# Private Security in Europe: towards a European private security model for the future

- 'Current notions of what is desirable and practicable are still of a kind which may well produce the opposite of what they promise<sup>1</sup>' -

Veerle Pashley Marc Cools

#### 1. Introduction: developments in European private security

The private security industry is becoming conspicuously important in international security strategies. Over the years, countries continuously invested in private forms of policing, due to administrative, economic and scientific tendencies (Cools, 2002: 134). This trend is not restricted to Europe, but occurs worldwide (Sarre, 2008: 301). Nevertheless, this article will focus on the existence and operational practices of private security in certain Member States of the European Union (EU). Reason for this is the unique realization of the White Papers. Ever since 2008, annual European private security summits are held discussing judicial, administrative and operational aspects of the sector. The first summit was held in France, endorsed by a standing European Union or EU presidency (Cools, Davidovic, De Clerck & De Raedt, 2009: 123; White Paper, 2008). Sweden (representing the Nordic private security model) and Belgium followed the tradition (Cools, 2009: 12; White Paper 2009 & 2010). In organizing the summits, the related countries create a 'White Paper', a document reporting on national private security of the residing state taking into account its position in European security. Although these papers do not have the intention to create a scientific report (White Paper, 2009), its manifestation provides an important overview of the sector.

Considering the fact the sector is trying to develop a single European private security market, the White Papers offer an opportunity for an in-depth examination of the structure of the sector as well as its role in overall European security policies. It is therefore of the utmost importance in criminology to focus on these documents. Consequently, the aim of this paper is to examine precisely how the private security sector wants to contribute towards the creation of a single European private security market and to explore the role and content of the White Papers. We will also discuss some critical remarks.

This article examines three research objectives. The first section of the paper will focus on the meaning and aim of the White Papers as well as their contribution in the creation of a single European private security market. We will also discuss the overall size of the sector in Europe. Secondly, the article will compare and evaluate the private security industry in France, the Nordic Countries and Belgium, as it is expounded in the White Papers. In examining the administrative and economic structures, private-public collaboration strategies, legislation, security services and training, we will present a criminological assessment of the sector, as it is active in these regions. Lastly, the article critically assesses the international private security model. Since new transitions are tangible, we will examine whether or not the

<sup>&</sup>lt;sup>1</sup> F.A. Hayek (1944). *The road to Serfdom*, London: Routledge, 223.

current ideas are still applicable. Subsequently, we will also present some ideas regarding the creation of a scientific European private security model for the future, as we believe that the aforementioned initiatives require new lines of thought. Especially, since the White Papers aim to enhance social dialogue between European countries and the precise achievements to accomplish these developments currently leaves many questions unanswered. Because these considerations require a broader theoretical approach, the last section will mainly focus on a philosophical (and economical) reflection.

#### 2. Lifting Private Security to the European looking-glass: the White Papers

The private security industry has encountered a fledged trajectory in a short period of time (Smith, 2010: 3). Not only nationally, also on a European level. Although private security is of all ages and cultures (South, 1988: 16), having in some ways an historic longer tradition than public forms of policing, its expansion and organizational formation has not so long ago been judicially anchored in national policies (Button, 2007: 109; Johnston, 2000: 29). Since the end of the Cold War in 1989, the political community involved private input, the rise of global economy created transnational capabilities for free trade without being bound to national borders and societal changes meant the upcoming of moral 'risk-led' panics (Cools, 2002). This inevitably meant transitional modifications towards the international security landscape. Consequently, European security measures more and more appeal to the private industry. If we take a look at the Stockholm Program (2010), we can ascertain an important interest to encourage transnational private – public partnerships (e.g. cybercrime). These actions require a growing need for the private security industry to enhance their ties with international institutions.

In light of the transnational developments, CoESS or Confederation of European Security Services was founded in 1989. It is an umbrella organization aimed at the harmonization of national private security legislation and regulation as well as to become the spokesperson for the industry in relation to the European Institutions and other stakeholders. Together with UNI-Europa (a European trade union federation for communications and services), CoESS takes part in the social dialogue committees, an initiative of the European Commission focussing on the creation of a single European market.

In January 2004, the European Commission published a draft directive with the aim of creating an internal market for services, including security (Button, 2007: 109). This initiative should enable circulation between sectors (known as the Bolkestein - directive). Nevertheless, ever since the document was published, it created a considerable stream of debate. Consequently, at present there are no common EU minimum standards regarding private security which could assure the maintenance of quality, including licenses for private security companies and officers, training, control and sanctions (White Paper, 2010: 35). Concerns were postulated on both administrative and judicial levels. First, questions arose towards sector-control and licensing. Private security in most European countries is a form of 'policing through government' (Loader, 2000: 327), meaning that security organizations and/or their personnel are administratively enlisted and have to obtain a license (which must be renewed over a certain period of time) in order to deliver services. This indicates the industry is bound to policy control and is not so 'free' as is generally assumed. Since the goal of the directive is to remove 'authorization schemes' (European Commission, 2004; Button, 2007: 109) the sector itself resisted the directive and proposed not to include private security in the area of application or to implement specific basic exceptions (CoESS, 2004: 22-23). In

general, there were concerns regarding the provision of quality as well as professional work conditions for companies and their personnel.

A second remark was made concerning the judicial and cultural differences between countries (CoESS, 2004: 23). Following the directive's statements this would implicate that a private security company in one country could offer its services in a another country, without being bound to its regulatory system. Varieties in training, for example, could have an impact on quality standards since some countries have clear-cut guidelines while others do not have specific requirements at all. As an outcome, this could pose international problems regarding quality and accountability. Nevertheless, despite all these obstacles, the main goal of the industry's umbrella organization remains to contribute and achieve a single European security market.

#### 2.1 Preventing a downward spiral

As mentioned earlier, national legislation regarding private security in most countries is rather recent. Viewed on an international scale, it has taken the sector a considerable amount of time to be recognized as a partner in the security chain. The structural and concerning content of the legislation, however, varies tremendously from country to country (strict – intermediate – flexible; White Paper 2008). Evidently, this diversity is directly linked towards the political and judicial environment of the nation in question. Issues like the protection of privacy, accountability and civil rights all take part in the way national legislation is embedded. This especially accounts for countries having strict legislation, often elaborated into the tiniest detail (as is the Belgian case; Van Der Burght & Cools, 2009), implicating the private security sector does not have much freedom of movement.

In creating conditions towards a European market for private security (which is referred to as the European Model of Private Security; CoESS, 2004), the sectors' main challenge is to avoid a downward spiral and counter the conditions that could prevail a so-called *'market failure'* (e.g. the entrance of false contractors and companies viewing security as a product instead of a service). In this light, CoESS views this strict functioning as a benefit considering the fact it can enhance quality of services and therefore promotes an *'upward harmonization'* as part of an integrated approach (CoESS, 2004: 23) meaning international achievements should begin with national rectifications. Therefore, a more profound partnership between the private security industry and European institutions is needed in order to have a coordinated regulatory framework. At present, there is a sharing of experiences between European countries. In doing so, the sector searches the necessary baselines upon which minimum standards can be formulated. The European private security summits and the White Papers play an indispensable role in overcoming the aforementioned differences between national political discourses, regulatory standards and market systems.

In December 2008, the first White Paper was realized and launched at the private security summit in Paris represented by the former French Minister of Interior Michèle Alliot-Marie, the 'Institut National des Hautes Etudes de la Sécurité et de la Justice (INHESJ)<sup>2</sup>' and CoESS. It was officially endorsed by a standing European Union or EU presidency and aimed at private security companies, the European Commission, professionals, academics, researchers and experts (White Paper, 2008: 11). The intense lobbying of CoESS on one hand and the

<sup>&</sup>lt;sup>2</sup> The French 'National Higher Institute for Security Studies' (created in 2004 by N. Sarkozy) aims at creating a security culture towards threats and risks (Cools, Davidovic, De Clerck, De Raedt, 2010: 125).

current French security approach on the other (Cools, Davidovic, De Clerck & De Raedt, 2009) made it possible for the private security industry to start creating a single market. The creation of the document was an important undertaking considering the fact it has never been done before on such a large scale. It provided the occasion for the private security industry to disseminate national regulatory systems and information regarding services, training and collaboration strategies. Thus, it offered the baseline to harmonize social dialogue and to search for common standards. Ever since this first conference in 2008, European summits are annually organized stimulating other countries to describe and assess their national private security discourse as well as their position in overall security strategies. As a result, the sector can be examined and discussed on a national as well as on an international level, creating possibilities to strengthen the private security discourse in Europe meaning that in the long run, cultural and judicial differences can be transcended.

Taking all these developments into consideration, certain forms of strict legislation and practices can also prevent the sector from achieving international quality. At present, aspects like training, practical work conditions, partnerships and services, have in several countries very defined barriers, leaving not much room for improvements. Following chapters will clarify these difficulties more precisely as we will discuss the content of these White Papers. First, we will discuss the overall size of the private security industry in Europe.

# 2.2 The growth of private security in Europe: measurements for knowledge or knowledge for measurements?

Examining private security research up till now, we can indicate a ubiquitous interest in measuring the sector at a European level (e.g. Cools, 2009; CoESS, 2008; Button, 2007; Van Steden & Sarre, 2007; CoESS, 2004; De Waard, 1999; Dedecker, 1991; Ottens, Olschok & Landrock, 1991). The same accounts for the content of the White Papers. In examining all the provided data, one key conclusion is formulated, stating the demand for private security on one hand and the supply of safety measures on the other is significantly growing. Throughout Europe, countries more and more account on the services of private security companies, indicating the sector is viewed as a vital partner in the prevention and detection of crime (Button, 2007: 110). However, these past studies mainly offered fragmentized figures. As a result, certain trends and variations could not be analyzed. The White Papers try to fill in this gap, since several sections of the documents focus on a quantitative overview and evaluation of the sector. An exception is the first White Paper, which discussed a statistical evaluation based on data from 2004 and 2005 (Cools, Davidovic, De Clerck & De Raedt, 2010: 129), meaning there was no revision at hand since the figures were outdated. The following White Papers (2009; 2010) rectified these statistics and presented a model whereby future papers can update the figures. This initiative enhanced the trustworthiness of the statistical data by using a standard methodology. The updated data for 2008 and 2010 present an enlistment of the participating (EU-Member) States in the CoESS survey<sup>3</sup>, the population, the number of private security companies, the number of personnel in the private security sector, the number of personnel in the public security sector, the police force ratio per 10,000 inhabitants and the private security force ratio per 10,000 inhabitants.

<sup>&</sup>lt;sup>3</sup> These thirty-four countries are (CoESS, 2008):

<sup>-</sup> The twenty-seven EU Member states (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom).

<sup>-</sup> Seven countries mainly located in the South – Eastern part of Europe: Bosnia – Herzegovina, Croatia, Macedonia, Norway, Serbia, Switzerland and Turkey.

In evaluating the presented figures of the White Papers<sup>4</sup>, we can stipulate the private security industry in Europe is indeed significantly growing. In 2010, 43% of the overall security personnel work in the private sector and 57% in the public police industry. The number of companies in 2010 has risen by 1,786 entities compared to 2008. France, Germany, Hungary, Poland and the United Kingdom<sup>5</sup> have the highest concentration of private security personnel. In 2010, Turkey follows the list. Given their large population figures, it is not surprising these countries have the highest scores. Only Italy has invested very little in private security in comparison with their public security personnel. Mostly 'new' EU Member States such as Hungary, Bulgaria, the Czech Republic, Poland, Romania, Latvia and Estonia have a higher concentration of private security. This trend is visible in 2008 as well as in 2010, although some figures slightly descend or increase. Reason why these countries invest more in private security than public policing is presumably linked with their increased economic and scientific interest towards the free market (Bures, 2005; Kalesnykas, 2007; Cools, 2009: 9; Magone, 2011: 508-510). Luxembourg, Ireland and Portugal also have a higher private security amount. Countries with a high concentration of public security in comparison with private security are Italy, Bulgaria, Lithuania, Spain, Malta and Greece.

Comparing the private and public security ratios, we can dilate following results. Ten countries have invested more in private security and less in public security. These countries are Hungary, Bulgaria, the Czech Republic, Luxembourg, Poland, Romania, Ireland and Finland. Their private security ratio in 2008 and 2010 is higher than their public security ratio. Several countries present fluctuating results. In 2008, the private security ratio in Estonia, Norway and the United Kingdom is higher than the public security ratio. This changed in 2010. The opposite also accounts. In 2010, the private security ratio in Slovenia and Turkey is higher than the public security ratio, which was different in 2008. Countries having a private security ratio, which is more or less the same than their public security ratio, are Switzerland, Serbia, Norway and the United Kingdom. It is important to stipulate these statistical results mainly abstract dynamics within the European private security industry and represent the ratios between private and public security forces in accordance with the population. We can ascertain these ratios conspicuously vary amongst the examined countries, indicating that an explanatory model is needed. The first White Paper mentioned the significance of the variable "size of public force" as a possible parameter (2008: 28). However, this accounts only for a limited group of countries. The results neither implement cultural nor national explanations, such as judicial, social and economic dynamics of the private security industry in itself taken into account the divergence of structure, command, aims, activities and methods.

Although these results present interesting estimates, scientifically speaking, most remarks regarding the White Pares are linked with the statistical overview. The White Papers give no insight into the methodology. Hence, we have little knowledge concerning data collection (e.g. the used sample, the selection of respondents) as well as data evaluation. Also, taking a closer look at the figures we can ascertain some countries have the same results for 2008 and 2010. Other countries (e.g. the United Kingdom and Turkey) have extremely fluctuating figures. It is not entirely clear why these differences are present, but we can extend the hypotheses that quantitative data gathering often implicates a certain amount of non-response. All in all, quantitative data gathering regarding the private security industry comes along with difficulties that are indirectly linked with the specificity of the sector. The private security industry in itself is neither homogenous nor clearly defined. It consists of many 'types' of

<sup>&</sup>lt;sup>4</sup> Readers interested in a more detailed overview can download the White Papers at following website: <u>www.coess.com</u>.

<sup>&</sup>lt;sup>5</sup> The United Kingdom consists of England, Scotland, Northern Ireland and Wales.

organizations, ranging from small to medium to large enterprises, meaning there is an existing variety. The nature of the services also differs amongst companies, implicating there is a divergence of structure, command, aims, activities and methods (Cools, Davidovic, De Clerck & De Raedt, 2010: 126). The industry is also difficult to define because some companies exclusively offer security services, while others extend a multitude of activities which are not entirely focussed on security. This challenges data collection. Previous research already indicated that one must be careful in interpreting statistical information (Enhus, 2006: 31), let alone in stating that we have knowledge through measurements. Taking these sector-specific difficulties into consideration it could be interesting in using a methodological system, taking into account a more profound conceptualization and aiming at variations.

# **3.** The White Papers expounded: private security in France, the Nordic Countries and Belgium

It is important to underline the White Papers never intended to provide scholarly insights. The main objective is to find access towards the creation of EU minimum standards in private security. This is certainly the case for the first White Paper in 2008. Nevertheless, the documents of 2009 and 2010 did implement important scientific knowledge. As a result, the papers now report on the structure of private security and its role in overall (European) security referring to pioneer research. This means the sector not only surrounds sector specific tools, but also opens a door towards the academic world.

The content of the three White Papers varies tremendously, which makes it difficult to provide an adequate comparative analysis. The first White Paper, elaborated in France, provides a general overview of the private security industry, as it is present in current EU Member States. This means countries like Norway are not included. The paper tries to identify categorisations regarding services, private – public collaboration strategies, legislation, sector control, licenses and training, as they are evaluated in the selected countries. Errors were made in the 2008 White Paper regarding the quantitative figures (which were rectified afterwards). Also, the explanatory models concerning the growth of the sector were fairly limited and poor, methodological clarifications were ignored and scientific sources not admitted (Cools, Davidovic, De Clerck & De Raedt, 2010: 129-130). The last two papers provided a more in-depth overview of the industry on a national basis, focussing on judicial, administrative and sector-specific structures.

This part of the article will compare and evaluate the private security industry in France, the Nordic Countries and Belgium, as it is expounded in the White Papers. We will examine the administrative and economic structures, private-public collaboration strategies, legislation, security services and training, as it is active in these regions.

#### 3.1 Administrative evolutions and economical structures

The last four decades (1970 – 2010), many administrative changes took place. New forms of public management arose in most European countries, including France, Belgium and the Nordic Region (covering Sweden, Denmark, Finland and Norway). The 'rigid Weberian' public administrations of the 1950s and 1960s, being hierarchical and bureaucratic, were replaced by more flexible, free market oriented structures. This inevitably had an impact on national political and economical structures. Most European societies have a 'mixed' economical system: planned economy and capitalism. As a result, a diversity of public-private

partnerships, including security, was formed in European countries improving services and reducing costs (Magone, 2011: 233). States are therefore no longer the sole mid-point around which societies are organized (Cools, 2002: 145), impacting organizational structures.

Cultural differences have an impact on how private security is nationally structured effecting administrative models. This is not different regarding the evaluated countries, which can be categorized in three explanatory models. Belgium, for example, takes part in the economic West Central *Benelux model* (Belgium, the Netherlands and Luxembourg). They have consensus democracies and their historical backgrounds are intrinsically linked. The Benelux model shows similar features with the 'Drei – Sat countries' (Germany, Austria and Switzerland). Belgium as a nation, established after 1830, is influenced by French public administration and originally had a centralized structure. However, since 1993 Belgium became decentralized. The three Belgian Regions (Flanders, Brussels Capital Region and Wallonia) vary in economical structure and political decision making, meaning the position of private security in these regions varies. The free market is e.g. more present in Flanders, whilst Wallonia generally favours a more welfare-oriented administrative structure (Magone, 2011: 252).

The high civil service characterizes the *French Model*. Known for its fifth republican structure, France is one of the three most powerful countries of Europe (next to Germany and the UK). Although private security has always been more or less tolerated in the national security framework, the administrative approach under the leadership of president Sarkozy made it possible for the sector to develop even further. It is also under his EU presidency in 2008 that private security could start searching more intensely for common standards on a European level (Cools, Davidovic, De Clerck & De Raedt, 2010).

The *Nordic Model* on the other hand is characterized by its welfare-oriented approach, which can be found in all related countries. The political definition of the model involves Sweden, Denmark, Norway, Finland and Iceland. The latter is not included in the Nordic model of the White Paper. Reforms such as marketisation, autonomisation and privatisation came about in these countries at a very slow pace, affecting the intensity of public – private collaboration strategies (Magone, 2011: 254). Also important to mention in discussing private security in the Nordic Region is that Norway is not a Member State of the European Union.

France, the Nordic countries and Belgium have *high levels of economic activity, welfare generating and distributing*. Especially France, since it is one of the three countries in Europe having the largest GDP<sup>6</sup>. But what can we say about the economic investments in private security in these three regions? It is clear that most private security companies are small and micro firms. The industry also has a lot of SMEs (Small Medium Enterprises). In a free market structure such a diversification is normal. Evidently, the amount and nature of services varies between these different types of organizations. It is also important to emphasize that not al companies exclusively deliver security. Although most firms belong in these categories, the MNOs (MultiNational Organizations) have gained most trust and reliance. Organizations like e.g. Securitas and G4S, have companies in several European countries and are visible in a large variety of places.

These economical structures and political models are important to bear in mind, because they partially explain why private security between countries (and regions within these countries)

 $<sup>^{6}</sup>$  GDP = Gross Domestic Product. It is an indicator of a nations economic situation. Germany, France and the UK have the largest GDPs.

can vary. Overall, security measures in these countries are distributed between private and public institutions. Viewed from a total scale, France is one of the countries with most private security companies and private security personnel, which is not surprising since it is amongst the larger populated and economic sound countries in Europe. In 2010, France has 39 % private security personnel and 61 % public security personnel. The Nordic Countries have rather small private security industries, probably due to their crime rates that are traditionally low (Van Steden & Sarre, 2007: 224). We also must not underestimate the demographic aspects. Even though Finland, Norway and Sweden are part of the larger countries of Europe, their population figures are fairly limited. Finland has 56% private employees and 44% public police forces. Exploring the three other countries it is quite the opposite. Denmark has a police capacity that is more than twice as high as its private personnel. Nevertheless, taken all the Nordic Countries into account, Denmark has the most security companies. The European private security sector also started in this country in 1901 (Ottens, Olschok & Landrock, 1999: 26). Sweden has invested most in private security personnel. We can state that 42% consists of private employees and 58% of regular police forces. Norway, being the most aggregated and lowest populated part of the region, has fluctuating results. In 2008 it had more private forces than public personnel (59% to 41%), which changed in 2010 (44% private employees to 65 % public police forces). As we can see, the private security industry differs in the Nordic Countries. Belgium has moderate figures compared to other European countries. In sum, 28% consists of private workers and 72% are regular police forces. Looking back at 2008 there were 25% private employees, which indicates that the industry is steadily growing upwards.

#### 3.2 Judicial inclinations of private security in France, the Nordic countries and Belgium

In most European countries, *private security legislation* was introduced during the 1990s, apart from Italy (1931), Finland (1944), Sweden (1974) and Denmark (1986). As we can see, most Nordic Countries invested early in private security. Norway, on the other side of the spectrum, introduced its first legislation in 2001. The criminal policy structure of Belgium, France, Sweden, Denmark, Norway and Finland has a defined place for private security (Cools, 2009: 12). All these countries have basic legislations wherein private security companies must be licensed and security guards must have a form of official vetting. Regular inspection is also a ground rule. Comparing all countries, when legislation came into force some private security companies were not licensed; others had for example voluntary licenses (White Paper, 2009). The main aim of the judicial text, as accounts for most European countries, is to ensure quality through strict license control and security checks.

As is expounded in the first White Paper, legislation throughout Europe can be divided in strict, intermediate and flexible structures. Belgium has very strict legislation, covering all aspects of the private security sector in great detail. It is generally seen a source of inspiration for other countries, since Spain and subsequently Portugal copied its judicial framework. Sweden is also evaluated as an example on 'how things ought to be done' in private security (Button, 2007). Strict legislation implicates restricted freedom of movement and limited actions of security guards. The other Nordic countries also have strict legislation, although Finland not quit fits in this categorisation. Moreover, Finland balances between strict and intermediate forms of legislation. Private security legislation in France can be categorized as intermediate. Their framework is developed according to need, avoiding precise conceptualisations of technical aspects (Cools, Davidovic, De Clerck & De Raedt, 2010: 127).

National legislation on private security covers a multitude of sector specific requirements. Comparing the White Papers we will shortly discuss some important aspects such as control, services and training.

Belgium, the Nordic Countries and France require approval of the public sector. This means strict licensing and control. In Belgium, the establishment of a private security company requires a licence from the Ministry of the Interior in consultation with the Ministry of Justice (Button, 2007: 117). The provincial government of Sweden decides whether or not a license can be granted. The National Police Board is also a responsible authority. In Finland, the Ministry of Interior grants licenses. Local police authorities in Denmark can carry out control of activities at any time; in Norway this function is granted to the Ministry of Justice authorities.

As for the activities or services, there is also an existing variety. Private security covers a wide range of services, such as guarding, airport security, guarding, transport of valuables, alarm control... Yet, the amount and nature of provided services is different between these countries. Swedish legislation for example does not cover cash-in-transit, alarm stations and in-house security. Additionally, the function of 'public space' also varies. At present, training is one of the most important aspects of private security. Through an efficient training program professionalism and quality can be developed (Van der Burght & Cools, 2009: 21-29). Private security agents in Belgium, the Nordic Region and France must receive training before being allowed to work. The duration of training however again varies tremendously. In Sweden and Finland security officers must achieve forty hours of training. In Denmark training is limited to twenty hours.

As we compare all these aspects, we can already see the difficulty of creating guidelines on a European level. Two basic problems arise: the *degree of legislation* (strict – intermediate – flexible) and the *variety of sector specific structures* (training – services – license/control). Additionally, we have only discussed the most important basic frameworks. Specific differences are also tangible regarding the use of firearms, renewal of licenses, entrance requirements and equipment. All these determinations challenge the creation of an internal market for private security. There is one important aspect, which has not yet been discussed. In all European countries, private security takes part in an overall security approach. Questions arise regarding private – public collaboration strategies.

#### *3.3 Private – public cooperation strategies*

All White Papers examined the structure and content of private – public collaboration strategies in great detail. The first Paper discussed overall knowledge defining four levels of private – public collaboration: cooperation (generalized – integrated – strategic – delegated), competition, coexistence and planned coexistence. These levels of cooperation can also be found in work conducted by Jones and Newburn (1988). According to them, collaboration strategies can be cooperative, competitive or co-existent. Although each White Paper tries to categorize private – public collaboration strategies, in comparing the results the distinction is not so easily made. In some ways there can be cooperation at various levels; at other levels competition or co-existence is also detectable. All White Papers examine and discuss issues hindering effective partnerships, which are mainly related with the competitive structure of the security market hindering a positive image.

In Sweden, an interesting study is published discussing several aspects of the private security sector in the Nordic Region. The White Paper provides results from a survey, which is taken by Almega mid 2009. The study in itself is not scientific, meaning there are no indications of the used methodology and it lacks references. Since research has been conducted in the Nordic region, this is a missed opportunity to compare and assess certain findings (e.g. Jorma Hakala, 1998). Nevertheless, the survey presented some interesting results, which were gathered through questionnaires. The respondents were police authorities, union organizations, executives from security companies and other relevant figures in the security industry, coming from Finland, Norway, Denmark and Sweden. One of the items examined the nature of private – public cooperation strategies. The survey highlights fluctuating results. It suggests that public - private partnerships are not always detectible or visible, due to the unclear nature of legislation. Regulations often fail to specify the areas wherein the public sector can cooperate with the private security industry. Certain opportunities are missed, failing to stimulate cooperation strategies. This accounts for all the related countries (Finland, Sweden, Denmark and Norway). Unfortunately, the survey does not focus on the areas in need for better collaboration strategies. Nevertheless, the results indicate there are close collaboration strategies detectable in specific intervention areas, such as airports and ports.

These results are also discussed in the Belgian White Paper. This document evaluates private – public partnerships from a scientific and judicial point of view. It also discusses how these collaboration strategies are structured in practice (e.g. it describes a variety of projects stimulating private – public partnerships). This third White Paper highlights the perspective of integral security management, being the current Belgian administrative security model. The document entails opportunities as well as pitfalls for future intervention strategies. Yet again the available legislation leaves many questions of concern. Over the years, private security has changed and developed. More and more citizens appeal to its services and collaboration strategies are often required. Also, public police authorities often demand opportunities for cooperation. And yet, the available legislation dates from over twenty years ago. It is not consistent with current transitions in society. Strict judicial inclinations affect proper collaboration strategies. It needs to be revised.

If we want to have a better understanding of future developments regarding private security in Europe, we must take into account international collaboration strategies. Therefore, we will discuss some theoretical frameworks explaining transnational partnerships. Up till now, this paper focussed on an in-depth evaluation of the content of the White Papers. The next section aims to discuss theoretical explanatory models implementing philosophical and economical reflections regarding private security. Since these aforementioned initiatives require new lines of thought, we will also present some ideas regarding the creation of a scientific European private security model for the future.

#### 4. Towards a European Private Security Model for the future

Through its meaning, scientific reasoning is led by knowledge. Knowledge is generated by continuously gathering information. Hitherto, a process comes about adding, adjusting and/or redefining scientific notions. As mentioned in the beginning, certain forms of private policing have a long and vast tradition. The role of the individual or the citizen always had a significant role in reassuring safety and security. However, it is not until the nineteenth century since theoretical input came about questioning the state's monopoly on police

systems, inspiring other scientists to contribute in this line of thought. It is precisely this first theoretical framework discussing how security and justice can be achieved in a free market structure exploring the baseline of its organizational existence. As several of its main principles are still applicable in contemporary society and criminological literature pays little attention to its conceptual framework, it is a necessity to examine its content since it exposes current challenges in a broader perspective.

#### 4.1 Security privately provisioned

The historical development of the free market was and is the starting point upon which private security arose. In this light, the interest of the consumer or any commodity should prevail over the interest of the producer. A model of *self-ownership* emerges, indicating individuals have the right to think, learn, value and choose for themselves without coercion of a 'higher institution' (Rothbard, 1973: 33). Translated to the provision of private security, the citizen or individual requesting security is the focal point. Following this reasoning, citizens can rightfully appeal to the free market in order to obtain security services adjusted to their needs. It offers a platform tuning supply and demand into each other. High quality must be provided at minimum costs. Based on these ideas, a conceptual framework established, offering an alternative in the provision of security. Build on its historical, philosophical, political and economical background, private security now has a growing function in society.

So how can security and justice be realized in a free market structure? Gustave de Molinari, a Belgian born "laissez-faire" economist, is often referred to as the first to contribute in how security and justice can be established in a free market structure. In 1849, he wrote the bound breaking article *'De la production de la sécurité'*, which is now generally seen as his most original economical publication. From a criminological point of view, his work is of great value since it offered the baseline upon which the 'traditional' ideas of security and justice became questioned. The article created a considerable stream of debate, because it was seen as 'utopian' in nineteenth century France. Nevertheless, at present we ascertain the acquisition of his reasoning in private security at various levels.

De Molinari saw society as a natural organism, moving in accordance with general preexisting laws. In this natural organism, the most absolute object is the *satisfaction of man's needs*, accomplished through the division of labour and exchange (1849: 161). This striving, which can also be found in utilitarianism (e.g. Mills, 1888), is aimed at the greatest form of pleasure and freedom of pain. Man has a natural need for security and if it is not fulfilled the production of it should *'être soumise à la loi de la libre concurrence'* (de Molinari, 1849: 163). According to de Molinari, private security could provide protection towards life, liberty and property more cheaply and efficiently. What is considered to be a sole public function can in fact also be conveyed by the logic of the free market. He saw the production of security inextricably linked with the jurisdiction of free competition. If it should be removed, society would suffer a loss and the principles on which economic science is based would be invalid (de Molinari, 1849: 163).

The theoretical framework of 'De la production de la sécurité' is seldom referred to in private police studies. Nevertheless, in understanding the foundations upon which the industry is built, its content and basic principles are important to examine. De Molinari is but one contributor in the existing theories of private security. Members of the Austrian School of Economics, mostly advocating 'laissez faire' economists, often have similar ideas regarding security (e.g. Hayek, Rothbard, Von Mises). De Molinari's objectives remain applicable

concerning the philosophical understanding of the sector in general and its economical structure in particular. As mentioned, most societies give prominence towards a mixed economical system: planned economy on one spectrum and capitalism on the other. As such, theorizing about private security in Europe cannot be adequate if it does not implement philosophical and economical knowledge. It affects security policies and the existence of private – public collaboration strategies, which are omnipresent.

Although several theories are available explaining the existence and content of private security as well as its position in private – public collaboration strategies, we can ascertain a considerable lack of knowledge regarding international strategies. There is however one explanatory model giving important insights: the international private security model.

## 4.2 Explaining international strategies: the 'International Private Security Model' revisited

The international private security model was developed during the nineties of the previous century. Rightfully so, it underlines the neglected area of researching international private – public collaboration strategies. Therefore, it tries to explain international policing strategies. This conceptual framework was created during the realization of the Maastricht Treaty, highlighting foundations for political unification in Europe. International police cooperation became more and more integrated in international political structures (Hoogenboom, Meiboom, Schoneveld & Stoop, 1997).

The international private security model describes two substantial changes in the policing landscape (Hoogenboom, Meiboom, Schoneveld & Stoop: 1997). A first transition can be found in the internationalisation of regular policing, due to a power-erosion of the sovereign states on one hand and the supranational institutions on the other. This means traditional policing will become an interstate affair, implementing managerial concepts, as they are present in current leadership and governance of police forces. Second, national police organizations will, by contrast, become more market-oriented, governing along the lines of management perceptions and models in accordance with the business world. Their tasks will either be cut down or they will operate in partnership with private police forces (Cools, 2000: 214). This theory explains the international transitions the policing landscape is facing. We can observe a certain managerial discourse in regular police policies. And transnational collaboration strategies are becoming more and more important as well.

However, from a current perspective, these notions are only partially present. First, several countries have difficulties regarding public-private collaboration strategies. Therefore, the existence of a true 'partnership' can be questioned. This is mostly due to the present legislation, which is not adjusted to contemporary changes in society. Other regions see public-private partnerships as a fundamental part of crime prevention policies. Cooperation exists in several prevention projects. Second, the private security industry is also facing an (equally) important internationalisation, although this is mainly situated in the European Union. With the increasing focus on the European social dialogue, joint actions, the organizations of private security summits and the creation of the White Papers, we can ascertain a service dilatation of the sector. The industry is viewed as a vital partner in the security chain and is entrusted to strengthen its ties with the European Commission.

In this perspective, developments in European security require new insights. Present models do not take into account the structural inclinations and difficulties the sector is facing. As

such, we have created a scientific European Security Model with due observance of three pressing needs. A first is directed at the existing danger of *market failures on a European level*. The second aims at a better understanding of the encountered difficulties regarding EU minimum guidelines for private security. A third need is directed at private – public collaboration strategies on a European level. These three needs can be coupled with the concept of 'harmonization', since its structural examination will be aimed at a better understanding of future developments.

## 4.3 Thinking about harmonization and the encountered challenges: the European Private Security Model

The striving towards an internal market for security services and the encountered difficulties in achieving it, are a reality the sector is facing. Taking all the aforementioned aspects into consideration, private security in Europe requires criminological attention. In sum, most remarks are linked with the notion of *harmonization*. The present lack of clear guidelines for a European private security industry is a source of concern. Furthermore, there is an obscurity in how to achieve these measures respecting the divergence of national legislation, sector specific structures, training and services. Additionally, the assurance of quality and control play an indispensable role in the provision of European private security developments, it will weaken its position and pose future problems. As such, there is a need to extend a theoretical framework focused on these problems.

Throughout history, theoretical frameworks have been created trying to explain whether or not certain assumptions, viewpoints or legislation can or should be accountable for several societies. Human rights, international legislation, philosophical viewpoints... All these disciplines have encountered the same basic problem of harmonization. Most scientific articles and books evaluate this problem in accordance with two theories being each other's opposite: universalism and culture relativism (Henrard, 2008: 69). The first defends the notion that certain rules can be applicable in every society. They are, as the concept describes, universal. This means harmonization can be positioned on a transnational level, inspiring other communities to implement its assumptions. Culture relativism is on the other side of the spectrum. It explains that cultures and values are divers and therefore cannot be universally applicable. This means harmonization is in extremis neither possible nor desirable.

Nevertheless, should both visions on harmonization necessarily collapse into one another? At the moment, strict legislation is viewed at as a benefit considering the fact it can enhance quality of services. Therefore an 'upwards harmonization' is promoted as part of an integrated approach. Nevertheless, given the developments in European private security, current legislation also poses difficulties. In finding an adequate harmonization, *three dimensions* are in need of a critical assessment.

The first is aimed at countering possible *market failures*, affecting the trustworthiness of the sector and hampering efficient private – public collaboration strategies. These failures entail the existence of false independent contractors, unfair dumping of prices, … High competition can create a dysfunctional balance between supply and demand. Therefore, citizens requesting private security can receive limited quality when applying to private security companies, not having the necessary means to deliver efficient services. Subsequently, it also prevents adequate partnerships with other players in the security chain. Strict legislation in this perspective is often seen as the key solution in providing control and licenses. However, this

perspective can also provide the opposite. Current legislation is aimed at restrictions, and not at improvements. In most countries, private security legislation provides few opportunities for improving or adjusting services and standards. These countries are bound to strict legislation. As a result, it backfires any intention for enhancing quality. In preventing "market failures", the creation of professional European Quality Standards seems inevitable. These standards are directed at a process of self-regulation. They anticipate at criteria such as management, means and integrity, without affecting organizational freedom of service provision. As an outcome, EU Quality Standards offer the opportunity for the sector in itself to anticipate in market failures. In communicating these standards (e.g. private security organizations can receive a certificate), citizens obtain a certainty that their requested measures for security are in accordance with their demand. All in all, EU quality standards can strengthen the position and reliability of the sector at a European level. As an important additional result, it can enhance private-public cooperation strategies. In Belgium a similar initiative is active (BVBO/APEG, 2011), labeling companies being evaluated by an independent organization identifying their provisioned quality.

The creation of EU minimum guidelines regarding private security is directly aimed with legislation. Examining the comparative analysis of the previous chapter, we can ascertain several pitfalls. First, the spectrum between strict, intermediate and flexible legislation is a source of concern. The evaluated countries vary between strict and intermediate legislation. Most questions arise however for countries having flexible guidelines (e.g. having no specific requirements for training). Second, the variety between sector specific structures (training services - license/control) poses several questions. The judicial framework is in most countries not in accordance with contextual changes. Furthermore, the detail descriptions often affect clear guidelines in the creation of partnerships. As an outcome, it is not always easy to determine possible collaboration strategies in security interventions. Strict legislation is seen as the baseline upon which European guidelines should entrust. But judicial input is oriented at restrictions not preventing the current source of concern. As already indicated, the necessity of a service or central unit overseeing all security policies and initiatives on a European level (Cools, Davidovic, De Clerck & De Raedt, 2010: 130) is in this perspective an important criterion transcending the nature of the available legislation. Hitherto, European visions could inspire national rectifications.

Re-thinking *European or international collaboration strategies* is a third dimension of the European Private Security model. The comparative analysis indicates a widespread of collaboration strategies. France has ad hoc or occasional partnerships, Belgium implements integral security management and the Nordic Countries encounter difficulties regarding private – public partnerships. Evidently, the provision of an internal market for security strategies also questions the nature of partnerships at an international level. In this light, private-public cooperation strategies on an international scale need to be reconsidered taking into account a more complementary approach. Also, if an internal market has to be provisioned, does this affect cooperation between organizations of the sector in itself? It is clear that, in order to intensify security structures, the private security sector must strengthen its ties with European institutions. As such, possible coordination of partnerships at all levels can be stimulated.

#### 5. European Private Security and its future: where do we go from here? Some concluding last remarks

Without any doubt, the Europeanization of the private security industry in general and the creation of an internal market for security services in particular, still has a long way to go. At present, the expected outcome is still uncertain. Much depends on the further creation of the White Papers and the private security summits. Although it is too early to comprehend the precise evolution in the nearby future, altogether, the aforementioned developments indicate the rise and importance of an ever-growing European private security discourse. Also, considering the actions of the Stockholm Program, transnational private – public partnerships must be further discussed.

However, developing an internal market for private security services offers the opportunity for the transnational existence of the sector itself. The European Private Security Model highlights the dimensions that need to be dealt with. National input is necessary, striving to enhance affective judicial rectifications. Nevertheless, the private security industry can also provide important steps. Finally, scientific input is of great value in order to further analyze the evolution of the sector at a European level. It can evaluate the structure of the sector in other European countries, adding additional information regarding an international private security sector as it is known up till now.

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