime hours on a bi-weekly basis, efforts were nonetheless made towards an adequate representation of both shift types.

A further consequence of using a self-administered method of data collection is getting people to return the completed questionnaire. Since no interviewer is involved, the intrinsic motivation of the respondents is likely to be critical of who responds. In other words, security officers who are particularly interested in the research problem and objectives are more likely to return a completed questionnaire (Fowler, 1995; Heberlein & Baumgartner, 1978; Jobber, 1984). This is a common dilemma of scientific research and one that is, though out of my control, nevertheless important to identify and recognize prior to drawing conclusions.

Linked to the above and in light of the sensitive and potentially damaging nature of the information desired in this research, there is an apparent likelihood that the sample of respondents will reflect only those individuals who feel they have less to be fearful of. However, by assuring strict anonymity at all times, one can be hopeful and assume that participation fears will be diminished enough to encourage participation of even the otherwise extremely wary.

Analysis

It is hypothesized in this research that acts of malpractice and misconduct do in fact exist within the industry and are a common part of the everyday activities of private security officers. To which extent and to what degree and whether willful and deliberate are subjects of enquiry that, it is hoped, will receive some much needed light from this research. As the roles and responsibilities of the private policing sector continue to increase and as their interactions with the daily routines of the general population continue to intensify, the quality of the services they provide necessitates closer examination.

It would be over-zealous to assume that any study of the matter would paint an accurate picture of the problem. As has been the case in numerous investigations of malpractice and corruption within the ranks of the public police (Forcese, 1999), infractions at the lowest point of the spectrum are seldom reported while those at the highest retain a certain veil of secrecy difficult to unravel. The aims of this exploratory research are thus more modest at best insofar as its goal is simply to bring to light, document and thus formalize the existence of such behaviour. This will promote future and more accurate research and evaluative studies that may later work toward finding a solution.

To achieve such objectives, the information gathered from the completed and returned questionnaires has been inputted into an SPSS file allowing for further data analysis and descriptive statistics to be easily charted and presented. As Fowler (2002) points out, once the data has been filtered through the computer, it is possible to do an unlimited

amount of analysis.

The information gathered in this study will yield prominently descriptive data. As such, descriptive statistics and frequency counts will be looked upon more favorably in my efforts to describe the extent to which malpractice presents itself in the everyday activities of private security officers. Although, once collected, the data may be analyzed to compare individuals based on various demographic characteristics, the study was not designed with this goal in mind and drawing such conclusions may be ill advised.

Comparing other methods

The study of private security has traditionally been focused on addressing the topic from organizational, industry-wide, or otherwise macro-level standpoints. Recent efforts are however underway to pay specific attention to the day-to-day work of private security officers along the lines of work practices in policing. Authors such as Rigakos (2002), Manzo (2005; 2004), Micucci (1998), and Wakefield (2005) have undertaken various ethnomethodological investigations that have highlighted the lived social experiences of actors within the Canadian security industry. What has been achieved in their work, and what is hoped to be achieved in this research, is essentially a study of work where the analytic interest lies in how that work is accomplished within the setting in which it is performed rather than a strict focus on the industry as the setting itself.

Through lengthy periods of participant observation, intensive closed and open-ended interviews, and the analysis of secondary documents, the above mentioned authors have

produced valuable answers to questions about an aspect of the social order that recommends, as a method of answering it, that the researcher should seek out members of society who, in their daily lives, are responsible for the maintenance of that aspect of the social order. The recommendation provided here to guide me in this research is simple: If you want to understand how a particular social order is maintained, or a particular social activity is accomplished, go to the source, the actual people who do the actual work of maintaining and constructing those social structures.

Constructions of malpractice may be regarded as windows allowing the observation and description of the processes that sustain an ongoing sense of an ordered reality for members of the security industry. As such, and in light of ethnomethodological foundations (Zimmerman & Wieder, 1970), workplace deviance is potentially a negotiated reality through which members may produce a practical sense of an orderly and shared world. An investigation into the everyday work lives of employees of the Canadian security industry will reveal much in light of this proposition.

Following in the footsteps of avant-garde researchers such as Rigakos (2002), Manzo (2005; 2004), Micucci (1998), and Wakefield (2005) and few others, the research presented here, though comparably not as intensive in its methods, will nevertheless employ the ethnomethodological objectives of exploring the ordered reality of the very people performing the examined behaviours. This will allow for the production of practical accounts of specific individuals engaged in specific activities in the context of particular situations. Hopefully, acts of misconduct will then emerge to provide practical

understandings of the everyday life situations faced by officers. By constructing a sense that certain people and certain behaviours are outside the norm, private security agents may be producing a shared understanding of the reality of the norm. The reality of malpractice in the field of private security as seen through the eyes of the security agents themselves is the foremost concern of this research.

In valiant efforts to maximize our knowledge base on the topic, these same authors have also conducted detailed ethnographic accounts of the Canadian security industry (see especially Rigakos, 2002). In order to answer their research questions, these ethnographers have come close to living among the people they were studying, or at least spent a considerable amount of time with them. While there, they engaged primarily in "participant observations" and participated as much as possible in their local daily lives (everything from important duties to the mundane social interactions) while also carefully observing everything about it. Through this, they gained a unique "emic" perspective, or the "native's point(s) of view" (Agar, 1996). The emic worldview, which is quite different from the "etic", or outsider's perspective on local life, is a unique and critical part of cultural anthropology (Agar, 1996).

Though the methodology employed in this research does not reflect the traditional means of conducting an ethnographic study, it is nevertheless steered by certain guiding questions that are ultimately aimed at the basic point of ethnography: gaining the worldview of a group of people. Such questions can be arranged in the following manner:

- How do members of a particular group perceive of or understand a certain social or cultural phenomenon?
- How is a certain social or cultural practice socially constructed among members of a certain group? (Agar, 1996)

It is important in ethnographic studies that such guiding questions encode larger questions regarding culture or social practice within them. Such will be discussed further in post analysis.

IV. FINDINGS, DISCUSSION AND ANALYSIS

As previously alluded to, the literature on the topic of private policing and private security seems eclipsed by a lack of exploratory research aimed at detecting the extent to which corruption or malpractice may or may not be present within the industry. Many questions hitherto have remained unanswered; is there evidence of malpractice, at an individual level, within the field of private security? If so, how common is it and how threatening are the repercussions? Are current training practices, administrative policies, and current legislation addressing this issue adequately? These important questions lay at the very core of this research.

Working with Roebuck and Barker's (1974) typology, including Punch's (1985) subsequent contribution, it is possible to derive three broad areas of interest. These are listed as follow:

-corruption: this is the conventional understanding of taking something (usually but not exclusively a bribe), against your duty, to do or not to do something, as an exchange for money or gifts from an external corrupter;

–malpractice: like other workers the police break their own internal rules and procedures; they sleep on duty, report sick when they are healthy, are 'creative' with expense declarations, etcetera. These offences fall predominantly under disciplinary regulations and are investigated and sanctioned internally;

– **police crime:** here we have to face up to the fact that police officers not only accept bribes but that they also break the law in other serious ways – using excessive violence (including murder), becoming involved in drug dealing, theft and burglary, sexual harassment (of suspects and/or fellow officers), and violating a person’s rights (Punch, 2000: 305).

Corruption and malpractice clearly differ from police crime in the illegality and seriousness of the offence. Whereas corruption and malpractice may in some cases violate formal laws, they are nevertheless more often attributed to instances and incidents that do not. On the other hand, police crime involves exactly that, crime. For the purposes of this research the categories of corruption and malpractice will be grouped and analyzed together into the more general heading of misconduct. This allows for an investigation of incidents that fall under the realm of either internal rule violations and/or minor illegal activity.

Characteristics

The demographic characteristics of all respondents are presented in Table 5. Respondents were unevenly distributed with respect to gender with 83-percent male and 17-percent female. This appears to be in line with Statistics Canada findings of the general population that reported in 2001 a rate of women employed in the private security industry at 23-percent (Statistic Canada, 2004). Respondents were evenly split in terms of age group, with 21.3-percent under age 21, 21.3-percent aged 21-30, 19.1-percent aged 31-40, 14.9-percent aged 41-50 and 23.4-percent older than 51. Again, this appears to be in accordance with 2001 census data where 42-percent of security staff is under 34 years

of age, 23-percent over the age of 55 and 35-percent situated in between (Statistics Canada, 2001).

Survey respondents were further questioned regarding their levels of education. In these matters they seemed to be distributed somewhat evenly where 2.1-percent completed elementary school, 2.1-percent had some uncompleted high school, 36.2-percent had completed high school, 27.7 percent had some uncompleted college, 29.8-percent completed a college education and 2.1 percent were in the process of completing post

Table 5.
General characteristics of Respondents ($N = 47$)

Demographics	<i>N</i>	Percentage
<i>Gender</i>		
Male	39	83.0
Female	8	17.0
<i>Age</i>		
Under 21	10	21.3
21 – 30	10	21.3
31 – 40	9	19.1
41 – 50	7	14.9
Over 50	11	23.4
<i>Education</i>		
Completed elementary school	1	2.1
Some high school, not completed	1	2.1
Completed high school	17	36.2
Some college, not completed	13	27.7
Completed college	14	29.8
Graduate work or degree	1	2.1
<i>Time employed</i>		
Under 2 years	20	42.6
2 – 5 years	14	29.8
5 – 15 years	8	17.0
Over 15 years	5	10.6

graduate studies.

Further questioning was aimed at determining the amount of time respondents had been employed with the organization. Respondents were somewhat unevenly distributed in these regards. 42.6-percent have been employed for less than two years, 29.8-percent have been employed between 2 and 5 years, 17-percent have been employed between 5 and 10 years and 10.6-percent have been security officers for more than 15 years.

Analysis and discussion

Table 6 displays the percentages of subjects falling within each category for the survey questions used in the first part of the analysis. It describes the reported rate of participation by respondents within each included element of misconduct.

To begin with, participants were questioned regarding their rate of participation in behaviours and activities that generally classify under the heading of internal rules violation. First it was found that the majority of private security officers admitted to having fallen asleep during the course of their duties at least once within their last year of employment. While 36.2-percent had never reportedly done so, 29.8 admitted doing so rarely (once or twice a year), 23.4-percent often (once or twice a month) and 10.6-percent doing so at least once or twice per week. Participants were further questioned in regards to their acceptance of gratuities. When asked about their likelihood of accepting small gifts such as free coffees and discounted meals from a client, merchant or member of the public whose property falls under their supervision, participants were again unevenly

Table 6.

Rate of respondents' participation in misconduct

Variable (within last year)	Response Category			
	Never	Rarely (once or twice a year)	Often (once or twice a month)	Always (once or twice a week)
(1) Sleeping at your post	17/36.2 ^a	14/29.8	11/23.4	5/10.6
(2) Taking something without expressed or suggested permission that belongs to a client, merchant or member of the public whose property it is your duty to monitor and protect.	28/59.6	9/19.1	8/17	2/4.3
(3) Accepting a gift (for example free or discounted meals and coffee) from a client, merchant or a member of the public whose property falls under your supervision.	18/38.3	7/14.9	20/42.6	2/4.3
(4) Ignoring or turning a blind eye to an incident or event that would otherwise require your attention or further investigation/reporting.	10/21.3	10/21.3	24/51.1	3/6.4
(5) Misusing any equipment provided for the performance of your duties (for example using a client's computer for something other than what is expressly permitted).	6/12.8	9/19.1	27/57.4	5/10.6

^a = N/percent

split towards the affirmative. 38.3-percent reported having never accepted such gratuities whereas 14.9-percent had done so rarely, 42.6-percent doing so often and 4.3 percent admitted doing so always.

Participants were further asked about the rate by which they would purposely ignore or

turn a blind eye to an incident or event so as to avoid having to conduct further investigation or the composition of further reports. In this regard, 21.3-percent of participants reported never doing so while a majority reported otherwise, with 21.3-percent doing so rarely, 51.1-percent doing so often and 6.4-percent doing so once or twice within a given week. Lastly, in this category, security officers were asked how often within the last year had they misused any equipment provided for the performance of their duties. This entailed using client or company resources for personal reasons. A large majority of private security officers reported doing so, with 19.1-percent having done so rarely, 57.4-percent doing so often and 10.6-percent doing so on a very consistent basis. Meanwhile, only 12.8-percent admit to never misusing any work equipment for personal reasons.

Finally, participants were asked about their rate of participation in behaviors that would classify as minor illegal activities, more specifically, opportunistic theft. Survey participants were asked how often they would admit to taking something without expressed or suggested permission that belongs to a client, merchant or member of the public whose property it is their duty to monitor and protect. In this category, 19.1 percent reported doing so rarely, 17-percent doing so often and 4.3-percent doing so always, while 59.6 percent reported never taking place in such activities.

These results are rather discomfoting. Though it is reassuring to observe that a majority (59.6-percent) of private security officers refrain from engaging in opportunistic theft, the same cannot be said about violations of internal rules. In all other areas, the majority of

officers have admitted to violating internal rules at least once within their last year of employment. 63.8-percent admit falling asleep at their posts, 61.8 admit having accepted some form of gratuities, 78.8 admit ignoring certain events to avoid further reporting and confrontation, and 87.1 admit using work equipment for personal reasons while on duty. It is possible that the officers themselves do not consider their actions as wrong or they may not be aware of the internal regulations that are set up to prevent them from engaging in such behaviours. As such, in their personal opinions, their behaviours may not qualify as misconduct when they clearly violate formal internal rules. If they were more certain that their actions were considered wrong, would they continue to engage in them?

Table 7 displays the percentage of subjects falling within each response category for the survey questions used in the second part of the analysis, as well as the means for these questions. Note that while in the original survey there were five response categories, for purposes of presentation the “strongly agree” and “agree” categories were collapsed into one category and the “strongly disagree” and “disagree” categories were collapsed into a single category as well. This provided a somewhat more even distribution of the categories while maintaining the overall valence of the survey responses. A response in the general “disagreement” category indicated a negative view towards acts of misconduct whereas a response in the general “agreement” category indicated a positive view towards acts of misconduct. Importantly, none of the questions had a response rate of greater than 9-percent for the “undecided” category, indicating that most respondents generally demonstrated either a negative or positive feeling regarding the content of the

survey questions.

To begin with, participants were asked if they felt it to be generally okay for security officers to sleep at their posts if it did not hinder the performance of their duties. For this item the majority tended to disagree (with a mean score of 2.40). 76.6-percent of respondents believed falling asleep at one's post to be unacceptable behaviour while 19.1-percent deemed it to be reasonable. Participants were then questioned about whether they believed it to be reasonable for officers to occasionally but without permission help themselves to small or valueless property that falls under their supervision. Again, the vast majority held a negative view of these actions (mean score of 1.28). 95.7-percent of respondents disagreed with the statement whereas only 1 participant believed it reasonable to engage in opportunistic theft.

Respondents were then questioned regarding their opinions toward the receipt of gratuities. Reliability analysis was used to force the two related survey questions into the heading of "accepting gratuities." The scale developed was reliable with a Cronbach's alpha of .973 giving use a combined mean score of 3.15 and a general positive attitude towards the acceptance of gratuities. When asked if it is reasonable for clients to show appreciation for the work of security officers by giving the occasional gift or benefit and as such that it would be rude to refuse, a small majority of respondents agreed. 51.6-percent agreed with the statement while only 31.9 of respondents felt it would be inappropriate to receive such gratuities. Furthermore, when asked if gratuities were an important part in the development of strong relationships between clients and the security

Table 7.
Respondents' opinions regarding misconduct

Variable	Response Category			
	Strongly Disagree/ disagree	Undecided	Strongly agree/ agree	Mean (1-5) ^b
(1) It is generally okay for security officers to sleep at their posts if it does not hinder the performance of their duties.	36/76.6 ^a	2/4.3	9/19.1	2.40
(2) It is reasonable for officers to occasionally but without permission help themselves to small or valueless property that falls under their supervision as it is generally expected and/or would otherwise have been freely offered.	45/95.7	1/2.1	1/2.1	1.28
<i>Accepting Gratuities (3.15)</i>				
(3) It is reasonable for clients to show appreciation for the work of security officers by giving the occasional gift or benefit (referred to as gratuities) and as such it would be rude to refuse.	15/31.9	4/8.5	28/59.6	3.17
(4) Gratuities are an important part of forming strong relationships between clients and the security organization in place to protect their interests.	17/36.2	3/6.4	27/57.4	3.13
Cronbach's alpha = .973				
(5) It is reasonable and generally okay to ignore or turn a blind eye to certain events or incidents so as to avoid any personal responsibility and/or additional paperwork or corrective measures.	16/34	1/2.1	30/63.8	3.32
(6) It is expected and reasonable for security officers to use tools provided for the performance of your duties for personal purposes or any other not formally expressed by the client or security organization.	18/38.3	1/2.1	28/59.8	3.23

^a = N/percent

^b 1 = Strongly disagree; 2 = Disagree; 3 = Undecided; 4 = Agree; 5 = Strongly agree.

organization in place to protect their interests, a similar 57.4-percent of officers believed this to be true as well. Only 36.2-percent disagreed with this statement.

Further elements enquired if security officers believed it to be reasonable and generally okay to ignore or turn a blind eye to certain events or incidents so as to avoid any personal responsibility and/or additional paperwork or corrective measures. Results show that 63.8-percent of respondents agree with this statement, while 34-percent do not. This demonstrates a majority of respondents feel it is acceptable to avoid and ignore certain situations to facilitate their personal working experience (with a mean score of 3.32).

Finally, respondents were asked if they believed it to be appropriate for security officers to use tools and equipment provided for the performance of duties for personal purposes or any other not formally expressed by the client or security organization. Again, a small majority appeared to agree with this statement with a mean score of 3.23. 59.8 percent of respondents agreed while 38.3-percent firmly believed this type of behaviour to be unacceptable.

From these results one can make a number of observations. To begin with, it is shown that a majority of officers believe that sleeping at one's post is unacceptable behavior. This is rather surprising when faced with data that shows a vast majority of them engage in such behaviour as seen in table 6. It is likely that such behaviour be expressly and clearly forbidden by the managerial echelons of the company in question. As such, there

is no doubt in their minds that this type of behaviour is unacceptable but willingly risk engaging in it regardless.

The same can be said of another element, that of direct criminal activities for personal gain. It is rather difficult to rationalize the acceptability of stealing from a merchant or client. There is certainty in their minds that stealing small items from the properties they are assigned to protect is wrong. This is supported by a low percentage of individuals who believe otherwise. However, there are 19 individuals, or 40-percent of respondents who admitted committing theft while only 2.1-percent felt it to be acceptable behavior in the first place. Clearly, many officers willingly and knowingly engage in such acts of misconducts. In these instances they are clearly misusing their authority and, though it may perhaps be minor, their deviance remains directly criminal.

Conversely, it further surfaced that the majority of security officers surveyed held a positive attitude towards the receipt of gratuities. As depicted in table 6 and table 7, a majority of officers participate in this sort of behaviour and do so under the belief that their actions are appropriate and acceptable. It is fair to infer that most officers thus believe gratuities to be part and parcel of normal security work. They also seem to believe they help to foster close links with the clients and merchants and that they are, in turn, a fundamental of “good policing.” It might be suggested that such an approving state of mind, or as Newburn (1999) refers to as a redefinition of self, may only prime these officers to normalize future and more serious transgressions.

Of further concern is the general sense of agreement shared by officers in regards to their engagement in turning a blind eye to certain events and misusing work related equipment and tools for reasons that are personal. In these instances, we see that a majority of officers believe these actions to be acceptable behavior, as seen in table 7. This is again paralleled with a high rate of participation as depicted in table 6. Perhaps in such instances, the formal company rules are not established or communicated clearly enough. Though these events may not necessarily be serious ones, the officers' reaction nevertheless seem, as Klenig (1996) might argue, motivated by the "spirit of corruption" insofar as it is meant to further private advantage.

Private policing officers appear to engage in acts of misconduct at a higher rate than many researchers may have previously believed. They seem to do so even if they clearly and firmly believe their actions constitute misconduct or a breach of internal rules or laws. In other instances, they are under the impression that their actions do not constitute misconduct in the first place, even when they clearly violate formal internal organizational policies and regulations. What this suggests is that a considerable amount of additional research is necessary to paint a better picture of this problem. Do these individuals simply embody the rhetoric of the few bad apples or are they representative of more serious organizational problems in light of minimal training regulations and lenient hiring practices? Without straying too far from exploratory purposes, the opportunity remains here to discuss possible causes and reasons for their misconduct in light of this research and the nature of private police work.

Discretion

Not unlike their public counterparts, private security officers have considerable freedom to exercise in making decisions about whether or not to enforce particular rules in particular situations. This is illustrated clearly by a considerable amount of officers questioned in this research who often choose to ignore certain situations or events that would otherwise require their attention. The opportunity for such decisions thus has the potential to be influenced by considerations of personal factors, such as reluctance towards report composition, or even by material or other gain rather than by professional judgment.

Some aspects of their work may bring with them greater opportunities for, and therefore greater likelihood of, misconduct. As has been argued in the literature on the public police, it is in the nature of the violations being policed that one of the key 'resources' for corruption is found (Newburn, 1999). In this aspect of discretion, concerns arise when the possible existence of both internal and external conflicts exist about the goals of policing. There is perhaps an unfair presupposition that the purpose of such organizations is to enforce all established rules and laws. As is the case with the public police, doing so may even be essentially impractical. Clients themselves may even see it as appropriate for there to be priorities in enforcement practices. However, it is fair to assume that they will not always agree about what these priorities are.

The question of who determines these priorities thus becomes extremely important. Sherman (1978), in his research on the public police, suggests that in most organizations, goals and priorities are set by a continually evolving group of people best conceived of as

a 'dominant coalition' (which may consist of people outside the organization as well as those inside). Essentially, it is the reaction of this group to deviant practices that will mark the boundary between individual and organizational deviance. If, as may be the case here, it is the individual officer who, for personal reasons, selects his own priorities for enforcement, then the position that they constitute only the "few bad apples" seems to take a firm hold. There may be occasions, however, when 'dominant coalitions' adopt 'deviant goals.' It is at this point that the agency in itself may become 'corrupt'.

Low managerial visibility

Linked closely to the discretion inherent in police work is the fact that it is often difficult for others to 'see' it. As Goldstein observes, "under the best of circumstances, police agencies have several peculiar characteristics that make them especially difficult to administer. Police officers are spread out in the field, not subject to direct supervision (1990: 6)." This is particularly true in regards to private security companies. With over three hundred guards on duty at any given time, some organizations may only have one active field supervisor on duty. This distance further enables them to resist "managerial edicts, policies and maybe even disciplinary actions (Manning, 1979: 63)."

Importantly however, there is also a degree of complicity in 'rule-bending' or rule breaking which is engendered by the existence of discretion and low visibility in the job (Newburn, 1999). In the more extreme forms of misconduct such as the excessive use of force or opportunistic theft, the relative invisibility of the work may actually be exploited. In regards to the public police, it is often in relation to those parts of the police service

that are most secretive – or least transparent – that accusations of malpractice are most common (Evans and Morgan, 1998). Perhaps further research in this area may reveal similar observations in the private sector.

Added to the idea of ‘low managerial visibility’ is the issue of managerial ‘support’ for malpractice. The relative absence of agreed upon standards is not simply a source of flexibility for officers but it is also a source of practical and ethical dilemmas – one of the things that may in the officer’s eyes make it difficult to do the job. According to Wilson (1968) relationships between officers and supervisors tend to be defined by the extent to which the former feels ‘backed up’ by the latter. A good supervisor is one who identifies with, and protects the ranks. If this is indeed the case, then they themselves may become implicated in the activities themselves. As Punch points out, some “senior officers may constantly reiterate the need to stick to the formal rules but then, in their behaviour, display an emphasis on success even where the rules may have been bent (1994: 27).” In this sense, a lack of clear standards and an absence of guidelines clearly set out by the upper managerial echelons may help explain why many officers would not consider their behaviours as being misconduct.

Low public visibility

Linked again to the inherent discretion available to police officers, and also to the limited degree of managerial oversight that is possible in much policing, there is a third factor – low public visibility. Much of what officers do is only visible to the person or people with whom they are immediately engaged. Perhaps more importantly, officers have

considerable access to ‘private spaces’ where they cannot be observed at all. Further comparison between officers’ rates of participation in misconduct and the respective types of shifts as well as the period of the day they work (ie: graveyard shift) may yield valuable insight into these questions.

Status problems

It is often suggested that theft and general financial misconduct is a far from unexpected outcome in circumstances where individuals are inadequately paid. Van Reenen (2001) identifies low pay as a cause of a lack of integrity for people in all positions, particularly in societies where consumption is highly valued but salaries are low. There is little doubt that private security officers earn considerably less than most professions and definitely less than their public counterparts. As depicted in table 8, this disparity, at least in a

Table 8.

Average annual employment income¹ for police officers, private investigators and security guards in current and constant dollars,² Canada, 1995 and 2000.

	2000	1995	% change
	Current \$	2000 constant \$	
Police officers	59,888	58,596	2
Private investigators	39,373	37,245	6
Security guards	27,369	27,474	-0.4
Total all occupations ³	43,231	40,908	6

1. Data on average annual employment income are estimates from the 1996 and 2001 Census of the population and represent persons aged 15 years and older with employment income, who worked full year, full-time during 1995 and 2000, respectively.

2. In order to create constant dollar figures with the effects of inflation removed, figures were converted to a base of 2000=100 using Statistics Canada’s Consumer Price Index (CPI).

3. Total All Occupations includes police officers, private investigators, security guards and all other occupations in Canada.

Source: Statistics Canada, Census of Population.

Canadian context, does not seem to be improving. Notwithstanding, even if officers are reasonably well paid, the fact that there is a perceived mismatch between income and responsibilities may in itself lead to development of some forms of corruption. Similarly, perceived inequities of income may also make the temptations toward malpractice more attractive. In the UK, the most recent expression of concern about the consequences of ‘police poverty’ came from the Commissioner of the Metropolitan Police. In an interview, Sir Paul Condon said “If you’re not paying your officers a wage they can live on, you are almost inviting them to indulge in malpractice... it’s getting tougher and tougher for young officers to make ends meet. That doesn’t mean they all go off and do bad things, but if you’re serious about integrity you must make sure there is a reasonable level of pay and conditions that ... doesn’t tempt them into malpractice (October, 1998).”

Resisting malpractice or malpractice to resist?

The prevalence of malpractice in the private security sector, as shown in this research, makes its study imperative. Preconceptions of security guards as passive bearers of attitudes, such as job satisfaction or work commitment, or as the pawns of structural and organizational forces outside their controls continue to evade the reality of their impact on the very industry within which they operate. We must discard ourselves with the image of the private security guard as the bumbling Gus Gustafson character made famous by Eugene Levy of SCTV and realize that these individuals play an active role in the face of organizational and managerial power exerted upon them.

This particular section will examine private security malpractice (used interchangeably with workplace deviance and misconduct) as a form of resistance to organizational

power. Deviance has often been recognized as a reaction to frustrating organizational stressors, such as financial, social, and working conditions (Robinson & Bennett, 1997). The apparatus of power used by organizational and managerial echelons of the security industry to control, motivate, organize, and direct its members, however, have not been fully examined as a potential and important factor in the prevalence of private security malpractice. Brehm (J.W. Brehm, 1966; S.S. Brehm & Brehm, 1981) contends that instances of power can lead to a loss of autonomy and identity, and to perceptions of injustice, which together can provoke feelings of frustration, which in turn may motivate deviant behaviour. I am not suggesting that all forms of power will necessarily provoke resistance or that all resistance occurs in the form of misconduct but rather, simply, that organizational power has the potential to incite workplace deviance (see Robinson & Bennett, 1995; Robinson & Bennett, 1997; Robinson & Greenberg, 1999).

By integrating the results of this research with a model established by Robinson and colleagues (1999), this argument will be developed here further in three main sections. First, I will discuss how power in general may lead to frustration, which in turn affects workplace deviance as resistance to that power. Secondly, I will provide an analysis to explore how specific dimensions of power can produce specific forms of workplace misconduct. And finally, the implications of such analysis will be presented in the final section.

Power and malpractice: The relationships

It was illustrated in this research that the control of security workers by management has

not been completely successful and is often quite limited and partial. These attempts have typically been identified as embodiments of organizational power, insofar as they reflect actions of any individual or organizational system that controls the behaviours or beliefs of an organizational member (Hodson, 1995; Anteby, 2003). Such enactments of power are argued to be the provocation needed to entice workplace deviance, as illustrated through acts of misconduct and malpractice, and defined here as voluntary behaviour that violate significant organizational norms and is therefore seen as threatening to the well-being of the organization and its members (Robinson & Bennett, 1997).

When power provokes workplace deviance, it can be seen as a form of organizational resistance. By resistance, I mean any individual act intended to mitigate organizational pressures on workers. This tend to often include an action, inaction, or process by which individuals within an apparatus of power engage in types of behaviours that stem from their opposition to, or frustration with, enactments of power (Collinson, 1999; Knights & McCabe, 1999). Deviant behaviour is only one of many forms of resistance identified in the literature.

Analyzing malpractice and workplace deviance as a form of organizational resistance is important and widespread, not just for the security industry, but for all organizations yielding sites of power and resistance (Clegg, 1989; Mintzberg, 1983; Pfeffer, 1981). The structures, systems, cultures and subcultures of these organizations act as conduits of power that control the actions of its members (Townley, 1993). Structures provide the

scaffolding for legitimate authority (Pfeffer, 1981), whereas systems, cultures and subcultures control members through rewards and sanctions and the articulation/indoctrination of what is understood to be normal and desirable behaviour (Clegg, 1989; Townley, 1993). Within these structures and cultures, organizational actors regularly enact power in attempts to influence, persuade, or otherwise motivate organizational members to act in particular ways (Yukl & Falbe, 1990).

Workplace deviance follows provocations that generally originate from perceived disparities between a current state and an ideal state, need, or desire, which creates frustration (Hollinger & Clark, 1982; Robinson & Bennett, 1997). In turn, this frustration may motivate deviant behaviour that is instrumental and/or expressive in nature (Sheppard, Lewicki, & Minton, 1992). It is presented here, and supported by the findings, that organizational power has the potential to create at least three forms of perceived disparity, as first outlined by Robinson & Bennett (1997), that produce frustration: (a) disparity between the need for autonomy and an experienced loss of freedom, (b) disparity between one's social identity and threats to that identity, and (c) disparity between a need for justice and experiences of unfairness.

Need for autonomy

Proposition 1: Instances of organizational power are more likely to lead to the frustration that underpins workplace deviance as resistance either when it significantly reduces the autonomy of individuals and/or when the targets of that power have a high need for autonomy (Robinson & Bennett, 1997).

Reactance theory posits that the enactment and delivery of power can yield feelings of

reduced autonomy on the part of employees, and this threat in turn motivates those employees to restore it by engaging in the restricted behaviours, or behaviours similar to them (J. W. Brehm, 1966; S. S. Brehm & Brehm, 1981; Wicklund, 1974). Such exercise of power has the potential ability to thwart basic needs of employees, such as their sense of autonomy and self-control (Adler, 1930). Such needs are critical to workers because they believe that they can control their own destinies; it is only through the freedom to make decisions and choose actions that they can maximize their own satisfaction (J. W. Brehm, 1966; Wicklund, 1974). Any reduction on this autonomy will elicit frustration and subsequent acts of misconduct.

This proposition can possibly explain why security officers often elect to turn a blind eye to certain events that would otherwise require their attention. Procedures and established reporting formats often govern their mode of action in many situations. These procedures must be strictly adhered to and, in some sense, essentially undermine their available use of discretion. Threats to discretion can yield feelings of reduced autonomy, which in turn can lead officers to omit or embellish certain parts of their reports of events, or to simply ignore situations altogether to avoid following strict procedural guidelines.

Need for identity

Proposition 2: Instances of organizational power are more likely to lead to the frustration that underpins workplace deviance as resistance either when it significantly threatens the identities of targeted individuals and/or when the targets of that power have a high need to protect their identities. (Robinson & Bennett, 1997)

Another avenue through which power can lead to frustration and thus to deviant behaviour involves potential threats to an employee's social face or desired identity. Social face refers to the array of attributes and social identities that the employee would like to project in a given social environment (Erez & Earley, 1993). Enactments of power in organizations can undermine one's sense of identity in the organization as a strong, independent, equal individual. Such a threatened or damaged identity potentially provides the frustration that can lead to deviant behaviour (Averill, 1982; Berkowitz, 1993; Tedeschi & Felson, 1994): When individuals' identities or social face are threatened, they tend to engage in defensive self-presentation (Schlenker, 1980) and are more likely to act with transgression (Tedeschi & Felson, 1994; Morrill, 1992) or seek revenge (Bies & Tripp, 1995; Bies, Tripp, & Kramer, 1997). As Andersson and Pearson (1999) argued, revenge is a way for individuals to demonstrate that they have socially valued attributes and are deserving of respectful behaviour: Revengeful behaviour may help to reestablish one's lowered sense of self or build up one's identity (Kim & Smith, 1993).

This proposition is further supported by the high rate of participation by security officers in the acceptance of gratuities. It is illustrated in this research that many officers feel accepting gratuities is an important part of developing good relationships with clients. These relationships and their commitment to their strengthening are part and parcel of the scaffold of the social identities they try to project in their social and professional environments. Restrictive attempts aimed at minimizing the kinds of social exchanges

allowed between clients and guards can be readily viewed as encroachments on their developing sense of identity. Frustrated, one may opt to accept gratuities, even when clearly prohibited to do so, in an attempt to maintain or restore the employee's social face.

Need for justice

Proposition 3: Instances of organizational power are more likely to lead to the frustration that underpins workplace deviance as resistance either when it significantly undermines perceptions of justice on the part of targeted individuals and/or when the targets of that power have a high need for organizational justice (Robinson & Bennett, 1997).

Organizational power may also create disparity between desires for justice and perceptions of unfair treatment. Employees who possess a high need for justice will be more likely to notice such disparities and the enactment of power may produce a sense of unfairness by those who are the recipients of it (Collinson, 1992). Granted all organizational members are often affected by decisions, systems, and processes that go against their self-interests (Mintzberg, 1983), but research on procedural justice continue to show that individuals are more likely to consider acts of power as legitimate when they perceive the underlying processes as fair (Tyler, 2000). Ergo, when organizational members perceive processes as being unfair, these perceptions, in turn, can bring about frustration thereby motivating them to seek retribution by their own accord potentially by reciprocating the perceived unfair act (Ambrose, Seabright, & Schminke, 2002; Skarlicki & Folger, 1997). Consequently, feelings of injustice generated by organizational power

can lead to the frustration that underpins workplace deviance intended to release those feelings or achieve some sort of retribution.

Feelings of unfair or unjust treatment tend to be rampant in an industry that demands, long, hard and sometimes dangerous work and offers little compensation in return. Low wages and disparities in remuneration can serve as an explanation for the seemingly high rate of opportunistic theft. Such a sense of unfair treatment can bring about frustration and in turn motivate officers to seek retribution by helping themselves to items they have a duty to protect. This can be seen as a means to restore a perceived imbalance in the fair returns owed to them.

Power and malpractice: Types and dimensions

Research shows that organizational resistance can take many forms and that its strength, influence, and intensity are likely to be variable and to change over time (Brown, 1992). The type of resistance in which one engages depends on the particular context and content of what is being resisted (Jermier, Knights & Nord, 1994). Whatever form resistance takes is deeply intertwined with the apparatus of power established within the organization (Collinson, 1994). Therefore, the nature of malpractice, misconduct or deviance as a form of resistance depends on the nature of the power that provokes it.

To further explore this issue let us examine the nature of power and the nature of workplace malpractice within established typologies as set out by Lawrence, Winn, and Jennings (2001) and Robinson and Bennett (1995) respectively. Following which, an

examination of their influence on one another can be further developed.

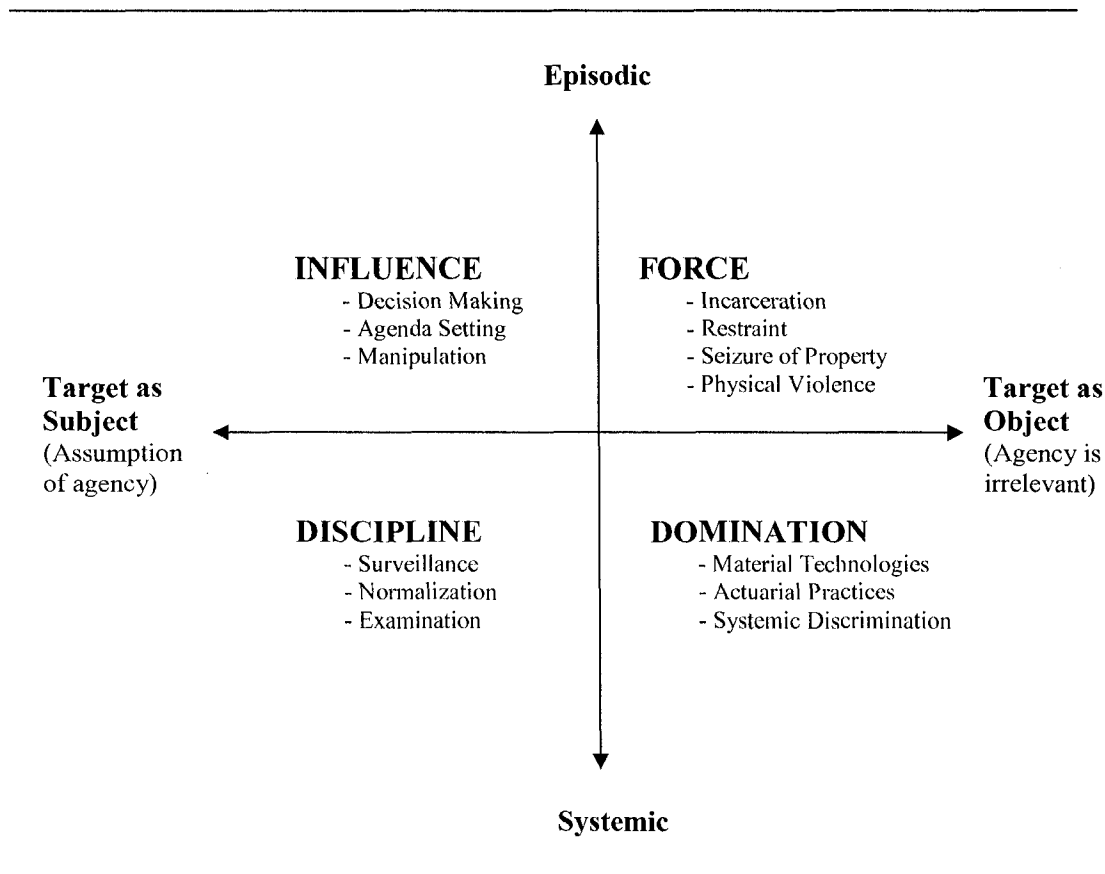
Dimensions of power

Relying on Lawrence, Winn, and Jennings' (2001) conceptualization and typology of power, let's begin with an examination of the nature of power and its dimensions. I have chosen to use this typology because it is well suited for the security industry as it encompasses a wide array of provocations that are essentially rooted in organizational power. The scope of the typology stems from the two dimensions from which it is based: (a) degree of objectification and (b) the mode of power (see Figure 4).

Objectification of power: Some forms of power treat the target as a "subject," insofar as the individual is seen as having agency or choice. Influence, for instance, involves various attempts to negotiate, exclude, or manipulate a target (Porter, Allen, & Angle, 1981), all of which assumes agency on the part of the target. Without an assumption of agency, efforts to influence would be fruitless.

On the other hand, alternative forms of power will treat the target as an "object" whose agency is completely irrelevant to the exercise of power. A wide variety of objectifying forms of power have been examined in organizational contexts, including physical hostility (Hearn, 1994), material technologies (Shaiken, 1984), and even actuarial practices (Simon, 1988), each involving the enacting of power over individuals directly but without having to compel or convince the targets to "do" anything.

Figure 4:
Forms of Organizational Power



Source: Robinson & Bennett, 1997

Mode of power: The second dimension of power identified by Lawrence and colleagues (2001) is the “mode” of power, which essentially describes the basic manner in which power operates. There are two distinct modes of power: “episodic” and “systemic” (Lawrence et al., 2001). Episodic power refers to that which is enacted in relatively discrete, strategic events that are initiated by self-interested actors (Clegg, 1989; Hardy & Clegg, 1996).

In contrast to episodic power, systemic forms of power work through the routine, ongoing practices of organizations to advantage particular groups without those groups

being obviously or clearly connected to the establishment or maintenance of those practices (Foucault, 1979; Laclau & Mouffe, 1985). Some examples of systemic power include organizational socialization processes (Covaleski, Dirsmith, Heian, & Samuel, 1998), technological systems such as information and electronic surveillance systems (Shaiken, 1984), and human resource training and testing systems (Townley, 1993). All of these systems can dramatically affect the lives of organizational members without being tied to specific agents or episodes of power.

Combining these four dimensions will yield four distinct types of power. Episodic and nonobjectifying styles of power are labeled “influence” inasmuch as they reflect such actions as moral persuasion, negotiation and exchange (Clegg, 1989; Lawrence et al., 2001; Maslyn, Farmer & Fedor, 1996). Episodic power that treats employees as objects is termed “force” and includes such actions as moving, restraining, or directing employees in a way they have no choice but to comply. An example may include relocating a static guard to a different site or simply dismissal. Systemic forms of power that do not objectify the individual are referred to as “discipline” and make use of such practices as socialization, compensation, training, teamwork, and surveillance (Sewell, 1998; Townley, 1993). Last but not least, systemic and objectifying styles of power, called “domination” include power that is reflected in the technology used (Shaiken, 1984) and some actuarial practices that discriminate (Falkenberg, 1997).

Dimensions of workplace misconduct

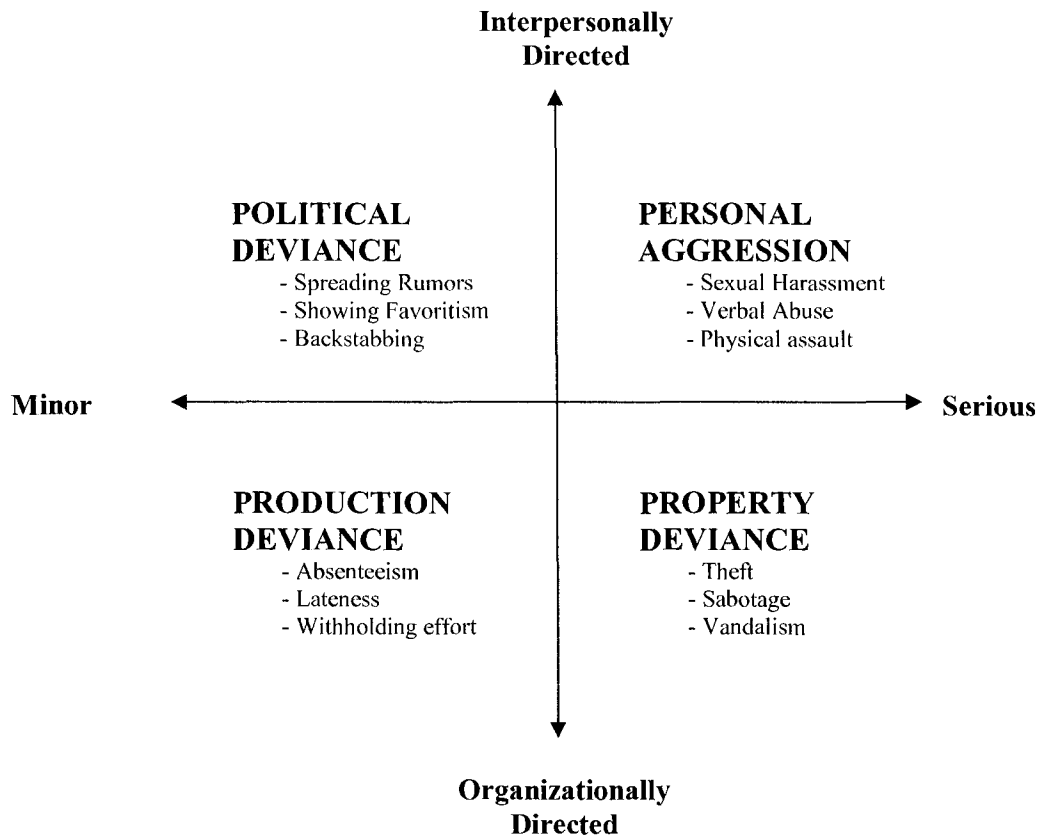
As depicted in this research, malpractice, or workplace deviance, is enacted in a wide variety of forms that often vary across situations (see also Hollinger & Clark, 1982; Redeker, 1989). Robinson and Bennett (1995, 1997), using a multidimensional scaling analysis, identified two dimensions that essentially capture the full domain of workplace deviance (see Figure 5).

Severity: This refers to the extent to which the deviant act violates important organizational norms and is thus seen as more dangerous to the organization and its members. Relatively minor forms of deviance include such behaviours as social loafing, unjustified absenteeism, and sleeping while on duty, whereas more severe forms might include theft and physical aggression.

Target: The target dimension reflects whether the misconduct is aimed at the organization or organizational members. Organization-directed deviance might include, for example, vandalism, theft, falsifying documents and reports, or sabotage. In contrast, individual-directed misconduct can include gossip, bullying, and physical assault. Although a given act may harm both targets, organizational members tend to direct their deviant actions toward one in particular.

The previous two dimensions can further be combined to yield four specific types. According to Robinson and Bennett (1995:256), less severe behaviour that is targeted at individuals reflects “political behaviour”, the engagement of activities that puts other at a personal or political disadvantage and includes things such as gossip, rumour spreading, or favouritism. More severe forms of behaviour targeted at individuals, labelled

Figure 5:
A Typology of Workplace Deviance



Source: Robinson & Bennett, 1997

“personal aggression” includes behaviour such as harassment, verbal attacks and other physical threats.

Of particular importance and in light of findings produced in this research, deviance that is less severe and directed at the organization reflects “production deviance” (Robinson & Bennett, 1995, 1997) and includes taking excessive breaks, sleeping, calling in sick,

intentionally avoiding additional and supplementary work or working slow, and generally violating norms regarding the necessary minimum quality and quantity of work expected. And finally, severe misconduct targeting the organization reflects “property deviance” and includes behaviours such as malicious use of company equipment, intentional mistakes, and theft from the organization itself or its clients.

Objectification on severity

An individual’s perception of whether power treats him/her as a subject or object leads to greater frustration which in turn creates the motivation needed to engage in acts of misconduct. Objectifying forms of power will tend to lead to greater levels of frustration than do those that treat targets as subject, because objectifying forms of power bring about a greater loss of autonomy, pose a more serious threat to one’s identity, and are generally perceived as less just (Robinson & Bennett, 1995, 1997). These derived threats, often greater than from other forms of power, tend to elicit stronger resistance. Greater frustration leads to more severe acts of workplace deviance (Anderson & Pearson, 1999), which can be understood from the “effect/danger” ration (Baron & Newman, 1996).

Mode on target

The perceived mode under which power operates, whether it be episodic or systemic, has particular influence on where deviant actions are targeted. When individuals experience negative outcomes, such as those producing frustration, they will seek to attribute blame or responsibility for them (Harvey, Ickes, & Kidd, 1981). Episodic forms of power

involve the enactment of power in specific, discrete actions (Clegg, 1989; Lawrence et al., 2001): regardless of whether the episode is the result of individual or organizational interests, there will usually be a specific actor upon whom blame can be readily attributed (Mintzberg, 1983; Pfeffer, 1981). Therefore, the perceived existence of an identifiable agent in episodic power will lead the targets of that power to hold a particular actor accountable. In contrast, systemic power is produced within a realm of routine activities that are more obviously attributed to an organization as a whole than to a specific member. Consequently, under systemic power, an employee is much more likely to hold the organization responsible, rather than specific individual agents or managers.

Targets of power will focus their acts of resistance on the perceived source of the frustration (Robinson & Bennett, 1997). Given that deviance as resistance serves, in part, to cause harm to, or wreak revenge on, the entity held as responsible for enacting the power, the behaviours seen likely to maximize effectiveness will be those directed at the source of the power. Therefore, if the costs of directing deviant behavior toward different targets are the same, individuals will tend to prefer the perceived source whenever possible. A variety of prior literature is consistent with this argument. Research on aggression finds that when such behavior is triggered by aversion treatment, the source blamed for the treatment becomes the target (Allen & Lucero, 1996; Berkowitz, 1993; O'Leary-Kelly, Griffin, & Glew, 1996).

Influence and political behaviour

Influence is an episodic and nonobjectifying form of power and tends to occur as specific acts of power in which one actor attempts to persuade another actor to do something he or she would not otherwise do (Clegg, 1989; Porter et al., 1981). Thus, influence can provoke deviant behavior when the target of power feels frustration or outrage, a negotiation appears one-sided, or ingratiation feels insincere and manipulative. In reaction to these negative feelings, an individual might seek to express his or her frustration or outrage, or to attempt to correct the situation in some way.

Influence is episodic in nature (Porter et al., 1981) and therefore will encourage workplace deviance that is directed at the perceived source. Because episodes of influence treat the employee as a subject rather than an object, the severity of the deviance provoked by it will likely be relatively mild: The target's relatively small loss of autonomy and greater sense of procedural fairness will lead the employee to resist through less severe acts of deviance. Thus, episodes of influence are likely to engender workplace deviance that is targeted at the individual and low in severity; what Robinson and Bennett (1995) referred to as "political behavior.

Force and personal aggression

The use of force involves episodes of power treating organizational members as objects (Hearn, 1994). A common form of force involves firing organizational members, but there are a range of other actions that effectively remove an employee's sense of agency, such as, moving an employee to a different shift or to a different location, taking away a resource, such as access to information or compelling behavior through coercive means.

Critical to understanding the link between force and workplace deviance is the lack of agency as perceived by the target (Robinson & Bennett, 1997). Episodes of force can produce feelings of intense frustration and outrage, because one's autonomy has been stripped, one's identity threatened, and the act itself is perceived as procedurally unjust.

The episodic nature of force will typically lead to forms of deviance that are targeted at the individual perceived responsible (Robinson & Bennett, 1997). Because a specific individual is seen as accountable, the target individual will direct his or her frustration and at that person. In contrast to influence, however, force is likely to lead to more destructive or severe forms of deviance. This is because force creates a greater perceived loss of autonomy and sense of procedural unfairness. Ergo, it evokes stronger frustration and thus more severe deviant behavior. These arguments taken together suggest that force will be more strongly associated with deviance directed at individuals and that is more severe in nature, what Robinson and Bennett (1995, 1997) referred to as "personal aggression."

Discipline and production deviance

Discipline involves organizational systems or routines, rather than episodes of power, which treat individuals as subjects who have volition or choice with regard to their behavior (Clegg, 1989; Foucault, 1979; Lawrence et al., 2001). Whereas the use of influence assumes that targets of power have stable identities that will lead them to react in predictable ways to certain enticements, the power of discipline is in its capacity to shape the identities of targets and consequently lead them to act in particular ways

without specific inducements (Covaleski et al., 1998; Knights, 1992).

When discipline provokes deviance as a form of resistance, it is likely to evoke less serious forms because organizational members are treated as subjects within systems of discipline, and thus their sense of autonomy will be less restricted, their identities will be less threatened, and their sense of justice will be less disturbed. Furthermore, the systemic nature of disciplinary power suggests that any workplace deviance that it provokes will likely be targeted at the organization rather than an individual. Disciplinary systems are typically routinized and embedded in the organization as a whole, and so no specific individual is likely to be identifiable as responsible. Together, these dynamics suggest that discipline will tend to provoke deviance that is less severe and directed at the organization, what is referred to as “production deviance” (Robinson & Bennett, 1995, 1997).

Domination and property deviance

Domination is a form of power that is systemic and treats its target as an object. It involves systems of organized, routine practices that do not require agency or choice on part of those targeted (Lawrence et al., 2001). These systems of power all have the ability to support patterns of social action in an ongoing way without the complicity of those on whom they act (Lawrence et al., 2001). Workplace technologies, for example, can routinely determine the actions of individuals without any episodic intervention or action on the part of management.

Like force, domination strips its targets of their sense of autonomy and agency, which is

likely to lead to high levels of frustration. At the same time, the sense of procedural unfairness can be high. As such, the deviance it provokes will be more severe in nature. The direction of this relatively severe workplace deviance is likely to be toward the organization as a whole, rather than an individual member; because power is embedded in organizational systems and routines, targets of power will find it difficult to attribute it to any individual. Together, these two elements suggest that domination as a form of organizational power will encourage organizational members to engage in organizationally directed deviance that is severe in nature— what Robinson and Bennett (1995, 1997) referred to as “property deviance.”

Conclusions

Although harmful organizational behavior is inherently perceived as dysfunctional and counterproductive by definition (Robinson & Greenberg, 1999), more recent theorizing has noted that such behavior may also have functional aspects (e.g., Spreitzer & Sonenshein, 2004; Warren, 2003). Although deviant actions may be perceived as dysfunctional by the organization itself, they may be functional to those engaging in them because they serve to maintain and protect their needs for autonomy and sense of self-respect and fairness.

It has been suggested thus far that workplace deviance, as depicted through willful acts of malpractice and misconduct, can be regarded as a form of resistance to organizational power. Workplace deviance is often sparked by the systems and episodes of organizational power that lead organizational members to feel frustration,

which in turn motivates them to resist, potentially with deviant behaviors. It has been further discussed that different forms of power will prompt specific types of workplace deviance. Forms of power that are systemic (discipline or domination) will tend to incite deviance directed at the organization, whereas episodic power (influence or force) will tend to provoke deviance targeted at individual organizational members. Power that objectifies the employee (force or domination) will tend to encourage relatively severe deviant responses, whereas power that relies on the target's agency (influence or discipline) will tend to incite less severe deviance.

V. CONCLUSION

Towards the better management of malpractice

At the beginning of the hiring process, public police recruits undertake rigorous training, selection processes and are held to account for their conduct (Girodo, 1999), private security officers usually do not. Without adequate screening, training and public accountability, private security risks the abuse of power (Normandeau & Leighton, 1990). The kinds of corruption and misconduct in the public police and private security that concern the public the most are the misuse of authority and position for personal gain, the abuse of power and the excessive use of force (Girodo, 1999; Girodo, 1991). When provincial regulators mandate standards, oversight and accountability, how will the private sector react to meet these standards? What mechanisms can safeguard the public from abuses in the private policing sector? This section will serve to examine various strategies that both the public and private police can use to improve screening, training and accountability.

Marquis (2000) continues to remind us that the rule of law governs public police who work within a “social contract” between the people and the state. In contrast, private security exists for profit—security being the commodity of exchange. The marketplace shapes the mission, values and culture of private security. This one factor alone is sufficient to raise doubts about private security preventing misconduct through self-governance and about the appropriateness of applying public police methods to the private sector.

Screening out applicants

Applicant pool

A percent of applicants for private security jobs have characteristics that will predispose them to misconduct on the job (Girodo, 2000). Private security firms, squeezed by low-price strategies in the industry, may be forced to hire from a pool of unemployed applicants willing to accept low pay and poor working conditions. They may be constantly hiring to replace workers lost to better paying jobs. At the same time, the industry carries a higher than average risk of losing contracts because of employee misconduct. Private security firms would benefit from being better able to predict the likely work habits of their recruits.

Screening

A person's track record is the best predictor of future behaviour. Criminal history checks provide an objective index against which the likelihood of future misconduct can be forecast (Girodo, 1999). A private police background check that takes at least two months to obtain may be impractical in an industry with low retention rates and high turnover rates. Nonetheless, it should be mandatory for any and all organizations that recruit people to wear security guard uniforms. Observing a trainee during the period while waiting for the licence can indicate a candidate's suitability. However, examples of behaviour from probationary and training periods cannot replace an extensive background check (nor would a simple police record check).

Controlling the risks of misconduct

What experience with training from the public police realm might apply to private security? The three ingredients for corruption and misconduct are defects in character, weaknesses in the control environment and the presence of opportunity (Girodo, 1999). A strong control environment can prevent defects in character from finding an avenue for expression, and when neither are adequate, the organization must severely limit or prevent the opportunity. Will private security either work to prevent opportunity or reconcile itself to not providing a service if it is unsure about managing the risks of employee misconduct?

The control environment

When taking on new responsibilities, public police research the risks and establish policies and procedures to accompany new duties (Girodo, 2000). When the integrity of an officer can be assured, guidelines are still required to limit discretionary decisions. If a private security firm cannot assure itself of the good character and judgment of its employees, it can only reduce risk by keeping them “in harness” through strict rules. It can train employees in observations, recording and reporting, and accomplish the equivalent of supervision by using time sheets and activity logs. However, these forms of control have limited effectiveness insofar as they only work well when control is physically possible and when employees accept and internalize it.

Limits to control

The nature of the business makes misconduct even more probable. Growing firms

typically expand their obligations and liabilities before putting in place controls such as policies, procedures, training and oversight. If policies and procedures that safeguard ethical behaviour lags behind the expanding obligations, the public may be at risk (Girodo, 1999). When firms expand their services to make use of undercover methods—such as employing plain clothes officers as loss prevention agents—the risk of misconduct increases (Girodo, 2000). Employees that use these techniques have unusual opportunities for deviance. Their autonomy and special expertise allow them to avoid normal controls and to facilitate misconduct (Kappeler, Luder & Alpert, 1994). Undercover jobs also attract people who are naturally gifted in that area but who are also less likely to accept control. They tend to be more susceptible to self-indulgent behaviour, maladjustment and misconduct (Kappeler, Luder & Alpert, 1994). Public police are highly selective and mandate training in behaviour risk management before undertaking undercover assignments (Girodo, 1997).

Ethics training

The private sector service industry has long recognized that professional ethics and social responsibility are increasingly demanded by clients and will be essential in maintaining a competitive advantage. While instruction in ethics is a core component of training for public police (Forcese, 1999) its absence in the curriculum of private security training is a serious matter. Essentially, this training should teach employees to view events in their full complexity and to respond to them with thoughtfulness and integrity. Management may fear the risk of allowing employees to practice ethical decision-making in order to limit discretionary acts it cannot control. Because ethics incorporate values and higher

order principles, management may also fear undermining loyalty and obedience to the company (Forcese, 1999, Girodo, 1991, Girodo, 1999). Nevertheless, as the private sector is continuously moving toward 'two-tiered policing' and is increasingly interacting with the public, private security will need personnel capable of making more complex judgments. Management should clearly demonstrate ethical behaviour to prevent employee misconduct.

Best practices

How should training focused on teaching a higher level of officer integrity be presented? Anyone who has ever taken a stand-alone course on ethics, professional conduct and leadership, know that these seldom go beyond general principles and a review of standard policy and procedure manuals. This ineffective approach does not relate to the experiences of security recruits. As Girodo suggests, "weaving integrity training throughout the subject matter of a curriculum exposes students to specific instances of ethical conduct while learning about the job (1998b:425)." This would be a more effective, though perhaps more difficult approach.

One effective approach used in policing is based on an assessment of character and an analysis of work habits that simultaneously strengthen integrity and shores up controls (Girodo, 1998b). It is presented when employees are well into a new job and their personality has found avenues for self-expression. It permits officers to check and correct integrity weakness, assess their response to the control environment and predict future individual or systemic problems. This integrity strengthening approach seeks to

curb impulse, limit indulgence, and teach an ethics-based style of thinking around daily tasks (Girodo, 1998b). Though effective, it is not useful as a pre-employment assessment.

Detection and correction

Early warning systems

The Early Warning System (EWS) used by the public police tracks complaints, allegations, use of force incidents, police vehicle accidents and a variety of other public concerns in order to “red flag” officers with repeated difficulties or increasing problems (Christopher, 1991). Identifying early those at risk for serious misconduct, the police organization employing the EWS can take action to curb undesirable behaviour.

The EWS has limited application for the private security sector. It heavily relies on a well-functioning process for reporting complaints or incidents, which is generally lacking in significant aspects in the private sector. Even with a clear complaints process, employees tend to “gate keep” criticism by making it difficult for someone to follow through with a complaint (Christopher, 1991). The most important limitation, however, is the simple fact that the EWS requires misconduct to occur. Private security cannot afford to wait for misconduct to—their contracts depend on avoiding it.

Integrity testing

A system to identify the risk of misconduct, used increasingly by the public police sector, involves strategic probes in the form of integrity testing (Girodo, 2000). The tests are

designed to make use of different scenarios based on known acts of police misconduct. These tests can be targeted at specific officers suspected of misconduct or administered randomly. In addition to providing valuable data about the rate of misconduct among officers, they also generate lists of strengths and weaknesses of the control environment. This is not only an effective approach at weeding out the “bad apples, but it is also a tremendous deterrent for misconduct and a good source of information about the integrity risks of an organization (Christopher, 1991).

Since 1994, the New York City police department has been using integrity testing to assess their officers (Girodo, 1998a & 1998b). All officers are aware of the program and know that they may be tested at any time. Scotland Yard has also endorsed integrity testing and the Metropolitan Police Service in London has been using it for a number of years. Though some concerns have been raised regarding the potential “traps” for officers, most police organizations committed to high ethical standards now support both directed and random testing (Girodo, 1998a & 1998b).

When adapting integrity testing, the Queensland Police Services in Australia expressed concern that the test could be put to unethical use, creating even greater injustice (Girodo, 2000). It is thus also important that those directing integrity testing must themselves be ethical in deciding when there is sufficient evidence to warrant a targeted test and in choosing the most appropriate methodology for a valid test. The method itself, however, has some reported long-term risks. Opponents argue it is insidious for those who work with it for too long and who see their Machiavellian tendencies only reinforced (Girodo,

1998a & 1998b).

In Closing

As private security evolves toward delivering public security services, it will have to set aside the paradigm of managing static guards, find ways attracting high quality personnel, and train them in making more complex judgments.

The private security industry in general is not sufficiently principled to assume responsibility for protecting the public from the risks of its own excesses (Oppal, 1994). Specific legislation (as is now and only recently the case in Ontario) should mandate extensive criminal background checks (more than simple police records checks) to screen private security applicants. Local law enforcement organizations should perform these checks.

Mandated ethics training for all private security managers and their employees should enhance their ability to understand individual rights, respect the dignity of persons, and appreciate human values when making work-related decisions.

Managers of private security can also evaluate both selection and training criteria and check for vulnerabilities in personnel and control environments by employing behaviour risk assessments and integrity strengthening testing (random and targeted). The findings of such can serve as a sort of quality control audit for the company, standards of accreditation, an index of compliance to regulatory standards and a way of identifying

additional weaknesses in the organization itself (Girodo, 1999).

Toward New Avenues for Research

It was the intent of this research to bring to light and document the extent of malpractice as a reality of private security work. The veracity of the phenomenon stood out in the sampled population as a potentially harmful consequent of academically criticized working conditions. Though the exploratory nature of the research presented herein does not necessarily provide the tools required to draw meaningful inferences with regards to causes and effects, it nonetheless opens itself to various conclusions and recommendations.

First and foremost, malpractice, as defined in this research, exists in the field of private security. Officers employed by security firms tend to engage in such activity on a consistent, if not regular basis. The severity of the offence may vary greatly and is understandably finely tuned to its rate of occurrence; however, the smallest symptoms retain its importance when considering the broader unaddressed regulatory issues. In light of this analysis, it becomes apparent that actions should be taken by managerial ranks to more accurately identify and deal with such behaviour; if not to correct it, at the least it may deter and decrease its existence.

Additionally, it was made evident in this research that rates of participation in acts of malpractice were not necessarily contingent upon any misconceptions or confused attitudes toward the types of behaviours that would generally be classified under its

heading. Officers reported engaging in such behaviours with full knowledge and a firm belief that their actions were wrongful. It thus seems that employee comportment rules and regulations are successfully disseminated to the lower ranks of security officers. In light of this, efforts should perhaps be aimed more toward an enforcement and identification aspect rather than toward an improved communicative approach.

What we can be definitive about, however, is that further research is a must if we are to truly understand the different manifestations of malpractice within the private police and the risks they may pose for the industry and the public they are often tasked to protect. In particular, we must better acquaint ourselves with the motives and the driving forces that would prompt an initial act and any action, or lack thereof that would encourage subsequent ones. The exploratory goals of this research have but reaffirmed a dire need for additional descriptive analysis of this field of study.

My interests in this research were to explore behaviours classified as workplace malpractice that are not necessarily severe in their consequences and that need not fit the traditionally exclusive definition of corruption. It's worth noting, however, that the definition of "police" has changed significantly in recent years to account for private sector initiatives. And assuming that the definition of police corruption has remained independent of those changes is not something we should be prepared to do. Police corruption is no longer a state monopoly, just as "policing" no longer is.

In addressing issues regarding becoming a "bent" security officer, one has to consider

both versions of the “slippery slope” argument, the logical and the psychological. According to some scholars the path to serious forms of corruption begins through small acts of deviance. Under the logical approach one would argue that because both are wrong, and wrong for the same reason, it would be impossible to set a logical boundary where a redefinition of the self would occur. As such, minor malpractice on the part of security officers would easily open up the way for major transgressions in the future because they have already come to terms with the implications of their actions. Ergo, under such a working hypothesis, one would see a more or less equal rate of participation between major and minor transgressions.

The psychological aspects of this argument suggests that proceeding through a series of small steps between minor and major transgressions would ultimately lead to a moral impasse where the redefinition of the self required would be too great for most security officers to accept. Under such a working hypothesis, one would observe a rate of involvement in minor acts of malpractice more pronounced than that of major transgressions.

Though it would be interesting to further investigate these avenues, I believe that the psychological version of the slippery slope argument is particularly reinforced in light of my findings. It was shown that a large number of individuals approve the acceptance of gratuities. And since the psychological version doesn’t necessarily hold the acceptance of minor gratuities to be unacceptable, it appears to be a better fit. Furthermore, the high rates of involvement in less severe forms of malpractice compared to the more severe

ones also lend credence to the idea that moving along the line involves a gradual redefining of the self. Further research in this area might help identify the approach most adaptable to the security industry.

In light of discussions on the topic of power and its different forms, what surfaced as being of particular value in my analysis were systemic modes such as discipline and domination. They are often easily seen in the private security industry and tend to be the dominant mode used by the managerial ranks. Systemic forms of power work through the routine and ongoing practices of organizations. Some examples include organizational socialization processes, technological systems such as information and electronic surveillance systems as well as training and testing systems.

What appears supported in my research is that malpractice as resistance in the security industry tends to manifest itself as production and property deviance that is targeted at the organization itself. And also, that resistance in the security industry is not typically severe. This supports the working hypothesis that the three modes of control identified by Foucault (surveillance, normalization, and examination) and grouped within the concept of discipline, will evoke less serious forms of resistance manifested as production and property deviance that are targeted at the organization.

Because members are treated as subjects within systems of discipline, their sense of autonomy will be less restricted, their identities less threatened, and their sense of justice less disturbed. As a result, one would observe less severe deviance. And furthermore,

because disciplinary systems are usually routinized and imbedded in the organization itself, no specific individual is likely to be identified as responsible. This would result in observable deviance targeted at the organization. Additional and finer tuned research in this area would promote a better understanding of these intertwined relationships.

As previously stated, the study of private security has traditionally been focused on addressing the topic from industry-wide or otherwise macro-level standpoints. I wanted to distance myself from those methods and provide a more micro-level illustration for broader theoretical objectives.

Significant authors, such as Rigakos (2002), Manzo (2005; 2004), Micucci (1998), and Wakefield (2005) have made excellent progress in examining the day-to-day activities of officers along the line of work practices in private policing. They have undertaken various ethnomethodological studies that highlight the lived social experiences of security officers.

What inspired me in their efforts is that what they have achieved is essentially a study of work where the analytical focus lies in how that work is accomplished within the setting rather than focusing strictly on the industry as the setting itself. What they provided me with is a basis for a methodology that is based on the idea that to understand how a particular social activity is accomplished, one must go directly to the source, the people who do the actual work. What this allowed me to do is devise an efficient means of collecting first hand data that yielded a more accurate picture than any secondary sources

would have.

These authors have successfully documented much about the kinds of social activities seen amongst members of the industry. What seemed to lack in some regards though is perhaps a closer look into the more or less anti-social ones. Hopefully my research will trigger more interest in this area.

APPENDIX
Survey Questionnaire

1. What is your gender?

☐ Male ☐ Female

2. What is your age?

☐ Under 21 ☐ 21 – 30 ☐ 31 – 40 ☐ 41 – 50 ☐ 51 or over

3. What is your education?

☐ Some elementary school, not completed ☐ Completed elementary school

☐ Some high school, not completed ☐ Completed high school

☐ Some college or university, not completed ☐ Completed college or university

☐ Graduate work or degree

4. How long have you been employed as a private security officer?

☐ Less than 2 years ☐ 2 – 5 years ☐ 5 – 15 years ☐ More than 15 years

Within the last year, how would you rate your engagement in the following activities while in the course of your duties:

5. Sleeping at your post.

☐ Never ☐ Rarely (once or twice per year) ☐ Often (once or twice per month)

☐ Always (once or twice per week)

6. Taking something without expressed or suggested permission that belongs to a client, merchant or member of the public whose property it is your duty to monitor and protect.

☐ Never ☐ Rarely (once or twice per year) ☐ Often (once or twice per month)

☐ Always (once or twice per week)

7. Accepting a gift (for example free or discounted meals and coffee) from a client, merchant or a member of the public whose property falls under your supervision.

☐ Never ☐ Rarely (once or twice per year) ☐ Often (once or twice per month)

☐ Always (once or twice per week or more)

8. Ignoring or turning a blind eye to an incident or event that would otherwise require your attention or further investigation/reporting.

☐ Never ☐ Rarely (once or twice per year) ☐ Often (once or twice per month)

☐ Always (once or twice per week or more)

9. Misusing any equipment provided for the performance of your duties (for example using a client's

computer for something other than what is expressly permitted).

- ☐ Never ☐ Rarely (once or twice per year) ☐ Often (once or twice per month)
☐ Always (once or twice per week or more)

Please select the appropriate response that would most accurately describe you opinions on the following items.

10. It is generally okay for security officers to sleep at their posts if it does not hinder the performance of their duties.

- ☐ Strongly disagree ☐ Disagree ☐ Undecided ☐ Agree ☐ Strongly agree

11. It is reasonable for officers to occasionally but without permission help themselves to small or valueless property that falls under their supervision as it is generally expected and/or would otherwise may have been freely offered.

- ☐ Strongly disagree ☐ Disagree ☐ Undecided ☐ Agree ☐ Strongly agree

12. It is reasonable for clients to show appreciation for the work of security officers by giving the occasional gift or benefit (referred to as gratuities) and as such it would be rude to refuse.

- ☐ Strongly disagree ☐ Disagree ☐ Undecided ☐ Agree ☐ Strongly agree

13. Gratuities are an important part of forming strong relationships between clients and the security organization in place to protect their interests.

- ☐ Strongly disagree ☐ Disagree ☐ Undecided ☐ Agree ☐ Strongly agree

14. It is reasonable and generally okay to ignore or turn a blind eye to certain events or incidents so as to avoid any personal responsibility and/or additional paperwork or corrective measures.

- ☐ Strongly disagree ☐ Disagree ☐ Undecided ☐ Agree ☐ Strongly agree

15. It is expected and reasonable for security officers to use tools provided for the performance of your duties for personal purposes or any other not formally expressed by the client or security organization.

- ☐ Strongly disagree ☐ Disagree ☐ Undecided ☐ Agree ☐ Strongly agree

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