

Fight the power

As more civilians are given powers traditionally used by fully-trained police officers, John Dean looks at the potential backlash

The allocation of police powers to civilians is becoming an increasingly contentious issue for officers on the ground, particularly at a time when forces are cutting back on their staffing levels.

Now the confirmation that more schemes are beginning to operate has renewed the concerns that a 'third-tier' police service is being created. At the heart of the anxiety are moves introduced in the Police Reform Act 2002 to give civilian organisations the ability to assume some police powers.

Under the scheme, initiated by the Home Office, individual police forces can draw up agreements covering privately employed workers, mainly security and housing staff called an accredited person (AP), they cannot arrest suspects or detain people but do assume powers including the right to issue fixed penalty notices for low-level crime and anti-social behaviour including graffiti, fly posting, dog fouling, littering and public disorder.

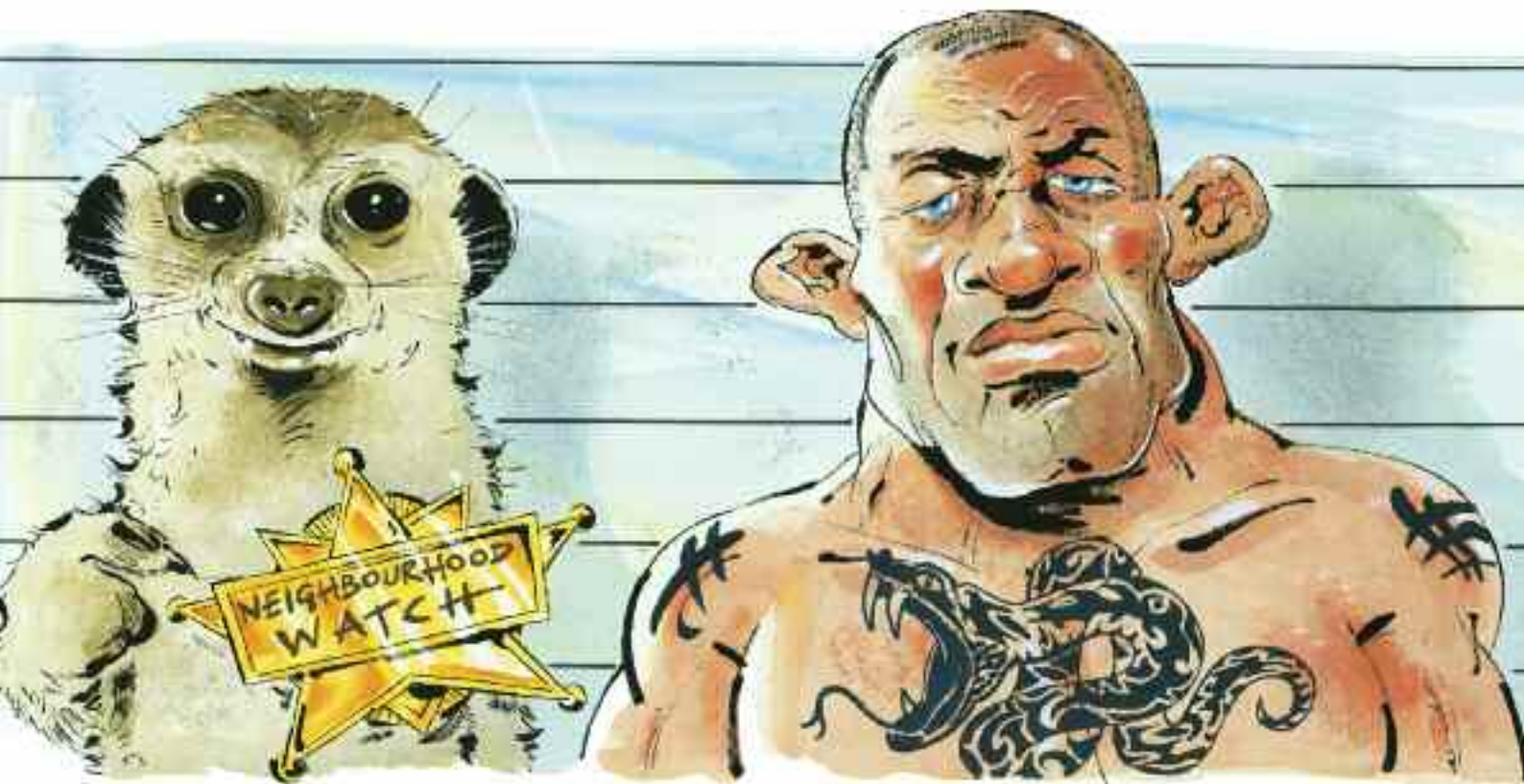
They can also issue lawful orders and demand personal details from members of the public, manage highways, access publicly-owned CCTV cameras and even access the highly confidential Police National Computer, but not without agreement from the local police force.

The most recent Home Office figures, for 2008, show that there were 1,400 accredited persons working in the UK and

supporters of the idea argue that it can only strengthen policing and that powers will only be given to carefully selected and vetted individuals.

However, the idea has sparked controversy in areas like Norfolk where powers have been granted to a local security company. The company in question - EventGuard - has an agreement with Norfolk Police which means it can deal with low-level anti-social behaviour in areas for which it has contractual arrangements. Such agreements alarm the Norfolk Police Federation.

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Malcolm Sneesby, chairman of the local federation, said: "The general principle is simple. Police officers are trained and given the powers to deal with anything that the public does wrong. Special Constables are as well trained and have the same powers and PCSOs are trained to a lower level to deal with the issues surrounding public confidence. However, these accredited persons are not as well trained."

One of his concerns is what happens when something goes wrong. He said: "From time to time, police officers do things wrong and there is a system in place to deal with that. If an accredited person does something criminal we can deal with it but if it is a case of overstepping the mark but not something criminal, we cannot deal with that. It is down to the individual company to deal with it."

For Mr Sneesby, another concern is that agreements are restricted to specific areas covered by the AP, in the case of a security guard it might be a building or area which a company is contracted to cover.

He said: "APs are only empowered to deal with incidents in specific circumstances but we know that offenders can travel from area to area and that an incident can snowball. That is not a problem to us, but it is to an AP who can only cover one specific circumstance. Police officers will end up being called anyway."

Magistrates have also expressed concern, unhappy at the issuing of fixed penalty notices by civilians, but also concerned as much about the fact that they were not informed it was happening as with the principles behind the idea.

Paul Allen, chairman of Norwich magistrates, said: "We found out by a circuitous route that this was happening. What the justice system needs is transparency and it is clear that the people of Norfolk did not know what was happening."

"Why would somebody obey a lawful order from a security guard when they don't understand that they are accredited by the police? As magistrates, we live and work in the community and if someone comes up to us and says 'what is this about security guards issuing fixed penalty notices?' and we do not know, that is a problem. Our concern is that people will slip through the net without being scrutinised properly."

Norwich-based security firm EventGuard, which has agreements in place with Norfolk Police and also Suffolk, allowing the issuing of fixed penalty tickets for offences such as littering, is also in negotiation with Norfolk to allow it to provide accredited staff to help guard crimes scenes which need to be protected for lengthy periods of time.

"The police force is very keen to give other people police powers and we have heard about security companies wanting to do patrols on housing estates. Yes, it may be a visible presence but if an incident occurs it comes back to the police."

Managing director Nigel Briggs argues that their work supports that done by the police. He said: "We are not trying under any circumstances to be police officers. We are additional back-up. When issuing fixed penalty tickets we always ring through to the police to check first."

And he can see good reasons for their involvement, he cites, as an example, the many musical concerts with which the company are involved, featuring everyone from



singer Katherine Jenkins to pop band Madness.

He said: "We might have 50 staff at an event; the police may have four, so it is more likely that we will spot things happening.

"In the recent Tamil Pilgrimage in Norfolk, we were part of the operational order and spotted three cars that the police were looking for. We work closely with the police."

He can understand magistrates' concerns about not knowing the company had made the agreement with Norfolk Police.

Mr Briggs said: "One issue has been - and this is no disrespect to the police force - that they did not tell people, what was happening. It's been about communication."

Such schemes are also in operation in other areas, including those which have accredited street wardens, park rangers and security staff.

In Cambridgeshire, security staff at Addenbrooke's Hospital have been accredited. Michael Dykes, chairman of Cambridgeshire Federation, said the first time officers became aware that there was an agreement in place was when they read about it in the press.

He said: "Had the force come to us asking our views, we would have said 'we beg to differ'. Our concern is that this kind of thing is diluting police powers and if something goes wrong, if someone fails to accept a fixed penalty notice from a civilian, for example, the police get called in anyway.

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Simon Reed, vice-chairman of the Police Federation, agrees with the reservations being expressed at grassroots level.

"Our concern is that here we have essentially a 'third-tier' police force that is now including security guards and door supervisors. These people need to check the Police National Computer to see if the person has a criminal record. We don't think it appropriate for these people to have that access."

He said: "There is very little training being given to people who are given these powers, particularly those who fall into the accredited powers category like doormen and council wardens who can issue people with a penalty notice for disorder and fixed penalty notices. The accountability they have compared to police officers is minimal and the complaints system is not

transparent in the same way it is for police officers.

"Under the powers, people can seize alcohol, require a name and address of a person and deal with anti-social behaviour, which is sometimes one of the most difficult types of policing officers deal with. There are not proper safeguards in place to extend powers from the police to civilians and this is a worrying trend."

Sharing the Federation's concerns is the national Magistrates' Association, which has 30,000 members. John Howson, deputy chairman, said: "Our concern is that here we have essentially a 'third-tier' police force that is now including security guards and door supervisors. These people need to check the Police National Computer to see if the person has a criminal record. We don't think it appropriate for these people to have that access."

"The community safety accreditation scheme recognises the role of those already involved in delivering community safety and draws them in to the extended policing family, providing benefits to the police, the accredited organisation and, most importantly, to our communities."

The Police Federation has long expressed its worries about the idea but a Home Office spokesperson said it was possible that more concerns had been raised recently because agreements were starting to operate on the ground.

She said that sensitive issues such as civilians obtaining access to the PNC would have to be agreed by individual police forces before it was allowed to happen.

However, the Home Office believes that the scheme will prove effective and a statement said: "The aim of the community safety accreditation scheme is to improve partnership working between the police and workers, such as neighbourhood wardens, park rangers and security guards who make a valuable contribution to community safety.

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"The Police Reform Act 2002 requires a chief officer to be satisfied that an applicant is both suitable and has received adequate training to exercise community safety accreditation scheme powers. In addition, their employer must be fit and proper to supervise the functions for which accreditation is sought. These are no vigilantes."