

# PRIVATE SECURITY: IN THE PUBLIC INTEREST?

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## Abstract

*British society has undergone extensive changes over the latter half of the 20<sup>th</sup> Century. The decline in social capital and sense of community has brought great challenges to state policing through an ever-expanding range of demands placed upon them by its citizens. This decline has led to many informal social controls becoming ineffective and has led to citizens forsaking the concept of 'community' for individualism. This has led to a balkanisation in policing needs and has created an insatiable need for security that the public police struggle to meet.*

*The question is how do we ease this pressure? The private security sector predates and now exists alongside the public police and may provide one solution in tackling the increasing demands for policing. The validity of the use of private sector personnel in policing will be studied, specifically in relation to the psychological effects of crime, more commonly known as the 'fear of crime'.*

*The negative impact of private sector involvement will also be examined with questions being asked as to whether the commodification of security is ultimately harmful to what is left of the collective. The central focus of this paper will conclude if private security serves the public interest by mitigating the effects of individualism or if it merely encourages them, and in what way (if any) this is different from the public police.*

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## **Introduction**

The latter half of the twentieth century has seen extensive and dramatic changes take place in the field of policing. These changes have occurred in relation to the range of services provided, who the providers are, and rising expectations of a public increasingly referred to as 'customers'. The 'myth of the state monopoly' (Garland, 1996: 448) has been discredited.

It is fair to say that the 'Golden Age' of policing (Loader and Mulcahy, 2003: 3) – an age in which police officers could be seen patrolling 'on the beat' responding to local issues through local leadership – is over. Police officers are no longer patrolling the streets on foot as the norm but rather in cars, in an increasingly re-active as opposed to pro-active capacity. The 'Golden Age' took great strength from its approach to policing 'by consent' based on the idea of the police officer as a 'citizen in uniform' (Loader, 1997: 5) rather than a law enforcer. This was a time of great 'social capital' (Putnam, 2000: 22) and of community, and it was not to last.

This paper will argue that, as a result of the wider social changes that have taken place, the private security sector is increasingly becoming a part of everyday life. Yet it must be questioned to what extent this is in the public interest. This paper will argue that the private sector does have a role to play, although this role is largely psychological in the form of reassurance. The private sector, however, does not act universally in the public interest. Rather it caters to those who have the resources to employ them and many of the processes the private sector employs mirror those of the public sector, specifically the over-policing of those citizens of lower socio-economic status. In doing so, the private sector contributes to the fragmentation of society by creating an image of an identifiable villain (Hollway and Jefferson, 1997), or 'other' (Garland, 2001) which must be separated from the law-abiding majority.

Chapter 1 will examine the changing relationship between the police and citizens with a focus on how citizen individualism is shaping the relationship between the public and private sector; a relationship which has seen a swing to the private sector through the limited resources of the public police and their inability to respond to the needs and fears of citizens in late modernity.

Chapter 2 examines the ability of the private sector to respond to the needs of citizens by approaching the concept of security as a commodity, particularly the ability to deal with anxiety and fear towards crime.

Chapter 3 serves as a counterpoint by examining the consequences of security becoming a commodity and its effect on society. Focusing on whether the private sector serves the collective or whether it has a detrimental effect on society through the pursuit of individual security solutions.

Chapter 4 compares and contrasts the operating methods of private security (a commodity) with those of the public police (a social good). The purpose of this is to determine if the private sector provides a different style of policing or whether it duplicates a style of policing seen in the public sector. It will be shown that the private sector replicates many of the negative policing techniques used by the public

sector and therefore can be seen to further the over-policing of certain groups in society.

Throughout this paper it will be shown that the private sector does indeed act in the public interest, but not in the *publics*' interest. Every socio-economic group does not benefit from the use of private security; merely those who have the equity to be employers of such services and those in the majority, the portion of society which, on the whole, avoids being targeted in the crosshairs of private policing.

## **Chapter 1 – Policing and Nation**

*‘Policing is at the heart of the functioning of the state, and central to an understanding of legal and political organisation’*  
(Reiner, 1992: 762)

In Britain there exists a strong link between policing and nation created by the style and tactics employed; a style often remarked as ‘policing by consent’. Consensual policing is markedly different from what can be termed ‘law enforcement’, typically seen in the United States, where police and nation can often clash. The concept of law enforcement can be seen to create a divergence between the ‘police’ and the ‘policed’, however the British style of policing attempts to reconcile these two notions through the idea that a police officer, an agent of the state, is simply a ‘citizen in uniform’ (Loader, 1997: 5). This image creates a great deal of symbolism and aids in the construction of a British national identity through the imagery of the ‘British Bobbie’, with his distinctive uniform and restraint and as the ‘very embodiment of the citizenly ideal’ (Reiner, 1992: 763).

The citizen-constable and communicative style of policing is very much tied into the average citizen’s sense of identity (Loader, 1997). One must therefore question what impact the increasingly important private sector will have on the hearts and minds of a citizenry so entrenched with the imagery of state policing. Dupont (2004: 86) remarks that ‘too much symbolic capital can become a liability and create a window of opportunity for new actors’; especially at a time in which the average citizen is more likely to encounter private security personnel than a public police officer in their everyday lives, Crawford et al (2005: 56) suggest that only 43% of a police officers time is spent ‘on the street’. These findings will be discussed later.

As the private sector begins to take a more visible role in the lives of the nation, relinquishing its ‘junior partner’ (Shearing and Stenning, 1983) label in favour of pluralism, it is important to consider Weber’s (1948: 2) notion of the state’s ‘monopoly of the legitimate use of physical force’. This idea is central to understanding the distinction, both conceptually and symbolically, between the public and private sector. The ability to enforce, if necessary, the laws of the nation is restricted to the state’s police whilst the private sector remain subject to these laws, and, unlike some other jurisdictions, possess no greater powers than the average citizen (Stenning, 2000). In essence, the private sector can literally be seen as ‘*citizens in uniform*’ (Loader, 1997: 5). With the issue of legitimate violence so distinctive to agents of the state, it comes as no surprise that its citizens identify more, and give prominence to, state policing as opposed to private forms of policing.

Central to this is the idea of policing as a ‘social good’, a necessary component in the arbitration between the interests of competing individuals; the arbitrator being the state with its institutions and agents responsible for the execution of justice (Loader and Walker, 2001). In its role as referee, the state is embodied with the loyalty and service of its citizens, each trusting that the arbitrator will discharge its role with equality and fairness through the use of its police; ‘public policing is one of the defining characteristics of state power’ (Zedner, 2006: 78) and is viewed as a ‘constituent and expression of national identity’ (Loader and Walker, 2001: 20).

The need for, and identification with, the public police is merely cemented by the existence of private security, whose aims and objectives differ greatly from those of the state. Policing provision on the basis of equality is replaced with provision dependant on equity with the objective of justice replaced with the aim of security. Bearing this in mind, state policing is seen to have a wider remit than simply the enforcement of laws and dispute resolution through its developed justice institutions, instead it is invested with the trust of its people to defend those who cannot defend themselves, or rather, cannot afford private security to defend them.

When discussing the idea of policing as social good (Loader and Walker, 2001), it is important to clarify the distinction between 'Justice' and 'Security', and this is not an easy task. Within the context of a debate over public and private policing, these concepts can be best explained as representing differing points on a timeline. 'Security' can be regarded as something that is pro-active and aimed at preventing transgressions of the law and society whilst 'Justice' can be seen as responsive to these infractions. 'Justice' is also viewed as a mechanism to put right what has gone wrong, or more specifically, to aid those individuals who have been wronged, and for this the state is rewarded with public support (Stenning and Shearing, 1979).

This is not to say that the concept of security is any less important than the concept of justice. Security, and the feeling of security, is an issue of everyday life; the feeling of safety and security is directly linked to one's ability, and willingness, to participate in everyday activities. One's feeling of security is very much linked to one's fear of crime (to be discussed later). Loader and Walker (2007: 94) forward a theory of 'collective' security, describing security as a bond that links every citizen together; 'people only feel secure if their neighbours feel secure'. The notion of collective security is conceptually a difficult one for post-'Golden Age' policing; the fragmentation of society through, to barely name a few, internal migration, mobilisation, and globalisation, has led to a decline in the sense of 'community' and 'social capital' (Putnam, 2000: 22). During the 'Golden Age' and before, neighbours knew their neighbours, communal activities were prevalent, and social communities offered a sense of inclusion (Loader and Mulcahy, 2003). This age, however, has passed and the concept of community has given way to the notion of individualism.

The individualisation of society has grave effects on security and feelings of safety. Collective security is replaced by individual insecurity and trust is replaced by mistrust with neighbours becoming 'others': 'society fractures into a world of markets and tribes' (Loader and Walker, 2007: 210). This creates differing levels of insecurity in citizens, something discussed in the following chapter, and as a result, dealing with these insecurities becomes an individual matter, with some individuals requiring more security than others to feel the same level of safety.

This leads to the commodification of security and thus takes it out of the hands of the state and into the market of the private sector. Essentially, the generic equality of service provided by the state is no match for the tailor-made security solutions created by the private security sector, thus exposing the 'limits of the sovereign state' (Garland, 1996: 445).

As a result, a shift in policing policy has occurred in recent decades, notably with the Conservative administration between 1979-1997, towards a policy of

‘responsibilisation’. This shift has resulted in citizens playing a greater role in their own security and that of their home and belongings (Home Office, 1995). This represents an acceptance by the state that it cannot be the sole actor when it comes to the provision of security; thus acknowledging the ‘myth of state monopoly’ (Garland, 1996: 448). In devolving partial responsibility to the individual, the state has actively promoted the involvement of the private sector by opening up a market for alarm systems, CCTV, and manned security solutions to name but a few. One only has to ask, if the state is unwilling to provide them, then who else but the private sector? Johnston and Shearing (2003: 125) support this by remarking that the ‘involvement of suitably regulated private security companies...can be legitimate, effective and efficient’.

Responsibilisation has had the consequence of increasing the role that security plays in everyday life. The securitisation of security is a double-edged sword. On the one hand, individuals become more security conscious and thus can make adjustments to reduce their personal risk of crime, but on the other hand this can breed a culture of excess in which the insecurity and anxiety towards crime far outweighs the actual risk of crime (Sherman, 1995; Duff and Marshall, 2000). This anxiety can have the same consequences as actual crime in terms of its effect on an individual’s participation in society or community activities, although it must be asked what ‘community’ means in the Postmodern era. A situation only exacerbated by efforts ‘to keep up with the Joneses’ in an endless race/quest to feel secure through the purchasing of ever more elaborate security products. Resulting in the need to justify the need for additional security, the fear of crime takes on a life of its own, increasingly breaking from reality.

In addition to the expansion of non-state actors in the field of everyday policing, the state has also modified the way in which it runs its policing institutions and the values they embody. The Conservative administrations introduced working practices and attributes more commonly found in the private sector into the public arena, such as managerialism, cost cutting, and an emphasis on getting ‘value for money’. A significant step towards these goals involved the civilianisation and/or privatisation of roles that were not deemed to be ‘core’ (Home Office, 1995) functions. For the most part, civilians were used to replace police officers in non-front line roles such as administration, intelligence analysis, and communications; it was cheaper to employ civilians than to use sworn police officers thus delivering better value for money in what was becoming more of a police ‘service’ than force. In more extreme cases tasks were being outsourced to the private sector entirely. These ‘load-shedding’ actions (Johnston, 1991 cited in Button, 2002: 22) encompassed a wide range of activities, including the transportation of prisoners and the guarding of courts and police stations.

These changes in policing are reflective of those occurring between nation and identity. As the nation and her identity develop into one of lower social capital and fractured hegemony, this led to increasing – and increasingly diverse – demands and expectations being placed on the public police. Such demands could not be satisfied solely by the public police, with Garland (2001: 119) suggesting that the movement towards a policy of the ‘control’ of crime rather than its eradication is symptomatic of the public police’s inability to deal with crime, specifically low-level crime, and often their unwillingness to do so.

The shift towards the management of crime 'as the de facto political priority for policing' (Innes, 2004b: 155) shifted much of the responsibility for crime prevention and minimisation onto an increasingly fractured and individualised nation who were now tasked with providing their own security provisions. The lack of community and social capital present in post-'Golden Age' society only served to further the diverse range of policing needs and place additional strains on the public police. This resulted in the invigorating of an already present private security market with increased demands for situational specific security solutions; the nation was told to play its part in crime prevention but the state did not have the capacity to assist them to do so. Thus the fracturing of society could be seen to 'spillover' (Niemann, 1998: 429) into the field of security creating a state-sponsored plurality of policing provision.

Evidence of this can be seen when examining the prevalence of the private security sector, taken from the sheer number of individuals employed therein. George and Button (2000: 30) estimate there are around 217,000 private security officers employed in the UK – Jones and Newburn (1998) put the figure of private security personnel even higher at 333,700 – with 140,000 of them operating in a uniformed capacity. This results in there being 'almost two security personnel for every one police officer' (Button, 2002: 98). Such demand for private security by citizens, in addition to the creation of the thousands of jobs, can be seen through the financial turnover in the industry, which, according to Crawford (2003: 149), was £1,678 million in 2001.

The rise – or rebirth – of the private security sector coincides with a period in which the link between the state and nation is at its weakest. The average citizen is more likely to encounter private security personnel than a public police officer in their everyday lives as ever-increasing spaces designated as 'mass private property' employ these private resources in a pro-active attempt at crime control. Private security personnel feature heavily in the night-time economy, where citizens are usually required to submit to private security demands in order to participate in entertainment venues. In the context of the night-time economy, Hobbs et al (2003: 42) suggest that 'approximately 30 to 40 (police) officers are engaged on public order duties at these times, whilst the crowds are simultaneously controlled by an estimated 1,000 bouncers working per night'. This presents the public with greater exposure to the private sector than the public police.

Also on the increase, discussed later, is the rise of mixed patrols, public policing carried out by contracted private personnel. Whilst the public police still retain the public's affection as the main policing provider, they are accepting that the state is not the only provider.

**Chapter 2 – ‘Crime as a normal social fact’:  
Anxiety, Insecurity, and the Fear of Crime**

*‘As global insecurities and risks mix with and inform more localised anxieties about incivilities and anti-social behaviour within residential neighbourhoods, fear of crime has emerged as a major issue of public concern’*

(Crawford and Lister, 2006: 165)

Over recent decades, as discussed in the previous chapter, the amount of social ‘capital’ and cohesion in Britain has declined with increased social mobility and neighbourhood change (Putnam, 2000). This has led to a weakening of many informal social control mechanisms found in the community and occurs in parallel with the removal of many other forms of social control – sometimes referred to as secondary security providers (Jones and Newburn, 1998; 2002) – from the commercial arena. These agents of social control, such as bus conductors, train guards and public attendants have seen their control and security functions integrated into the responsibilities of every employee (Shearing and Stenning, 1983; Kempa et al, 2004).

The decline in community and social control has seen a corresponding increase in the fear of crime. This fear of crime is based on a fear of ‘others’ – akin to Garland’s (2001: 137) ‘criminology of the other’ – or more specifically a fear of the *unknown*. Such fears are compounded by the fact that these ‘others’ consist of ones neighbours who, in previous generations, would have been known, and known well. Community change fostered by increased migration, both internal and external, has led to a decrease in social relations and what is ‘known’. This fear of the unknown presents problems for a public policing model that produces ‘identifiable victims and blameable villains’ (Hollway and Jefferson, 1997: 265), as the victims are too numerous and villains not always real. This imagery can be used to demonstrate the central issue when discussing the fear of crime, risk. The differences between actual and perceived risk fluctuate greatly and are dependant on a variety of economic, social, and geographical factors. This has resulted in the erecting of barriers and defences to protect the individual over (and from) the community. Individuals have preferred to shut themselves off from the community rather than seek social integration (Low, 2004), which has led to a boom market for the private security industry. However, as discussed in Chapter 3, the private security industry should not be seen as a solution without flaws.

The fear of crime has been fuelled by another private industry, the mass media. The media have been instrumental in creating a ‘perceived’ risk where it did not exist before and one that grossly overshadows the actual risk faced (Sherman, 1995; Duff and Marshall, 2000). Ironically the media have been most successful at instilling a fear of crime into those who have less to fear from crime, the middle classes (Cohen, 2002). Gunter (1987: 61) remarks that the mass media can be most influential ‘when direct experience is lacking’, as seen in the middle classes and as such forms a primary source of information about crime. The higher socio-economic groups have a greater ability to locate themselves in areas far away from the high crime estates of the ‘police property’ (Cray, 1972), and as such have little to fear from crime. This is in direct contrast to a mass media that stress the ‘random nature of crime’ (Sacco, 1995: 150) and something to which everyone is constantly at risk. This fact is compounded by the disproportional reporting of ‘high’ crimes – murders and rape –

and the resulting 'moral panic' (Cohen, 2002: 1) by the press over more common less violent acts of deviances, thus instilling a greater perception of danger and risk. As a result, those with the highest fear of crime and the greatest disposable income are most able to purchase security products in an effort to protect themselves from an unseen threat, a threat that is debatable as to its existence.

The fear of crime and the unknown can be considered a social construction (Liska et al, 1982). The role of the mass media in the construction of fear of crime has been discussed in relation to the middle classes; however there are other ways, and for other classes, in which a fear of crime can be created. These are through 'direct experience' of crime or through 'interpersonal communications' (Garofalo, 1981: 844). The former is self-explanatory; an individual's fear of crime emerges through direct contact, either as an offender or as a victim, with crime. In this case, such disproportional reporting in the mass media is dismissed as what it really is, exaggerated reports designed to sell a product. The latter comprises elements of both previously discussed fear-creating tools. An individual's fear of crime is created through the recalling of crime experiences, either directly or indirectly (such as mass media reports), or from others, such as friends or neighbours (Low, 2004).

The fear of crime is a very subjective concept and affects every citizen differently. Consequently, there is an exponential increase in the range of policing services required, or rather demanded, placing an incredible strain on the public sector. This is an issue to be covered in the following chapter. Whilst the concept of 'actual' risk can be quantified, one's sense of 'perceived' risk varies greatly depending on personal attitudes, circumstances, and experiences. However, every citizen will, to one degree or another, suffer the same negative effects of a fear of crime (Wilson-Doenges, 2000). These effects include the avoidance of people and places, a fear of 'others', and withdrawal from what little remains of the community, causing further decline. Whilst these effects are linked to a psychological fear of crime, it is important to stress that these can also be characterised as the effects of being a victim of 'actual' crime. This idea is central in giving the 'fear of crime' the recognition that it deserves when considering policing policy (Liska, et al, 1982), and anchoring the concept of a fear of crime being just as debilitating and having 'just as real consequences as actual crime does' (Wilson-Doenges, 2000: 600). The only difference is combating the fear of crime does little to reduce the occurrence of actual crime and as such receives limited attention from an overstretched public police service, consequently setting up a market for the private sector.

This has a regressive effect on citizen confidence in the public police. An increasing fear of crime serves to highlight the public police's increasing inability to respond to it, and in a vicious circle, this then serves to increase the fear of crime; 'confidence in the police becomes another factor facilitating or muting the development of fear' (Box et al, 1988: 342). This is a cycle that the public police have little control over, as the finite resources of the state cannot match the seemingly infinite demand for security; 'public demands on police time have grown significantly, leaving little time for non-incident-based interaction' (Crawford et al, 2005: 1). It must be noted, however, that responding to the fear of crime does not necessarily have an impact on actual crime rates (Bahn, 1974), and for this reason the public police have been forced to allocate their resources in a manner to maximise their use, namely responding to actual crime. Additionally the public police, as agents of the state, have to be careful

so as not to over-police citizens. An ever-present uniformed security reminder can only serve to reinforce the very insecurities they are attempting to counteract; in doing so 'it risks fostering vicious circles of insecurity...that ratchet up police powers, security technologies, and their attendant rhetoric in ways that it becomes difficult then to temper or dismantle' (Loader and Walker, 2007: 12). It is this argument whereby one can envisage discreet private sector involvement in the form of technology (Lyon, 2003) restraining the state to arbitrator and allowing individuals to make their own additional security provisions. The consequences of this shall be discussed later.

An individual's proximity to crime is not the only factor in determining 'fear' of crime; an additional, key, component is the extent to which they are able to take measures to reduce such fears. The public police have limited resources and must employ these in a utilitarian manner which leaves many individuals and areas lacking the security provision they need, or rather feel they need. Whilst the public police can prioritise areas that are most in need, there will undoubtedly be others similarly in need. Citizens must now rely on private security to supplement their own personal security needs and the private sector is very good at providing adaptive, contextual, and personalised security solutions, *for a price* (Button, 2002; Loader, 1999). An individual's 'perceived' fear of risk and crime, however unreal and therefore not supported by public police resources, can be combated through supplementary private policing. However, as the private security sector conducts 'policing for profit' (South: 1988), the issue of equity plays a central role in determining whether an individual can acquire these touted private security solutions and this shall be explored in the following chapter; 'responses to fear involve costs that people are more or less willing and able to endure' (Garofalo, 1981: 846). The theoretical argument here is that, for a price, the private sector can play a part in combating the fear of crime by providing the personalised service that the public police cannot (Button, 2002). The popularity of private security solutions can clearly be seen through the vast turnover and number of staff employed, as demonstrated in chapter 1.

Reducing the fear of crime reduces social isolation and promotes re-engagement with community (Low, 2004) and up until now the argument for private security has focused, and remained, at the level of the individual, providing individual solutions for individual citizens and thus ignoring the issues facing the wider community. Crawford et al (2005: 1) remark 'modern pressures on the police have served to pull officers away from locally tied patrols into reactive duties...leaving little time for non-incident based interaction between police and local communities'. The increased demand that the public police now face has served to make them more re-active and withdrawn from the community, to only be seen when there is a problem, thus straining the link between police and community, almost creating an 'us' and 'them' situation. The withdrawal of the public police from visible patrolling, which provided a 'presence, always near, always comforting [offering a] feeling of security and safety' (Bahn, 1974: 341), has occurred at a time when other 'formal and informal forces maintaining public order are increasingly powerless' (Taylor and Covington, 1993: 374) through their decline in presence or the removal altogether of these people and symbols of authority in the community.

The removal of visible patrols in communities has played a role in the rise of anti-social behaviour, fear of crime, and community decline (Innes, 2004a; 2004b). The

lack of observable authority, symbolic and empowered, has led to many 'signal' crimes such as vandalism, graffiti, and 'broken windows' going unchecked leading citizens to 'define particular criminal incidents as indicators about the range of dangers that exist in contemporary social life and that might potentially assail them' (Innes, 2004a: 15). Skogan (1986: 206) remarks that 'stability means that the neighbourhood as a social system reproduces itself'; the lack of stability created by signal crimes leads to an increase in fear, which, in turn, leads to the further decline of community and flight.

Similar to the security provisions in gated communities, seen notably in the USA, private security can be contracted by a municipal authority to perform a visible patrol and deterrence function; 'guards are thought to deter crime by keeping those who are potential criminals out' (Low, 2004: 122). Private security patrols in Britain have been 'primarily focussed around deterrence and reassurance' (Crawford et al, 2005: 25) aimed at dealing with anti-social behaviour, vandalism, and providing reassurance. A study, conducted by Crawford et al (2005: 32), focused on the use of private security 'community rangers' found that 47% of respondents felt that the visible patrols promoted reassurance, leading to 28% feeling safer during the day and 31% feeling safer at night. It must be noted that the use of private personnel in a patrol function does not provide the same level of authority as that of a police officer. The powers of the private personnel are limited to that of an ordinary citizen and as such rely on the symbolism and perceived authority that their role gives; whilst they have a role in deterrence and reassurance, the public police are still integral should a situation escalate (Stenning, 2000). For example, the 'moving on' of antisocial youths would rely more on the persuasive communication skills of the private officer in the absence of the public officer's constabulary authority. Despite this, it is the private security sector that is 'driving the provision of visible reassurance' (Crawford and Lister, 2006: 168)

The use of private security personnel as dedicated patrol officers, as compared to public police officers who spend an average of only 17% of their time on patrol (Crawford et al, 2005: 56) can have an impact, as shown, on making citizens feel safer and participate in a greater range of social activities and thus have a greater engagement with their community.

The use of private personnel can also have positive repercussions out with the community as a result of better intelligence gathering. Private security can act as a link between the public police and the citizenry. In many areas in which private personnel are contracted, typically high-crime estates, individuals are more likely to pass on information regarding acts of criminality to the private 'police' rather than the public police; 15% to 29% of those surveyed said that they would pass on intelligence to private security but not the public police (Crawford et al: 2005: 37-39).

These statistics, and the lack of support for the public police they demonstrate, question the assertion by Loader and Walker (2001: 20) that public policing is a 'constituent and expression of national identity'; one must question how the public police can be a symbol of national identity when a significant majority of citizens do not identify with them. If citizens will not engage with the public police, then it is of practical importance to identify another policing provider, especially in high-crime estates where intelligence is of most importance; of even wider importance is the need

to identify the reasons why these citizens do not engage with the public police. This clearly demonstrates the ability of the private sector to perform in the public interest, by its ability to gather intelligence and provide the reassurance that the public sector – the state – cannot.

Ironically the greatest public interest role that the private sector is given may actually come from the fact they are not agents of the public police and are detached from the politics of the state. However this line is blurred significantly when private security is contracted to carry out public policing roles, therefore acting on behalf of the state.

### **Chapter 3 – Private Security as a Commodity and the Effect on the Collective**

*‘Paid non-state policing agents have taken on an increasingly wide range of activities and services once thought to be the exclusive domain of state policing agencies, to the point that it has become difficult to find an activity undertaken by the public police on behalf of citizens that is not in some place also offered to paying customers through the private security industry’*

(Kempa et al, 2004: 563)

Much has been made of the fact that the motivations of private security are very different from that of the public sector, most notably the extent that the concept of security has been reduced to a commodity (Newburn, 2001). This commodification turns the concept of ‘security’ into a double-edged sword; on one hand, private security can be used to supplement existing arrangements provided by the public sector (Kempa et al, 2004), but this also increases the role of equity, social capital and individual sense of risk (Liska et al, 1982). Utilising private security in the public sector is a juggling act that must balance the motivations of profit with the ability to achieve wide community benefit, as seen with reassurance policing discussed in chapter 2.

The conceptual differences between justice and security have been stated previously and it is important that the private sector, in order to assert any form of legitimacy, confines itself to the latter. Private security cannot be a provider of ‘justice’ as this concept demands the distribution of resources following egalitarian principles of fairness and need (Brodeur and Shearing, 2005). Instead the private sector provides resources and provision in line with plutocratic principles, that is, in exchange for equity. As every citizen’s ability to accumulate wealth and capital is different (Rawls, 1999), so is their ability to purchase security from profit-making bodies. As such the concept of justice, and the principles it ascribes to, is incompatible with the concept of profit, ‘if privatisation is understood as implying the notion of personal profit, such a notion directly conflicts with the requirement of impartiality, which is the constitutive of justice’ (Brodeur and Shearing, 2005: 395). Therefore suggesting that private security operates in the public interest is a difficult task.

Private security, by its very name, relies on ‘the ability and willingness to pay’ (Loader, 1999: 374), and as such, provision is closely linked to issues of wealth and social class. It is often remarked that those who can afford such provision, the middle and upper socio-economic groups, are actually the citizens who need it the least (Low, 2004). Due to their social mobility, facilitated by accumulated wealth, these citizens can often relocate to safer areas that possess much lower crime rates and social problems, leaving those of lower socio-economic status to suffer the consequences of crime (Low, 2004). Despite their ‘flight’ from these problem areas, a fear of crime still persists amongst the middle classes, fuelling a market for private security. Possessing significant resources, they can be said to acquire too much security when compared to the actual risks they face – basing their security on inaccurate ‘perceived’ risks. As a result it can be said that ‘the poor get justice and the rich get security’ (Brodeur and Shearing, 2005: 396); the ‘rich’ have the greater, excessive, ability to prevent crime occurring, whilst the ‘poor’ are limited to the after-the-fact services of the public police. Despite the fact that if the ‘poor’ had access to private

security they could potentially have more to gain than their wealthier counterparts (see chapter 2).

The use of private security, it is argued, can have a detrimental effect on the sense of collective and community through its use of situational crime prevention. Whilst SCP can prove successful at reducing crime rates by providing crime prevention methods tailored to a specific situation or context, it does so by creating and promoting a fear of 'others' through widening the focus of security from the observation of potential offenders to the engineering of physical space (Low, 2004; Smith, 2000). In doing so, SCP has the effect of orientating crime into a 'normal social fact' (Garland, 2001: 128) to be managed, and this has the resulting effect of increasing the pool of potential offenders and suspicion to include every individual; 'SCP emphasises specific situations, as opposed to the stable dispositions of individuals, as the interesting determinants of whether a criminal act would occur' (Smith, 2000: 147). It can therefore be argued that it is in the interest of the private security companies, motivated by profit, to cultivate this fear of 'others' in order to maximise sales. In order to create a continuing, and increasing, demand for security products, private security companies must devise new situations and threats to market to consumers; the fear of crime is 'an economic opportunity to be exploited' (Lyon, 2003: 67). This results in the increasingly fearful citizenry withdrawing further from the community in response to the perceived risks that they face from the constructed threat of the 'others' (Wilson-Doenges, 2000). Such a threat serves the private companies at the expense of the public interest.

The increased marketing and creation of new threats serves to bolster the revenues of private security companies (Crawford, 2003) and serves to create a security culture mirroring the trends of the modern age, one of excess. The increased diversification and commodification of security has resulted in a society that has seen the feeling of insecurity become dominant over that of security; Newburn (2001: 842) remarks that 'the very visibility of such hardware is a regular reminder of insecurity'. This has in turn created a seemingly endless demand for security, and security products, which has confirmed the insecurities of many citizens, and thus the circle is repeated (Loader and Walker, 2007). In essence, too much security reinforces citizens' insecurities and fears resulting in increased 'perceived' risk; "my" increased protection is bought at cost of "your" increased risk' (Duff and Marshall, 2000: 25). One only need examine recent crime statistics to observe that whilst actual crime is falling, insecurities and fears are rising. It can also be observed that, in the culture of excess, discrepancies between 'actual' and 'perceived' risk are at their greatest at a time when private security is most prevalent, to which Lichtenstein et al (1978: 575) conclude 'fear sells'.

A significant factor driving the increasing demand for private security is that of individual risk and fear (Liska et al, 1982). The introduction of security providers other than the state, coupled with the state's policy of responsabilisation, has seen issues of security transferred to the individual level (Home Office, 1995). In turning the issue of security away from one of collective state provision into one of subjective individualism, individual feelings, personal experiences, and understanding of risk replace the objectivity and expert knowledge of the state. This results in security provision becoming fractured, with the (as close to) uniformity of collective state security provision being supplemented by an uneven distribution of private security

products and services, dependant on a citizen's own unique sense of fear (Loader and Walker, 2007); 'policing now reflects the processes of pluralism, desegregation and fragmentation which have been seen as the hallmark of the Postmodern' (Newburn, 2001: 835). A citizen's access and availability of equity serves as an overriding, and dichotomising, factor in this patchwork of private provision, allowing those with greater equity to procure a greater level of security in response to their disproportional fears (Low, 2004). Whilst, at the same time, increasing the 'actual' risk to those citizens who cannot afford extra security, as, according to environmental criminology, 'crime is not abnormal but rational; criminals choose to commit crimes when the expected gains outweigh the expected costs' (Sherman, 1995: 104). Situational crime prevention, therefore, has the potential to displace crime away from the citizens who can afford SCP and foster it into those citizens who lack the equity to purchase; 'would-be burglars turn their attention from well-protected houses to others which are less protected' (Duff and Marshall, 2000: 25).

It can be argued that citizens have a right to purchase additional security from private providers, even if it is in response to an over-inflated sense of risk, in order to 'fill the gap' (Lipson, 1988: 16), in their eyes, left by the state. The existence of private security could be considered an 'extension of the age-old principle of self-help' (Stenning and Shearing, 1979: 268). That is, the principle that citizens are entitled to take steps to address deficiencies that, in this case, revolve around their feeling of security. The previous point argued that private security could be considered unfair, and against the public interest, as it is biased against those of lower socio-economic standing. Taken from the other side, however, it could be considered unfair to prevent individuals from purchasing private security simply because others cannot. In ruling that private security is against the public interest, due to the necessity of equity, it forces those who feel they need extra security to suffer the effects of their feelings of 'perceived' risk. These anxieties and the prevalence of risk, and therefore this scenario, are now 'an endemic feature of the "local structures of feeling" in the late modern British city' (Newburn, 2001: 836).

The argument here is both a normative and moral one, and is one that questions which option is the lesser of two evils and therefore represents the least negative impact on the public interest: allowing citizens to purchase private security at the expense of others, or preventing those individuals who desire extra security from the private sector from purchasing it because not everyone can afford it. The values of democratic society suggest that it is better to allow individuals to make free choices rather than restrict them. It could be argued, however, that individuals are not able to make free choices regarding security due to the vicious circle of insecurity that it brings with it.

In order to mitigate, or retreat, from this ethical and moral dilemma, it is worth considering why individuals at the basic level are demanding additional security and seeking it from non-state actors. Private security companies can attribute, at least to a degree, their continued existence to the public demand for their services. It must be questioned as to why citizens are not turning fully to the state for extra security. One answer is that the concept of security, and the ability to 'feel' secure, is so subjective and individual that the state is simply unable to meet the demands of, potentially, 60 million different citizens demanding the corresponding number of unique security solutions resulting in the provision of security becoming 'ever more fragmented and

commodified' (Loader, 1999: 374). The state is simply too restricted by its limited resources and, partly out of the fear of over-policing its citizens, its precarious position in the Postmodern era to do this, leading to the state 'being unable to provide the appropriate level of security demanded' (Button, 2007: 110). Therefore, it could be argued, the private security industry is providing a public service role by filling the security gaps left by the state in response to public demand – even if they do proceed, for the purposes of profit, to stretch these gaps a little wider.

However, the extent to which private security is able to 'fill the gap' (Lipson, 1988: 16) supposedly left by the state is limited. Putting aside the technological aspect of private security, such as alarm systems or CCTV, and turning attention to the manned private security sector, which outnumbers the public police two to one (Button, 2002: 98), it can be seen that their powers and responsibilities differ greatly from those of the public police. Private security derives its power from private property and the property rights invested in the owners of such property; private security personnel act as agents of the owner and are responsible for enforcing their rights (Stenning, 2000). In public areas and spaces, the powers of private security personnel are limited to that of the average citizen, creating a situation in which private security are 'generally restricted to the private settings of their employers' (Marx, 2001: 166), though the extent to which this is true varies from jurisdiction to jurisdiction. In recent decades, however, there has been a rise in 'mass private property', such as shopping and recreation centres, which are publicly assessable but privately owned. This rise in mass private property increased the number of 'environments conducive to forms of private policing' (Kempa et al, 2004: 562) and has expanded the reach and amount of contact that private security personnel have with the average citizen.

Access to these publicly accessible private areas is on condition that a citizen accepts the rules of the owner, which in many cases results in the suspension of citizens' rights in areas of behaviour and dress code. Failure to adhere to these rules may result in the exclusion from these private premises (Kempa et al, 2004; Presdee, 2000; Stenning, 2000).

The private security sector, despite the trumping of certain citizen rights and their resultant 'policing of social behaviour' (Presdee, 2000: 161), plays a public interest role in the case of mass private property. As these properties are privately owned yet publicly accessible, they constitute private land and because of this the public police are limited in their powers and ability to police these areas (Stenning, 2000). However, areas in which there are large congregations of individuals require policing, and this is where the private security personnel play a key role in maintaining the safety and feeling of security of the law-abiding majority; 'members of the public may feel more confident about the levels of protection afforded to them as they navigate and negotiate public space' (Innes, 2004b: 161).

The policing of private spaces by private security personnel is but one example in which the private security sector can play a public interest role by relieving the burden on the public police and criminal justice institutions. Despite the fact that 'a great deal of private security work is low-status, largely unskilled and unrewarding work' (Stenning and Shearing, 1979: 266), the private sector has begun to mirror, if not take on, many of the policing roles formerly undertaken by the public police. (Kempa et al, 2004) These roles range from the policing of sporting events, where the

private stewarding companies are in charge, with the public police simply maintaining ‘a presence outside the grounds’ (Jones and Newburn, 1998: 59), to the complete running of prisons – possibility also privately built – of which there are presently 11 in England and Wales (HM Prison Service, 2006). Similar privatisation has occurred in the areas of prisoner escorting and the provision of cash-in-transit services. The major public benefit from the privatisation of these services is that it frees up many of the scarce public sector resources for use elsewhere and often delivers better ‘value for money’ (Home Office, 1995).

One of the principal concerns over the use of the private sector in public and private policing roles is that of accountability. Structures of accountability are clearly evident and abundant in the public sector, ranging from the internal systems of checks and balances to the plethora of external policing authorities, interest groups, and municipal authorities, cumulating in accountability to the relevant government minister (Button, 2007; Button and George, 2001; Stenning, 2000). It is often remarked that the private sector lacks such accountability and therefore is free to conduct itself in a manner that may go against the public interest. Yet there is an abundance of government legislation and contractual practices that provides both formal and informal means of accountability (Button, 2007; Button and George, 2001; Stenning, 2000).

For instance, the Guard Dogs Act of 1995 sets out the ‘conditions of use’ of private sector guard dogs (Button and George, 2001: 57) and the Police Act of 1964 makes impersonating a police officer a criminal offence and as a result ‘influences the uniforms of private security officers’ (Button and George, 2001: 57). Similarly, Acts of Parliament control the use of firearms and other weapons. The newly established Security Industry Authority (SIA) now regulates and licenses the private security companies and personnel, setting training and vetting requirements and, upon satisfactory completion, issues licences to personnel; SIA training requirements amount to ‘30 hours...including 22.5 hours of knowledge-based training and 7.5 hours of practical training’ (Button, 2007: 115).

The contracts offered to private security companies set out many of the requirements and objectives that they must attain, and set out the penalties for failing to do so; ‘liability for breach of contract is another area of civil law which provides opportunities through which private policing may be held accountable’ (Stenning, 2000: 344). These contracts can be very lucrative – in 2004 Premier Custodial Group won a *£300 million* contract for prisoner escorting in the south east of England (Serco, 2004) – and as a result there is an immense pressure to retain them by adherence to the contracts. The impetus to follow the rules set forth in the contracts demonstrate, in addition to legislation, that there is indeed a degree of accountability to be found in the private sector; this accountability assists in keeping the private sector operating in the interests of the public.

Forms of accountability found in the private sector may be different to those of the public sector but they are methods that ‘may be no less effective in influencing or preventing or reducing abuses’ (Stenning, 2000: 345) than those found in the public sector. As a result it is argued that they have the potential to serve the same interests as the public police; this is an issue to be explored in the following chapter.

### **Chapter 4 – Private Security: Creating a New Style of Policing?**

*'The use of private security companies is often regarded as a lower political commitment that reduces the need to mobilise public support'*

(Avant, 2005: 133)

Private forms of security have been in existence long before the state took on its role as the main provider (Johnston, 1999); the origins of private policing can be traced back to when 'man began to domesticate animals and graze his herds' (Lipson, 1988: 12) whereas the majority of public police services were formed in the 19<sup>th</sup> Century as a result of 'social and governmental conditions' (Johnston, 1999: 177). This fact, despite the 'rebirth' described by Les Johnston, dispels the notion that private security is a new phenomenon. This re-birth and notable expansion seen over the course of the late 20<sup>th</sup> Century has seen the role of the private sector change and widen.

The private sector is now being utilised by the state to carry out many policing functions that were previously its responsibility, these are wide ranging, as previously discussed, from monitoring parking to running prisons (Kempa et al, 2004). The privatisation of these roles has brought the private sector into a more prominent position and relationship with citizens; coupled with the state's policy of responsibilisation, the average citizen can be forgiven for thinking that the state is retreating from its (relatively) newly acquired role as main security provider.

Whilst the role of private security may have been enhanced in recent decades, it can be argued that little has changed in the way these roles are carried out. The public sector, as often remarked, tends to over-police those of a lower socio-economic background; 'police activity has always borne most heavily on the economically marginal elements of society, the unemployed (especially if vagrant), and young men' (Reiner, 1992: 770). These individuals are referred to, amongst other things, as 'police property' (Cray, 1972). This term serves to represent a collection of 'usual suspects', the group of citizens first investigated when a crime occurs.

A similar approach is taken by the private sector whereby those termed as 'police property' are merely relabelled as 'flawed consumers' (Baumann, 1997: 14), citizens viewed in a crime prevention gaze as having little economic contribution to make. These 'flawed consumers' are then the targets of observation, action, and exclusion from areas of mass private property and are viewed with suspicion by security personnel as inevitable offenders (Baumann, 1997). Thus a duality can be seen; those citizens marginalised and persecuted by the public sector are treated in a similar way by the private sector. One example of this can be demonstrated through the increasing rise in the number of public spaces now falling under private ownership (Shearing and Stenning, 1983), and thus private policing authority; avenues where those deemed police property/flawed consumers can engage in social interaction are steadily becoming fewer (McAra and McVie, 2005). This leads many young people to congregate in groups on street corners, one of the few 'public' places remaining, thus perpetuating the cycle of public police contact though the fear (intentional or not) they generate and their subsequent labelling as 'police property'; this is one example of certain 'lifestyle choices on the part of young people which put them at greater risk of exposure to the police' (McAra and McVie, 2005: 6). Such social exclusion serves as a catalyst for the making of offenders, and the process is furthered when private

security chooses to exclude them from public spaces.

The mimicking of practices can also be seen in reverse; the popularity, and profitability, of the private security model has seen many business-like practices being adopted by the public sector (Crawford et al, 2005). For example, businesses and municipal authorities are able to hire additional public police officers and community support officers (CSO), for a price, to serve their interests. It must be noted, however, that unlike private security, operational control remains with the suppliers (the police) rather than the employer; ‘one of the central difficulties that “consumer needs” present for the police in selling patrol services revolves around the issue of operational control resting with police managers’ (Crawford et al, 2005: 21). While private security may not be a new style of policing, its practices may be contributing to a new style of public policing.

The extent to this duality is, however, limited. Private security, as a commercial operation, has the ability to conduct itself in ways in which the public sector would be unable to do so, ‘undertaking a wide variety of enforcement actions that would be illegal for the public police to engage in’ (Ericson, 2007: 158). As previously discussed, private security, when empowered by owners’ rights, have the ability to ‘trump’ many rights of the citizen by subjecting individuals to certain conditions of entry into spheres of ‘mass private property’ (Shearing and Stenning, 1983; Stenning, 2000). Such conditions, including searching of possessions and persons, would be unthinkable to the public police without legislated legal authority. It could be argued that this only serves to further the injustices faced by those deemed ‘flawed consumers’ in the pursuit of the safety and security of the ‘majority’.

This is not to say that private security is free from the effects, and control, of government legislation. As demonstrated in chapter 3 there are many examples of legislation that have a direct impact on how private security can operate (Button, 2007; Button and George, 2001, Stenning, 2000).

The differing way in which private security operates, and its effect on the public with which it interacts, is rooted in the differing operational mandate it has compared to that of the public police. Private security is focussed on preventing offences from occurring, rather than the prosecution of offenders. This is based in the fact that private security is a commercial operation paid by individual citizens or businesses to protect assets (Button, 2002). A significant element of private security is loss prevention and can be seen in many guises, including preventing loss of independence through fear of crime as detailed in chapter 2, but also commercial profit prevention, which has become ‘progressively more complicated, and the flexibility and malleability required under late modern conditions favour private over public provisions (Newburn, 2001: 836). In the case of profit prevention, a degree of criminality may be tolerated if the costs involved in preventing it outweigh the benefits.

In either case, the role of private security is a supplementary one, aimed at preventing crimes from occurring in the first place or responding to subjective psychological fears about becoming a victim of crime. The crime, and fear of crime, deterrent ability of private security has been recognised by the state and through the provision of block grants to municipal authorities, the state has funded increased access to private

security in communities that could not afford to purchase it themselves (Crawford et al, 2005).

It is interesting that the state chooses to allocation additional funding to pay for private sector services rather than its own public police; this funding could be considered as part of government policing spending and, in addition to responsabilisation, representing another form of ‘governing at a distance’ (Garland, 1997).

## Conclusion

Brodeur and Shearing (2005: 395) remark that ‘there is no divorce between the individual and collective with respect to security’, and whilst equity can have an impact on this view, it can be argued that any harm to the collective would have a harmful impact on the individual, and vice versa. However it has been shown that society is becoming increasingly individualised and the sense of ‘collective’ is becoming an outdated notion; to what extent private security is to blame for this is debatable. Does private security cause the decay or is it merely responding to it? One must consider the role of globalisation, immigration, and education to name but a few; such changing social geography encompasses ‘the “privatisation” of public space, the rise of “mass private property”, the development of “zones of private governance” and defensive crime prevention strategies, and a consequent decline in civil society’ (Newburn, 2001: 829). The conclusion demonstrated throughout this paper should be that whilst private security is responding to a public demand caused by community decay, it has found itself involved in a vicious circle and has thus become a constituent part of this decay. Responding to increasing concerns over security has created a society with an increased reliance on private security, which has done little to stop further weakening of societal bonds.

Whilst accepting that individuals are feeling less secure than in previous decades, it must also be concluded that the collective – as a community – is also less secure. Private security has been seen to respond to individual concerns through situational crime prevention, but also to collective concerns through privatisation of public policing roles, ‘filling the gaps’, and providing policing to the plethora of mass private property where citizens are spending an ever-increasing amount of their lives.

However in its efforts to fill the gaps left by the state and by providing security in mass private property, the private security sector is employing many of those tactics used by the public police. These tactics, such as the profiling and policing of ‘flawed consumers’ as troublemakers, may be to the benefit of the majority through the increased safety and reduced fear that the exclusion of certain elements of ‘police property’ brings. This may ultimately, however, be counterproductive, and go against the public interest, as those individuals excluded by both the public and private police see a weakening of their social bonds, thus increasing their likelihood to commit crime.

The use of private security can be of great benefit to the public through the reduced sense of fear and the deterrent effect that it can have on potential offenders. Citizens, in the age of an increasingly remote public police, are looking for reassurance and security and for the most part the private sector can supply this. Ironically, this comes at a price, as, with the public police, it is ultimately the interests of the majority that are served by private security, as a result of either labelling or equity, leaving a significant minority deemed of lesser value subject to exclusion and distrust.

The increased use of private security services normalises the issue of crime and security to the point that it actually becomes self-defeating; an excess of security serves to remind citizens of the very insecurities that they employ private security to protect them from.

Does private security serve the public interest? Ultimately yes, but not all of the *publics*; merely those in the majority who are not 'flawed consumers' or 'police property', and to a lesser extent, those who can afford it, and ultimately private security 'cannot offer a general social solution to the problems of crime and violence' (Garland, 2001: 204).

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