



# Role Of Private Security And Private Detective Agencies In Crime Prevention

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## Abstract

Security from crime, fear and victimization at the State, local and personal levels is an important basis for economic and social development. In a growing number of States around the world, providers of civilian private security services offer a variety of services focusing on the prevention of crime. These include, inter alia, the enhancement of community safety and, in some instances, measures to increase the likelihood of offender apprehension. The growth of mass private property, such as shopping malls, football stadiums, and the growing risk of terrorism, which means that greater protection is required at places at risk from such attacks. In India, the ratio of private security to police is estimated to be 4.98 to 1, with the number of private security personnel estimated at over 7 million. We cannot deny the contribution made by Private Security Agencies and Private Detective Agencies in crime prevention. They are joining their hands with other governmental agencies depending on the needs. This paper deals with the role of private security and detective agencies in crime prevention in India and abroad.

**Key Words:** Policing, Private Security and Detective Agencies, Crime Prevention.

## Object;

This paper discusses the role and Contributions of Private Security and Private Detective agencies in Crime Prevention. Private Security Agencies assist the government agencies by deputing its personnel in protecting and safeguarding the property and life of individuals. At the same time private detective agencies join their hands in investigation of high-profile cases and even in collection of evidences. In this paper, author has made an attempt to highlight the role and responsibility of Private Security Agencies and Detective Agencies in crime prevention.

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## Introduction

From the perspective of society as a whole, the best and most useful activity that law enforcement agencies can carry out is crime prevention. If crimes are prevented before they occur, the societal costs and suffering associated with the effects of crime are completely avoided. When we consider crime prevention mechanism in our legal system, apart from Police we have public agencies like ATS, ACB, CBI and other Intelligence Agencies. At the same time we cannot ignore the contributions of private security agencies and detective agencies which extend cooperation to the Police and other agencies in preventing crimes. The growth of civilian private security services and the broadened scope of their activities in many countries require appropriate mechanisms for regulation and oversight to ensure compliance with national and international rules and regulations. These should be consulted and adhered to when developing regulatory systems for civilian private security services. Experience shows that civilian private security services present States with a resource, which, if properly regulated, can contribute significantly in reducing crime and enhancing community safety, in particular through partnerships and information-sharing with public police. Professional codes of conduct and legislation need to direct and control the sharing of information between public and private security actors. The civilian private security services sector encompasses a wide range of activities, and regulation should extend to as many of these as is practicable to avoid loopholes, ensure accountability and maximize the contribution of private security to crime prevention and community safety. If private security workers have special powers or the right to carry weapons, this should be made explicit and regulated as applicable. Areas where private security entities are not expected to operate should be identified in the legislation. A licensing system for operatives and providers is the cornerstone of an effective regulatory system.

## Problems involved in Crime Prevention in India

A detailed analysis of crime prevention suggests for a need of enhancing the existing powers of the police relating to arrest, interrogation and search of suspected persons. Police officials should be empowered to arrest a suspected offender even without a warrant. Most of the time is lost in observing the procedural formalities of law which in return gives the opportunity for the offender to escape punishment. Public criticism has a demoralising effect on police officials and they find it difficult to perform their law enforcement duties with confidence without an active support from the public. The lack of public-police co-operation is therefore, a contributing factor for the failure of efforts to cope with the rising incidence of crime and delinquency. It must be recognised that the devastating effect of corruption is perhaps the major obstacle in effective implementation of the crime prevention programmes. In order to promote integrity, honesty and responsibility among public officials with a view to preventing corruption, adequate measures need to be taken to evolve transparent systems of procurement and developing codes of conduct for judicial and prosecution services.

In India, notorious criminals often manage to escape detection and prosecution by resorting to corrupt practices or bribing the concerned officials which has a negative impact on common man thereby tarnishing the image of criminal justice administration system.

The development of Information Technology and widespread use of electronic communications has brought with it new challenges and require new legal and technical mechanisms to combat and fight these cyber offences. These crimes are committed from or against a computer or network and they differ from terrestrial crimes in four ways, namely,

- (i) It is easy to learn how to commit them;
- (ii) They require relatively less resources as compared to damages caused,
- (iii) They can be committed without being physically present on the spot; and
- (iv) They are not clearly illegal.

The real problem faced in combating these crimes is that the existing laws are un-enforceable against such crimes because of the transnational nature of cyberspace. The cyber criminals can defy the conventional jurisdiction of foreign nations by originating an attack from almost any computer in the world, passing across multiple national boundaries, or designating attacks that appear to be originating from foreign sources. Therefore, there is need for an international model legislation to tackle cyber-crime. Abuse of democratic system and its institutions and party-politics of politicians have contributed new dimensions to the crime problem. Group rivalries, caste-based politics and vote-catching malpractices have a devastating effect on public order and tranquillity as the incidents of tensions, assaults, violence, arson, kidnapping and even murders are common occurrence. Terrorism is yet another crime problem of recent origin. Terrorists indulge in large scale violence and anti-social activities which have disturbed public life. The States of Punjab, Jammu & Kashmir and even Assam and north-east border regions are in the grip of terrorism these days. Needless to say, that death penalty is hardly a suitable punishment for terrorists as it would mean accepting their misconceived values. Perhaps, deprivation of civil rights and public indignation may be a better alternative for such murderous offenders. Crime control essentially involves the services of well-trained personnel who possess adequate knowledge about different kinds of offences and the related statistical data about crime and criminals. It must be remembered that the magnitude of the various form of crime in a particular State can be ascertained by an analysis of the crime statistics.

According to noted criminologist Nigel Walker one of the indirect techniques of crime prevention is reduction of opportunities for criminal acts. This includes control over the sale of fire-arms, explosives, poisons, etc., and restrictions on holding public meetings, prohibiting illegal entry and adequate lighting of public places and roads. It will make the task of opportunity-seeker criminals difficult. Apart from these things, a duty is on every individual to join his hands in preventing crimes.

## Problems of Indian Policing:

The Indian policing and legislative system are based upon the British colonial system. From the outset the police in India have been the responsibility of the state. Each of the states and union territories has its own police force, although there are central agencies also. Many police stations have no proper facilities for communication. These conditions and lack of appropriate facilities are central to the challenges facing the Indian Police service. Police in India is over burdened with a host of responsibilities and in the eyes of law they play a major role when it comes to investigation. They should be encouraged to fight, control and prevent crime. The four major facets that needs consideration are **firstly** legal aspect, **secondly**, crime detection is expensive we should emphasize on using cost effective technology **thirdly**, technology to suit the means and purpose for crime prevention and **lastly**, transparency as this will ensure accountability in the policing system of our country.

Policing has been constantly seen in bitter light and criticized for not delivering the expected result. The primary duties of police in India are to maintain public order, play pivotal roles in investigating criminal matters, identify issues that might lead to a criminal act, crime prevention and crime control, and management of traffic. However, the role of police in India is not limited only to the above-named features, they are over laden with other miscellaneous features namely police station management VIP band bust and crowd handling, crime handling, crime analysis, look after grievances and complaints lodged and technology management further, they are expected to play a crucial role during disasters, accidents and natural calamities. Thus, it can be noticed that police system in India has been given different roles and duties. The biggest challenge seen in India is revamping the traditional policing mode and equipping them with effective, sophisticated technology thus, the structural model of policing in India has to be understood and accordingly adopt methods and techniques of crime prevention.

## Role of Private security guards in crime prevention with Police.

The duty of police officers is to enforce the law, and maintain public order and peace. In case of a violation, the police are required to catch hold of the offender. For maintaining law and order, and ensuring quick response to a crime, the police have set up a 'Police Control Room' (PCR), where anyone can inform the police about a crime or an untoward incident. The vehicle used by the police to reach the place of an incident is called a 'PCR van'. Security guards are responsible for protecting specific people and property. Their responsibilities may include some of the functions as performed by the police, such as observing and monitoring people. A security guard cannot arrest a person, even if the person caught is a criminal. The duty of a security guard is to inform the closest police station because only the police can make an arrest.

**Arrest/ Detention by Security Guard:** The security guard can temporarily detain the person till the police arrive. In exceptional case arrest can be done by private person (Section 43 of CrPC) or security guards to assist police officials. In presence of a security guard if anyone commits offence, or any proclaimed offender, and may hand her/him over to the police at the earliest.

### ***Rules to be followed by security staff during arrest or detention***

- (i) A male security guard must never be alone with a female prisoner.
- (ii) A female security guard must stay with the female prisoner.
- (iii) Similarly, a male prisoner must never be left alone with a female security guard.
- (iv) A security guard does not have the right to search a person or the baggage of someone detained unless there is reasonable ground to believe that the detainee has a weapon, which s/he may use to injure self or others.

**Securing the Crime scene and acting as witness:** In some cases where in crimes like theft and related to properties which are guarded by private security agencies, an Unarmed Security Guard may be the first to arrive at a crime scene and it will be her/his responsibility to secure the area till the police take charge of the situation. No one must be allowed in the area and nothing must be touched before the police arrive. This is important as anything found at the scene can be used as evidence in court and will help prove the truth.

### **Role of Private Detectives in Crime Prevention**

A private detective is a person who offers his services to individuals, companies, organizations or government agencies to undertake investigatory services. Government Detectives like police officers, CBI officers, RAW officers, IB officers, Military Intelligence officers, etc. are paid by the government and are classified as public servants, whereas private detectives are paid by clients who hire them. Investigation is an extremely thrilling and colourful work. It dates back to ancient India and is even recorded in Upanishads, Vedas, Ramayana, and Mahabharata. Our ancient scriptures are full of such stories. Chanakya the most renowned ancient Philosopher, economist, advisor, writer, and teacher had advocated and established a separate wing for espionage. It was an important part of the administration of the Maurya Empire. The goal of secret service was to test the integrity of government officials, to be on the lookout for enemies and check on citizens for any sign of rebellion. In medieval India also the tradition continued and Mughal's and their contemporary rulers also used and utilized the services of an informer. Some notable spies of the era were Zambur, Bahirji Naik, etc. In modern times the British effectively used Counter Intelligence against the Indian revolutionary movement. In fact, the British also sowed the seed for the modern hierarchy of Intelligence Bureau (IB), Central Bureau of Investigation (CBI), Military Intelligence (MI), Indian Police, National Investigation Agency (NIA), etc. which has a colonial imprint.

Private Investigators play an important role in assisting individuals, companies, organizations, law enforcement agencies, corporations, etc., in various investigation work. In many of the cases, the duty of a private investigator involves legal, financial and criminal investigations. The job of a private detective involves a lot of research, surveillance, interviews, discreet investigations, role-playing, undercover working, etc. Post liberalization and upon the opening of economy India has become a major economic superpower.

Therefore, the requirement in corporate investigations and espionage has also increased manifold. In modern times the detective agencies are also involved in due diligence investigation, fraud investigation, debugging and sweeping, NPA Management, corporate investigations, etc. The private investigators in India are mostly working for private individuals and catering to their needs in their concerns such as; pre matrimonial investigation, adultery investigation, extramarital affair investigation, background checks, etc. It is a fast-growing carrier in India and therefore the numbers of private detective agencies are ever-increasing.

There is a widespread misconception that private investigators get in the way of the authorities and solve crimes on their own by breaking laws. In fact, private investigators play a vital role in investigation of crime and will support the police in preventing the same and often work with the police and other law enforcement agencies when the situation demands the same. Because a private investigator's working methods usually differ from that of a police detective's, PIs can uncover things that the latter can immediately find out. They also have resources that may not be as accessible to law enforcement, such as their own previous case files and personal contacts. If need be, a private investigator can even go undercover to collect evidence that may otherwise be unreachable for police officers.

**Help in collecting evidence:** It can't be denied that, if police seek the assistance of a good private detective agencies sufficient evidence can be gathered and handed over to the police, so that the latter can take over, pursue the case, and make an arrest.

**Manpower Support:** Sometimes, a police department can get overwhelmed with a huge volume of cases. They can even be undermanned in some situations. This is where the assistance of private investigators come in – while the police are pursuing priority investigations, they can acquire the services of private detective agencies who can already begin gathering evidence and interviewing witnesses, among others, so that law enforcement can make headway in their other caseloads.

**Locating People, Serving Warrants :** There are some people who have reservations talking to authority figures, especially law enforcement, sometimes out of fear that they would get in trouble, sometimes out of distrust. This makes a private investigator more effective in locating and talking to witnesses and other persons involved in the investigation, People may be more open to talk to private individuals (and therefore share more details) rather than the police. It is this reason that PIs may also be able to more effectively serve warrants, subpoenas, and other documents.

## CONCLUSION

After examining the partnership between the police and private security services on crime prevention and control in India is quite satisfactory. But has an excellent scope for strengthening the same by having a proper and channelized mechanism for the same. We need to consider the working pattern of the same in countries like USA, UK and Nigeria. In order to improve the relationship between the Police and private security services on crime prevention and control, it is recommended that establishment of structuring, co-ordination, operational and partnership mechanisms for an effective collaboration, in compliance with the

Public Safety policing concepts of the Operation Co-operation in regards to civility, transparency and cordial relativity between security stakeholders and not just the template theory.

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