

**THE GROWTH AND REGULATION OF THE PRIVATE SECURITY
INDUSTRY IN INDIA AND SOUTH AFRICA**

By

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DEDICATION

I dedicate this work to my parents, Mrs Amarthamma Pillay and my late father, Mr Nanthagopal (Gops) Pillay. Your ongoing inspiration was a constant beacon of light and a driving force behind my ability to complete this study.

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SUMMARY

The lack of scientific research covering the factors contributing to the growth and regulation of the private security industry (PSI) in India and South Africa gave rise to the study. The study used qualitative research methods, a case study design and documentary analysis techniques, including personal interviews supported by a qualitative questionnaire and e-mailing the questionnaires to participants, to achieve the purpose and objectives of the study. The researcher interviewed seven participants from India personally and eight responded to the qualitative questionnaire sent by e-mail. The researcher conducted eight one-on-one interviews with South African participants and eleven members responded to the qualitative questionnaire sent by e-mail. The researcher carried out a pilot study to identify any shortcomings in the qualitative questionnaire. The study examined various theories on regulations and regulatory frameworks and considered the theoretical aspects of regulating the private security industry.

This study confirmed that private security is growing at a rapid pace in India and South Africa, and the common factors encouraging growth include socio-economic factors like rapid growth and infrastructure, increasing urbanisation, growth of the middle class, poverty and unemployment, illegal immigration, growth in private property and increase in personal wealth. Indian participants especially, felt strongly that an increase in terror attacks is a key factor contributing to the rapid growth of the PSI, whilst South African participants confirmed, a fear of political violence and being scared of civil unrest were reasons for the increased presence of the PSI in the country. The participants corroborated that statutory-based legislation imposed by the Private Security Agencies (Regulation) Act 2005 and the Private Security Industry Regulation Act 2001 is not wholly effective in regulating the PSI in India.

Key terms: Private security industry, private security agency, regulatory frameworks Controlling Authority, Private Security Industry Regulatory Authority.

ISIFINYEZO (ISAMARI)

Ukusweleka kocwaningo lwesisayense olwengamela izinto ezinomthelela ekukhuleni kanye nemitheshwana yolawulo kwimboni yonogada bezokuvikeleka yangasese i-private security industry (PSI) eNdiya naseNingizimu Afrika kwenze ukuthi kube nalolu cwaningo. Ucwanningo lusebenzise izindlela ze-qualitative research methods, i-case study kanye netheniki yohlaziyo lwamadokhumende, okubandakanya nama-interview nabantu ziqu, ngokusekelwa wuhla lwemibuzo ebhaliwe ye-qualitative kanye nohla lwemibuzo ebhaliwe (questionnaires) ethunyelwe nge-email kulabo ababambe iqhaza, ukufezekisa izinhloso nezinjongo zocwaningo. Umcwaningi wenze ama-interview nababambi qhaza abayisikhombisa ziqu baseNdiya kanti abayisishagalombili baphendule imibuzo yohla ebhaliwe ye-qualitative oluthunyelwe nge-email. Umcwaningi ubuye waba nama-interview okubhekana ubusu nobuso nababambi qhaza baseNingizimu Afrika abayisishagalombili, kwathi abayishumi nanye baphendula uhla lwemibuzo ebhaliwe ye-qualitative ethunyelwe nge-email. Kwenziwe ucwaningo lokulinga (pilot study) ukubheka ukuntengantenga kohla lwemibuzo ebhaliwe ye-qualitative. Lolu cwaningo luhlale amathiyori ahlukehlukene ngokwenziwa kwemithetho yolawulo kanye nohlaka lwemitheshwana yolawulo, kanye nokubonelela izingxenye zethiyori yemitheshwana yolawulo lwemboni yonogada bezokuvikeleka yangasese.

Ucwanningo luqinisekise ukuthi imboni yonogada bangasese bezokuvikeleka ikhula ngokuyisimanga eNdiya kanye naseNingizimu Afrika, kanti okuyixhumanisayo nokufanayo, kubandakanya ukukhula kwezinto eziphathelene nabantu nezomnotho njengokukhula ngesivinini kwezingqalasizinda, ukuya kakhulu kwabantu ezindaweni zamadolobha, ukukhula kwe-middle class, inhlupeko nokusweleka kwemisebenzi, ukungena kakhulu kwabantu ababuya kwezinye izindawo ngokungemthetho (illegal migration), ukukhula kwempahla yangasese kanye nokwanda kokunotha kubantu. Ababambi qhaza baseNdiya bona banemizwa eqinile yokuthi uhlaselo lwamaphekulazikhuni (terror attacks) yinto enomthelela kakhulu ekukhuleni kwemboni ye-PSI. Ababambi qhaza baseNingizimu Afrika bona baqinise ukwesaba udlame lwezepolitiki kanye nokwesaba izivungu-vungu zovukelwano lwabantu, yikho okube yizizathu zokukhula kobukhona be-PSI ezweni. Ababambi qhaza baqinise ukuthi imithetho efakelwe ye-Private Security Agencies (Regulation) Act 2005 kanye

nomthetho we-Private Security Industry Regulation Act 2001 ayisebenzi ngokufanele ukulawula kahle imboni ye-PSI eNdiya.

Amathemu abalulekile: Imboni yonogada bezokuvikeleka yangasese, i-agency yezokuvikeleka yangasese, uhlaka lolawulo neziphathimandla i-Controlling Authority, kanye neziphathimandla zolawulo lwemboni yonogada bangasese bezokuvikeleka i-Private Security Industry Regulatory Authority.

ISISHWANKATHELO

Esi sifundo sibe ngunozala wokunqongophala kophando lobunzululwazi malunga nezinto ezincedisa ekukhuleni nasekulawulweni korhwebo lokhuselo lwabucala, *iprivate security industry (PSI)*, kwilizwe laseIndia naseMzantsi Afrika. Isifundo sisebenzise indlela yophando lomgangatho, uyilo lwenkqubo engumzekelo, uhlalutyo lwemibhalo, udliwano ndlebe lobuso ngobuso nabantu ngabantu, oku kuxhaswa luluhlu lwemibuzo olubhaliweyo noluthunyelwe kubathathi nxaxheba ngeimeyile ukuze kuphunyezwe iinjongo zesi sifundo. Umphandi udlane indlebe nabathathi nxaxheba abasixhenxe abavela eIndia kanti abasibhozo baphendule uluhlu lwemibuzo yomgangatho kwi-imeyile. Umphandi uqhube udliwano ndlebe ubuso ngobuso nabathathi nxaxheba abasibhozo eMzantsi Afrika kanti abalishumi elinanye bona baphendule uluhlu lwemibuzo yomgangatho kwi-imeyile. Kwaqhutywa isifundo sokutshayelela ngenjongo yokuqonda ukuba akukho zikhwasilima na kuluhlu lwemibuzo yomgangatho. Isifundo siphonononge iingcingane okanye iithiyori ezingemigaqo nezakhelo zemigaqo yolawulo kwaza kwaqatshelwa imiba yeengcingane emalunga nokulawulwa norhwebo lokhuseleko lwabucala.

Esi sifundo singqine ukuba ukhuselo lwabucala lukhula ngesantya esikhawulezayo eIndia naseMzantsi Afrika, kwaye izinto ezikhuthaza oku kukhula ziquka imiba yezentlalo noqoqosho njengokwanda okukhawulezayo nezibonelelo, ukwanda kweendlela zokuphila budolophu, ukukhula kwezinga loluntu eliphakathi (*middle class*), ubuhlwempu nentswela ngqesho, ukufudukela kwamanye amazwe ngokungekho mthethweni, ukwanda kokufumaneka komhlaba wabucala nokwanda kobutyebi babantu. Abathathi nxaxheba baseIndia bathi bacinga ukuba ukwanda kohlaselo ngabagrogriisi kuphambili ekuncediseni ukukhula korhwebo lokhuselo lwabucala. AbaseMzantsi Afrika bona bangqina ukuba uloyiko lobundlobogela bezopolitiko nokoyika uvukelo mbuso zizizathu zokwanda kobukho borhwebo lokhuselo lwabucala kweli lizwe. Abathathi nxaxheba bavuma ukuba imigaqo esekelwe emthethweni nebethelelwa nguMthetho Wokhuselo Lwabucala wama-2005, *iPrivate Security Agencies (Regulation) Act 2005* kunye ne*Private Security Industry Regulation Act 2001* ayisebenzi ngokufezekileyo ekulawuleni urhwebo lokhuselo lwabucala eIndia.

Amagama aphambili: Urhwebo lokhuselo lwabucala, iarhente yokhuselo lwabucala, Igunya Elichophele Izakhelo Zolawulo, Igunya Elilungelelanisa Urhwebo Lokhuselo Lwabucala.

LIST OF ABBREVIATIONS

ANC	African National Congress
APSA	Asian Professional Security Association
ASIS	ASIS International
BRICS	Brazil, Russia, India, China, South Africa
CA	Controlling Authority
CAPSI	Central Association of Private Security Industry
CNAPS	Conseil National Des Activites Privees De Securite
DCAF	Geneva Centre for the Democratic Control of Armed Forces
ETQA	Education and Training Quality Assurance Body
FICCI	Federation of Indian Chambers for Commerce and Industry
GNU	Government of National Unity
GOI	Government of India
IOFM	Institute of Financial Management
IISSM	International Institute for Security and Safety Management
INR	Indian Rupee
LOPPSI	Law of Orientation and Programming for The Performance of Interior Security (In France)
NQF	National Qualifications Framework
PSA	Private Security Agency
PSA	Private Security Authority (In Ireland)
PSO	Private Security Officer
PSBs	Public Security Bureaus
PSCs	Private Security Companies
PMC	Private Military Company
PPO	Public Police Officer
PSI	Private Security Industry
PSIRA	Private Security Regulatory Industry Authority
PSS	Private Security Services
PSUs	Public Service Undertakings
QCTO	Quality Council for Trades and Occupations

SADF	South African Defence Force
SAIS	South African Institute of Security
SANDF	South African National Defence Force
SAP	South African Police
SAPS	South African Police Service
SASA	South African Security Association
SAQA	South African Qualifications Authority
SASSETA	Safety and Security Sector Education and Training Authority
SIA	Security Industry Authority (In the United Kingdom)
SIA	Security Industry Alliance (In South Africa)
SOB	Security Officers' Board
SOE's	State-Owned Enterprises
SOIB	Security Officers' Interim Board
OECD	Organization for Economic and Co-Operative Development
UNODC	United Nations Office on Drugs and Crime
ZAR	South African Rand
4IR	Fourth Industrial Revolution

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CHAPTER 1

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 INTRODUCTION

Globally, the private security industry (PSI) has been advancing at an ever-increasing pace and it dominates the public and private spaces in the daily lives of citizens, in most countries where it operates (Anon, 2019: np; Gill, 2014, 13; Griffin, 2013; Provost, 2017: np; Swingler; 2017: 11; Van Dijk, 2008: 22). Despite the widespread attention given to the analyses of the nature, type and rigour of legislative frameworks of the PSI in many parts of the world, less is known about these issues in many transitional and emerging democracies (Nalla & Gurinskaya, 2017a: 305). The private security industry (PSI) in India and South Africa are two such countries where the industry has been growing and thriving (Anon; 2016: np; Berg, 2016: np; Bhullar & Singh, 2015: 170; Central Association of Private Security Industry (CAPSI), 2017: np; Claasen, 2015: 126; Davis, 2019: np; Woods, 2018: np).

The researcher recognised a gap in the knowledge on the topic as the result of the lack of, up-to-date and readily available information on the scope and regulation of the private security industry in India and South Africa. Furthermore, there has not been any previous attempt to evaluate the expansion and regulation of the PSI in India and in South Africa. Hence, the failure of research to track the security industry's evolution and growth in the two countries gave rise to this current research initiative. The researcher identified that changes in contemporary knowledge and understanding of the topic, the concomitant legislative frameworks, coupled with evolving technology, as some of the reasons prompting the need for further exploration on the topic. The literature consulted on the PSI in India especially, showed an absence of recent research and fewer scholarly publications, which examined the factors and reasons contributing to the growth and regulation of the private security industry in India and South Africa.

Nalla and Prenzler (2018: 2) accept the view that the size of the security industry has been increasing in nearly every country across the world and it often exceeds the

public police force in terms of its size and numbers. Some view the PSI as a natural ally to public policing and law enforcement initiatives, and it is only in the past twenty years, that academics, professionals, governments, some community-based organisations (CBOs) and Non-Governmental Organisations (NGOs), began to explore and investigate the role and contribution of the PSI to crime and loss prevention (Woods, 2018: np).

In most countries, the training and licensing standards of police officers are well recognised (Davis, 2019: np). However, Nalla and Prenzler (2018: 66) conclude that private security regulations are in many instances “minimalist, absent and not always effective for the intended purposes”. Globally, growth patterns indicate that the PSI has been increasing and this industry deploys large numbers and sophisticated resources aimed at deterring crime and reducing losses (Krishna-Kumar, 2016: np; Mawby, 2017: np; Nalla & Prenzler, 2018: 66; Singh, 2012b: np; Provost, 2017: np, Woods, 2018 7: np).

Internationally, the United Nations reported that escalating crime rates and fear of crime were some of the reasons put forward as primary indicators for the continued growth and expansion of the PSI (United Nations Office on Drugs and Crime, 2014: 13). Other factors include lack of faith by citizens in the public police for their own protection encourages them to look at private security services providers to fill this void (Provost, 2017: np). A further motivation for this expansion is economic development in most countries facilitated the increase in privatisation programmes aimed at expanding private sector involvement and the PSI is no exception (ASIS International, 2016: np).

Other factors stimulating private security expansion include the growth of ‘mass’ private property. This concept was originally founded by Clifford Shearing and Philip Stenning (1981: 96) and by this, they referred to property that is privately owned and they depend on public patronage to make it economically viable and profitable. Shopping malls are typical examples. Other ‘mass’ private property includes holiday resorts, hotel complexes, sports stadia, recreational and entertainment centres. Newburn and Neyroud (2013: 160) point out that the owners of such property, prefer to use their own ‘in-house’ security staff or they may outsource this function to

private security providers to protect their customers, assets and property. Other forms of mass private property, 'communal' (collectively owned) property include, gated communities and private residential estates, where the provision of security is traditionally outsourced to private security companies (Maine, 2016: np; Newburn & Neyroud, 2013: 160).

In India, Komar (2013) found that lack of comprehensive research findings made it difficult to assess the drivers of growth of private security companies, the demographics of private security personnel, the nature of services provided, the accessibility of services to the customers, the extent to which their services overlap with the state police and how their presence, affects the citizens at large (Komar, 2013: 2). In South Africa however, the position is slightly better since the study of the PSI is reasonably well documented (Berg & Howell, 2017; Berg, 2016; Botha, 2015; Diphoorn, 2015a; Gumedze, 2015; Minnaar, 2009; Minnaar & Pillay, 2007; Seibrits, 2001; Visser, 2004). The South African literature on the PSI was further enriched by the seminal influential works of Irish (1999), Schönsteich (1999), Mistry and Minnaar (1999) and Minnaar (1997) and Shaw (1995).

Notwithstanding the above, to date, there has been no detailed comprehensive study evaluating the factors and reasons promoting the growth and regulation of the PSI in both India and South Africa. A further reason giving impetus to the current research is the age of the existing legislation that regulates the PSI in the two countries. In India, the Union Government enacted the Private Security Agencies (Regulation) Act 29 of 2005 (PSAR Act 29 of 2005) on June 23, 2005. This means that this legislation in India has been in existence for the past fourteen years. South Africa introduced new legislation replacing the Security Officers Board Act, No 92 of 1987 through the enactment of the Private Security Industry Regulation Act 56 of 2001 (PSIRA Act 56 of 2001). This Act received the assent of the State President of the Republic of South Africa on 15 January 2002. The PSIRA Act of 2001 is in operation for eighteen years.

Much has taken place during the years that have elapsed since the legislation regulating the PSI was implemented in the two countries. For example, developments in technology are playing an increasing role in the private security

industry by offering services such as artificial intelligence, internet of things, high-tech surveillance systems, biometric technology, remote sensors and cybersecurity (Federation of Indian Chamber of Commerce and Industry Report, 2018: 1). The research seeks to examine gaps in the existing regulatory frameworks, especially in the light of the age of the laws regulating the PSI in the two countries. Hence, the current study seeks to understand the reasons prompting the rapid growth of this sector and the reasons for regulating it, in India and South Africa.

This chapter will introduce and provide a background for the study. It will discuss the rationale, problem statement, research aim, purpose, objectives, research questions and define some of the key concepts and provide the methodological outline of the thesis.

1.2 BACKGROUND TO THE STUDY

During the conceptualisation phase of the research, the initial focus of the study was to analyse and review the growth and regulation of the private security industry in all five of the BRICS countries (Brazil, Russia, India, China and South Africa). After reviewing the available literature and giving due consideration to the methodological challenges, including time and cost implications, the researcher came to the realisation that such an undertaking would be overly ambitious. This led the researcher to narrow and delimit the attention of the study and to focus more specifically on the growth and regulation of the PSI in India and South Africa. Furthermore, the rapid and continued increase in the number of private security service providers in India and South Africa prompted a closer examination of the ways this industry is regulated, especially in these two countries. This provided additional impetus to look more closely at the factors contributing to the growth and regulation of the PSI in India and South Africa.

1.2.1 Overview of the private security industry in India

In India, one study (Unnithan, 2013) found that economic liberalisation in the country began to unravel and open up potential new markets and opportunities traditionally closed to small and emerging entrepreneurs (Unnithan, 2013: 242)). This came

about after the Bharatiya Janata Party (BJP) won the elections in India in 2014, and it was the first time since 1984, that a single party won an absolute majority in an election in India. (Trambili & Missaglia, 2018: 8). Mr Narendra Modi was elected as the Prime Minister of India in May 2014. Since his ascension to power, Prime Minister Modi promised to “reform, perform and transform” India by boosting economic development through the relaxation of trade restrictions (Trambili & Missaglia, 2018: 8).

To support this initiative, the Indian government worked to accomplish major economic and fiscal reforms to clean up corrupt practices, thereby stimulating the country’s economic situation (Trambili & Missaglia, 2018: 8). One way of doing this was the introduction of radical measures by the Modi government to deal with corruption. In November 2016, the Prime Minister introduced measures to demonetise the Indian currency and this was seen as one way of cleaning up corruption in the country. This measure resulted in a boost of foreign investment and the Indian economy has since shown a growth of approximately 7.4 per cent per annum (Trambili & Missaglia, 2018: 8).

Consequently, economic growth led to an increase in criminal activities in the country and this created many business opportunities for the private security industry in India to thrive (Singh, 2014: np). This situation encouraged citizens and business owners to look towards private security as an alternative to protection from the state (Unnithan, 2013:245). Other explanatory factors contributing to PSI growth in India include the rise in the number of attacks by extremist groups; an increase in the rate of industrial espionage and a rise in criminal activities (Federation of Indian Chamber of Commerce and Industry Report (FICCI), 2018: 3).

In terms of the size of the industry, the Central Association of Private Security Industry (CAPSI), an umbrella body representing the private security services sector in India, forecasted that the private security industry will be one of the largest creators of jobs in India, in the coming years (Central Association of Private Security Industry, 2017: np). To support this contention, Ernst and Young (2013: 6) identified the PSI in India to be one of the largest employers in that country, after the agricultural sector. The National Skills Development Corporation (NSDC: 2013a: iv)

concluded in 2013, that the PSI in India employed more than six million employees and it was projected to employ more than eleven million employees by 2022. Ernst and Young (2013) estimated the PSI to employ approximately 7.5 million private security personnel across the country and forecasted this growth trend to continue in the future. In addition, the report deduced that the PSI is already four times the size of the country's police (around 1.4 million) and more than five times the size of the central paramilitary forces (Ernst & Young, 2013: 6).

The Federation of Indian Chamber of Commerce and Industry Report (FICCI, 2018: np) confirmed in 2017, the private security industry in India is the largest employer, employing almost 8.9 million people and 22 000 private security agencies offering an array of private security and allied services, such as facilities management, fire safety and emergency planning.

During an inaugural address at the 27th Annual Seminar of the International Institute for Security and Safety Management (2017: np) in new Delhi, India, the Minister of Tourism of the State of Kerala, emphasised the role, importance and need that the services the private security sector provides in that country. In his presentation, he stated:

“The Indian government's security apparatus is ineffective and there is a need for private security agencies to be suitably trained in the use of latest technology and equipment to address the under-performance in the formal State policing structures” (International Institute for Security and Safety Management, 2017: np).

Due to these security challenges, the Indian government began to increase its spending on improving public infrastructure, including airports, metro stations, shopping malls and other public utilities, and this situation triggered a need for new and innovative security arrangements (Krishnan, 2017: np). This allowed the PSI in India to revisit its capabilities to respond to the changing security needs. In this way, they supplemented the traditional government approach to providing safety and security of its citizens and their assets, in the form of providing organisational risk assessments, security audits and other creative ways of managing security risks (FICCI, 2018: 11).

Another observation in India is the gradual encroachment of the PSI on the traditional role of the police, by providing safety and security to those private citizens who are able to pay for these services (Smetha, 2015: np). The FICCI (2018:13) noted that rising economic expansion in India contributed to the rapid increase in the number of security service providers, operating either as legally registered companies or illegally as 'fly-by-night' security companies.

These indicators prompted the Indian government to pass legislation to protect consumers of private security services, as well as enforce their compliance with the objectives, roles and functions of the regulatory body, known as the Controlling Authority (CA) (as set up by the ensuing legislation). In response, the Union Government of India enacted the Private Security Agencies (Regulation) Act 29 of 2005 (PSAR Act 29 of 2005). This was the first formal piece of legislation introduced by the government of India, aimed at regulating the PSI in India. (A more comprehensive discussion on the PSAR Act 29 of 2005 is presented in Chapter 4).

1.2.2 Synopsis of the PSI in South Africa

In South Africa, as with many other countries, similar growth patterns were identified for the PSI; albeit with some differences. As early as the 1990s, Irish (1999) reported that the private security industry in South Africa to be one of the largest industries and this sector, in particular, had demonstrated significant growth (Irish, 1999: 4). Later research on issues relating to the PSI in South Africa by Berg & Gabi (2011: 7); Botha (2015: 15) and Gumedze, (2016b: np) confirmed that high levels of crime and criminal activity encouraged and prompted the growth of the private security industry. For this reason, security companies offering these services had to constantly adapt to new challenges, since criminals' resort to ever more complex and sophisticated methods of committing a crime (Swingler, 2017: np).

In recognising this phenomenon, the former Minister of Police in South Africa, Mr Nathi Mthethwa, stated the PSI in South Africa will continue to play a significant role in the fight against crime (Mthethwa, 2015: np). He attributed this to the preference of businesses and homeowners of making use of the services offered by the private

security industry to protect their businesses, homes and assets (Mthethwa, 2015: np).

The role of the PSI in South Africa is also of strategic importance to the country because of the large number of people it employs and the substantial contribution it makes towards the economic growth of the country (Pillay, 2002: 119). In addition, it provides services for the safeguarding of assets and property worth hundreds of billions of Rands. In 2017, there were approximately 1.5 million trained and registered guards (but not all in active full-time employment) in South Africa (Davis, 2019: np). Badenhorst (2019) confirmed since 2001, the private security industry in South Africa has grown by 175 per cent and the number of registered security business grew by 19 per cent over the same period (Badenhorst, 2019: np). However, growth of the PSI in South Africa highlights the inequalities among the citizens of the country. This rapid growth must be seen against the context of those who can afford to pay for such services to ensure safety for themselves, families and assets.

In South Africa, the private security industry provides a stepping-stone into some form of formal employment through the creation of entry-level work and South Africa is not exempt from this practice (PSIRA, 2016: 10). Despite the industry's positive contribution towards job creation in the sector, there have been calls for more effective, efficient and competent regulation of those involved in the provision of security services (Gumedze, 2016b: np). This drew the attention of the South African government which prompted the revision of the old legislation, namely the Security Officers Act 1987 (SOB Act, No 92 of 1987), due to several shortcomings, for example, nepotism, poor record-keeping and lack of resources, identified in this legislation.

The new legislation replacing the Security Officers Board Act, No 92 of 1987, was introduced through the enactment of the Private Security Industry Regulation Act 56 of 2001 (PSIRA Act 56 of 2001). This Act allowed for increased, stricter and more detailed regulations, than the previous legislation (Minnaar, 2009: 78). Section 2 of this Act makes provision for the establishment of a regulating body in the form of the Private Security Industry Regulatory Authority (PSIRA), which replaced the previous

industry Security Officers Board (SOB). This gave the new regulatory body increased powers to regulate the industry in a more formal manner and these will be discussed in Chapter Four of the study.

1.3 PROBLEM STATEMENT

The phenomenon of the PSI as a whole both locally and internationally is a complex topic in itself (Davis, 2019: np; Gill, 2014: 11; Nalla & Prenzler, 2018: 13; Srivasta, 2014: np). The Organisation for Economic Co-operation and Development (OECD) (2014) emphasised that most governments introduced regulations in various sectors of the economy to ensure adherence to efficient, fair and ethical practices. Furthermore, regulations are adopted and become necessary to make sure that the public's interest is protected (OECD, 2014: np).

Despite the efforts by the governments of India and South Africa to enact legislation to regulate the role, functions and operations of the private security industry, current observations from the available literature, media reports and through informal conversations with prominent security industry role players in both countries indicates, this sector of the industry, still appears to be largely under-researched. In addition, the Indian and South African governments' concerns over the rapid and continued expansion in the number of private security service providers in the respective countries prompted the need for changes in the way this industry is regulated (Gumedze, 2016b: np; Komar, 2013: 16; Minnaar, 2009: 3).

In order to protect consumer interests, encourage accountability and fair play of the industry, both India and South Africa introduced legislation that would create a regulatory framework for the PSI to operate. However, in India and South Africa, concerns over the rapid and continued increase in the number of security service providers motivated both governments to examine the need for changes in the way the industry is regulated (Diphorn, 2015b: 314; Gumedze, 2007a: 110; Komar, 2013: 13; Krishnan, 2015: np). Born, Caparini and Cole (2007: 5) support the view that the power and responsibility of private security service providers can weaken or can become ineffective if they are not fore-grounded on a clear and standardised regulatory framework.

Therefore, any deficiencies or weaknesses in the implementation of the private security industry regulatory frameworks in both India and South Africa can manifest itself in several shortcomings and loopholes. For example, if such a situation prevails, it may open the door for illegitimate operators to infiltrate this lucrative industry and it can lead to the decline in the quality of service the industry provides and a lowering of training standards (Botha, 2015: 45; Singh, 2015: np). In light of these observations, the current study will examine the factors and reasons contributing to the growth and attempts to regulate the private security industry in India and South Africa.

1.4 RATIONALE FOR THE STUDY

In most countries, the provision of security services by private security companies is a common feature and the roles, functions and activities of the PSI are regulated in the countries where they function (Button & Stiernstedt, 2017: 246). &). While the PSI has evolved and expanded across the globe, further academic research into the growth and regulation of the industry in India and South Africa becomes more necessary. Despite the dynamic and evolving nature of the industry, further examination indicates scientific inquiry has not kept pace with the industry's shifting role in crime prevention, the industry's increasing complexity and the rising calls for professionalism (Nalla & Prenzler; 2018: 5). The broad scope of PSI activities and its concurrent growth, including the regulation, prompted the need for further investigation of these activities in the two countries.

As mentioned, information and research into the field of study pertaining to the growth, regulation, its application and the effectiveness of the legislation governing the private security industry (PSI) in India and South Africa, is limited. This contextual gap gave rise to the need to conduct an in-depth examination of the reasons contributing to the growth of the PSI in India and South Africa and to assess the attempts to regulate the industry in the two countries.

This study attempts to build on existing literature by considering the increasing demand by citizens' need for greater use of private security service providers in both

countries and to explore the reasons for this phenomenon, and furthermore to consider how it is regulated. Thus, the lack of academic research tracking the growth, regulation and the important economic role the PSI plays in India and South Africa, stimulated the need to delve deeper into the problem.

The researcher has been involved in the field of private security industry research and education over the past twenty years. During this time, the researcher held positions in various capacities, inter alia, previous Head of Department of the Security Management Programme at the University of South Africa (1999 – 2007) and former chairperson of the South African Institute of Security (2001-2003). The researcher received recognition for his contribution to uplifting the educational standards in the private security industry locally and internationally. In 2003, the researcher received the title of Fellow of the International Institute of Security and Safety Management in India and in 2005, the researcher was awarded Fellowship status by the South African Institute of Security.

From March 2016 to December 2017, the researcher was appointed as a member of a Panel of Experts by the Private Security Industry Regulatory Authority (PSIRA) to develop a Transformation Charter for the private security industry in South Africa. In November 2019, the researcher was appointed as a member of the Advisory Board to the PSIRA and the chairperson of the sub-committee on Education and Training for the private security industry in South Africa.

Therefore, through this involvement with the security industry sector, the researcher gained insight into the role, functioning and regulation of the PSI in India and South Africa. By interacting with different stakeholders, the researcher began asking questions such as, 'What are the factors and reasons that promoted the rapid growth and associated regulation of the private security industry in India and South Africa?'

1.5 AIM AND PURPOSE OF THE STUDY

The study is undertaken to determine from research participants, the factors and

reasons for the rapid increase in the growth of the private security industry in India and South Africa and the concomitant need to regulate the industry in the two countries.

The purpose of the study is two-fold: firstly, to explore the reasons leading to the rapid growth and regulation of the private security in India and South Africa and secondly, to describe the gaps in the regulatory framework regulating the private security in India and South Africa.

To support the purpose of the study, the researcher collected empirical data by conducting one-on-one interviews and by emailing a qualitative questionnaire to research participants in India and South Africa. The researcher applied documentary analysis to evaluate the Private Security Agencies (Regulations) Act No.29 of 2005 in India and Private Security Industry Regulation Act No. 56 of 2001 in South Africa. These approaches will allow the researcher to interpret, and give voice and meaning around the topic being researched (Brink, Van der Walt & Van Rensburg, 2016: 76).

1.6 RESEARCH OBJECTIVES

The research objectives represented in the research questions include to:

- examine the factors and reasons promoting the growth and rise of the private security industry (PSI) in India and South Africa;
- examine any gaps in the Private Security Agencies (Regulation) Act 29 of 2005 (India) and the Private Security Industry Regulation Act 56 of 2001 (South Africa) in regulating the PSI;
- explore whether the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001 the Private Security Industry Regulation Act 56 of 2001 (South Africa) have been effective in regulating the private security industry in India and South Africa; and
- examine theoretical frameworks relevant for regulating the private security industry

1.7 RESEARCH QUESTIONS

The research objectives are guided by research questions that comprise of the following questions:

- What are the factors and reasons leading to the rapid growth and regulation of the PSI in India and South Africa?
- How effective is the current regulatory practice in enforcing the legislation that regulates the private security industry in India and South Africa?
- What are the theoretical frameworks applicable to India and South Africa, relevant for regulating the PSI? and
- How could policymakers enhance the regulation of the PSI in both countries?

In the next section, the researcher outlines the methodological approach within which research was undertaken.

1.8 METHODOLOGY OF THE STUDY

The main purpose of the study is to evaluate the factors and key reasons giving rise to the exponential growth of the PSI in India and South Africa and furthermore, to describe the gaps in the in the regulatory legislation that regulates the private security in India and South Africa. The study is applied research in nature and context, since the research problem is directed towards providing answers to a specific practical problem (Subhir, 2017: np). The problem in this study is: to identify the factors and reasons promoting the growth and rise of the private security industry (PSI) in India and South Africa; to examine any gaps in the Private Security Agencies (Regulation) Act 29 of 2005 (India) and the Private Security Industry Regulation Act 56 of 2001 (South Africa) in regulating the PSI; to explore whether the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001 the Private Security Industry Regulation Act 56 of 2001 (South Africa) have been effective, in regulating the private security industry in India and South Africa and to examine theoretical frameworks regulating the PSI.

To achieve the objectives of the study, the researcher formulated research questions to guide him, such as, what are the factors and reasons leading to the rapid growth and regulation of the PSI in India and South Africa? How effective is the current

regulatory practice in enforcing the legislation that regulates the private security industry in India and South Africa? What are the theoretical frameworks applicable to India and South Africa, relevant for regulating the PSI? How could policymakers enhance the regulation of the PSI in both countries?

The study applied qualitative research methods, using case study design, documentary analysis, personal interviews supported by a qualitative questionnaire and by sending out a qualitative questionnaire by electronic mail, to achieve the aims, purpose, objectives and seek answers to the research questions formulated for the study. This method provided the researcher with the flexibility to further explore and describe the research problem. In this study, the researcher questioned a phenomenon that he has no explanation for, namely what are the contributory factors giving rise to the growth and regulation of the PSI in India and South Africa. Thereafter the researcher explores the phenomenon and collects data about it to describe it.

The private security industry in India and South Africa are the two cases examined and is based on an in-depth investigation of documents to examine the factors contributing to the growth and regulation of the PSI in the two countries. For this purpose, the case study is used as a research strategy and the study applied documentary analysis involving a practical examination of legislation, regulations and policy frameworks. The purpose of using this method is to examine the research phenomenon and see it in its real-life context (Schwandt, 2015: 21). More discussion on the research methodology used in the study is provided in Chapter Five of the thesis.

To manage the project, the researcher divided the study into four distinct phases (Figure 1).

1.9 PHASES OF THE RESEARCH PROCESS

1.9.1 Phase One: An in-depth review of the factors relating to the growth of the PSI in India and South Africa

In phase one, the researcher conducted an in-depth review of the literature using the documentary analysis to gain a better insight into the nature and extent of the reasons contributing to the growth of the PSI in India and South Africa and some selected countries. For example, the documents examined included, legislations, annual reports, mission statements, research reports by government and the private sector, policy documents, newspaper articles and internet resources, with the view to identifying the factors influencing the growth of PSI globally. This phase is discussed in Chapter Two of the study

1.9.2 Phase Two:

In this phase, the researcher discusses the research methodology used in the study and this is explained in Chapter 5.

1.9.3 Phase Three:

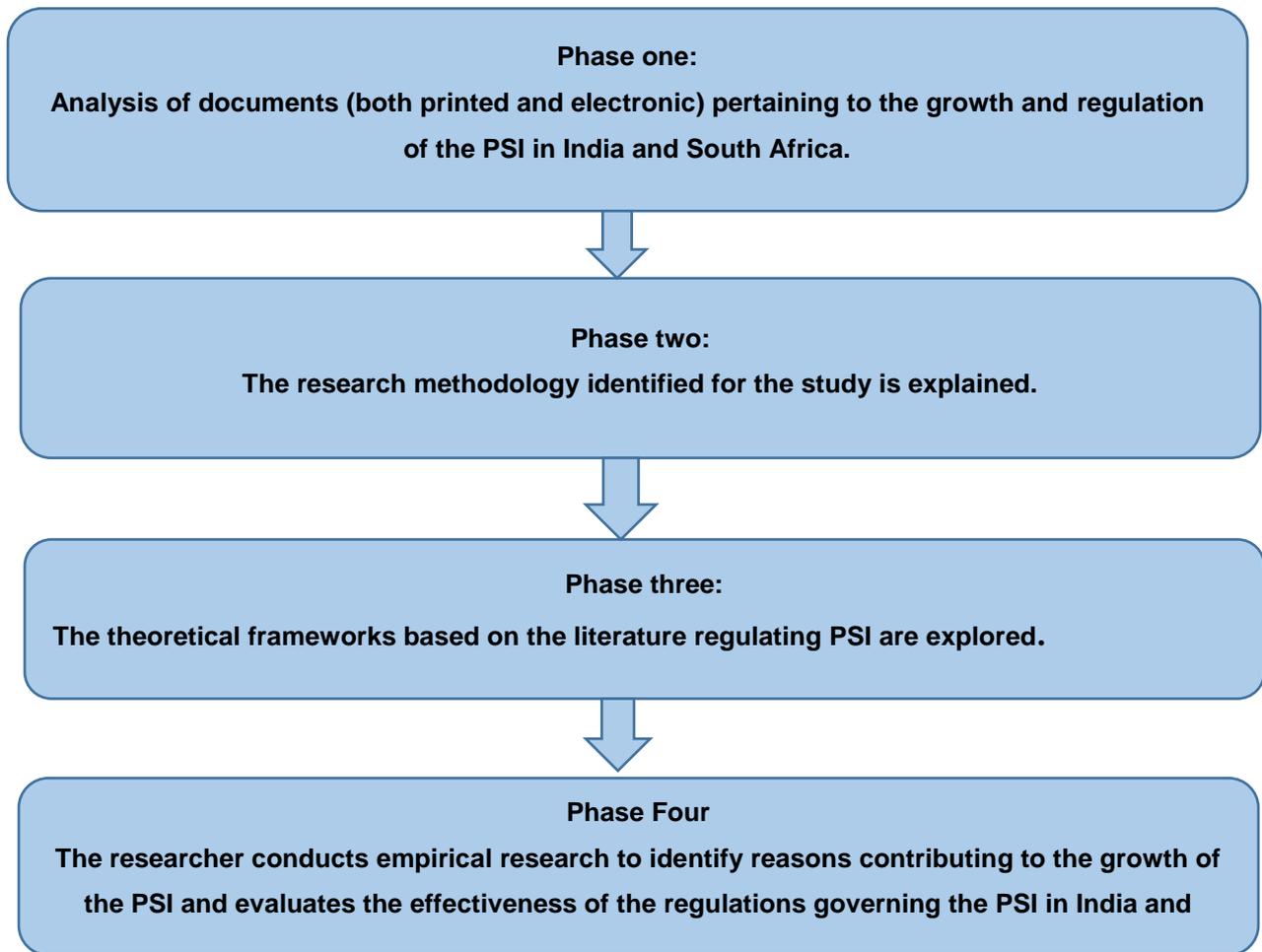
During this phase, the researcher explored the existing theoretical frameworks on regulations and regulations theory and its applicability to the PSI in India and South Africa. This is discussed in Chapter 3.

1.9.4 Phase Four:

The researcher conducts empirical research to identify factors giving rise to the growth of the PSI in India and South Africa and the effectiveness of the regulations. The analysis, interpretation and discussion of the data is presented in Chapter Six and Seven of the thesis.

A graphical representation of the four phases is illustrated in Figure 1:

Figure 1. Phases of the Research Process



1.10 VALUE OF THE STUDY

On a global scale, Prenzler, (2017: 242) contends that, despite the significant expansion of the private security industry and its contribution to the economies in which they operate, the literature and research supporting the growth in the sector is still rather limited. Following this observation, he added:

“While private security is certainly no longer a subject that languishes on the forgotten scholarly back burner, it remains surprisingly under-researched. Despite its obvious importance to the governance of security, scholars continue to focus far more attention on the police than they do [on] the various other agents and agencies that provide for security” (Prenzler, 2017: 242).

In the seminal work titled, *The World of Crime: Breaking the Silence on Problems of Security, Justice and Development across the World*, Prof Jan Van Dijk (2008:156) observed that although the private security services industry makes a significant contribution towards a dominant part of the security market in many countries, there has been much less research done in this area compared to issues on policing. In India, Komar (2013: 13) confirmed that research into the phenomenon of how the private security industry is regulated is limited and restricted.

These observations gave rise for the need to conduct an in-depth study on factors and reasons contributing to the growth of the private security industry and attempts to regulate this sector in India and South Africa. This study is the first study of this nature and it is considered pioneering research that contributes positively towards a better understanding of this continuously dynamic industry, both in India and South Africa.

Furthermore, the study will serve as a catalyst to stimulate further exploratory research of this rapidly growing sector, which can make a significant contribution to academia and the economy of both countries. Therefore, the significance of this study lies in its outcomes since the growth and regulation of the PSI in India and South African can be better understood through a research-driven evaluation. Such an outcome would thus increase the broader public's understanding and confidence of the type of services the PSI renders and subsequent accountability to their clients.

Additionally, information obtained in this study can provide a valuable resource to the governments and the PSI of both countries and may assist in revisiting and refining existing regulatory mechanisms for the industry. This study will contribute to the body of knowledge in what has historically been an under-researched field by social scientists. There can be little doubt that the field of Security Science as an academic discipline needs further research. The information obtained from the study could also benefit Security Science as a young and evolving academic discipline in South Africa, India and many other developing countries.

In the next section, the researcher introduces and provides an outline of the main concepts used in the study.

1.11 DEFINITION OF KEY CONCEPTS

Button (2002) observed that the private security industry cannot be looked at a clearly defined homogenous group. Instead, it is made up of a variety of sectors, some may be larger than others and all are linked in some way or another, to the provision of security and investigation services, crime prevention, systems planning, technical consulting and security design (Button, 2002: 24). Therefore, when trying to understand this diverse and complex industry, all the sectors need to be considered to arrive at a holistic understanding of the PSI, and how it functions in different countries.

In support of this, Gill (2014) submits that there are different role players that provide a variety of security services and each of them may have different structures and accountability mechanisms involved in the provision of security, or attempting to provide it (Gill, 2014: 21). Thus, any attempt to broaden an understanding of the PSI needs to consider a multi-sectoral approach which plays a role in the sector. In support of this contention, the ASIS International and Institute of Finance and Management (ASIS/IOFM, 2013) reported on the United States Security Industry and found no consensus on generally agreed-upon definitions for many elements within the security industry (and even of 'security' itself). The report confirms that the security market includes a variety of functions for business organisations linked to the provision of security and technology (ASIS International & Institute of Finance and Management (ASIS/IOFM), 2013: 11). Based on these observations, the concept 'security', 'private security industry' and related terminology reflecting the security industry, will be explored and unpacked in more depth below.

1.11.1 Security

Zedner (2003: 153) observed that the concept 'security' is inherently complex, diverse and varied and this may cause problems, especially when trying to represent the full spectrum of the PSI under a singular comprehensive definition. The provision of security as a service is usually seen to be the private protection of an individual or their property and it was extended only to those who could afford to pay for such

protection (Brooks, 2008: 46). Over time, as the practice of security began to evolve, the term 'security' was expanded to include aspects such as crime prevention, security technology, risk management or loss prevention (Brooks, 2006: np; Smith, 2003: 9). Despite this extension, there have been ongoing debates on what exactly is the meaning of the term 'security'.

To this extent, Brooks (2008: 3) has drawn attention to the difficulty of arriving at a consensus on a common understanding of the concept 'security' or in pinpointing it in exact terms. He ascribes this definitional dilemma to its changeable character, application and multi-dimensional nature of what really is covered under the ambit of 'security work' (Brooks, 2008: 3). Therefore, because of its dynamic character and diversity, the provision, management and implementation of security can change continuously. Thus, the problem of a consensual definition of the concept 'security' becomes an issue, due to the wide-ranging nature of the industry and the multi- and cross-dimensional sectors it permeates. Furthermore, the practice of security now incorporates a number of associated fields and its job specifications extend over a number of occupations (Brooks, 2010: 2). These dynamics pose a challenge in trying to come up with a 'one-size-fits-all' definition of the concept of security.

Nevertheless, it is necessary to explore the definitions put forward by some commentators in order to appreciate the depth and breadth of meaning applied to the concept and its location in the current context of this study. One observation by Griffiths, Brooks and Corkill (2010: np) found that the role of security these days has progressed and it currently includes a mixture of disciplines. This compounds the complexity in arriving at an up-to-date definition of the concept of security. Therefore, it is difficult to find an all-inclusive definition encapsulating the multi-disciplinary characteristics of the concept 'security'. In support of this, Coole (2015) argues that "security as a contemporary discourse is a complex issue" (Coole; 2015: 12).

A further complication is the definitional dilemma that arises when people start believing that the State is solely responsible for the provision of national security through its deployment of armed forces (Coole; 2015:12). Inasmuch as that it is the responsibility of the State to defend the country's sovereignty, it also has the equal responsibility of using the public police to ensure the safety and security of its

citizens (Coole; 2015:12). The result of such inconsistency in arriving at an acceptable and universal definition of the concept security can give rise to a situation where society does not have any clear understanding of what is exactly meant by the concept 'security' (Manunta, 1999: 57). Due to such a lack of consensus of an agreed-upon definition of the term 'security,' it will mean different things to different people in several contexts (Manunta, 1999: 57). This may result in a situation where citizens may not have a clear understanding of the term: 'security'.

With reference to the general notion of security, Fischer, Halibozeck and Green (2008) take the stance that the concept security implies a safe environment in which an individual or group may pursue their goals without interference, harm, fear, disruption or injury (Fischer et al., 2008: 21). Put simply, security means putting in place all the measures to protect a place or to ensure that only authorised people enter or leave a secured facility. Adam (2015: np) expands on the term security by including under its mantle the protection of information, property and people by security personnel. However, these definitions are limiting, given the notion that the concept of security is broad and cannot be considered mutually exclusive.

To provide clarity and some direction in this regard, the ASIS International Academic/Practitioner Symposium, hosted in Reno, Nevada, the USA in 1999, came up with a model containing core elements of security (Brooks, 2008: 47). The American Society for Industrial Security (ASIS) was founded in 1955 and in 2002, the organisation officially changed its name to ASIS International to reflect the international expansion of ASIS, which now includes members in more than 125 countries. The name 'American Society for Industrial Security' no longer exists except in historical legal documents (Anon, 2018a: np).

The core elements of security discussed at the 1999 symposium and the elements were further debated at the 2000 ASIS International Academic/Practitioner Symposium held in Oklahoma City, in the State of Oklahoma in the USA. At this symposium (2000), the concept of security was expanded to include the following common elements of security. These included physical security; risk management; legal aspects (for example understanding of criminal law, and court procedure); personnel security; fire protection; information systems security; and loss prevention

investigations (American Society for Industrial Security (ASIS International: 2009, np). Later on, ASIS International adopted a more operational focus in trying to define the concept of security. They supported a more inclusive definition where security is referred to as the state of being protected against hazards, threats, risks or loss and can also mean that, something is not only is secure but that it has been properly safeguarded (ASIS International, 2009: np). In addition, Newburn and Neyroud (2013) take the position that security clearly needs specialised [sic] professional training and universal recognition as an academic discipline (Newburn & Neyroud; 2013:67).

For this study, the concept security is understood within the context of, and relevance to the commercial, organisational or private roles it plays in the protection of people, information and assets in both India and South Africa. Accordingly, given the dynamic nature of the industry, a generalised and acceptable understanding of the term 'security' would be characterised and identified by the various methodologies, approaches and plans that are implemented (at a charge), to ensure the protection of people, assets, and information at private residences, businesses, institutions and other organisations.

1.11.2 Private security

Up until the 1980s and 1990s, a widely used definition of security was private people protecting private property (McCrie, 2017: 287). This was a defensible and logical definition at the time since private security resources were devoted to safeguarding proprietary assets in many ways. A review of the literature on the PSI found there is no standardised definition of 'private security', but instead refers to several different definitions. Gill (2014: 21) submits that, private security is all-encompassing and because of its global footprint, it is equally more complex. The complexity arises since it covers everything from corporate security to private security companies offering military-type services and this makes it difficult to produce a precise definition (Berg & Howell; 2017:273).

Other definitions place emphasis on the fact that the PSI is profit-driven as opposed to the role of the public police, which is to serve the public interest (Bannister, 2015:

np). Hence, a clear distinction needs to be established for the mandate and services provided by the PSI. Private security may include security-related services provided by individual businesses and organisations to clients and are charged a fee for these services. These services typically include the protection of persons, assets and property from different threats, including that of crime. A private security company is a business corporation, which provides armed and unarmed security services and expertise to private and public clients. (Button & Stiernstedt, 2017: 249).

Fischer et al. (2008: 22) advocate that persons who provide private security should pay special attention to following a company's policies and procedures when providing such services and, in this way, they offer protection, safety and security needs of their paying clients. Hence, the provision of private security includes those activities by people, commerce and industry to protect their assets from loss, harm or reduction in value. This means that the primary focus of private security is to protect and safeguard the assets of commerce and industry with the sole aim of generating profit (Strom, Berzofsky, Shook-Sa, Barrick, Daye, Horstmann & Kinsey, 2010: 2). It is economically prudent that proactive private security measures must be taken to prevent such losses before they occur and in defining what private security means, it should be located within the broader scope and range of services associated with the term.

Prenzler (2017: 241) concurs and includes the following plethora of services and variety of products offered by the PSI such as: manned guarding (both 'in-house' and 'contract'); alarm monitoring; security equipment production and installation; transportation of cash; investigation of white-collar crime; and the provision of advice on risk management. However, as early as the 1980s, Shearing and Stenning (1981) cautioned that because of the growth of new technologies enveloping the PSI, it will ensure that this approach toward defining security, makes certain that it may never remain static for long and it may constantly change as new dynamics and challenges confronting the industry (Shearing & Stenning; 1981: 1950).

The elements of the definition of the term discussed above provide an overarching spectrum of the various roles, functions and areas of specialisation across the broader ambit of private security. Therefore, the provision of private security has

become necessary in many countries for the safeguarding of and the provision of security and safety to people, their possessions and property. More recently, it includes protecting (securing) of information and other forms of intellectual property (Atenucci, 2017: 21).

Private security is thus an all-encompassing and complex term making it difficult to arrive at a uniformly acceptable definition. For the purpose of this study, private security involves the provision of specific services to paying clients. Such services may include guarding, protecting and safeguarding persons, property, assets and information. These services may include specific products catering to the needs of the different sectors of the PSI, for example, security surveillance and application of security technologies, alarm installation and monitoring, cash-in-transit services and private investigations. This definition may be expanded to include the introduction and application of new security technologies that are geared towards and responding to the challenges brought by the Fourth Industrial Revolution (4IR). These can bring about new opportunities and challenges for private security, such as an invasion of privacy, protection of information and cybercrime.

1.11.3 Fourth Industrial Revolution

According to the Founder Professor Klaus Schwab, Executive Chairman of the World Economic Forum and author of *The Fourth Industrial Revolution*, the Fourth Industrial Revolution is differentiated by the speed of technological breakthroughs, the extensiveness of scope of information which is available and the enormous impact the breakthrough of new technologies will have in the operation of new systems (Rouse, 2019: np). This means that disruptive technologies and trends such as the Internet of Things (IoT), robotics, virtual reality (VR) and artificial intelligence (AI) are changing the way we live and work (Rouse, 2019: np). These will impact on the way security service providers adapt to the changing nature of ensuring adequate protection for their clients.

1.11.4 Private Security Industry (PSI)

As mentioned, the size and complexity of the security industry on a global scale make it difficult to come up with a truly homogenous definition of the concept 'Private

Security Industry'. However, De Waard's (1999: 146-147) seminal and influential international research on the PSI provides more significant insight towards a better understanding of the private security industry. To do this, she segmented the term 'private security industry' into four broad sectors. This allowed her to provide a far more encompassing and pragmatic definition of the PSI. These sectors were placed into four broad categories, by De Waard (1999).

Firstly, when private security companies enter into a contract with clients to provide professional security services, the security service provider is contractually bound to protect the assets and look after the well-being of the client. This is referred to as 'contract security' and in this case, a contract is often accompanied by a detailed Service Level Agreement (SLA) (De Waard, 1999:145)).

A second categorisation offered by De Waard (1999: 146) is referred to as 'in-house security', where a company will have its own internal security/protection services department responsible for the protection of employees, safeguarding company property and maintaining law-and-order within the company. Such in-house security might also be required to undertake internal investigations of criminal acts or for internal disciplinary measures.

A third grouping of PSI services is the provision of central alarm monitoring services by alarm monitoring companies to clients who pay for these services (De Waard, 1999:146). When an alarm is activated, a signal is transmitted to a central monitoring station/control room and an alarm response unit is dispatched to respond to the alarm signal. In South Africa, this type of service is commonly known as 'armed' response, 'alarm' response or 'reaction' units (Maritz, 2012a: np).

The fourth division of the PSI made by De Waard is the sector of the PSI which provides secure cash management services and the transportation of valuable assets. These services are commonly referred to as 'cash-in-transit' or 'secure movement of valuable assets' (De Waard, 1999: 147).

In essence, the private security industry is heterogeneous in nature and composition and it is practically impossible to come up with a truly standardised definition of the

concept. Hence, De Waard's segmentation of the PSI into distinct sectors provides a broader understanding of the nature of services provided by this sizeable, multifaceted and dynamic industry.

The private security industry caters for a wider scope of activities and services offered to paying clients covered under the broader rubric of private security. For the purpose of this study, private security industry may include the security of persons and property by providing, inter alia, guarding, alarm monitoring, cash-in-transit, supply, fitment and maintenance of electronic security technologies, loss prevention and risk management services and information security.

1.11.5 Private security services

In its basic sense, the term 'private security services' may include at least one of the following functions, inter alia; observing and reporting any illegal behaviour or activity; the prevention of exposure of theft of goods, cash or other items of value. It can include the provision of security technologies, private alarm response, private patrol and guarding services (McCarthy, 2017: np: 12). It involves the protection of individuals and property, which may include copyrighted information, from damage and harm, the controlling access and egress to premises being secured. Private security services include the provision of dogs for detecting unlawful devices, explosives and drugs (Safety and Security Sector Education Training Authority (2016: 7)).

Private security services may entail the protection of computer-related assets – proprietary communications, records, and databases – all of which remain vulnerable to loss, theft, and other types of criminal misuse (McCrie, 2017:288).

For the purpose of this study, the provision of private security services can be extended to those legal entities (companies) which provide for the safeguarding of people, property and information, through the application of various security aids and technologies.

1.11.6 Private security agency

Private security agencies provide security for businesses and residential areas and are companies which are privately owned and operated, unlike public security such as the police or armed forces (Pandey, 2018: 217). In India, 'private security agency' refers to "a person or body of persons other than a government agency, department or organisation engaged in the business of providing private security services" (Private Security Agencies (Regulation) Act, No. 29 of 2005: 2005: ii)). Such services can include security training to private security guards or their supervisor and the deployment of private security guards to any industrial or business undertaking or a company or any other person or property (Private Security Agencies (Regulation) Act, No. 29 of 2005: 2005: ii)).

In India, the term 'private security agency' very often is used synonymously with the concept 'private security industry'. However, it is felt that the notion of 'private security' has not been recognised with 'industry' status in India, despite the thousands of workers employed by security companies and the large sums of revenue generated through imposition of various taxes. In a report, Grant Thornton, (2015:6) noted that this position/perception will change only through the continuous upgrading of the skills- set of the PSI workforce in India (Grant Thornton, 2015:6).

For this study, Private security agency refers to any legal entity that is granted a licence to provide a security service to a client at a fee.

1.11.7 Regulation

Broadly speaking, regulations refer to the way the legislation is applied. Legislation can also refer to all the laws (Acts) enacted by governments specifically to control and administer a specific industry or practice (Button, 2012: 43). Regulations are therefore important since they ensure that the levels of governance, oversight and accountability are upheld and maintained (Burt & Muller, 2016: 6). To achieve this, regulations and regulatory frameworks are justified, since they address the ongoing need to ensure the regulations are of good quality and 'fit for purpose'.

Therefore, regulations help to shape the relationship between the state, citizens and businesses, which is an integral part of effective public governance (Braithwaite (2002: 10). In this study, 'regulation' means that the government must take the necessary steps and put measures in place that are aimed to allow individuals, community organisations and businesses to make rational and informed decisions (Button, 2012:78). For the PSI, regulations are necessary to make private security service providers accountable to their clients for the services they render, as well as ensuring set minimum standards for service delivery are met. This means having an effective regulatory policy in place will help to stimulate economic development and at the same time to assist in the enforcement of laws. This can assist policymakers to arrive at informed decisions about what to regulate, whom to regulate, and how to regulate. It is necessary to briefly outline the different approaches to regulation.

1.11.8 Statutory-based regulation

In this type of regulatory approach, State-based regulation begins when governments pass specific legislation by an Act of Parliament and a dedicated entity is appointed to administer the Act through the enforcement of rules and regulations (Becker, 2017: np). The Private Security Agency (Regulations) Act 29 of 2005 (PSAR Act No. 29 of 2005) in India and the Private Security Industry Regulation Act No. 56 of 2001 (PSIRA Act No.56 of 2001) in South Africa, are the two pieces of legislation which both governments enacted to meet their statutory mandate to regulate the PSI.

1.11.9 Self-regulation

Self-regulation takes place when voluntary associations constitute themselves as organised associations. These bodies regulate themselves without intervention from external bodies. Their primary objective is motivated toward professionalising the industry (in this case the PSI). Membership is conditional, and a Code of Conduct is usually put in place to spread and promote ethical conduct (Prenzler & Sarre, 2014: 867). The private sector relies on self-regulation to address a range of issues, from establishing industry standards to developing and applying codes of professional ethics, to ensuring consumer confidence. Despite its widespread use, some

policymakers are sceptical of the efficacy of self-regulation when it comes to protecting consumer rights (Lagace, 2007: np).

Therefore, in its broadest sense, traditional self-regulation occurs when like-minded individuals with similar business interests reach an understanding of common goals, acceptable norms of conduct and structure. Usually, it is initiated to ensure the professional advancement of that sector of the industry. Industry self-regulation is thus the process whereby members of an industry, trade or sector of the economy monitor their own adherence to legal, ethical, or safety standards, rather than have an outside, independent agency such as a third party entity or governmental regulator monitor and enforce those standards (Beales; Brito; Davis; De Muth; Donald; Dudley; Mannix, & McGinnis, 2017: np).

1.11.10 Co-regulation

This type of regulation provides for the mix of public and private authority and that has come to characterize many industry's emerging regulatory frameworks (Richemond-Barac, 2014: 773). With co-regulation, there is a closer collaboration between government and industry and in this way, stronger partnerships are formed. This approach allows the industry to develop its own Code of Conduct and accreditation criteria, and the government provides the legislative backing (Australian Communications and Media Authority (ACMA), 2015: 8)). In this approach, which is neither exclusively public nor exclusively private, co-regulation broadly refers to "self-regulation with some oversight or ratification by the government" (Richemond-Barac, 2014: 773).

Examples of co-regulation regulation include regulation by industry associations and the adoption of codes of conduct by individual companies. This type implies that the regulatory policy framework is shared between government and the private/business sector and both parties are jointly responsible for the formulation of a Code of Conduct. If there are any violations to the Code of Conduct, it is the task of the business or private sector to enforce penalties or impose sanctions.

1.11.11 Regulatory Authority

Regulations in the original sense refer to a subjective process whereby the state appoints an independent regulatory body to implement the rules (Drahos, 2017: 62). A Regulatory Authority (RA) is usually an autonomous body or agency established by Federal, State or Provincial government. The RA is granted the authority by the government to enforce the regulation and it monitors and ensures compliance of the regulations in a specific sector (Confederation of European Security Services (COESS), 2013: 12)). Like the general executive, these Regulatory Authorities are also accountable to the legislature and are subject to judicial evaluation (Tripathi, 2018: 353). ~~2018: 353).~~

For this study, Regulatory Authorities mean agencies set up by democratic governments and they form an integral part of the executive arm the government. They exercise a certain degree of statutory or constitutional autonomy and report directly to Parliament. The Private Security Industry Regulatory Authority (PSIRA) in South Africa and the Controlling Authority (CA) in India, are examples of regulatory authorities.

1.11.12 Controlling Authority

The regulating authority for the private security industry in India is named the Controlling Authority (CA) and it was established in terms of Section 3(1) of the PSAR Act 29 of 2005. The CA is responsible for ensuring compliance with the regulations by all registered security agencies in India. For this purpose, the Act states; “the State Government shall, by notification, designate an officer not below the rank of a Joint Secretary in the Home Department of the state or an equivalent officer to be the Controlling Authority for the purposes of this Act” (PSAR Act 29 of 2005, 2005: ii).

Under India’s legal regimen, each state must pass the PSAR Act 29 of 2005 in its legislature and then set up a Controlling Authority (CA). In this instance, Controlling Authority in each state is the regulatory authority that functions as an independent entity. However, it derives its mandate from the central legislation.

1.11.13 Security officer

In its general sense, a security officer also referred to as a security guard, and they are usually employed to patrol, guard and protect homes, businesses and property from theft or vandalism. The term security officer, however, is more professional than just a guard, however, both have similar job requisites. Section 1 the PSIRA Act 56 of 2001 of South Africa defines a security officer as any person who is employed by another person (including the State) to render security services and who is paid for such services according to (2001: 6-7). In India, the preferred terminology is 'security guard'.

Therefore, a security officer (also referred to as a security guard), is a person who has been contracted to patrol, guard and protect homes, businesses and property from theft or vandalism.

1.11.14 Private security guard

Section 2 (h) of the PSAR Act 29 of 2005 defines a 'private security guard' as: "...a person providing private security with or without arms to another person or property or both and includes a supervisor" (PSAR Act 29 of 2005, 2005: ii). The Confederation of European Security Services (COESS) defines a 'security guard' as any person who receives payment for services rendered. Such services may include, prevention and detection of unauthorised entry or trespassing on private property, detection of theft or loss, protection of persons from physical harm and adherence to company policies and procedures and someone who responds to incidents or calls that are reported (COESS, 2013: 40).

A private security guard is, therefore, someone who is contracted to protect people, places or possessions. Their job is to monitor and patrol an area they are employed to protect, or to provide personal security for an individual or group they have been hired to protect.

In essence, the terms 'security officer' as interpreted and applied according to the PSIRA Act 56 of 2001 and 'private security guard' as alluded to in the PSAR Act 29

of 2005 are both synonymous. Both provide security services, such as the protection of assets and property for compensation (charge a fee) for the services rendered. Other security services as alluded to in the above discussion include, inter alia, prevention of crime, detection, enforcement, apprehension and reporting of violations. Security guards will look for signs of suspicious activity on the premises they have to protect and write daily reports.

1.12 DISSERTATION OUTLINE AND LAYOUT

Chapter One: Introduction and background to the study

This is the introductory chapter providing the broad background of the PSI internationally, India and South Africa. It discusses the research problem, aim, objectives and the purpose and paradigms of the research and explores research questions under investigation, including the definition of key theoretical concepts.

Chapter Two: a Literature review

In this chapter, the researcher discusses the evolution and historical context of the PSI, nature, extent, size and factors contributing to the growth of the PSI from an international perspective. It provides further exploration of the reasons attributed to the rapid growth of the PSI in selected developed and developing countries.

Chapter Three: Theoretical framework

This chapter provides the theoretical context of the study. The researcher will draw on existing theories on regulations in relation to how the private security industry is regulated in India and South Africa. Aspects such as Regulations and Regulatory Theory and the different types of regulatory approaches and models will be discussed.

Chapter Four: Documentary Analysis on Regulating the Private Security Industry in India and South Africa

This chapter will focus on regulating the PSI in India and South Africa starting with the early attempts to regulate the in the industry in the two countries and followed by an evaluation of the Private Security Agency (Regulations) Act 29 of 2005 and the Private Security Industry Regulation Act 56 of 2001.

Chapter Five: Research design and methodology

This chapter will examine the research approach, the research design, research methods such as the sample population and sampling procedures, data collection methods, data analysis, measures to determine validity and reliability, limitations and ethical considerations.

Chapter Six: Analysis and interpretation of data

Chapter Six contains findings of the analysis and interpretation of respondents in India and South Africa who participated in one-on-one interviews and those who responded to the qualitative questionnaire sent by email. The analysis and interpretation of the data in this chapter are presented in two sections. Section A analyses the data presented by the Indian sample and Section B outlines that data provided by the South African participants.

Chapter Seven: Discussion of Findings, Conclusion and Recommendations

This chapter will discuss the convergence of the research findings relating to the research questions relating to the aim, purpose of the research and the research objectives identified for the study. Significant findings emanating from the research are discussed and the researcher proposes certain recommendations that may assist in improving the current regulatory practice. The researcher offers various strategies to improve the regulatory landscape and outlines a (model) framework to facilitate efficient provision and regulation of the PSI in India and South Africa.

1.13 CONCLUSION

The need for and justification for the study was motivated by the dearth of scientific research and the gap in the academic literature on the aspects regarding the growth and regulation of the PSI in India and South Africa. The reasons for the lack of scholarly information is highlighted in this chapter. The researcher was spurred on to conduct this study since there has not been any previous research undertaken specifically, on issues relating to the vast growth and regulation of the PSI in India and South Africa. In addition, the researcher's own exposure to the PSI, in various

capacities and posts he held from 1999 to 2019, affirmed the researcher's own credibility to investigate the problem in India and South Africa.

The purpose of the study is to examine the reasons postulated for the growth and regulation of the PSI in India and South Africa. The research is considered valuable since findings of the study will contribute to the corpus of literature written about the PSI in India and South Africa. This chapter introduced the study, clarified the research problem and provided a background and rationale for conducting the research. In addition, the research aims, objectives, research questions and problem statement were emphasised.

The researcher provided a brief overview of reasons for the proliferation and subsequent regulation of the private security industry in India and South Africa. Definitions and discussion of primary key terms/concepts used in the study are provided. There is no agreed-upon generic or universal one-size-fits-all definition of the concepts 'security,' and even the term 'private security', is multi-faceted and often 'loaded' concept. In India, there is strong advocacy to move away from using the nomenclature of private security 'agency' and to regard it now as the private security 'industry'. The argument put forward by proponents is, by adopting the 'industry' label, it will help to make the entire security industry more inclusive and, in this way, can assist in contributing to towards achieving greater professionalism in the private security industry.

Finally, the chapter highlighted the main indicator giving rise to the study was the failure of research by academics and scholars to track the security industry's evolution and growth in the two countries. It became evident that both governments' concerns over the rapid and continued expansion in the number of private security service providers in the respective countries gave rise to the need for changes in the way this industry is regulated.

CHAPTER 2

LITERATURE REVIEW

2.1 INTRODUCTION

Any attempt to explain and ascertain the growth of the private security industry (PSI) across the globe, needs to consider the size, complexity, the lucrative nature of the industry, and in addition, make allowances for the multiplicity and diversity of factors impacting on it. A review of current practice confirms that the provision of private security is a worthwhile resource in most countries where it operates (Burt & Muller, 2016: np; Button & Stiernstedt, 2017: 251, Diphooorn, 2015b: 315). Some researchers argue, if such a resource is properly regulated and managed, it can play a role in contributing to reducing the levels of crime and increasing community safety (Berg & Howell, 2017: 274; Davis, 2019: np; Provost, 2017: np; Woods, 2018 7: np).

The study of private security is a relatively recent phenomenon and only in the past twenty years, have researchers, professionals and governments began to explore the extent, role, and contribution of the private sector to crime and loss prevention (Gill, 2014:11; McCrie, 2017: 289; Nalla & Prenzler; 2018:23;). Despite the infancy of academic research into the field of the PSI, there is consensus that private security across the globe is a large and expanding industry, which deploys substantial and often cutting-edge resources to prevent crime and reduce losses (Prenzler, 2017: 241; Vergese, 2014: np).

This chapter provides an overview of the evolution, development and growth of the private security industry in selected developed and developing countries inter alia; Australia, Brazil, China, France, Russia, Ireland, England, and United States of America. It will further examine and evaluate some of the reasons postulated for this global phenomenon.

2.2 EVOLUTION OF THE PRIVATE SECURITY INDUSTRY

Private security has become an essential and critical component of modern business, industry and society (George & Kimber, 2014:32). Therefore, some knowledge of how it developed is not only interesting but also helpful in understanding it as an emerging and growing industry. One of the oldest tasks faced and undertaken by man is the protection of life and property (Komninos, 2017: np). In Rome, some of the earliest written records of protectors refer to the ancient Roman Praetorian Guards who were responsible for protecting the ruling emperor. These 'Protectors' were chosen for their physical strength, skills and proficiency in the handling of weapons (King, 2014: 67).

In China, private security was an ancient provision, dating back to the Song Dynasty of China (960-1279), and its establishment is considered the oldest in the world (Zhong & Grabosky, 2011: 438). During imperial times, the wealthy class saw private security guards as an economic necessity and their tasks usually involved escorting high-value goods belonging to royalty. This need stemmed from the desire to protect people, their belongings and property. In the beginning, private security was provided in the form of a king's guardsmen and his soldiers. The guard who kept duty on a long journey, or the guard posted outside a royal chamber at night, and the guard who kept watch in the palace tower to look for incoming threats, were all early forms of private security (Zhong & Grabosky, 2011: 439). From this, private security expanded, and as the world developed and modernised, the citizens' needs for security increased (Zhong & Grabosky, 2011: 439).

The advent of the industrial revolution, coupled with the need to secure and safeguard assets and property, triggered the need for new and innovative types of security provision. This was evident in the United States of America where private security played a significant role in that country's history and has it been expanding its national presence since the 19th century (McCrie, 2017: 287). The modern PSI owes much of its origins to Allan Pinkerton of the U.S. who created the famous Pinkerton National Detective Agency during the mid-nineteenth century that specialised in protecting railway cargo for several mid-western railroad companies (Nemeth, 2012: 9). During the American Civil War, Pinkerton served as head of the

Union Civil Services and he became well known for preventing an assassination attempt on Abraham Lincoln at the site of his first inauguration. President Lincoln later hired Pinkerton agents for his personal security during the Civil War (Nemeth, 2012: 12).

After the Civil War, the increase of trade union activities gained momentum and Pinkerton offered protection to business people during the several conflicts between corporate and labour interests (Maine, 2016: np). By the early 1890s, the Pinkerton National Detective Agency was ranked larger than the standing army of the United States of America. The U.S. government used Pinkerton's model to establish the Federal Bureau of Investigations because of its effectiveness in bringing criminals to book. This illustrates the early emergence of private investigators in the United States (Nemeth, 2012: 9). Furthermore, private security corporate activity became more significant in the third quarter of the nineteenth century in the United States, and state regulations were introduced for security services, several years later (McCrie, 2017: 289).

2.3 GLOBAL EXPANSION OF PRIVATE SECURITY INDUSTRY

Globalisation is considered an important aspect behind the expansion of the security industry (Federation of Indian Chamber of Commerce and Industry Report, 2018: 1). This has occurred in several ways in different countries. For example, when countries expand foreign trade, it will facilitate and increase the transportation of people and goods (OECD, 2018:10). This gave rise to faster expansion in the movement of people and goods by air, rail, road and maritime transport. The increased risk of security breaches, theft and organised crime placed pressure on governments to implement stricter cross-border controls and surveillance. Similarly, businesses and governments continuously looked at new ways of conducting their operations more efficiently and managing security more cost-effectively (OECD, 2018:11).

One of the major challenges when discussing the PSI and its expansion is the lack or non-existence of reliable and accurate statistics (Seldon, 2018: np; Prenzler & Sarre, 2014: 865; Van Dijk, 2008: 45). What makes such assessment even more

problematic and difficult is there is no government, business or academic clearinghouse that can give an accurate statistical picture of the PSI, regardless of the attempts by some researchers to venture into this terrain (Dempsey, 2014: 3). Despite the problems in the measurement and correct numbers indicating the actual size of the PSI on a global scale, some observations confirm that the PSI is emerging as a significant force in the economies of many developed and developing countries, as the demand for these services increase (Button & Stiernstedt; 2017: 246; Gill, 2014: 23; 2017: 256; Maine, 2016: np, Nalla & Prenzler, 2018:5).

Consequently, there have been few reported up-to-date and comparable statistics on the PSI at an international level. This makes any accurate assessment of the global size of the PSI difficult to quantify. To add to this dilemma, available data on the PSI is not always considered reliable since industry records tend to leave out the provision of security service by unregistered service providers (Provost, 2017: np).

Notwithstanding these limitations, private security guards worldwide have become an increasing sight, either patrolling or guarding property and infrastructure (Nalla & Crichlow, 2014: 30). This sector, in particular, has continued to experience significant growth in recent years and projected the global market for private security including guards and alarm monitoring, armoured transport and other services for commercial, government and residential buyers which is expected to grow significantly by 2020 (FICCI: 2018: 11; Freedonia Group, 2017: np; Gill, 2014: 4).

2.4 FINANCIAL VALUE OF THE INDUSTRY

The financial value of the PSI makes it particularly worthwhile and a highly profitable industry worldwide. With globalization, several companies providing private security services are expanding their presence in developing and underdeveloped countries, leading to an increase in the global economic activity, especially in emerging economies, such as India, China and Brazil (Prado & Trebilcock, 2018: 103)). In financial terms, the global market for private security services, which include private guarding, surveillance and armed transport of cash and valuable assets, is estimated at \$180bn and is projected to grow to \$240bn by 2020 (Provost, 2017: np).

Therefore, the tendency for the global expansion of the PSI is a phenomenon that will continue to develop, not only in the U.S. and Europe but in other developed and developing countries as well (Burt & Muller, 2016: np). Developing parts of Asia, Eastern Europe, Africa, and the Middle East where security markets are relatively underdeveloped is where the strongest gains in the private security market will occur (Freedonia Group, 2017: np). In addition, markets such as China, India, Mexico, Russia, and South Africa were expected to show double-digit annual growth from 2020 onwards (Federation of Indian Chamber of Commerce and Industry, 2018:5).

Notwithstanding the continued global growth of the PSI in the countries discussed, the Universal Declaration of Human Rights (UDHR) states that “everyone has the right to life, liberty and security of person”, and that “no one shall be arbitrarily deprived of his property” (Schabas, 2013: np). This means that Governments’ have to work progressively towards achieving and maintaining these basic rights for all its citizens. However, this can be particularly challenging especially when private security enables the rich and even the middle class to bypass the state, by paying for their own personal security, which in turn can entrench and intensify inequalities among the citizens living in an unequal society (UNODC, 2014:76). The United Nations Office on Drugs and Crime affirmed this situation may further increase inequality, since the wealthy classes and less privileged, have different capacities to deal with crime (UNODC, 2014:77).

2.5 NUMBER OF PRIVATE OFFICERS (PSOs) VERSUS PUBLIC POLICE OFFICERS (PPOs) IN SELECTED COUNTRIES

A report by the Small Arms Survey estimated that there were 19.5 million people employed worldwide in private security in 2011 and this number is likely to rise substantially, as the demands for these services increase in most countries where the PSI functions (Small Arms Survey, 2011: 101-106). More recently, the global estimate of the number of private security officers is in the region of approximately twenty million, and in many countries, the number of private security guards outnumbers the formal police (McCarthy; 2017: np). This number was confirmed by the Freedonia (2017) study of the PSI globally, which reported the estimated number

of private security workers worldwide, to be more than 20 million (Freedonia, 2017: np).

However, exact numbers could still be higher since there are few up-to-date and comparable statistics at the international level, and little open and independent monitoring and record-keeping. Industry data also leaves out informal and work provided by illegal private security companies and private security officers (Provost, 2017: np). Some reports indicate that security personnel outnumber the police by two or more to one in many countries, including the United States, China, India and South Africa (United Nations Office on Drugs and Crime (UNODC), 2014:56)). A review of the literature on the PSI found that internationally, the number of private security officers (PSOs) exceeds the number of public police officers (PPOs) and the reasons postulated for this pattern vary (Bannister, 2015 np.; McCarthy, 2017: np; UNODC, 2014: 42). The reasons for this manifestation will be discussed in section 2.7.

To illustrate this accentuated ratio of private security officers (PSOs) versus the number of public police officers (PPOs), Table 1 provides a comparison of the size of PSOs versus the number of PPOs in some international countries.

Table 1: Estimated number of private security officers (PSOs) and public police officers (PPOs) in selected countries in 2017

Country	Number of private security officers (PSOs)	Number of public police officers (PPOs)
China	5.0 million	2.7 million
India	7.8 million	1.4 million
United States of America	1.1 million	800 000
Brazil	1.7 million	687 684
Russia	800 000	601 000
Japan	459 305	246 800
Germany	247 000	245 072
South Africa	487 058	194 852
United Kingdom	232 000	151 000
Australia	114 600	52 400
Canada	95995	68773

(Source: McCarthy, 2017: np).

Closer examination of Table 1 reveals some interesting comparisons. For example, in 2017, the number of PSOs in India was 7.8 million private security officers compared to 1.4 million police officers. During the same period, South Africa recorded 487 058 registered PSOs versus 194 852 police officers. Proportionately, this means South Africa has far more PSOs than PPOs compared to the other countries listed in Table1; when this ratio is compared to the total population size in South Africa. Although the focus of the study is to evaluate the growth and regulation of the PSI in India and South Africa, this chapter will also examine the growth of the PSI in selected developed countries such as Australia, England, France, Ireland and the United States of America. In addition, the study will also consider the factors influencing the growth of the PSI in the BRICS countries (developing economies) namely; Brazil, China and Russia.

2.6 PRIVATE SECURITY INDUSTRY IN DEVELOPED COUNTRIES

The Business Development Bank of Canada (BDC) (2019) confirms that developed countries are generally industrialised and has an advanced economy. Usually it is measured by the gross domestic product (GDP) and/or the average income per resident, is normally the measurement used to illustrate the country's economic status (BDC, 2019: np). In developed countries, technological infrastructure is advanced and they have diverse industrial and service sectors. Generally, the citizens' living in these countries have access to better quality health care, education and a higher standard of living (BDC, 2019: np). In this context, the researcher outlines some of the characteristics of the private security in selected developed countries such as the United States of America (U.S.), England, Ireland, France and Australia.

Worldwide, the PSI provides a diverse range of services and activities across different sectors of the economy (Born, Caparini, & Cole, 2007: 110; McCarthy, 2017, np; UNODC, 2014: 15). There are multiple sectors with different structures and accountability mechanisms, involved in providing security or attempting to provide security (Gill, 2014: 56). In the United States of America, in 2014, there were approximately 800 00 full time sworn personnel police officers compared to over 1.1

million private security officers working in the PSI. The United States Bureau of Labour Statistics confirmed in July 2018, there were approximately 1,133,900 licensed security officers working nationwide compared to 807,000 law enforcement officers (Albrecht, 2018: np). In many larger cities in the United States, the number of private security personnel is considerably greater than the number of police and law enforcement personnel. This confirms the larger ratio of private security officers versus police officers employed in the United States (Witmore, 2014: np).

Private security officers in the United States are now employed to protect individuals, property, information, and they provide protection to banks, hospitals, industrial sites, airports, office complexes, residential properties, gated communities and many other strategic installations (Lee, 2014: np).

Lee (2014) recognised that there was no national code for regulating the PSI in the U.S. and until 1992, some regulatory functions such as licensing and training of private security personnel were monitored by the individual States and each State has substantive regulatory power over the private security companies under its jurisdiction (Lee, 2015: 165). Regulation of the PSI in the U.S. takes the form of State regulation whereby each of the 50 States has the power to licence service providers for the security industry. Joh (2005) points out although statutory legislation regulating the private security industry exists in more than two-thirds of the States, its form and scope vary considerably (Joh, 2005: 89).

Woods (2018) maintain that the regulation of private security in the U.S. is left to the States and not to the Federal government. They noted some States have no regulation of private security services whereas others maintain a complex set of legislation. A further example of such erratic regulation at State level is evident in training standards, criminal record checking, licensing and oversight that differ at the State level, even though the nature of threats remain the same (Wood, 2018: np).

The aftermath of the events of 11 September 2001 (9-11) and the subsequent war on terrorism, saw the landscape of the PSI in the United States of America changing rapidly and the private security industry was forced to react to the pace of regulatory growth (McCarthy, 2017: np). The 9/11 attack shocked the entire world and the

American public put pressure on the government to protect the country from terrorist attacks. In response to the overwhelming public backlash, the Bush Administration introduced a set of measures that would respond to the public concerns and improve the nation's ability to cope with terrorism. The security measures that followed was considered a programme for "Homeland Security" – a programme at the time was regarded, as a major national priority (McCrie, 2017: np).

In Europe, George and Kimber (2014: 146) reported the predecessors of the private security industry can be traced back many hundreds of years if one includes the roles of watchmen and locksmiths. Early in the nineteenth century in Europe, the first private security companies in their modern form began appearing, and the rise and growth in the private security industry, dates back to the post-war period in Europe, especially from the 1960s onwards (George & Kimber, 2014: 147). Since then, growth of the PSI has permeated across Europe.

The private security industry in England has seen exponential growth and this position forced the government to consider introducing some form of a regulatory framework for the industry (Fuchs, 2016: np). Until this time, there were no government regulations in place to control the private security industry in Great Britain and the debate on the security industry legislation was formally encouraged by the publication of a Private Member's Bill. This was introduced by Bruce George, a Member of Parliament in the House of Commons, whose main aim was to make the industry more efficient, by addressing low wages, poor working conditions, and the problem of little or no training (McCrie, 2017: np).

After 30 years of appealing for regulation, the Private Security Industry Act of 2001 finally received its Royal Assent in the United Kingdom. This Act established the Security Industry Authority (SIA) and it became formally operational at the beginning of 2003. In terms of this legislation, the SIA has a wide range of functions, but the most important relate to the licensing of individuals operating in sectors in the private security industry subject to regulation (Button, 2007: 110). In terms of the Private Security Industry Act of 2001, SIA has the mandate to regulate the domestic private security industry. The Act includes various categories of security services such as door supervisors, vehicle immobilisers (contract and in-house), security consultants,

guards and private investigators (contract only). These designated categories must first apply to SIA for a licence before they can start operating (Private Security Industry Act 2001: np).

The growth and dynamic nature of the PSI in the United Kingdom (UK), prompted lawmakers to review the Private Security Industry Act of 2001. To this extent, the Home Office published a public consultation document on the future regulatory regime for the private security industry. The consultation document was developed in partnership with industry representatives via a strategic consultation group, chaired by the SIA. Both the Scottish Government and the Department of Justice for Northern Ireland have indicated that they support a consistent UK-wide regulatory regime for the private security industry (George & Kimber, 2014: 34). Under the revised legislation the SIA will be allowed to start regulating businesses working in specific areas of the private security industry. Businesses that provide a security service without the approval of the SIA will be prosecuted. In terms of its revised mandate, the SIA will continue to maintain a register of individuals authorised to undertake regulated activity within the private security industry (George & Kimber, 2014: 35).

According to the Irish Security Industry Association (2016: np), Ireland was the last country in the European Union to introduce a licensing system for the private security industry in response to the vast expansion of the PSI. The private security sector in that country far outnumbers the police and army (Costello, 2015: np). The Private Security Services Act 2004 is the principal legislation under which the Private Security Authority (PSA) functions in Ireland. In terms of this legislation, the Private Security Authority is the statutory body responsible for licensing and regulating the private security industry. It has the primary role to protect the public and customers that use their services by promoting a rigorous licencing system for security businesses and individuals working in the industry (Costello, 2015: np). The PSA is an independent body funded by the Department of Justice, Equality and Law Reform.

The key functions of the Private Security Authority (PSA) are inter alia, to improve, control and supervise persons providing security services by approving new

licences, renewals and suspensions (Private Security Services Act 2004: np). The Authority issues identity cards which must be displayed at all times by security officers, it sets out standards and requirements for granting licences and must address and adjudicate on all public complaints. In terms of its mandate, the PSA is responsible for the regulation of door supervisors (bouncers), security equipment installers, locksmiths, security consultants and guards, private investigators and suppliers of safes (Private Security Services Act 2004: np).

In addition, the Act delegates the PSA to appoint a registrar. The Registrar's role is to maintain an updated register of licenced providers of security services and a record of licenced employees and the services that they are licensed to provide (Irish Security Industry Association, 2016: np). The PSA issues licences to individuals who render services as private security guards, nightclub bouncers, hotel and pub doormen, private investigators and installers of security equipment. This provides an indication that there is a growing need for these services and concomitant regulations in that country (Costello, 2015: np).

As stated, in the last three decades, the private security industry in Europe has grown significantly and France is no exception to this phenomenon (Lawson, 2014: np). Private security companies in France have been regulated since 1983 and are now incorporated in Volume VI of the Internal Security Code (Conseil National Des Activites Privees De Securite, 2015: np). Under this Code, the French government introduced the Law of Orientation and Programming for the Performance of Interior Security (LOPPSI) (Atwill, 2015: np). This law introduced a number of wide-ranging changes regulating the portfolios of defence, transport, territorial and social services and made provision to include private security under its jurisdiction (Lawson, 2014: np).

Under the LOPPSI, the national and municipal police, including the Gendarme (a paramilitary police officer in France) and the fire and safety services, was amalgamated and reorganised under one security cluster. By including the PSI under this law, Lawson (2014: np) concluded, that the private security industry in France has become a recognised partner in the 'co-production' of national security. In addition, the position adopted by France reflects the global trend which is to

relieve some of the functions traditionally done by the public police, to the private security sector (Lawson, 2014: np).

France created the Conseil National des Activités de Sécurité Privée (CNAPS) or the National Council of Private Security Activities in 2012, as an entity that links public officers with the private security sector to monitor the latter's activities (Anon, 2015a: np). The CNAPS reported there are more than 160,000 employees in the private security sector and one-third of security in France is undertaken by the private sector comprising 150 000 security guards and over 6 500 companies (Conseil National Des Activites Privees De Securite, 2015: np).

Any person who wants to provide security-related services must first complete a mandatory training course and must undergo background checks for any criminal record (Conseil National Des Activites Privees De Securite, 2015: np). After being subjected to screening operations and completing the compulsory training course, the applicant is issued with a professional ID card, authorising that person to work as an employee in the private security sector industry. To prevent and punish any illegal activities and business with the private security industry, inspections are carried out on a regular basis by the CNAPS (Conseil National Des Activites, 2015: np).

With regard to regulation of the PSI in France, the CNAPS has the responsibility to ensure that fair and ethical standards for the PSI are upheld by the private security sector. It has the power to enforce regulations since the role of the CNAPS is to inspect companies to ensure adherence and it can impose sanctions in cases of non-compliance (Conseil National Des Activites Privees De Securite, 2015: np). Private security services in France include surveillance by humans, electronic safety, security systems, close protection, private investigations, transport of cash and valuables, dog handlers and airport security (Conseil National Des Activites Privees De Securite, 2014: np).

In Australia from the mid-1990s, the private security industry has followed global trends in its development, and similar to other countries, it experienced rapid growth in the 1970s and 1980s, albeit for different reasons (Prenzler & Sarre, 2014: 89). A further point of note is despite the substantial growth and relative stability of the PSI

in Australia, the focus of the PSI has shifted its emphasis to issues of consumer protection, professionalism and government regulation (Prenzler & Sarre, 2014: 89). There are more than 120,000 licenced security guards in Australia and 5,000 security and investigative businesses registered in that country. Electronic surveillance and monitoring and cash-in-transit are the sectors expected to continue to grow (Bergin, Williams & Dixon, 2018: np). These authors found that the private security industry has more than double the personnel of Australia's combined police agencies and permanent Australian Defence Force.

One observation in Australia is that private security staff provide the 'eyes, ears and hands' before any terrorist attack and an ability to be first responders after any security-related incident (Bergin, Williams & Dixon, 2018: np). Hence, the factors contributing to the growth of the PSI in Australia, per se, are, by no means, different from the factors contributing to its expansion in other developed countries.

The regulatory imperatives governing the private security industry in Australia have their own requirements and challenges, and there is no national regulatory code for the private security sector in Australia. Each state is left to drive its own regulation process. Thus, regulation of the industry is State- and territory-based, with eight jurisdictions enacting purpose-built legislation (Prenzler & Sarre, 2017: 324). The legislation passed in all Australian jurisdictions is aimed at the registration, licensing, identification and training of private security personnel. The main aim of the legislation is to regulate those who operate within the industry and to validate those who wish to enter it against certain criteria and minimum training standards (Sarre & Prenzler, 2009: 2).

One observation is government regulation of the private security sector is not consistent throughout Australia (being a federal political system). As a result, state legislation across the country was neither standardised nor consistent which meant that some States passed legislation sometime after others. While each state has a different licensing system, almost all sectors such as security companies, contract guards, private investigators and 'crowd controllers', including contract and in-house, have to comply with the requirements of their respective state regulations (Sarre; 2014: 151).

2.7 PRIVATE SECURITY INDUSTRY IN DEVELOPING COUNTRIES

(India and South Africa is discussed separately under section 2.8)

The World Bank describes the terms ‘developing world’ and ‘developing country’ ‘developing economy’ as ‘tricky’ though there is no clear agreement on which countries fit tightly into this category. For reporting purposes, the World Bank refers to ‘low and middle-income countries’ as ‘developing countries’ (Surbhir, 2019: np).

Throughout Latin America, there has been significant growth in the private security services industry (Mello, 2017: np). This has been particularly prominent in Brazil where the number of people employed in private security firms increased much faster than those employed as police officers (Van Dijk, 2008: 138-140). In Brazil, the private security is considered one of the most important creators of work and employment and it is not a substitute for public security but is complementary to it (De Moraes Netto, 2019: np). The scope and magnitude of the PSI in Brazil are measured in the large numbers of private security guards employed in the industry. At the end of 2005, there were about 1.28 million officially registered private guards in the country and this figure grew exponentially. In 2018 in Brazil, there were 1.7 million security guards and just over 3000 companies operating in the sector (Mello, 2017: np).

Mello (2017: np) found that Brazil has an extensive and well-developed security market that registered an average annual growth of 15 to 20 per cent for the last eight years with annual sales around BRL 24 billion (Brazil Real). He attributes this to the increasing number of private security companies, the number of security guards on the streets and the expansion and development of the electronic security device industry (Mello, 2017: np). Private security activities in Brazil include surveillance, transport of securities, armed escort, personal security and provision of security training courses.

The authorisation, licensing, supervision and control of the private security industry sector falls under the formal control of the Brazilian Federal Police Department (BFPD). In Brazil, all private security companies are required to go through a process of prior authorisation of the Federal Police to operate (De Moraes Netto, 2019: np). Another factor contributing to the rapid growth of the PSI in Brazil is

corruption, which together with the violent nature of the police, increase the level of distrust by the public towards the police (Van der Leer, 2014: np).

Many of the private security companies that started out as neighbourhood watches now comprise thousands of small security companies. In addition, the increased demand for hi-tech electronic security equipment, such as CCTVs, alarm systems, surveillance technology, smoke detectors as well as trained surveillance professionals was sparked by Brazilians' preoccupation for personal security (Zanetic, 2015: 5).

De Moraes Netto (2019: np) observed there are currently many irregularities confronting the PSI in Brazil in spite of the regulatory framework currently in place. These include unregistered or 'fly-by-nights' companies that carry out typical private security activities without having authorisation of the Federal Police. Another challenge within the PSI confronting the Brazilian Federal Police Department (BFPD) is the dealing and smuggling of weapons which is strongly influenced by drug trafficking in Brazil. In addition, there are many unlicensed manufacturers of electronic security equipment and the lack of training and qualification of guards created a market of low professionalism, education and income for this sector of the industry in Brazil (Mello, 2017: np).

In the Peoples Republic of China, the political structure of the country is still communism, however, its economic trajectory follows a capitalist market orientation and the country is emerging as one of the fastest-growing economies in the world (Burke, 2015: np). In such a growing economy, especially when there is more disposable income, the need for more personal security becomes necessary, as the safety risks increase (Arduino & Swaine, 2018: np). As of 2013, there were 4000 registered private security companies in China employing more than 4.3 million security personnel (Arduino & Swaine, 2018: np). By 2016, about 6 000 licenced security companies were operating in the country, with about 4.8 million security agents and annual industry-wide revenues estimated at about 40 billion yuan (about US\$6 billion) (Fuchs, 2017: np).

Private security in China is considered a service industry and both public and private sectors procure services such as guarding, transport and protection of valuable

assets, and providing security to protect the public during specific events (Diallo, 2018: np). The increase in China in the use of hiring bodyguards to provide personal protection by a growing number of executives, celebrities and wealthy families is becoming more popular (Guo, 2013: 124). With China's continued economic growth, it is forecasted to become the largest market for private security in the world and it will be looking to security industries in places such as the United States to inform best practices and market direction (Burke, 2015: np). It is estimated by 2020 China, together with India, will account for 13 per cent of the worldwide share of the security services industry (Gill, 2014: 730).

Prior to 2010, the private security industry in China was in an indeterminate state because of the lack of laws and regulations (Guo, 2013: np). The passage of the Regulation on the Administration of Security and Guarding Services (No. 564) in China in January 2010, provided the legal definition and framework needed for regulating growth in the private security services sector. Under this regulation, private security companies were given the legal definition and framework, for providing private security and related services (Drozhaschdikh, 2018; Guo, 2013: np).

The Regulation was formulated for the primary purpose to regulate security and guarding services, strengthen the administration of entities and security guards performing security and guarding services and maintain the public security (Trevaskes, 2015: 48). Thus far, the industry has recorded significant growth since the system of registered private security was established. In China, private security firms are managed and operated by China's police force in public security departments, at the provincial, municipal and county levels (Drozhaschdikh, 2018; Guo, 2013: np).

Article 2 of the Regulations, defines the term "security and guarding services" as, doorman, patrol, guard, escorting, bodyguard, security inspection, security technology protection, security risk assessment and other services. These are services offered by a security company under the security and guarding service contracts (Arduino, 2019). Article 4 prescribes security companies and entities that employ security guards must establish proper security and guarding services

management system, improve the education and training of security guards and re-enforce occupational ethics (Arduino, 2019: np).

In Russia, the collapse of the communist regime meant the provision and upholding of security were no longer considered as the sole responsibility of the state (Nalla & Gurinskaya, 2017b: 305). The private security industry started showing growth intentionally, as a result of the collapse of the Soviet Union and the opening up of markets previously closed during communism (Hiscock, 2015: 129). As a result, some of the key attributes describing the expansion of the PSI in Russia include, the dynamic and entrepreneurial opportunities offered by the private security sector, including its ability to offer valuable services to paying clients, in a professional and regulated manner (Hiscock, 2015: 130).

Moreover, the collapse of the Soviet Union and the subsequent downsizing of the state police forces contributed to the significant growth in the employment of private security guards in that country in recent decades (Nalla, Gurinskaya & Rafailova, 2017: 544). During this period, opportunities for growth and acquisition of wealth in private enterprise, changed the character of property relations, from the state ownership during the Soviet era, to private ownership in the Russian Federation. In the new dispensation, this allowed gated communities to expand and citizens now required the presence of security measures that include guards and surveillance (Nalla, Gurinskaya, & Rafailova, 2017: 544). In addition, as private citizens in Russia began acquiring wealth, the need for protection of property from private security from this new and emerging class of entrepreneurs started to grow (Nalla & Gurinskaya, Rafailova, 2017: 545).

As in many post-Soviet States, private security laws were enacted in the early 1990s and the roles covered by Russian legislation include, amongst others, private investigation, protection of persons (bodyguards), guarding of goods including guarding of transport and valuables, planning, installation and maintenance of security alarm installations and maintaining order at major public events (Galeotti, 2015: np). A further observation of the PSI in Russia is that the market is not as free as it appears to be. This can be ascribed to the role and influence of politics on the industry, where the private security industry is used as a source of muscle for the

wealthy, and they use their services it to act outside the law without any facing any legal consequences Galeotti (2015: np).

In summary, the review of the literature points to one direction – the evolution and growth of the PSI is a global phenomenon and, in the countries, reviewed, the number of private security officers (PSOs) exceeds the number of public police officers (PPOs) in varying degrees. This confirms private security officers are now filling the roles and functions usually done by police officers in many countries, thus contributing to recent growth in the sector. Many are employed as private investigators, bodyguards, security consultants, installation, maintenance and monitoring of security alarm installations, nightclub bouncers. One of the factors contributing to the global growth of the private security sector is the result of a shift by citizens from a reactive approach to crime, to one of the preventive measures and the PSI is usually in a better position to respond to criminal threats more speedily (Adam, 2015: np). The review also confirms in those countries where it operates, the private security industry is subject to some form of a regulatory regimen.

The next section provides an overview of the size and simultaneous growth and of the PSI in India and South Africa.

2.8 GROWTH OF THE PSI IN INDIA AND SOUTH AFRICA

2.8.1 India

In traditional Indian society, the use of private security is not a new phenomenon. Many wealthy people in various communities often hire the services of security guards to ensure the security of their lives and property (Gandal, 2018: 96). In recent times, the use of private security service providers in India has seen an upswing across all sectors in that country, yet there are noticeable gaps identified in the research covering the PSI in India. One of the reasons outlined for this is that academics and policymakers in India have frequently shown a key interest in matters concerning public law enforcement agencies, and very little information is available regarding the PSI in India (Komar, 2013:13).

Furthermore, the lack of formal sources of gathering data on the exact number of private security providers, the number of registered private security personnel, demographic composition and range of services offered by these companies, have contributed to this dearth of information (Sinha, 2018: np). This provided further impetus for the need for the study. The review of literature on the PSI in India confirms it has emerged as a major player in security provisioning and this calls for more research foci into this dynamic field.

Indian civilisation has played a major part in human development, world history and international relations (Pandey, 2017: np). India is the world's largest democracy and second-largest country by population with close to 1.3 billion people, (The World Bank, 2018: np). In recent decades, rapid economic growth and globalization have led to higher living standards and greater integration with the world economy (The World Bank, 20189: np). Over the past decade, this has been demonstrated by the country's integration into the global economy and this has been accompanied by economic growth (Trambili & Missaglia, 2018: np).

People across India and other developing countries flock to cities and urban areas in search of greater opportunity and higher living standards and the economic advantages of cities' financial, human and social capital help fuel India's development and urbanization (Trambili & Missaglia, 2018: np). The Indian economy has been showing healthy and positive growth over the past few years and likewise, citizens require more security and protection. According to the World Bank, India is the 6th largest economy in the world and is projected to grow at 7.4 per cent in 2018 to 7.8 per cent in 2019 (The World Bank, 2018: np).

The private security industry in India has followed similar trends and its Compound Annual Growth Rate (CAGR) expanded by 20 per cent in the last ten years (FICCI, 2018: np). The PSI in India is likely to see significant growth both in terms of the number of persons it employs, as a result of rapid infrastructural and economic development. This situation leads to an increased need for prevention, detection and protection of assets and its citizens, against criminal acts such as fraud, terrorism, theft, drug-related offences and violent crimes (Singh, 2014: np).

The significant growth of the PSI in India is measured in the number of security guards employed in the industry in recent years (FICCI, 2018: 3; Nalla, 2013: 72). This growth influenced the need for security arrangements in India in diverse ways, especially for those who can afford to pay for such services, for example, the increased need for enhanced domestic and residential security. A closer examination of the literature on the private security industry in India found that it is difficult to pinpoint and isolate singular factors promoting the growth of the industry in that country since multiple factors seemed to have influenced the industry's growth in India's national context (Komar,2013: 61).

The Federation of Indian Chamber of Commerce and Industry Report (FICCI) (2018) found in 2018, the private security industry is the largest employer, employing almost 8.9 million people. There are 22 000 private security agencies offering an array of private security and allied services, such as facilities management, fire safety and emergency planning. By 2022, the PSI has the potential to employ an additional 3.1 million personnel, bringing this number to close to eleven million security guards (FICCI, 2018: np). The National Skill Development Corporation Report (NDSC), (2013b: iv) confirms for the period 2013-2022, the incremental human resources need for the private security industry in India is projected to employ more than 11.8 million employees by 2022.

In the same report, the NDSC, (2013b:13) found in India, a sizeable number of young people within the age group 15 to 19 years fall below the poverty line. Many of those who leave school and the formal education system, have limited possibilities of finding employment in the formal sector. Thus, the contribution of this sector to employment and creating jobs in India is unique, since the private security industry provides employment to a large number of rural youth (NDSC, 2013:13), which otherwise would not have the opportunity of getting gainful employment (FICCI, 2018: iv).

The FICCI (2018) study of the private security industry in India estimated the security market at INR 57,000 crore (USD 8.8 billion) in 2016, and this estimated to increase to 99,000 crores (USD 23.1 billion) by 2022 (FICCI, 2018: np). Komar's (2013) research questioned the credibility of these statistics and found them not based on

any empirical evidence. He pointed out that this is merely a ‘guestimate’ based on market inputs, service tax paid, employee provident fund and other economic considerations (Komar, 2013:34). Nevertheless, these figures provide a reasonable snapshot of the enormity and scale of the PSI in India and its potential to expand even further.

In addition, the technological advancements introduced by the Fourth Industrial Revolution is disruptive and will impact on the traditional nature and role of the provision and delivery of private security services across the globe, including India. Customers will also be looking for service providers who can provide smarter security solutions at competitive prices.

2.8.1.1 Private security services market in India

The private security services market in India is dominated by multinational companies owned by wealthy industrialists, and it is also relatively disintegrated and disorganised (Komar, 2013: 72). It consists of a number of sectors or segments broadly classified into two categories, namely those offering security services and those offering allied services. In India, private security services generally refer to the provision of guarding services by security officers, which is by far the largest sector of the industry (FICCI, 2018: 4).

Other types of private security services available in India are categorised in the Figure below.

Figure 2: Types of private security services in India



Source: Federation of Indian Chamber of Commerce and Industry Report, (2018:7).

The manned guarding service is the largest service provided by private security agencies in India. Some of the activities within manned guarding include surveillance

and protection of industrial, commercial and infrastructure facilities, goods and people (both static and mobile), security checks, crowd management (e.g. event security) and close protection (Ernst & Young, 2013: np). Guarding services include watching over premises to protect against unauthorised access or occupation and destruction or damage against the property being stolen. It also relates to protecting one or more individuals against assault or against injuries (Grant Thornton, 2015:9).

Globally, the private security industry including India is evolving from the conventional services it usually offers namely manned guarding, and is now diversifying into newer fields. As noted previously, despite the guarding sector occupying the largest space in the private security market in India and having the highest employment rate and revenue share, this position is likely to change at the cusp of the 4th Industrial Revolution. The introduction of new security technologies and devices will force guarding companies to retrain and reskill its guard force to keep up with the latest technological innovations (Oommen, 2016: np).

Nevertheless, security guards in India still contribute the largest service provided by the PSI, followed by the growing need for cash management services which have increased as a result of the expanding network of bank branches, more ATMs being installed across the country and greater use of debit cards. These service providers ensure secure pick-up of cash and valuables (FICCI, 2018:5).

Allied services refer to security services associated with events such as security and security guard training, software and data security and security consulting (FICCI, 2018:5). Another growing service offered by the PSI in India involves integrated facility management where the responsibility of all supporting service functions of an organisation is outsourced. The Integrated Facility Service provider provides administrative support, training, operational management, integration, innovation and it provides strategic advice to the client organisation. This means that instead of having several external service partners working with various service deliveries, everything is integrated into one solution such as software engineering solutions, telecom and utilities, including logistics solutions (FICCI, 2018:7).

Electronic security services are currently growing at a rapid pace in India. The consequences of rapid automation and technological advancements will see greater demand from customers for services such as electronic security and remote surveillance, including security engineering and design and this can map a new line of security services for the future. This sector can now play a significant role in the value-added services offered by the PSI which now include, Artificial Intelligence (AI), Internet of Things (IoT), high-tech surveillance systems, biometric technologies, remote sensors and cybersecurity (FICCI, 2018: 7).

Related to the electronic security services industry is the growing need for the provision of security architecture and engineering services in India. As security systems become smarter and intelligent, it will require services such as system hardening, firewall management, network intrusion detection systems and application security (Perry, 2017: np). The electronic security services sector provides services such as systems integration, operations and maintenance of electronic security products at clients' premises. Other services rendered by this sector include monitoring of CCTVs, alarm systems, access control systems and other electronic equipment (Gupta, 2015: np). Several security service companies provide allied services such as installation, operations and maintenance of electronic security products such as CCTVs (Perry, 2017: np).

A parallel challenge that comes with such exponential expansion of the PSI in India, is the increase in the number of illegal operators. Consequently, there has been a significant increase in the number of unregistered guarding agencies in India, meaning these illegal operators avoid compliance with the statutory obligations (Singh, 2014: np). The Federation of Indian Chamber of Commerce and Industry Report (FICCI) (2018) confirmed the unorganised sector of the PSI in India continues to operate illegally and avoid adhering to compulsory regulatory and compliance requirements. This compromises the quality of service delivery and lowering of standards (FICCI, 2018: np).

2.8.2 South Africa

The growth of the private security industry in South Africa is particularly important because of the large numbers of people it employs as well as the diverse services it offers, for example, locksmiths, electronic security, close protection, armed reaction, cash-in-transit services, across the different sectors in the industry. Unlike India, where it became evident that the academic literature on the subject has been limited, the evolution and expansion of the PSI in South Africa are reasonably well documented. In the book *Twilight Policing: Private Security and Violence in Urban South Africa*, Tessa Diphorn (2015a) outlines that the enormity and glaring presence of private security in South Africa are tangible. This is demonstrated by residents in the provision of additional security measures such as high walls, barbed wire, electric fences, CCTV cameras, dogs and patrol cars (Diphorn, 2015: 11). This demonstrates the nature, extent and the manner in which the PSI operates in South Africa on a daily basis, especially for private citizens who can afford to pay for their services.

During the 1990s, the seminal influential works of Blecher (1996), Bosch (1999), Irish (1999), Mistry and Minnaar (1999), Schönreich (1999), and Shaw (1995), amongst others, contributed significantly to the discourse on the expansion and development of the PSI in South Africa. These studies focussed largely on the growth of the PSI during the transitional period of the country to a democratic state. Later contributions by Berg and Gabi (2011), Berg and Howell (2017), Botha (2015), Gumedze (2007a; 2008a; 2008b; 2015), Minnaar (2005; 2007; & 2009); Penxa, (2009), Pillay (2006) and Siebrits (2001) amongst others, produced significant insights into the nature, extent, expansion and regulation of this sector of the industry in South Africa. These studies considered PSI growth in South Africa during the post-apartheid period.

South Africa also has a considerable private security sector which dwarfs the current police force according to the latest 2018/2019 Annual Report of the Private Security Industry Regulatory Authority (PSIRA Annual Report: 2018:9). In 2018, according to PSIRA's registration records, there were 535 857 security officers registered in South Africa and over 9,447 registered and active security businesses. These security businesses employ security officers from all the different categories or classes of security service providers as defined in the PSIRA Act No. 56 of 2001,

with the majority falling within what is generally described as the guarding sector (PSIRA Annual Report, 2018: 15).

In South Africa, since the early 1990s, the estimated value of the industry has been increasing incrementally (Berg & Howell, 2017:275). In 1990, the private security industry in South Africa was valued at ZAR1.2 billion (Irish, 1999: np). By 1997, this figure increased to ZAR6 billion and by 1999, including vehicle security, tracking and in-house security (at large mining houses, banks, insurance companies), the value of the private security industry was estimated to be ZAR9 billion (Minnaar, 2009: 79).

By 2004, this value increases to more than ZAR14 billion with estimates as high as ZAR30 billion also being mentioned (Maritz, 2015: np). By 2015, the private security industry in South Africa reached an annual turnover of ZAR50 billion with the guarding sector contributing approximately ZAR18 billion to this amount (Badenhorst (2019: np). To this extent, Badenhorst (2019: np) confirmed if this growth of the PSI in South Africa continues at a sustainable pace, the estimated value of the PSI by 2020, could be in excess of ZAR180 billion and these figures raise the predisposition towards this growth path of the industry.

2.8.2.1. Differentiated sectors of the PSI in South Africa

The private security sector in South Africa provides a vast array of services to the commercial and residential sector of the market. However, the size and nature of services it offers vary according to demand and degree of sophistication (Maritz, 2015: np). In summary, the following sectors feature prominently in the private security industry landscape in South Africa as presented in Figure 3. The development of these sectors aligns itself with section 1(1) of the Private Security Industry Regulations Act 56 of 2001 (PSIRA Act 56 of 2001: np).

Figure 3: Diverse sectors of the PSI in South Africa



Guarding sector

This is the largest and most noticeable sector of the industry in South Africa, employing approximately 500 000 security officers (PSIRA Annual Report, 2018: 15). The main function of security officers is to guard fixed assets and property and conduct regular patrols on the privately-owned property as well as public spaces.

Cash/Assets-in-transit (CIT) services

In South Africa, moving cash or valuable assets from one place to another is an important and lucrative security service function. Some organisations, due to their size and the nature of their business operations, have outsourced transportation of cash and valuable items to external security service providers. The industry has grown significantly, reflecting global patterns. This growth has occurred parallel to the country's burgeoning economy and high crime rates. The industry's evolution indicates that risks associated with the flow of valuable assets and their transportation necessitated adjustments to how they provide security (Koekemoer, 2018: np).

Gichanga (2018: 5) found clients contract directly with CIT service providers and there is no interface with the South African Police Service (SAPS) for the transportation of high-value goods and the consequent high level of security. She observed there is little information on the trends and characteristics of CIT services in the private security industry in South Africa. Most of the information on the CIT sector is found mostly in media reports concerning the various cash-in-transit (CIT) heists that are commonplace in South Africa. In 2018, armed attacks on CIT service providers have increased exponentially and these services have become particularly susceptible to attacks from highly sophisticated armed robbers. For example, Gichanga (2018: np) reported in 2018, cash-in-transit attacks in South Africa have escalated out of control, with a heist recorded at least once a day, on average.

Statistics South Africa (2018b: np) pointed out the Cash in Transit (CIT) industry is a critical service provider to the economy and its performance has a direct impact on retailers across the country. The statement applauded the 23 per cent reduction in

violent attacks against the CIT companies for the reported period (2018-2019) (Statistics South Africa, 2018b: np). However, it was still concerned that in the first eight months of 2018, incidents of CIT robbery have escalated to an average of over eight incidents a week (Statistics South Africa, 2018b: np).

Armed/Alarm Response

The demand for this service has increased steadily over the past decade and although this sector employs fewer people, it services more clients than the guarding sector, especially in South Africa. The primary function of this sector is to respond to an alarm signal by sending out reaction units and deploying armed security officers when required. The Private Security Industry Regulatory Authority registered 3 604 companies providing reaction services in South Africa during 2017/2018 (PSIRA Annual Report, 2018: 64).

Investigations and Risk Management Services

This sector consists of a growing number of private investigators and risk consultants and is the least visible sector of the private security industry. It provides private investigation and detection and surveillance services across the country. For the years 2017/2018, the number of private investigators registered with PSIRA was 1 313 (PSIRA Annual Report, 2018: 64).

In-house security

In-house security refers to security departments or protection services within the organisational structure of large organisations that are regulated by the company or any entity that makes use of in-house security services (Seldon, 2018a: np). It refers to conducting an operation within a company by its own internal security staff, instead of relying on outsourcing the security function to an external service provider. This occurs when a firm uses its own employees and time to keep a division or business activity, such as financing or brokering, within the organisation (Seldon, 2018b: np).

Electronic security

This service refers to hardware and IT systems that are concerned with the installation of alarms and quick response devices. The following categories of

electronic security are listed in the PSIRA Act 56 of 2001, include manufacturers of security equipment, security equipment installer (Seldon, 2018: np). In South Africa, additional services offered by private security companies include the provision of bodyguards and close protection officers, assistance with crowd control, armed guards for secure transportation of valuable assets, conducting surveillance (including the use of CCTV and covert systems), installing and responding to various forms of alarms. Other forms of technical security consulting include countermeasures for industrial espionage and tracking (Evans, 2015: 21).

Overall, the private security industry across the world has shown formidable growth and the issues raised in the preceding discussion bears testimony to this fact that, based on the large numbers of people employed by the industry, the growth of the PSI in India and South Africa is set to continue on this trajectory. In summary the activities provided by the PSI especially in India and South Africa comprise of the following services: supervision and protection of movable and immovable property; guarding of personal and commercial property; transportation of cash and valuables; protection of persons (bodyguards and VIP protection), management and response to central alarm monitoring stations; in-house security, private investigators, key security; provision of security at recreational and sporting events, including mega-malls; CCTV monitoring; emergency response duties and security consultation. Besides providing employment to millions of people in many countries, it also provides a basis for emerging entrepreneurs to start their own businesses in this very profitable and highly rewarding market (Badenhorst, 2019: np).

The growth of the private security industry in South Africa is characterised in the type of services offered and the diversity of products it can offer. In its traditional form, many people still believe that private security companies mainly provide night watchmen and guards for access control. The PSI has evolved beyond the guarding sector and private security companies now provide a far wider range of services. They also conduct various forms of confidential investigations, including undercover or covert investigations, complex fraud investigations and security risk management consulting services (Provost, 2017: np). In addition to the above, private security services in South Africa include security trainers, labour brokers in the PSI, locksmiths, dog handlers, control room operators, security advisors and consultants,

persons managing, controlling or supervising security services, anti-poaching and close protection officers have been listed (Section 1: Private Security Industry Regulation Act 56 of 2001: np).

2.9 FACTORS CONTRIBUTING TO THE GROWTH OF THE PRIVATE SECURITY INDUSTRY

Worldwide, growth trends indicate that the shift towards the PSI occurs as a result of citizen's choice and preference from conventional ways of dealing with crime (reactive) to one of the preventive measures (proactive) (Prenzler, 2017: 241). Another reason attributed to this market growth is the gradual decline in state expenditure for the provision of adequate protection of its citizens (Davis, 2019: np). This resulted in consumers who can afford to pay for private security services, to move to the PSI (Evans, 2015 7: np; Nalla & Prenzler, 2018 34). Furthermore, an increase in crime and insecurity makes the provision of security a profitable market for local and transnational companies (Van Dijk, 2008: 45).

Other reasons put forward for the growth of the PSI internationally, include the perceived increase in crime rates, free movement of goods, services, people and capital (UNODC, 2014: 12). In addition to these, the rise of budgets for goods and security services by government, corporates and private consumers, spurred on this growth (National Skills Development Corporation, 2013a: 11). Private security officers are deployed to guard private homes and commercial properties, in addition, they provide security surveillance services to shopping malls and airports, and the provision of patrolling services of 'enclave' or 'gated' communities (Nalla, 2013: 65).

Furthermore, rapid advancement and technological innovation especially in developing countries, increased economic activity, migration and rapid urbanisation, more disposable personal incomes, the attraction for foreign investment by private security companies and an overburdened and under-resourced public police force have been identified as possible growth indicators (Van Dijk, 2008: 67). In addition, the dynamics of supply and demand impacts and influences the growth of the private security sector. Many citizens turn to the PSI for their protection since crime remains a high priority issue (Govender, 2017:31). Based on these, in the next section, the

researcher discusses the factors and other enablers contributing to the growth and expansion of the private security industry, not necessarily in any order of importance.

2.9.1 Economic growth and rise in personal wealth

An assessment of the literature on the PSI confirms increasing levels in personal income and wealth leads to the acquisition of more private property (Gumedze, 2016b: np; Krishnan, 2017: np). This results in the need for the provision of additional security for those who can afford it (CoESS, 2013: iv). Gandai's (2018: 97) assessment of the PSI in India found the widespread growth of the PSI is attributed to the expanding development of the economy over the last two decades. Furthermore, in India, the increased demand for security services has been attributed to the rise in GDP per capita of the employed sector. This led to an increase in the spending pattern on luxury items, prompting the need for greater protection (Grant Thornton, 2015: 16).

In countries such as Russia, private security agencies expanded rapidly to offer protection to new businesses, in the wake of economic liberalisation and the emergence of market economies, after the fall of Communist governments (Galeotti, 2012: np). The term "violent entrepreneurs" was coined in Russia to describe the role played by newly formed organised criminal groups, private protection and security services, and informal protective associations of state security employees (Volkov, 2016: 12).

Similar patterns of growth of the PSI also occur where there are extreme inequality and differentiation between the rich and poor sectors of society. South Africa and Brazil are typical examples of such inequalities. In Brazil, growth of the PSI was ascribed to the accumulation of wealth among the middle and upper classes of the population (Van der Leer, 2014: np). As more people accumulate wealth and possessions, the need for security increases (McCarthy, 2017: np). In China, despite the political structure of the country being communist in nature, the attraction to the PSI has been noticeable. Notwithstanding this, its financial and economic path follows a capitalist market orientation and it is emerging as one of the fastest-growing economies in the world (Burke, 2015: np). In such a growing economy, there

is more disposable income and this creates the need for more personal security as the safety risks increase (Krishna-Kumar, 2016: np).

The growth in the emerging middle class with more disposable income and resources to pay for additional security measures facilitated the growth in this sector in India and South Africa (Mehta, 2015: np; Melane, 2013: np; Kishore, 2018: np). Such an economic impetus resulted in changing requirements of securing industrial complexes, offices, financial institutions and residential infrastructure (Freedonia Group, 2014: 16). Furthermore, economic realities, as a result of rapid economic growth, have left shopping malls, business parks, industrial areas, special economic zones, entertainment venues, sports complexes and hotels vulnerable to security threats (Grant Thornton, 2015: 16).

2.9.2 Lack of confidence in public police

Many studies attribute the remarkable rise in the number of private security companies especially in developing countries to ineffective and untrustworthy public security institutions (Berg & Howell, 2017: 275; Krishna-Kumar, 2016: np; Nalla & Prenzler, 2018:23; Shipman, 2019: np). They attribute this to governments' inability to act swiftly to protect the public and to the failure of the police to provide sufficient security. To supplement the shortage of government security personnel in the form of policemen, the demand for private security services in India has increased (Shipman, 2019: np). This has created a direct demand for an alternative source of security service (Grant Thornton, 2015: 20).

In South Africa, the state's role in providing for the safety and security of its citizenry has gradually dissipated because of an over-stretched and over-burdened public police service (Mabena, 2017: np). In addition, the lack of proper resource allocation, leadership crises, the lack of implementation of relevant training standards and skills deficiencies, corruption, and police incompetence in fighting crime, compromised the manner in which the police protect the citizens (Seldon, 2018: np). This inevitably affected the morale of police officers and created mistrust of the police by the citizens (Botha, 2015:33). The Minister of Police in South Africa admitted to Parliament when he presented the Annual South African Police Crime Statistics for

2018 that, South Africa's depressing state of crime is worsened by amongst other things, the decline in the number of police officers serving the community. He confirmed that South Africa has exceeded the United Nations norm of policing which says one policeman to 220 citizens, and in South Africa, one police officer is now looking after almost double this amount (Muller, 2016: np).

This situation left many people who could afford to engage the services of private security companies, particularly armed alarm response companies, to do so (Maritz, 2017: np). The results of the 2017/2018 Victims of Crime Survey (VOCS) in South Africa showed that visibility of the police declined between 2016/17 and 2017/18. The Survey estimated that the proportion of South Africans who never saw a police officer in uniform during the past twelve months increased by twenty per cent. Many citizens (34.4 per cent) who participated in the survey mentioned poor police response as the most common reason for dissatisfaction (Statistics South Africa: 2017/2018: np). The Survey confirmed South Africans were less likely to report property-related crimes such as housebreaking, burglary and theft of personal property to the police and the main reason was that victims felt the police will not be able to solve their cases (Statistics South Africa, 2015: np).

In Russia, after the fall of Communism, legal private security was created as a direct result of the downsizing of the State's security forces, and private security firms starting filling the gap by offering services often considered to be within the State's domain (Galeotti, 2015: np). Usually, it is the responsibility of governments to safeguard the rights, property, and physical safety of its citizens (Griffin, 2013: np). However, in Russia, as in many other countries, private organisations exist and operate as profitable businesses by offering the same protection to paying clients, due to lack of trust of the state police (Galeotti, 2013: 4).

To support this contention, Hiscock (2015: 131) posited that the private sector in Russia started in the 1990s by using non-state security service providers due to the citizens' lack of faith in the state police and the ineffectiveness of the state security system for providing the protection of persons and property. Due to ineffectiveness, the state police were not providing adequate protection and private security companies were able to fill the gap quickly. Furthermore, rampant corruption by the

police in Russia resulted in opportunistic individuals charging for security (Hiscock, 2015: 138). To meet these demands, the Russian private security industry has significantly increased its operational capabilities, to supplement government law enforcement agencies in maintaining safety and security of citizens and their properties (Galeotti, 2015: np).

In China, citizens are moving away from being solely reliant on the police for protection and many who can afford to pay, have resorted to self-protection in the form of private security (Arduino, 2019: np; Guo, 2013: 125). In their report, Grant Thornton (2015) found in China that the low number of police officers had encouraged the growth of security services in the industrial, commercial and domestic sectors in that country (Grant Thornton, 2015: 16).

Thus, a cursory observation from commentaries about the PSI worldwide, indicates that mistrust and the lack of confidence in the public police to provide sufficient protection forced many (who could afford to pay) to use the services offered by the PSI. Police ineptitude, corruption, shortage of police personnel, incompetence and negligence have been levelled as reasons why citizens choose private security services over the public police (Kumar, Komar, 2013: 56; Seldon, 2018: np; Srivasta, 2014: np; Sarre, & Van Steden, 2007: 53). Furthermore, a general distrust by citizens of conventional policing methods to ensure their safety and security motivates people to seek alternate forms of private security to enhance their personal safety and well-being (Arduino, 2019: np; Gupta, 2015: np; Gumedze, 2016b: np; Galeotti, 2015; np).

2.9.3 Rising crime rates, unemployment and citizens' fear of crime

Globally, as crime and insecurity increase, the provision of private security becomes a profitable market in which many local and multinational companies are able to prosper (FICCI, 2018: 3; Gill, 2015:21; Prenzler, 2017: 242; UNODC, 2014: 11; Van Dijk, 2008:26). The public's perception of increasing crime rates, coupled with citizens fear of crime or becoming victims of crime led to a shift to this industry (Berzofsky, Shook-Sa, Barrick, Daye, Horstmann & Kinsey, 2010: 45; Henderson & Kadam, 2013; np; Hopkins, 2015: np; Nalla & Prenzler, 2018: 23). Private citizens

have acknowledged that the increase in crime and the population growth meant that public police resources are overextended (Maine, 2016, np; Silverman, 2019: np). Closely aligned to rising crime rates is the shortfall of government resources allocated to the public police which creates a 'security vacuum' (Nalla & Prenzler, 2018: 24). Srivasta (2014: np) discerned that, in India, peoples' anxiety of crime and violence has affected their quality of life. This necessitated the need for the public to turn to private security providers for protection. The increase in the number of crime incidents occurring in the last few years in India has led to a rise in demand for private security services (Grant Thornton, 2015:24).

In South Africa, increasing crime rates and the changing nature of crime directly affects the demand for private security services and the type of private security services required by clients (Botha, 2015: 42; Maritz, 2015, np; Swingler, 2017: np). The private security industry has contributed significantly in enabling citizens, businesses and communities to protect themselves. Crime prevention measures in South Africa include the provision of alarm systems linked to alarm response teams, 24-hour vehicle patrols and closed-circuit television (CCTV) cameras both at private residences and in major cities affected by crime (Diphoorn, 2015a: 45; Taljaard, 2008: np).

Therefore, the growth of the sector can be ascribed to South Africa's high crime rates and the types of local crime, coupled with a range of ancillary factors which encourage the procurement of private security services (Mabena, 2017: np; Muller, 2016: np). In October 2019, the Statistician-General reported unemployment rate in South Africa remains above twenty-nine per cent (29%) and this is the country's highest unemployment rate since 2003. South Africa now has the joint fourth-highest unemployment rate out of 182 countries tracked by Trading Economics. The working-age population stood at 38.6-million people, of which 16.4-million were employed and 6.7-million were unemployed (Statistics South Africa, 2019: np).

According to the Governance, Public Safety and Justice Survey in South Africa (GPSJS) 2018/19 (previously known as the Victims of Crime Survey), released by Statistics SA in October 2019, there were about 1,3 million incidences of housebreaking affecting 5.8 per cent of households in South Africa. The most likely

victims of housebreaking were male-headed households, households in metros, Indian/Asian households, white-owned households and very low and very high-income households. The same survey reported about 260 000 incidences of home robberies and an estimated 83 000 incidences of theft of motor vehicles in 2018/19, affecting 0.4 per cent of South African households. In the same period, there were about 1.2 million incidences of theft of personal property affecting 2.5 per cent of people aged 16 or older in South Africa (Statistics South Africa, 2018: 11). These figures confirm that many citizens fear for individual safety and the theft of personal assets attracts them towards private security services, in South Africa (SASSETA, 2016: viii).

In South Africa, the fear of crime and the inability to access the services of the South African Police Service, due to under-resourced police stations and poor service delivery of policing activities, leave the door open for the PSI to thrive (Hopkins, 2015: np). This translates into a lack of resources for crime prevention activities and further drives the demand for private security services. On a daily basis, the public report crimes such as murder, vehicle hijacking, house robberies and other forms of crimes against persons and property (Swingler, 2017: np).

Therefore, rise in crime rates and coupled with people's fear of crime have made many South Africans feel that the levels of violent and property crimes are increasing and this makes it unsafe for them to walk in parks, or even allow their children to play freely in their communities. In addition, many households reported that housebreaking/burglary and home robbery were the most common and most feared [crimes] and more households employed private security services. (Statistics SA, 2016: np). For this reason, many people who are able to contract and pay for such services, do so. To support this, the 2017/2018 Victims of Crime Survey in South Africa, ascertained that housebreaking and burglary was the dominant household crime accounting for about 54 per cent of all household crime in South Africa (Statistics South Africa, 2018: np). This resulted in a situation where people had to search and find alternative forms of security and protection.

Growth of the PSI in many post-socialist countries came about as a result of many countries redefinition and focus of their policing mission. For example, in Russia, it

resulted in the retrenchment of hundreds of personnel employed in state police agencies and other security bureaucracies (Hiscock, 2015; 29). This caused citizens to start feeling insecure which triggered the demand for private security services. Many of the unemployed former police personnel either became owners of security companies starting to work in occupations that resembled the work they previously performed in the police (Nalla & Gurinskaya, 2015: 44). The growth of the PSI in Russia is a response to the general lawlessness that prevails in that country (Galeotti, 2015: np). This may be the reason why potential victims in Russia often turn to commercial protection services, in the form of private security (Hiscock, 2015: 30).

In Brazil, three central factors leading to the growth of the security market have been identified, namely: an increase in the rates of crime; a general perception of and fear of violent crime; coupled with increasing the feelings of insecurity and greater migration to urban spaces (De Moraes Netto, 2019: np; Mello, 2012: np; Zedner, 2009: 78). Apart from the increase of urban crime and the perception of violence, other reasons put forward for the expansion and demand for the private security industry in Brazil are due to increased financial losses from criminal activity (Van Dijk, 2008: 42).

Trevaskes (2008: 40) confirmed private security services in China flourished over the last two decades and the main reason put forward is the growth in crime, which has far outweighed the number of public resources put into the public security regime. Rising crime rates and the inability of the government to provide resources to the public police in China, has led to a blossoming of the growth of private security services in China (Guo, 2013 123).

2.9.4 Upsurge and frequency of terrorist attacks

The emergence of terrorist threats across the world has been recognised as one of the primary indicators for the continuous growth in the PSI sector (Ernst & Young, 2013: 16; Krishna-Kumar, 2016: np; Singh, 2014: np). Data collected from the Global Terrorism Database (GTD), collated by the National Consortium for the Study of Terrorism and Responses to Terrorism (START), describes a terrorist attack as "the

threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious, or social goal through fear, coercion, or intimidation” (National Consortium for the Study of Terrorism and Responses to Terrorism, 2017: np).

The terrorist attack of the World Trade Centre in the United States of America on 11 September 2001 had a significant impact on the development of the PSI and substantially changed the security environment across the world. In the U.S., the deadly attacks of 9/11 shocked the entire country and created a sense of insecurity leading to an increasing trend for utilising private security services. As a result, many private security companies saw potential lucrative business opportunities as the United States government began deploying more state-controlled forces to fight the ‘War on Terror’ (Gill, 2014: 36).

History. com (2019: np) noted that the private businesses suffered both directly and indirectly from the terrorist strikes of 11 September 2001. The aftermath of the 9-11 attacks meant more severe restrictions were put in place in the name of security. This complicated business travel and the movement of goods. As a consequence, the private sector was called on to support the U.S. government’s fight against terrorism actively with tougher controls on money transfers and on the export of dangerous materials and technologies (History.com. 2018: np).

Despite these efforts, terror attacks by extremist groups continue to rise across the globe. The National Consortium for the Study of Terrorism and Responses to Terrorism (START) reported in 2017, the highest incidence of terror attacks in the world occurred in Iraq (2466), followed by Afghanistan (1414) and India came third in the world with 966 reported incidents of terror attacks. In the same year (2017), there were only 29 reported cases of terror attacks in South Africa (START, 2017: np).

Hence, the rise and frequency of terror attacks across India in recent years coupled with the shortage of police personnel were put forward as a key driver for the growth of the PSI in that country (Gandal, 2018: 99; Komar, 2013: 62; Henderson & Kadam, 2013: np). Since the year 2000, the number of people killed in India due to terrorism has increased five times amounting to an increase of almost 61 per cent (Grant

Thornton, 2015: 16). The 26 November 2008 bomb blast in Mumbai shook India and tested the resilience of its security systems and practices. This terrorist attack which killed 172 people and injured several others, is referred to as the 26/11 Mumbai attacks.

During this act of violence, ten Pakistani terrorists turned India's commercial capital into a war zone by holding major landmarks such as the famous Taj Mahal Hotel under siege for three days (Henderson & Kadam, 2013: np). These attacks exposed glaring vulnerabilities such as the porous borders and ports of entry in the country's security apparatus and this position increased the risk of the country to terrorist attacks. This sparked the development and deployment of advanced security systems to enhance residential, commercial, industrial and public property. Thus, the increase in terror attacks raised the security threat levels in India and this again triggered a further demand for high-end security technology equipment (Freedonia Group, 2017; Grant Thornton, 2015: 16).

The aftermath of the 2008 Mumbai attack resulted in most international hotels in India installing airport-like security systems and access points to restrict and properly secure access and exit points. In addition, uniformed guards stop cars at the entrance point to check the boot and to scan underneath each vehicle. All guest suitcases and handbags must go through an x-ray scanner, and all visitors must walk through a metal detector (Henderson & Kadam, 2013: np). This created a heightened sense of security awareness and as a result, security in India is seen as a critical investment where billions are spent on security guards, cameras, surveillance equipment and other security gadgets (Kazmin & Chilkoti, 2015: np).

2.9.5 Increase in 'mass private property' - shopping malls, sports stadia, entertainment venues and leisure facilities

Another reason attributed to the growth of the PSI is rapid expansion in urban centres of all forms of property ownership and the simultaneous demand for securing it (especially in the absence of any visible protection offered by the public police (Adam, 2015: np, 2019: np; George & Kimber 2014: 112; Silverman, 2019: np). The expansion and development of one-stop centres in India, such as shopping malls,

sports stadia, holiday resorts, leisure facilities, office parks, and airports, coupled with citizens' fear of crime, prompted individuals and organisations to enhance their security services provided for these sites (Grant Thornton, 2013: 6).

Shopping malls, for example, are privately owned but are used by the public and owners of such property ensures the security of such property, and not the state (Wakefield, 2003: 76). These are often areas of private space, but freely open to the public. In many countries like India and South Africa, such a situation may pose challenges to the public police, particularly if they need to take on the primary role of providing security at all these sites. Their duty is to serve the public, not the property owners.

In India, the need for security arrangements has grown manifold, due to the growth of the economy over the last two decades (Kazmin & Chilkoti, 2015: np). The country has invested significantly in large scale infrastructure projects and various urban landscape developments such as industrial complexes, offices and IT parks. Further development in public infrastructures such as airports, metro stations, shopping malls and other public utilities, creates a direct demand for private security services (Grant Thornton, 2015: 6). Thus, the proliferation of urban public spaces such as entertainment venues, shopping malls and sports complexes, airports, metro stations, contributed to the expansion of the PSI market in India (Confederation of Indian Industry, 2014: np).

In South Africa, post -1994 when the country became a democratic state, private property became increasingly more accessible (but not necessarily affordable) to all persons living the country. Many South Africans are increasingly visiting private spaces such as shopping malls, sports and cultural entertainment centres and many other places offering leisure-type activities (Berg & Howell, 2017: 275). For fear of safety, middle-class South Africans are moving away from public spaces to 'public-private property'. Such a situation created a condition where the absence of visible public police necessitated the need to deploy private security officers to secure 'public-private property' (Botha, 2015:51). Hence, owners of these establishments made use of private security to the public who use such property.

In Brazil, the expansion and demand for the private security industry were accelerated due to the advent and opening of large private spaces to the public, for example, shopping malls, cinemas, nightclubs, stadiums and secure residential complexes (De Moraes Netto, 2019: np). These public spaces need protection and this increases the need for the deployment of additional security measures (Zedner, 2009: 155). Various events held at these venues vary significantly in their risk profile, and one observation cutting across all of them is the undeniable growing contribution of private security services in the provision of community safety and crime prevention functions at these venues (UNODC, 2014: 10). It is for these reasons that many shopping mall and leisure resort owners and mega-event (entertainment and sport) organisers have turned to private security companies to take on the primary responsibility for providing crime prevention and community safety functions (UNODC, 2014: 10).

2.9.6 Increase in secure ‘gated’ or ‘enclaved’ communities

The growth in gated communities also drives demand for private security services (Mbhele, 2019: np; Maine, 2016: 78). South Africa has seen a number of profound structural, social and political changes since the end of apartheid. One of the most profound changes to the urban landscape has been the proliferation of different forms of housing, including the rise of gated communities (Johannes, 2012: iii). Gated communities are residential areas with restricted access in which normally public spaces are privatised (Landman, 2002: 34). They are security developments with designated perimeters, usually walls or fences, and controlled entrances that are intended to prevent penetration by non-residents (Johannes, 2012: iv).

In gated communities, residential areas are usually separated from their surroundings by perimeter fencing and boom gates, and private security, which undertakes access control and patrol functions (Johannes, 2012: np; Nalla & Prenzler, 2018: 12). Gated communities with security staff also restrict access to pedestrians, which may be able to reduce the chance of vandalism, theft and other crimes. This has sometimes proven to be controversial because of the divisive nature and the inequalities exposed in terms of security between those able to afford to live in such areas and those who cannot (UNODC, 2014: 10).

Chutel (2018) argues that the withdrawal of the state from the provision of basic services results in (among other effects) a rise in urban crime and violence resulting in the increased privatisation of security. This seems to be the most common justification for citizens moving to a gated community (Chutel, 2018: np). Hence, the provision of patrolling services to 'enclaved' or 'gated' communities has become more necessary as people seek to enjoy the peace and tranquillity provided by security companies (OECD, 2004: 3). Some provinces in South Africa (Gauteng and Limpopo), have shown significant growth in the establishment of new businesses and gated residential areas, largely in suburban areas (Anon, 2017: np). Approximately half of all South Africa's gated communities are situated in Gauteng, where homes in residential estates remain a popular option. This has contributed to the need for more security leading to an escalating number of security businesses registered to render services in such areas (Melane, 2013: np).

2.9.7 Commodification of security

The commodification of security has contributed to a growing need for private security services in general across the world. This term refers to the increasing tendency for security to be viewed as a 'private good' (Wakefield & Fleming, 2009: 2). In many countries, the state no longer is regarded as the only provider of security for protecting its citizens' and organisations. It is now common practice for private companies to provide a range of security services and products, aimed at filling gaps in the provision of security by the state. Security is being sold as a commodity like any other service (Wakefield & Fleming, 2009: 2). The commodification of security relates to its 'packaging and promotion of a thing (in this case security service) that can be traded' (Ayling, 2014:932).

The growing trends towards the commodification of security have made people enhance their own security such as physical security, use of armed response companies, counter-surveillance and businesses acquiring security services from security companies, such as security guards, equipment, surveillance and armed response reaction, as result of the State's inability to guarantee security (Ayling, 2014: 936). In South Africa, the commodification of security came about because of

the State's inability to guarantee the security of citizens who acquire property (fixed and movable assets) (Maritz, 2012: np).

This resulted in private citizens resorting to purchasing their own security and start installing additional physical security measures such as CCTV applications and restricted access and egress control measure (Loader, 2018: 1406). In addition, more companies and businesses started acquiring security services such as security guards and surveillance technologies including armed response reaction for protection (Claasen, 2015: 123).

Yet another observation has been the increasing rates of 'stealable' goods over the years which is attributed to the rise in 'mass private property' (De Waard, 1999: 146). This resulted in increased feelings of insecurity by the public since they become over-protective of their possessions in their private residences. This places more pressure and an additional burden on state policing resources to cater for the publics' increased needs for safety and security (De Waard, 1999: 146).

2.9.8 Increasing demand for CCTV surveillance technology

In today's digital and information age, Information Technology is used to provide security solutions for home and business users alike. The application of latest security technologies by the PSI, in contrast to the deployment of security guards, is proving to be more cost-effective and, if properly applied, can be used effectively to prevent the occurrence of crimes (Donald, 2018: np). Surveillance is changing from being static, fixed and reactive, to being flexible and proactive (Goldsworthy, 2019: np). The CCTV market is gaining huge popularity across the world due to rising concerns for security and safety. This resulted in an increased demand for technically advanced surveillance systems, thereby, creating huge growth opportunities for CCTV manufacturers (Donald, 2018: np).

In Australia, industry-specific trends likely to continue is the significant and continuing growth in electronic alarm and CCTV surveillance and monitoring, since these are often seen to be more cost-effective than manned patrol and guarding services (Goldsworthy, 2018: np). The report of the study released by the Australian

Institute of Criminology focussing on the use of CCTV by police showed that where police requested and used CCTV footage, there was an increase in the rate of criminal cases being solved. In addition, the study confirmed a change in crime prevention strategies from reactive surveillance to proactive surveillance (Goldsworthy, 2018: np).

In Brazil, the increased demand for hi-tech electronic security equipment, CCTV surveillance systems, alarm systems, surveillance technology, smoke detectors, as well as trained surveillance professionals was triggered by Brazilians' preoccupation for personal security (Zedner, 2009: 5). In addition, the slow growth rate in the Brazilian economy has contributed to an increase in unemployment, which in turn led to increased violence and higher levels of theft. As a result, there will be more business opportunities for people selling CCTV protection and for those offering private home security systems. In Sao Paulo, the CCTV and security surveillance market alone was worth in the region of US\$900 million, with more than one million cameras installed, approximately one for every seven residents (Firmino; Kanashira; Bruno; Evangelista & De Costa, 2018: 67)).

China's private security industry is crucial in keeping the country running. The country is already the largest market for security and surveillance equipment (Weber, 2018: np) and is moving away from manned guarding in favour of electronic surveillance, which has led to further growth in the sector (Arduino, 2019: np). The surveillance market in India has tremendous growth prospects. It has grown multiple times in recent years (Krishnan, 2017: np). In addition, rising terror threats, growing public and private infrastructures and increase in crime rates have resulted in the demand for the surveillance market in India (Singh, 2014: np).

Thus, the rising incidents of crime, theft, bank robbery and increasing awareness about the advantages of using electronic security technology have driven the electronic security market (Anon, 2016: np). In India, several security service companies provide allied services such as installation, operations and maintenance of electronic security products such as CCTV surveillance systems linked to a central control room. This allows for effective despatch of response units. The Freedonia Group (2017: np) reported that the surveillance technology sector in India will add

increased importance to companies, as they decide to cut operational and human resource costs, and invest more in technology products.

In South Africa, the security surveillance and CCTV market continue to thrive, albeit for similar reasons mentioned in other countries. Minnaar (2009~~42~~) found in South Africa, the main reason for the implementation of domestic CCTV systems was to prevent, deter and reduce crime within the context of social crime prevention. In addition, a large number of these systems are sponsored and operated by contract security companies (Minnaar, 2009~~42~~: 103). Many private security companies in South Africa are using smarter video surveillance, better alarm systems, and other new products, which are currently available. These systems imply that customers, particularly businesses can protect their assets better without having to invest in manned guarding only or relying on complicated solutions (Maritz, 2015: np).

The private security industry in most countries is resorting to the increasing use of surveillance cameras. This results in a rising demand for intelligent and mobile video surveillance solutions, rising demand for cloud-based surveillance solutions, and growing adoption of Internet Protocol (IP) cameras. These are the driving factors for the mobile video surveillance market growth (Donald, 2018: np; Goldsworthy, 2018: np).

2.9.9 Demand for foreign investment

Rapid economic growth, coupled with a rise in income levels, as well as greater potential for foreign investment also drive the demand for private security services (Evans, 2015: np, Federation of Indian Chamber of Commerce and Industry (FICCI), 2013: 11). Foreign Direct Investment in private security agencies in India is subject to compliance with the Private Security Agencies (Regulation) (PSAR) Act, 200, which require that foreign companies may acquire up to 49 per cent ownership of a private security agency (Vergese, 2014: np). Because of such strong growth, the security services industry in India has attracted foreign investment by some of the largest players in the industry.

In China, the emergence of the private security industry and its concurrent growth during the period of economic reform has been attributed to a greater demand by

foreign investors to capitalise on new opportunities (Arduino, 2019: np). Similarly, in Australia, increasing foreign ownership of Australian security businesses has been identified as an option to sustain this continued growth (Sarre et al., 2009: 15). As a result of this rapid expansion, stakeholders in the industry have suggested an increase in the Foreign Direct Investment (FDI) limit, to fund their growth plans. There are indications that the Government of India is considering an increase in FDI limit in the sector; however, industry discussions suggest that there are no imminent changes in the near future (Grant Thornton, 2015: 11). In South Africa, there is a move to limit foreign ownership of private security businesses to forty-nine per cent (Private Security Industry Regulation Amendment Bill, 2012: 11).

2.9.10 Demand from insurance companies

The Victims of Crime Survey (2018) concluded that South Africans' overall high fear of crime, resulted in more than half of the households taking physical security protection measures to safeguard their homes, while almost a third installed security measures for their vehicles (Statistics South Africa, 2017/2018: np). Both of these security measures have become a standard compulsory requirement by insurance companies. By taking out insurance cover, it provides incentives for customers to negotiate lower monthly insurance premiums in comparison to those that do not install all or some of these security measures (Statistics South Africa, 2018: np). Increased security standards for insurance and the post-9/11 counter-terrorism strategies in the U.S. and Australia were also identified as growth enablers of the PSI (Henderson & Kadam, 2013: np; Prenzler & Sarre, 2014: 861).

2.9.11 Demand for cash-in-transit services

In the last few years, the demand for accessibility to banking services across the world has seen an increase in the number of banks and bank branches expanding (Grant Thornton, 2015: np). This has directly resulted in an increase in security services provided to the banking industry in India and South Africa. Correa (2019) found the key driver for the stimulus in the CIT industry is the growing number of ATM's across the globe and China and India are seen as the fastest-growing markets for CIT services. In these countries, the market for ATM services is

projected to grow at a Compound Annual Growth Rate of 20-25 per cent during 2018–2020 (Correa, 2019: np).

In India, CIT services include cash pick-up and delivery services, corporate and retail cash pick-up and cheque collection services. A further stimulus for growth in the cash-in-transit (CIT) market is triggered by an increase in organised players (criminal syndicates/gangs), as well as the increase in the branch network of large corporate players (Sinha, 2018: np). Another driver purporting the growth in the sector is the increase in crime rates which has driven the outsourcing of cash handling services to specialist service providers, who can perform cash management services using a more secure process. A further reason for outsourcing the transportation of cash and valuables to a specialist security service provider is the continued implementation of the latest technology (Correa, 20189: np).

In South Africa, the provision of cash management security to most of the commercial banks is a service rendered by several of the larger role players in the cash-in-transit (CIT) sector (Hosken, 2018: np). Needless to say, this sector has been targeted by criminal gangs on a regular basis. In 2017, R165bn was transported by cash-in-transit companies across South Africa and from that amount, , R465m was stolen in just 10 heists (Hosken, 2018: np). The Minister of Police in South Africa, “announced in 2018, there has been a cash-in-transit heist every day and it is time for the police to take the war to the criminals with the number of attacks continues to rise across the industry and up until May 2018, a record-high number of 135 incidents were reported” (Hosken, 2018: np). To curb this problem, the South African Banking Risk Information Centre (SABRIC) has urged the government, and particularly law enforcement authorities, to put special interventions in place to end the surge of violent CIT attacks proliferating the country (South African Marketing Insights, 2019: np).

2.9.12 Other reasons influencing the global growth of the PSI

Greater migration from rural to urban spaces is another factor promoting the growth of the PSI across the globe (Maritz, 2015b: np; Mello, 2017: np). In India for example, high rates of urbanisation and economic liberalisation contributed to an

increase in crime rates across society. This prompted the need to procure the services of private security for providing protection and safety of citizens (National Skills Development Corporation Report, 2013b: 60). In addition, the rise of e-commerce, increase in industrial espionage, and opportunities for cyber-crime transactions, have been identified as reasons contributing to the growth and development of the private security industry (Gumedze, 2008: 3).

2.10 CONCLUSION

In this chapter, it was noted the provision of security has always been a primeval need for humankind since early forms of civilisation. As a result, the need for security has evolved over the centuries and the private security industry today is truly 'a force to be reckoned with'. In many countries around the globe, private security officers now outnumber the public police and this bears testimony to the global expansion of the sector. In monetary terms, the PSI contributes significantly to the Gross Domestic Product in countries in which they operate. It is a dynamic sector and it provides entrepreneurial and employment opportunities to millions of people across the globe. The PSI in India and South Africa is a valuable resource due to the large numbers of people it employs and the diversity of services it offers to its paying clients.

During the past twenty years, the role and function of the PSI in maintaining some form of social control has increased substantially. The growth has been attributed to the demands of the public for increased personal safety and protection, as well as by businesses for increased security and safety. This is not only prevalent in areas covering the mass private property market, but also in the increase in the size and number of shopping complexes and gated neighbourhoods. Other reasons attributed to the steep growth of the industry are, an increase in crime rates, coupled with citizens fear of crime.

Furthermore, rising levels of individual wealth, lead to the acquisition of more private property and this creates the need for more personal security. These factors compounded and encouraged the perceptions of the public, about the efficacy of the public police to safeguard and protect their interests. In addition, the threat of

terrorism across the world is one of the key indicators for the upsurge of the industry in many parts of the world.

Thus, the private security industry has taken on a significant function during the past few years. The factors described above, especially a lack of confidence and trust in the public police, create opportunities for employment in the PSI to a large section of the population in many countries. Besides being an employment creator, the PSI is a vast industry that is a major source of revenue for many governments and it reassures paying citizens of their security, by deploying proactive solutions to ensure their safety.

CHAPTER 3

THEORETICAL FRAMEWORK

3.1 INTRODUCTION

In this chapter, the researcher explores existing models and the theoretical framework related to the study and offers a general representation of regulations and regulation theory. Attempts to explain these relationships within the private security industry regulatory framework will be examined. The literature surveyed (Berg, 2016: np; Button, 2012:204; Button & George, 2006: 567; Gumedze, 2008a:109; Nalla & Prenzler, 2018: 21; Van Steden & Sarre, 2007:53) found in most countries where the PSI operates, it is subject to some form of statutory regulations. Therefore, it becomes important to recognise that the growing nature and function of the PSI, increases the significance of putting in place a legal mechanism to ensure some form of control for the industry. In this way, regulations are necessary to facilitate respect and adherence to national and international rules, including respect for human rights (United Nations Office on Drugs and Crime (UNODC), 2014: 20).

In its broadest sense, regulation means putting in place procedures to manage sectors or activities in a manner that will ensure service providers are able to achieve their goals through legal means (Baldwin, Cave & Lodge, 2015: 103). In this way, regulations become necessary to ensure there is a balance between no regulations at all, and a more tolerant approach (Prenzler & Sarre, 2014: 857). Conventionally, regulation deals with two opposing conditions. On the one hand, it allows freedom to go about conducting one's business without interferences. On the other hand, it relates to the imposition of enforcing formal controls (Coglianese & Mendelson, 2015:22).

Governments can choose either to leave businesses to act and conduct their operations as they please, or they can act decisively and introduce regulations aimed at aligning ethical business practices with the rest of society (Coglianese, 2016: 21).

If a government chooses to regulate, then three components come into play. These are (1) Legislation: where a government define the rules; (2) Enforcement: whereby appropriate actions/responses against the rule violators are undertaken (law enforcement); and (3) Adjudication: where a determination is made of whether the rules have been breached, and the appropriate sanctions for such breaches are imposed (court processes) (Ong, 2017: 240). Regulations for the PSI have become prominent especially when there is increasing transgression and poor-quality service impacting on the industry, including customer satisfaction (Prenzler & Sarre, 2014:863).

The scope and responsibilities of regulatory agencies may differ. To this extent, the three main issues identified in defining a regulator's role are: (a) the area or sector covered by the regulation; (b) the role and interaction of the regulator in relation to policymakers; and (c) the relationship between the regulator and other regulatory entities (UNODC, 2014: 20). Regulator's responsibilities are standard in that they set minimum standards; regulate prices and service quality; monitor performance; issue licences, deal with customer complaints and apply appropriate sanctions (Orbach, 2012:2). In addition, they provide policy advice to Parliament; monitor market competition; manage scarce resources; and settling of industry disputes (Fromm, 2015: 3-4). Furthermore, regulators must enforce the law and facilitate co-operation with the police (UNODC, 2014: 20).

3.2 NEED FOR REGULATIONS

The rules that a government puts in place to restrict and control citizens' behaviour is intended to improve their lives by preventing exploitative, unfair or harmful actions on the part of service providers (Litian, 2018: np). Therefore, regulations are intended to reassure and empower consumers to make informed decisions about the service provider they may decide to use. Regulations discourage non-compliance from those intending to damage the reputation of their industries and jeopardising their 'social license to operate' (Clarke-Hill, 2018: np).

On the contrary, if the regulations are poorly designed, it may be harmful and can stifle innovation, growth, and job creation or inadvertently cause harm to the people

they are supposed to protect, which may weaken the public's trust and confidence in government regulation (Litian, 2018: np). Some scholars (Black, 1997:22; Braithwaite & Drahos, 2007: 7; Button & Stiernstedt, 2017:245; Castro, 2016: np) have recognised that regulations are necessary since they reinforce the need for a framework to ensure that service providers are accountable and fully compliant with the expectation of the regulators (Castro, 2016: np). In fact, Orbach (2012: 2) maintains that despite the large investment in resources on the scholarship of regulation, the term 'regulation' seems to escape a clear definition.

However, Drahos (2017:139) contends that many governments introduce regulations, which specifically means, a law drafted by subject matter experts to enforce the primary legislation. To give effect to this, a statutory body is usually responsible for implementing regulations (Drahos, 2017: 139). Most governments usually enact a specific law to set up the regulatory system and, in some instances, the primary legislation will be supported by some form of rules, which deals with the 'nuts and bolts', of implementing the law (Decker, 2018: np).

3.3 DEVELOPMENT OF REGULATIONS

In pre-industrial society, regulation was considered an older activity than government structures and even the law itself (Parker & Braithwaite, 1999: 120). To explain this, Parker and Braithwaite (1999) use the example of the regulation of the practice of incest, which was enforced to ensure the future survival of human genes. At a later stage they reported that, when money was introduced as a means of conducting financial transactions, it gave rise to the introduction of macro-economic regulations. During the third-century BC, the next key event related to some form of legal control was the setting up of formal laws. The most important achievement was the codification of Roman law by Emperor Justinian, which had a lasting influence on the world's formal legal systems (Parker & Braithwaite, 1999: 121).

Later, it was discovered that almost all of the significant regulatory enforcement agencies emerged in the eighteenth and nineteenth centuries (Daniel, 2017: np). This was used as a basis for enforcement of the rules, and in this way, security entities were able to maintain some form of control and demand accountability. A

classic example of such a security entity was the creation of the London Metropolitan Police in 1829 (Parker & Braithwaite, 1999: 120). Until that time in Europe, the police was an institution created to maintain an orderly environment – in other words, until 1829, ‘policing meant regulation’ (Parker & Braithwaite, 1999: 121). After the introduction of the first police forces, other new regulatory agencies began to emerge and started specialising in a range of types of enforcement (including the PSI), which were usually included in the general responsibilities of the police (Parker & Braithwaite, 1999:121).

3.4 CURRENT REGULATORY PRACTICES

Regulation in its simplest form is a type of government intervention, through the introduction and setting of rules. If one accepts this description, it rules out the possibility of self-regulation by the industry, because regulation by implication means government involvement (Braithwaite, 2016:22). However, recent observations regarding government involvement in regulation indicate that governments may not be in the best position to set standards for various industry sectors, since the expertise to regulate the industry, rests within the industry themselves (Coglianese, 2016: 32).

Regulations are therefore necessary since they reinforce the need for a framework to ensure that service providers are accountable and fully compliant with the expectation of the regulators (Castro, 2016: np). These regulatory mechanisms include industry-based solutions; consumer awareness campaigns; self-regulation and direct government or statutory regulation (Australian Communications and Media Authority (ACMA), 2015: 6)).

In South Africa, early research by Irish (1999) found that the regulation of the PSI can be categorised into three different models. Firstly, the non-interventionist model refers to no-regulations. This is when the government does not take responsibility for regulating the industry and market forces determine whether adequate regulation takes place (Irish, 1999: 21). A second category deals with a lesser form of regulatory practices (minimal regulation), and this happens when the state brings in minimum legislation to regulate the people who work in the industry. In this situation,

the regulation may set limited rules and standards for the industry. Lastly, with comprehensive regulation (statutory regulation) the government extends regulation as a means to control the industry. This form of regulation was introduced to raise the standard and quality of services provided by the private security industry (Irish, 1999:21).

Gunningham and Rees (1997), who were early proponents of regulations theory, expanded on the various regulatory options identified by Irish (1999). They developed the Spectrum of Regulatory Frameworks and plotted these options using a linear scale (See Figure 4). On this scale, the options for a regulatory framework ranged from no regulation to detailed government control, to self-regulation, and at different points on the spectrum, it incorporates various kinds of co-regulation and state regulation (Gunningham & Rees, 1997:241).

Figure 4: Spectrum of Regulatory Frameworks

**No Regulation Self-regulation Co-regulation Statutory
Regulation**

(Source: Adapted from Gunningham & Rees, 1997: 241).

Closer examination of Figure 4 shows that there is ‘no one size fit all’ regulatory model for the different sectors of the economy (Gunningham & Rees, 1997). It does, however, show the various regulatory options available to governments, ranging from no regulation at the one end, to direct government regulation at the other. A similar type of regulatory model developed by the Commissioner for Better Regulations (2014), called the Regulatory Continuum, extended the options a government may choose when introducing regulations for any sector (Commissioner for Better Regulations; 2014:6). However, The Regulatory Continuum model was slightly different to Gunningham and Rees’s (1997) Spectrum of Regulatory Frameworks approach, because it added another option in the form of quasi-regulation, which falls between self-regulation and co-regulation (Commissioner for Better Regulation, 2014:6).

The table below describes the various regulatory options falling under the Regulatory Continuum Model.

Table 2: The Regulatory Continuum (Commissioner for Better Regulation, 2014)

TYPE OF REGULATION	DESCRIPTION
No regulation ('Hands off')	Non-regulation is the practice that allows businesses, services and agreements to not have to follow or comply with any official rules. There is no direct government involvement or assistance. The government does not have any explicit control.
No regulation ('Indirect regulatory engagement', minimal regulation)	This includes non-regulatory options such as positive incentives, facilitation and communication. It is also referred to as minimal regulation and occurs when the state brings in minimum legislation to regulate the people who work in the industry
Self-regulation	This occurs when there is a voluntary agreement within an industry and stakeholders of the industry are involved in the regulation. The industry sets out voluntary codes of conduct or standards and regulations are not enforced.
Quasi-regulation	This type of regulation occurs when the government uses its influence to force businesses to comply. It works closely with stakeholders to develop codes of conduct, accreditation and/or rating schemes There is an ongoing discussion between government and industry and no enforcement of regulation.
Co-regulation	This type of regulation encourages a strong partnership between industry and government. The government allows the industry to develop its own code of conduct or accreditation and/or rating schemes. There is legislative backing from government enforcement by the Regulator.
Explicit government regulation (legislation)	With this type, the government restricts the role of

TYPE OF REGULATION	DESCRIPTION
	<p>industry in formulating legislation limited to consultation.</p> <p>All stakeholders must comply and any form of non-compliance is punished.</p> <p>This type does not provide flexibility in interpretation and compliance requirements and regulators enforce the rules.</p>

Source: Commissioner for Better Regulation (2014:6).

As outlined above, regulation is a complex issue and there is no universal model when applying or enforcing regulatory standards (Black, 1997:31). Therefore, as industries develop and expand, governments have to increase the number of regulatory alternatives. These options may include regulatory and non-regulatory mechanisms such as, no regulation, minimal regulation, self-regulation, statutory-based regulation and co-regulation, which are explained in the next section.

3.4.1 No regulation

This approach is referred to as the “Hands off” approach. It can entail ‘indirect regulatory engagement’, which is a type of regulation, or control over an organisation, or industry that is not direct, or which operates on subtle level (Commissioner for Better Regulation, 2014:9). The implications of such an approach can be chaotic and it may open the doors for unlicensed and illegitimate operators to penetrate the sector (Button & George, 2006:565).

3.4.2 Minimal regulation

Some governments may choose not to give any special attention to the PSI and treat the provision of private security services just like any other service industry, for example, catering, cleaning or garden services (UNODC, 2014:22). With this minimalist approach to regulation, governments usually put formal controls in place, with little state intervention (Braithwaite & Drahos, 2007: 23).

3.4.3 Self-regulation

The term 'self-regulation' has a range of definitions (Irving, 2015). Self-regulation is usually characterised by the industry formulating its own rules and codes of conduct, and the industry is primarily responsible for enforcement (De Nevers, 2010: 221). Self-regulation refers to those instances where the government has formally delegated the power to other stakeholders to regulate their particular sector. However, the government has less legal control over the enforcement of industry practice (ACMA, 2015:6). In its traditional sense, members of self-regulators usually come from a particular industry and they have a common understanding of the challenges facing the industry (Irving, 2015: np).

Self-regulation takes place when a group governs or develops its own policies without outside assistance or influence (Coglianese & Mendelson, 2010: 24). This type of regulatory practice allows the industry participants to arrive at a common understanding of goals, and agree on acceptable norms of conduct. The industry volunteers develop, administer and enforce its own solutions (ACMA, 2015: 8). With self-regulation, members of the industry set up bodies, associations or institutes which they must affiliate to, and follow their prescriptions. Membership of these bodies are conditional, and a voluntary Code of Conduct is put in place, to encourage and promote full adherence to ethical conduct at all times (Coglianese & Mendelson, 2010: 25).

Self-regulation of the private security industry occurs when executives and consultants with many years of experience in the PSI, manage and oversee these bodies or associations (Prenzler & Sarre, 2008). Their responsibilities include vetting new applications and they have the power to revoke membership where malpractice is suspected. The South Africa Security Association (SASA), South African Institute of Security (SAIS), and the Central Association of Private Security Industry (CAPSI), in India, are examples of such bodies, originally set-up to self-regulate and aim to professionalise the PSI. The effectiveness of self-regulation depends on the level of scrutiny of background checks and vetting processes that occur before allowing anyone to become a member of the association (Organization for Economic Co-operation and Development (OECD) 2014: np)). Some critics view self-regulation

with a degree of caution and scepticism and attribute this to the voluntary nature of participation in these bodies (Button, 2012: 87).

3.4.4 Co-regulation

Co-regulation is as a combination of industry regulation and government regulation (ACMA, 2015:6). If the state and the private sector co-operate, it is called co-regulation (Gunningham & Rees, 1997:365). With co-regulation, there is a process of dialogue, collaborative consultation and sharing of information between various stakeholders. This approach is generally more flexible and adaptable. It is often a finely balanced concept midway between state regulation and industry self-regulation (Kleinstuber, 2015:62). Co-regulation could mean that industry or the professional body develops the regulatory frameworks in consultation with governments. Co-regulation allows the industry to administer its own arrangements, while governments support this by providing legislative back-up, thereby enabling the arrangements to be enforced (ACMA, 2015: 9).

Co- and self-regulation can offer a number of advantages. For example, in comparison to the traditional 'command-and-control' model of state regulations, these offer greater flexibility and adaptability (Coglianese, 2016:40). The advantages are a lowering of compliance costs and the government may consult with the industry to obtain expertise and knowledge on industry-specific matters, and complaints and disputes are dealt with more speedily than for example, statutory-based regulation (Organisation for Economic Co-operation and Development, 2018: np).

Some shortcomings of co- and self-regulation include stronger possibilities for industry stakeholders to raise the barriers for entry to the industry (self-interest gatekeeping and exclusion of new role-players). In addition, some members could set up monopolies and restrict competition which may compromise standards (Kleinstuber, 2015:64) and may result in 'regulatory capture' (European Economic and Social Committee, 2014: 11). Regulatory capture is the result of the process by

which the regulations are consistently or repeatedly deflected from the public interest, towards the interests of the regulated industry (Carpenter & Moss, 2014: 13).

It occurs when regulators are dominated by the industries or interests they are charged with regulating. The result is that the regulating body, which is charged with acting in the public interest, may be influenced to act in ways that benefit the industry it is supposed to be regulating (Coglianese, 2016: np). To overcome this, regulators need to strike a balance by introducing a system of regulation that is not too independent of the regulator, or not too controlled by the industry's self-interests (UNODC, 2014: 22).

3.4.5 Quasi-regulation

In the Regulatory Continuum (illustrated in Table 2) quasi-regulation lies between self-regulation and co-regulation. Quasi-regulation describes those arrangements where government influences businesses to comply, but which do not form part of explicit government regulation (Organization for Economic Co-operation and Development, 2018:22). It refers to the different rules, instruments and standards that governments may use to force businesses to comply with various types of practices and behaviours. It does not form part of explicit or industry-specific government regulations. However, the role of regulation is shared between government and industry. With this arrangement, the regulator may help to develop industry Codes of Conduct (ACMA, 2015: 10).

3.4.6 Statutory-based regulation

This type of regulation is also known as 'Rules-based Regulation' (Decker, 2018: 5), and Ayres and Braithwaite (1995: 43) make it clear it is the State's responsibility to introduce regulations for a particular sector. A statutory regulatory approach is more precise, and it provides regulators with greater discretion (Castro, 2016: np). This approach is more effective at ensuring that the regulator is ultimately accountable (to parliament), for the effective implementation of the regulatory system (Ayres & Braithwaite, 1992: 12).

However, statutory-based regulations do have some drawbacks. Non-compliance by smaller companies and a lack of accountability on the part of state regulators can be problematic and as a result of strict enforcement of rules, compliance costs may increase. This can result in confusion and inconsistency in the enforcement of rules and it may stifle innovation within the industry which can lead to a ‘tick box’ mentality on the side of regulators (Decker, 2018: 6).

Funding deficiencies and under-resourcing is a recurrent challenge for most state regulators (Davis, 2018: np) In addition, insufficient staff capacity to carry out investigations and conduct inspections also pose problems for the regulator (Decker, 2018: 10). Another shortcoming of statutory-based regulation is that it is much more expensive for the regulator to monitor the behaviour of all companies (Smith: 2013: np). The statutory regulator for the PSI in India is the Controlling Authority (CA) and the Private Security Industry Regulatory Authority (PSIRA) regulates the PSI in South Africa.

3.5 PROGRESSIVE REGULATORY APPROACHES

A noticeable observation in the Spectrum of the Regulatory Framework model (Figure 4) and the Regulatory Continuum (Table 2), is the conspicuous absence of more progressive regulatory approaches such as ‘responsive regulation’ and ‘smart regulation’.

3.5.1 Responsive regulation

In ‘responsive regulation’, the idea mooted by Drahos and Krygier (2017) was to try and make regulators understand the context and motivation of those they are regulating. Once regulators have this contextual understanding, they can choose an appropriate response, depending on the nature of transgression, and such a response does not preclude the responsive regulator from imposing penalties (Drahos & Krygier 2017:12). Groups or sectors which have a vested interest is included in the regulatory process and they are approached on a consultative or

advisory basis. This means that they are able to help to influence the regulations, but not to define them (Button, 2007: 115).

With this approach, non-compliance does not automatically require the regulatory authority to intervene and punish non-compliance. The challenge for Responsive Regulators is to look for alternative forms in which it must first be determined whether issues can be resolved through dialogue, before resorting to more serious sanctions (Braithwaite, 2002: 118). This model has some advantages and is not only likely to result in the creation of more practical regulations, and compliance with such regulations is more likely to occur (Ayres & Braithwaite, 1992:12). In the ideal situation, the responsive regulator must take the lead and formally integrate all stakeholders including employers, service providers and the public into the regulation-formulation process (UNODC, 2014:26).

3.5.2 Smart Regulation

The term 'smart regulation' emphasises the ability of the industry sector to adapt and be flexible to changes and new developments (Button & George, 2006: 570). By doing this, they are able to apply regulatory instruments using discretion, rather than following a pre-set sequence of responses, as determined by statutory requirements (Drahos, 2017: xxxii). Advocates of smart regulation argue that enforcement of regulations is no longer the sole responsibility of only the State, as assumed by traditional theories of regulation, but it now becomes the responsibility of second and third parties, such as industry associations and allied stakeholders (Prenzler & Sarre; 2014: 857).

These parties play the role of 'surrogate regulators' (Gunningham & Rees, 1997: 243) and this type of regulation embraces aspects such as innovation, flexibility and imagination and it includes elements of self-regulation and co-regulation. Smart regulation is based on the principle of inclusivity and wider consultation with relevant stakeholders. In this way, smart regulation seeks to improve the current rigid regulatory climate. Additionally, it presents an opportunity to understand and consider macro-regulatory influences and interactions (Gunningham & Sinclair, 1998: 133).

3.6 ALTERNATIVE REGULATORY MODELS

In its current form, most regulatory practices follow the traditional rigid approach where non-compliance is met with consequences (punitive) whereas alternative regulatory approaches disregard them in favour of innovative alternatives. Alternative regulatory practices advocate flexibility in their approach and this can result in increased compliance, more innovation and efficient outcomes to regulations (Decker, 2018: 10). This thinking motivates policymakers and academics to start exploring alternative regulatory approaches such as meta-regulation and better practice strategies for regulations.

3.6.1 Meta-regulation

The use of meta-regulation in regulatory studies date back to 1983 and the early uses of the concept (meta-regulations) included one of two different meanings, each referring to the oversight or governance of regulation (Grabosky, 2017: 149). Meta-regulation is in contrast to traditional forms of regulation where decisions concerning rules are decided solely by the regulator (Coglianese & Mendelson, 2010: 21). This innovative idea was pioneered by Ayres and Braithwaite (1992), in which they embraced a more extended conception of meta-regulation. According to them, meta-regulation involves a variety of state and non-state institutions. In meta-regulatory theory, since regulation can be delegated, it can be watched by the state (Ayres & Braithwaite 1992: 4).

With meta-regulation, public interest groups and non-state stakeholders monitor the behaviour, not only of businesses (and their staff) but also includes government regulatory agencies. Thus, public interest groups can stimulate state regulatory authorities to be vigilant and this can reduce the likelihood of 'regulatory capture' by the private sector (Ayres & Braithwaite, 1992: 4).

3.6.2 Better practice strategies

The Australian Communications and Media Authority (2015) identified the term ‘best practice strategies’ when looking at alternative ways of regulation. This strategy supports a more accommodating approach, especially when a sector experiences challenges with policy issues. It involves analysing the current practice and thereafter, considers other options aimed at refining, reviewing or even recalibrating existing regulatory approaches. In this way, it tries to avoid a situation of imposing new requirements and harsher sanctions (ACMA, 2015: 19). This can be achieved by changing the existing regulatory practice and redirecting the resources to obtain maximum effect. Better practice strategies must adapt to the changing threats and priorities faced by the industry and regulators, without reducing the certainty and impact of regulations (ACMA, 2015: 19).

Alternative approaches to regulation require ‘out-of-the-box’ thinking, and regulators need to accommodate a diversity of views when responding to challenges facing them. Further exploration and research in this regard are necessary and this may lead to the discovery of new knowledge or alternative perspectives when considering different and best practice models to regulations and regulatory practices, especially for the private security industry.

In the preceding discussion, the need for regulations was identified and various forms of regulatory options were explored. It became evident that there is no universally adopted regulatory framework and governments generally have a number of regulatory options to consider, other than the traditional rules-based approach to regulation. In the next section, aspects dealing with the regulation of the private security industry are discussed.

3.7 REGULATING THE PRIVATE SECURITY INDUSTRY

Some authors (Button & Stiernstedt, 2017: 246; Button & George, 2006: 567; Orbach, 2012:3; Parker & Braithwaite, 1999:121) argue that regulation is about applying and enforcing rules pertaining to a particular sector operating in a country. In this instance, the regulator is responsible to ensure that services are available, cost-effective and it contributes to improving stability in the sector (De Nevers, 2010:

221). This help governments to earn revenues from licenses and concessions (Davis, 2018: np).

The need for regulations for the private security industry can be broken down into two broad aspects (UNODC: 2014: 21). Firstly, regulating the PSI is necessary to ensure some form of control is required to deal with issues related to the non-regulated or inadequately regulated sector. In this case, regulation can be seen as a means to address non-compliance (Drahos, 2017: 63). The second is driven by the recognition that the private security can play a positive role in crime prevention and safeguarding communities, and for this reason, regulation becomes necessary to achieve this (UNODC, 2014: 22).

Hence, a regulatory framework provides some form of recourse for dissatisfied customers of private security providers, to deal with such complaints (Gumedze, 2007a:109). In this way, regulations help to protect the rights of employees, consumers and service providers from abusive and exploitative practices (Braithwaite & Drahos, 2000: 56). This position is affirmed by Button and Stiernstedt's (2017) pronouncement that the increasing role of private security officers in traditional policing responsibilities has led many countries to introduce special legislation to specifically monitor and govern them (Button & Stiernstedt, 2007: 243). For this reason, as Prenzler and Sarre (2014) noted, from the 1960s and 1970s onwards, industry-specific legislation occurred in a highly 'piecemeal basis' (Prenzler & Sarre, 2014: 860).

In recent years, as governments observed growth in the PSI, it became necessary for them to introduce regulatory frameworks to govern the industry (Prenzler & Sarre, 2008: 268). However, the types of regulatory interventions may differ from country to country, depending on the nature, size and diversity of services provided by the industry. In Banister's (2015: np) view, regulation means the government is involved in freedom and choice through the enforcement of the law. These rules determine the legal option of how people must behave (Orbach, 2012: 3). However, regulation can take many forms. These may include the legal boundaries set down by a government authority, the contractual responsibilities between customer and service providers, social regulation (enforcement of norms), co-regulation and third-party or market regulation (Black, 2010: 4).

In the private security industry, when governments choose to regulate, they usually issue licences to security service providers to ensure compliance with the conditions that manage and control that particular business (Button, 2012:205). These licences are issued under certain conditions namely; fitness to do the job and obligatory training, integrity issues, such as having a criminal record; complaints from customers and adjudication of such cases (George & Kimber, 2014: 460). In this regard, government's role is to make sure that certain minimum standards are in place to protect all stakeholders, and it attempts to close the gap in regulating the PSI (McCrie, 2017: 289). To achieve these roles, certain principles for the successful and efficient regulation of the PSI must be identified. By doing this, effective regulation of the PSI, therefore, becomes necessary in order for it to attain high standards of professionalism (Gill, 2014:6).

To affirm this position, Braithwaite (2002) states that regulations are introduced when obligations are not honoured and this requires the imposition of rules or laws which are then enforced by some authority, which may not necessarily be the state (Braithwaite, 2002: x). This is important, especially for the PSI, since it ensures the industry is steered by formal control mechanisms that require increased accountability. It implies that regulatory bodies enforce the regulatory functions aimed at setting standards for promoting a culture of professionalism in relation to any activity, (in this case, the PSI). Governments do this to ensure compliance through enforcement of rules (Braithwaite, 2002: xi). Examples of statutory regulators include Private Security Authority (PSA) in Ireland; Private Security Industry Regulatory Authority (PSIRA) in South Africa; Security Industry Authority (SIA) in the United Kingdom; the Controlling Authority (CA) in India and the Conseil National des Activités Privées de Sécurité [National Council for Private Security Activities] (CNAPS) in France.

3.8 ATTRIBUTES OF BEST PRACTICES FOR REGULATING THE PRIVATE SECURITY INDUSTRY

As noted, most governments follow a statutory-based approach to regulate the private security industry. As early as 2008, despite the certain shortcomings in

regulatory compliance, some industry best practice principles were identified by Prenzler and Sarre (2008) to address the problems confronted by the PSI and governments' attempt to regulate the industry. They advocated certain best practices for regulating the PSI, with the main purpose of attaining the highest standards for the PSI. In many instances, they observed that these can be only be achieved once the channels of communication between the regulators and industry stakeholders are open and transparent (Prenzler & Sarre, 2008: 10-12). These best practice principles are briefly summarised below.

In most countries (including India and South Africa), a government department is usually responsible for regulating the PSI. This function generally falls within police departments and in such instances, there is the possibility of stricter enforcement and less flexibility (Prenzler & Sarre, 2008: 11). However, when there is a federal system of government in India, for example, PSI regulations should be nationally consistent and should apply across all States to ensure all citizens are treated fairly and enjoy equal protection against any malpractices. It also allows companies to operate across state and/or provincial borders (Prenzler & Sarre, 2008: 11).

On the contrary, in India where PSI regulations are devolved to state level, the literature found that this is not always true since the implementation of regulations was not uniformly applied across all the States. The Federation of Indian Chamber of Commerce and Industry (FICCI) Report (2012)) found that the law provided the much-needed regulatory environment and that almost all States have adopted the Act, but a delay in implementation has led to a number of issues (FICCI, 2012: np)

When changes are proposed to the legislation, Prenzler and Sarre (2008) suggest that government must take the responsibility to meet with all parties, together with industry stakeholders, who should then advise the regulatory authorities on matters pertaining to the regulations and enforcement. This can encourage industry support for compliance (Prenzler & Sarre, 2008: 11). In India and South Africa, when the amendments to the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001 were proposed, negligible consultation took place between the government and the PSI stakeholders.

Today, the scope of a guard's work has changed and expanded vastly and includes everything from conducting electronic surveillance to providing personal security, conducting investigations and managing facilities. Prenzler and Sarre (2008) found inadequate and sometimes, irrelevant training can lead to poor quality of service, the reason why a lack of trained personnel is considered an irritation within the industry. The nature of work undertaken by some security service providers, for example, private investigators, requires granting licence holders special or additional powers to assist them to do their job. In this regard, regulators need to be more flexible (Prenzler & Sarre, 2008: 10-12). In India, the Private Detective Agency Regulation Bill is currently under discussion to accommodate private investigators under a separate jurisdiction from ordinary private security officers.

3.9 HYBRID APPROACH TO REGULATING THE PSI

Indian and South African Governments opted for the route of state regulation to ensure accountability in the private security industry. It may be remiss to rely on a regulatory system whereby only one approach is followed. If the option of regulating the standards in the PSI for the purposes of protecting the interests of the community and the industry is adopted, then a model of a joint regulatory venture between the government and the industry may be considered the most viable option for the establishment of an innovative regulatory framework.

Such a model may be devised to circumvent pitfalls of under-regulation, which can take the form of regulatory failure, frequent transgressions and lowering of standards. The same can be said of over-regulation, which places unnecessary problems for the industry, like excessive licence fees and rigid employment conditions. To overcome this, Regulators of the PSI may consider looking into a hybrid model to regulate its activities. Such an approach can incorporate elements and principles of co-regulation and smart regulation. Such a hybridised model would require the use of economic models, scenarios and analyses and enlightened feedback from PSI stakeholders that will inform the regulatory landscape. This may ensure that the controls imposed by regulators will not create unnecessary and unjustified restrictions in the manner in which the PSI conducts its business activities and, in this way, respond to market demands.

Whilst the imposition, enforcement and monitoring of regulations currently falls within the ambit of regulators of the PSI, the role of regulators, as proposed in the hybrid model, should go far more than just the processing and approval of licences, collection of fees or imposition of fines, or responding to complaints. This model suggests that regulators should establish closer co-operation and inclusivity, and institute better communication strategies so that all stakeholders are equally aware of their roles and responsibilities.

To do this more effectively, it is submitted that regulators need to come up with more research endeavours and engage all relevant interested parties, to identify illegal practices by unscrupulous service providers. By adopting such an approach, this model advocates that regulations can be jointly developed and this consultative approach will assist in matching the regulations to the risks identified by the industry.

In most democratic societies, the lives of citizens in almost all instances, are shaped and grounded on sound and effective regulations and regulatory practices. In the words of John Braithwaite, “excellent regulators are constantly searching for best practices by looking for opportunities to create public value” (Braithwaite, 2016:23). Arising from this statement, Braithwaite raises the following two pertinent questions which have relevance for the current study, namely:

- How does one go about transforming the regulatory imagination to enable regulators to cultivate and grow a culture of professionalism?
- How do regulators ensure and develop a culture that transforms their regulatory environment to deliver value to the public it regulates, which are in line with the principles enshrined in the current statutes? (Braithwaite, 2016:24).

Thus, the aim of the regulation is to encourage and promote efficient and cost-effective, reliable services while at the same time compelling regulators to ensure compliance and impose sanctions through revenue-generating penalties. Regulators have to act in the best interests of the public and they are accountable to them.

Regulators need to re-evaluate and rethink existing practices and to do this, a significant shift is required on the part of regulators. In the current dispensation, the PSI is subject to formal statutory based legislation and the industry has to abide by the regulations stipulated by the PSAR Act of 2005 and the PSIRA Act of 2001. An assessment of current regulatory approaches in general, including state-based regulations, shows that they exist in silos and there is very little cross-pollination across the different approaches to regulations.

3.10 CONCLUSION

This chapter provided a theoretical exposition of the need for and importance of regulations and examined various regulatory frameworks. The term 'regulation' is a complex and multifaceted concept and there is no 'one-size-fits-all' definition of the concept. Regulations allow consumers and business owners the freedom to choose how to conduct their business activities without intrusion. Regulations ensure that formal controls are put in place. The absence of a regulatory environment may lead to chaos and a lack of respect for the rules. Regulating the private security industry has become increasingly important to protect a large number of consumers from unscrupulous operators who provide poor services to these paying clients.

Governments introduce regulations to reassure customers and give them a sense of confidence that the service provider they choose, is compliant and they can be held accountable. Some scholars hold the view that the government may not be the ideal institution suited to set standards for the different industry sectors, and they argue that the industry has the best expertise to regulate themselves.

The chapter explored the various modalities of regulation and found the regulation to be a complex issue. There is no universal prototype model used to enforce regulatory standards. Early proponents of regulations theory such as Gunningham and Rees's (1997) Spectrum of Regulatory Frameworks and the Regulatory Continuum developed by the Commissioner for Better Regulations (2014), were examined. One of the pitfalls identified with self- and co-regulation models, is the likelihood of industry stakeholders raising the barriers to entry, and this can be perceived as a gate-keeping function. Such a situation may manifest itself in

'regulatory capture'. This occurs when regulators are dominated by the industries or interests they are entrusted with regulating. Progressive and more flexible regulatory approaches such as responsive regulation and smart regulation were also considered. In responsive regulations, the regulator must allow for consultation and it should take the lead and formally integrate all stakeholders including employers, service providers, and the public into the regulation formulation process.

Smart regulation is based on the principle of inclusivity and wider consultation with relevant stakeholders. Finally, alternative regulatory options were outlined, indicating how governments can better and more responsively address policy matters and other market-related issues. These can be used as alternative ways of addressing issues of concern or to complement existing or State- co-, or self-regulating arrangements.

The regulatory function is usually delegated to a statutory authority, and the Controlling Authority (CA) in India and the Private Security Industry Regulatory in South Africa (PSIRA) are examples of this. Statutory-based regulation, in particular, faces a number of demands and challenges from the industry. For example, regulators continually face the wrath of controlling a lack of compliance by smaller companies who constantly attempt to evade paying their dues to the regulator. On the other hand, when regulators try to enforce the rules more strictly, there is the likelihood of increasing the fees. Lack of or little accountability on the side of state regulators may also become a problem. Most state regulators experience funding constraints, and under-resourcing manifests itself in the lack of capacity by the regulator to conduct regular inspections of security businesses and investigations into improper conduct.

It is evident that a statutory-based approach to regulation is the preferred option available to most governments to help with regulating diverse sectors of commerce and industry, including the private security industry. This approach does have both advantages and shortcomings, and these should be weighed up against other regulatory frameworks. Besides applying traditional rules-based approaches to regulating the private security industry in particular, it is envisaged that governments should start considering alternatives to this approach and start looking at alternative

or hybrid models, incorporating other creative and innovative ways of regulating the private security industry.

Finally, given the diversity of the industry as well the various sectors it serves, aspects of regulating the private security industry is a complex and complicated process. The processes required to administer the regulatory framework is sometimes seen as too bureaucratic and administrative in nature by some service providers, and they use this to avoid compliance. Regulations are nevertheless necessary to safeguard the public's interests against possible exploitation, misuse, exploitation and corrupt practices.

CHAPTER 4

DOCUMENTARY ANALYSIS ON REGULATING THE PRIVATE SECURITY INDUSTRY IN INDIA AND SOUTH AFRICA

4.1 INTRODUCTION

Although India and South Africa introduced legislation regulating the private security industry, observations by the researcher found this area of scientific enquiry is not well documented. This chapter will explore the aspect of regulating the PSI in India and South Africa. For this purpose, documentary analysis is used to outline the attempts to regulate the industry in the two countries. An evaluation of the Private Security Agency (Regulations) Act 29 of 2005 (India) and the Private Security Industry Regulation Act 56 of 2001 (South Africa) will follow later in this chapter, with an exposition of the reasons for amending the current PSI legislation in India and South Africa.

When governments introduce practical legislation combined with effective enforcement and monitoring, it encourages the growth of registered private security service providers and can discourage and prevent illegitimate operators from entering the industry (Prenzler & Sarre, 2014:860). In support of this, Born et al. (2007) concede that regulating the PSI is deemed important because better-quality regulation would help to make a distinction between legally operating private security companies and 'fly-by-night' or dishonest private security companies (Born et al., 2007: 46). Regulation of the PSI is therefore necessary since it can contribute to greater accountability on the part of the PSI as a whole (Drahos, 2017: 23)) and the most common option for the private security sector is some form of statutory regulation (UNODC, 2014: 22).

Prior to the introduction of specific regulation for the PSIs worldwide, security service providers were not subject to any specific government regulations (Braithwaite & Drahos, 2017: 45). Governments around the world regulate almost all sectors in one way or another and the private security companies is not exempted from this practice. This is to ensure some form of regulatory control has to be maintained.

Regulation can include everything from codes of conduct to use of force, use of weapons, minimum training standards and sharing of information (Braithwaite, 2016:23).

The rapid expansion of the sector prompted the need for governments to introduce legislation aimed at regulating the PSI. Other reasons put forward for regulating the PSI include inter alia, abuse of authority, dishonesty and poor business ethic, poor levels of the quality of training and supervision (Sarre, 2014: 153). To address these concerns and in addition to the reasons explaining the growth of the industry (as discussed in Chapter 2), many governments started implementing stricter controls over their respective PSIs and this justified the introduction of regulatory frameworks to govern the industry (Prenzler & Sarre, 2014: 859). Therefore, effective legislation especially for the PSI, becomes important for the PSI since it encourages high-quality standards and it can increase levels of professionalism, and in this way, improve public confidence in the sector (Born, et al. 2007: 45).

When a country decides to introduce regulation, many factors come into play such as its political structure and proposed type of regulatory framework a country adopts (Lee, 2008: 159). Bearing this in mind, the types of regulatory interventions may differ from country to country, depending on the nature, size and diversity of services provided by the industry. For example, if a country follows a federal structure of government, it is more likely that the regulation of the PSI would be decentralised and become the responsibility of each of the individual States (Grabosky, 2017:150). India and South Africa adopted the statutory-based approach to regulating the private security industry in their respective countries.

As a way of introducing a regulatory order for the PSI in India, the government passed legislation in the form of the Private Security Agency (Regulation) Act 29 of 2005, (PSAR Act 29 of 2005). There was no specific legislation in India to make it a compulsory requirement for any private security agency, to formally register with a statutory body, prior to the promulgation of this Act (Sinha, 2018: Personal Interview: 28 November 2018, New Delhi). However, Section 4 of the PSAR Act 29 of 2005 explicitly states that no person shall operate or open a private security agency unless he holds a licence issued under the PSAR Act of 2005. In India, the Controlling

Authority in each state takes on the responsibility for implementing the regulations (PSAR Act 29 of 2005: np).

In 2001, South Africa introduced and implemented a new statutory framework regulating the PSI under the new democratic government. This came in the form of the enactment of the Private Security Industry Regulation Act 56 of 2001, (PSIRA Act 56 of 2001). Section 20 (1a) of the PSIRA Act 2001 makes it illegal for any person from rendering a security service for financial gain, unless such a person is registered as a security service provider in terms of the Act (PSIRA Act 56 of 2001: np).

To ensure enforcement, governments usually introduce a variety of regulations, issued under these laws. For example, the regulations made for private security legislation provide more detail on the application procedure and standards relating to uniforms and weapons, training requirements, inspections, monitoring and withdrawal of licences (UNODC, 2014: 22). Regulatory bodies, therefore, enforce the regulatory functions, which means they usually set standards in relation to any activity (in this case, the PSI) and they are responsible for securing compliance through enforcement of rules (Braithwaite, 2002: xi).

4.2 EARLY ATTEMPTS AT REGULATING PRIVATE SECURITY INDUSTRY IN INDIA AND SOUTH AFRICA

In India, the PSAR Act 29 of 2005 has been in existence for approximately 14 years and in South Africa, the PSIRA Act 56 of 2001 is in operation for almost 18 years. The following discussion provides an outline of the early endeavours to regulate the PSI in India and South Africa and the subsequent legislation to regulate PSI in both these countries.

4.2.1 Regulating the private security industry in India

In India, there was no formal legislation regulating private security agencies operating in the country until the PSAR Act 29 of 2005 was promulgated (Sinha,

2018: Personal Interview, 28 November 2018, New Delhi). Notwithstanding this, one of the earliest pieces of legislation in India which made provision for the security of national infrastructure assets (especially the Indian railways) came in the form of the Railway Protection Force Act 1957 (Act 23 of 1957). This Act was introduced as a result of increased threats to the railway network, such as theft of railway property, arson, and criminals targeting high-value goods transported by the railway services. After its promulgation, the first appearance of a security force, other than the national armed forces, made its appearance in the Indian security landscape (Tyagi, 2015: 3).

The Railway Protection Force Act 1957 (Act 23 of 1957) made provision for the establishment of a security force for the protection of railway property. In terms of this law, every member of the Railway Protection Force was instructed to protect and safeguard railway property. The Act provided members with the powers to arrest and search suspects without a search warrant order issued by a magistrate (Tyagi, 2015: 3). This was one of the early pieces of legislation in India giving members of the Railway Protection Force the powers to secure the assets and property belonging to the Indian National Railways and this Act can be considered as the forerunner to future legislation aimed at controlling the PSI in India (Tripathi, 2018: 151).

During the 1960s, as a result of an increase in acts of sabotage in India, the Government appointed a senior police officer as a Security Advisor in the Department of Industry to advise it on security-related matters and threats facing enterprises owned by the central government, including state-owned assets (Tyagi, 2015: 4). At the time, the provision of security by the government, especially with regard to state-owned assets, was seen to be inadequate and ineffective. This resulted in a number of shortcomings such as the poor training offered to security guards who were often ill-prepared to perform simple tasks such as, protecting assets and property, both public and privately owned (2005: np). Due to the lack of skills and proper training, the government of India could not respond to the growing demands for more trained and professional security guards. Many ex-servicemen from the armed forces who took up employment in the PSI could not adjust to the demands of the post-modern industrial security environment (Banerjea et al., 2005: np).

In response to these limitations and challenges, the Government of India ordered a Commission of Inquiry to consider ways that security officers can be used to protect State-owned assets. One of the key recommendations and outcomes of the Commission was the development of a manual known as the 'Lahiri Manual' to assist in the management and monitoring of security guards in India (Komar, 2013: 45). In 1964, as a result of a major disaster at an industrial manufacturing plant in Ranchi (in the State of Bihar), it forced the central government to take a closer look at the securing of state assets. The government responded by setting up a one-man commission under the Chairmanship of Justice Mukherjee to investigate the Ranchi incident (Tyagi, 2015:3).

Judge Mukherjee found this incident of fire was a clear case of sabotage. In his report to the Indian Parliament, Justice Mukherjee recommended that a dedicated 'force' should be established to secure Public Sector Undertakings (PSUs) or State-owned assets, and the function of the 'force' was to prevent attacks on government infrastructure in the future. This was the first time the Indian Government realised the need for regulating those who provided security services for industrial security sites, and for them to come under one central legislative act of parliament (Tyagi, 2015: 3).

In response to this recommendation, the Government of India passed the Central Industrial Security Force Act 50 of 1968 (CISF Act 50 of 1968) which set out the legal powers and functions of security personnel and provided the first legal framework to regulate official security agencies in India. Members of the CISF were formally employed by the government and it was a guarding force formed to provide for the better protection and security of certain industrial undertakings. Members of the CISF were personnel largely drawn from ex-law enforcement and ex-defence force/army officers (Tyagi, 2015: 3).

The CISF Act of 1968 ensured that the Government had to make provision for adequate security to industrial, manufacturing and other establishments located across India. This included industrial sectors, such as nuclear power plants, space installations, oil fields and refineries, major airports, seaports, heavy engineering, steel plants, fertiliser units and hydro-electric power generating plants owned [by the State] which were under the control of Public Sector Undertakings (PSUs). The

Central Industrial Security Force members provided consultancy services to private industries as well as other organisations within the Indian Government (Central Industrial Security Force Act 50 of 1968: np).

As a result of shortcomings which appeared in the provision of security services to State-owned enterprises, the Indian government responded by introducing subsequent amendments to the CISF Act of 1968. One of the amendments made provision to include private industrial undertakings (privately owned businesses) under its sphere of influence (Singh, 2018: np). This Act, and its subsequent amendments, was a legislative precursor that provided for the protection and safeguarding of state assets in India by a dedicated security force, appointed by the central government.

4.2.1.1 *The Private Security Agencies (Regulation) Act 29 of 2005*

During the 1980s and 1990s, the government of India realised that private security agencies were expanding and the industry was employing armed guards (Krishnan, 2017: np). From the government's perspective, this situation, if not controlled properly, was tantamount to creating private armies and could pose a threat to national security (Komar, 2013: 56). Such a situation created a need to bring about a law that regulated this sector. According to Singh (2014), non-regulation of the sector is likely to have wide-ranging security implications and unless suitable mechanisms are put in place, these developments may not be in the national interest (Singh, 2014: 2).

This forced the government to look at ways of introducing specific legislation to create a regulatory system for the PSI in India. In this way, regulating security service providers in India became more relevant and important to ensure that private security agencies became compliant within the legal parameters and to make sure that they were accountable to some form of regulatory system (Nalla, 2013: 85).

In response to these challenges, the Government of India promulgated the Private Security Agencies (Regulation), PSAR Act 29 of 2005 to provide guidelines for the regulation of the industry. The purpose of PSAR Act 29 of 2005 was to introduce and

ensure improved and uniform private security standards in all States across India. India consists of twenty-nine States and seven Union Territories. In this way, the government sought to improve the private security industry by issuing licences to operate a security agency across all States in India (Private Security Agencies (Regulation) Act, 29 of 2005: np).

4.2.1.2 *Scope of the Private Security Agencies (Regulation) Act, No. 29 of 2005*

Under India's legal regimen, each state must pass the PSAR Act 29 of 2005 in its legislature and then set up a Controlling Authority (CA) under its jurisdiction (Berrong, 2013: np). Section 3(1) of the PSAR Act 29 of 2005 prescribes that each state Government must appoint an officer not below the rank of a Joint Secretary in the Home Department of the state or an equivalent officer, to be the Controlling Authority. To assist, support and promote the objectives of the CA, the State Government may provide it with additional staff that it may consider necessary. To this effect Section 3(2) of the Act clearly states that every state should provide the CA with such other officers and staff as that Government considers it necessary, for its efficient discharge of functions (PSAR Act 29 of 2005, np).

The founding legislation namely, Private Security Agencies (Regulation) Act, 29 of 2005 maps out the functions of those responsible for implementing regulations; i.e. the Controlling Authority. The Legislative Assembly of each state in India must adopt the PSAR Act 29 of 2005. Once this is done the Controlling Authority (CA) must be appointed and only then, can a licencing system for private security agencies, be put into place (Komar, 2013).

Section 5 of the PSAR Act of 2005 makes provision for eligibility of issue of a licence to operate in the security industry in India. Licences may not be granted if a person has been convicted of an offence in connection with promotion, formation or management of a company, or if the person is a habitual insolvent [Section 6 (1)]. Any person who has been convicted of an offence and the prescribed punishment for which is a period of imprisonment not less than two years, will not be considered for a licence (Section 6(1) (b)). The Act makes it explicit that persons with links to

banned organisations and associations which pose a threat to national security or public order and any person who has been dismissed or removed from Government service on grounds of misconduct, may not be issued with a licence to operate a private security agency in India (PSAR Act 2005, Section 6(1) (d)).

Furthermore, any company, firm or an association of persons shall not be considered for an issue of a licence under the PSAR Act of 2005, if the person is not a registered citizen of India, or having a majority partner or director, who is not a citizen of India. Licence to own a private security agency is granted under Section 7(a). It is valid for a period of five years and may be renewed after this period, subject to conditions prescribed by the Act. Before a private security agency (PSA) employs a security guard, such a person must be older than eighteen years and must comply with the security agency's needs by having a character of good standing. In addition, such a person must successfully complete the prescribed security training and meet the necessary physical standards as may be prescribed (Section 10(1), Private Security Agencies (Regulation) Act, 29 of 2005: np).

Section 10(3) explicitly states that private security agencies must give preference and employ person/s who has served as a member of the army, navy, air force, police, Home Guard or any other armed forces of the Union (Section 10 (3) Private Security Agencies (Regulation) Act, 29 of 2005).

4.2.1.3 *Functions of the Controlling Authority (CA)*

The PSAR Act 29 of 2005 mandates each state in India to set up the Controlling Authority (CA). The Government of India issues a notification to appoint an officer not below the rank of Joint Secretary to be a Controlling Authority (CA). It is the responsibility of the CA to administer the Act. Under PSAR Act 29 of 2005, the Controlling Authority has the power, to decide on disputes. In deciding the dispute, it can conduct an enquiry by giving the parties to the dispute, an opportunity of being heard. If the CA finds that any amount is payable to the employee by the employer, it can direct the employer to pay the amount of gratuity to the employer [Section.7 (4) (a)] to the employee (Section 7 (4) (d) Private Security Agencies (Regulation) Act, 29 of 2005).

Inasmuch as the CA can issue licences, Section 13(1) of the PSAR Act authorises the CA to cancel or revoke licences. Licences may be withdrawn in cases, for example, where there has been a misrepresentation of facts if the licence holders have submitted false documents if the applicant has committed a breach of trust, is found to be a habitually drunk, or been involved crime (Section 13 (1) Private Security Agencies (Regulation) Act, 29 of 2005: np) The CA has oversight and monitoring functions which allow it or any other officer authorised, to enter the premises of the private security agency and examine and inspect the place of the business operation, the records, accounts and any other documents related to the licence (PSAR Act 2005, Section 16)). The CA can demand for inspection purposes, that every licenced security guard must produce a photo identity card. Section 18(2) of the Act provides for all private security guards working for a private security agency, to assist the police in any investigation relating to such an agency (Section16, Private Security Agencies (Regulation) Act, 29 of 2005: np).

In summary, the government of India introduced the Private Security Agencies (Regulations) Act, 2005 to issue guidelines and directions aimed a legislating the industry. Some of the most important functions of the CA include, setting of standards, issuing of licences to security officers and security providers, enforcement of legislation, attending to complaints, and imposing sanctions for non-compliance and in some cases, it grants approval of training standards (Kaushik, 2013: 98). This law applies to the whole of India (29 States) excluding the disputed territories of Jammu and Kashmir. The Act makes it clear that no person shall operate a private security agency, without holding a licence issued under this Act. The overall intention of the Act is to make the profession more qualified to safeguard the national interest, and for effective regulation to take place, there must be some degree of accountability and sanction for non-compliance (Upadhyaya, 2015: 3).

4.2.1.4 *Need to amend the Private Security Agency (Regulation Act 29 of 2005)*

When the Private Security Agencies (Regulation) Act 29 of 2005 was enacted, it set out the necessary administrative framework for the PSI in India to operate. With

pressure from lobby groups within the private security industry, the central government drafted the law in 2005 and urged the States to sanction and implement it. While many States did enact it, enforcement has been inconsistent and incomplete and, in some cases, implementation was delayed by business groups opposed to regulation (Sarita, 2012: np). Since its inception, it has become apparent that the regulation suffers from loopholes and these are seen as impediments to the growth of the industry. This situation led to several submissions to the government of India to amend the Private Security Agencies Regulation) Act 29 of 2005 (Bhullar, & Singh, 2015: 177; FICCI, 2018: np; Sarita, 2012: np; Singh, 2014: np;).

In response to this, one notable submission from the Federation of Indian Chamber of Commerce and Industry (FICCI) was a consultative paper on the need to review and amend the PSAR Act 29 of 2005 which was widely distributed to all interested stakeholders for comment. The main purpose of the submission was to consolidate all the PSI submissions on the proposed amendments in order to create an organised, professionally-driven and responsible service sector which can contribute to the economic development of the country and (FICCI, 2012: np). Commenting on the FICCI (2012) consultative paper, Sarita (2012: np) found several lacunae in the current legislation that necessitates the need to review and amend the PSAR Act 29 of 2005.

Firstly, the Act is silent on the issue of the carrying of arms by private security agencies (PSAs). This poses particular challenges especially since PSAs operating in the transportation of cash and valuables, are involved in daily operations that require security personnel to carry arms. This is particularly true of the banking sector that moves large sums of cash across the country. Only the Indian Arms Act No. 54 of 1959 allows individual applicants to hold firearm licences (Arms Act No. 54 of 1959 of India) and, ironically, the two main Acts pertaining to the private security agencies have radically different provisions for carrying arms (Indian Arms Act 54 of 1959 : np). As a result, PSAs have been technically compelled to employ people who carry arms licences in their individual capacities. Many PSAs employ them without appropriate historical verification and this affects the quality of the recruits and potential danger to society (Sarita, 2012: np).

Secondly, the PSAR Act 29 of 2005 requires the director of the PSA to take full responsibility for any act/omission on the part of the security guard while on duty. When such contraventions are reported the Controlling Authority in the state has the mandate to call the director to testify in a hearing. This process is tedious and poses particular problems since many PSAs have established private security businesses in various locations across the country. One way of alleviating such a practice is for the existing framework to make provision to hold the person directly in-charge for operations in a particular state/project office solely responsible for any violations. As far as possible, the owner of the PSA should only be summoned in cases of serious breaches or in the absence of any such person-in-charge being nominated by the PSA (FICCI, 2012: np).

Concerns have been raised about the overlapping of the registration procedure to operate a PSA at central government and State-level (duplication of services) which is considered unnecessary. This creates obstacles for the industry to provide professional services throughout the country, for example, police verification requirements and processing timelines for such applications are not consistent across all States. It is suggested to establish a single licensing framework under the Act (Sarita, 2012: np).

The PSI in India offers a wide variety of services across the entire spectrum of the industry. These require different levels of training and skillsets. One of the significant limitations of the Act is that it places all at the same level of training, making them nothing more than semi-skilled labourers (FICCI, 2012: np).

Under the current legislation, security guards have the power to detain a suspect until the police are called to take charge of the situation. In this regard, the FICCI (2012) recommends that the Indian Government may consider this possibility if private security has to become an extended arm of the authorities.

Finally, current policies on foreign ownership of PSAs in India require further review and consideration. The PSI continues to grow at an exponential rate and sustainable growth requires capital injection from foreign partners to invest and join local PSAs as partners (Bhullar & Singh, 2015: 170). Under the current dispensation, foreign

investors are limited to 49 per cent of Foreign Direct Investment (FDI). This has indeed proved to be lucrative and beneficial for emerging opportunities in the public-private partnership domains and to usher in cutting-edge expertise particular into the Indian security industry (Confederation of Indian Industry Report, 2013:25). The rapid increase in the use of new technologies and security equipment compels PSAs to look for foreign investors to provide such expertise. The Federated Chamber of Indian Commerce and Industries recommends that the Government of India considers increasing the limit for FDI in PSAs from 49 per cent to 100 per cent, with FDI up to 49 per cent is permitted under the automatic route and any investment beyond such limit is subject to prior approval from the Government (FICCI, 2013:np).

4.2.2 Regulating private security in South Africa

The growth of the PSI in South Africa started gaining momentum during the 1980s when the apartheid government saw the need to use private security officers to guard national key points (Berg & Howell, 2017: 270). The next section traces the path of the South African government's path to introduce legislation aimed at regulating the PSI in South Africa.

4.2.2.1 *Private security legislation during apartheid*

The beginnings of the private security industry in South Africa, cannot be seen in isolation from the country's political and racialised past. In this way, the emergence of the PSI in South Africa is slightly different from India, since its growth was initiated and stimulated by the apartheid government's policies at the time (Berg, 2016: np; Botha, 2015: 69; Gumedze, 2015: 23; Irish, 1999:5). The perception and fear of the minority white population as far as the African National Congress's armed struggle against the racist policies of the Nationalist Party government were concerned, and the growth of the South African economy at the time, contributed to the growth of the industry (Botha, 2015: 139). In other countries in the rest of the world, the PSI growth was spurred on by public demand itself (Bannister, 2015: np).

In pre-democratic South Africa, the PSI played a supportive role to the government in cases where the South African Police Service was not able to provide security to

the public (Berg, 2001: 179; Botha, 2015:140; Gumedze, 2008c: 110; Taljaard, 2008:12). One of the forerunners to the introduction of formal legislation to regulate the PSI in South Africa came in the form of the National Key Points (NKP) Act of 1980 (Act No. 102 of 1980) (National Key Points (NKP) Act 102 of 1980: np). National key points were important strategic government sites to the country and these included, oil refineries, military bases, nuclear sites, air and sea-ports, and government buildings.

The promulgation of the NKP Act of 1980 enabled the PSI to protect premises and government infrastructure declared as national key points. To this extent, increasing security risks, including guerrilla tactics deployed by the banned ANC to destabilise the apartheid regime, coupled with the lack of official security force personnel, implied the government had to depend on the use of additional security resources, and the private security industry was used for this purpose (Botha, 2015: 146).

In South Africa, the National Key Point Act of 1980 delegated the responsibility of the proprietor of the 'Key Point' to provide security for the key point (National Key Point Act, No. 102 of 1980: np). This was done under the supervision of the South African Defence Force, who at the time was responsible for managing all national key points in the country. Accordingly, the NKP legislation gave powers of arrest, and search and seizure to security personnel who were responsible for guarding the national key points (Botha, 2015: 147). This created a demand for the services of private security companies, since those officials charged with the responsibility of securing these national key points, preferred to outsource the provision of security to private security companies, rather than to use their own employees. The NKP Act was one of the earlier pieces of legislation to regulate basic training standards, which forced the industry to professionalise (Berg & Gabi, 2011: 3-4).

Notwithstanding the above, the NKP Act of 1980 was amended several times as a result of the former government's need to use and deploy more private security officers to guard these national key points (Gumedze, 2008a: np). In 1984, the Act was amended and it gave the Minister of Defence significantly more power to co-opt the PSI and in this way, it enhanced and promoted the growth of guarding of national key points performed by private security guards. The Act was amended for the

second time in 1985 and it allowed the Minister of Defence to intervene with, and exert control with the appointment of security guards deployed at national key points (Botha, 2015: 146).

Before 1987, there was no formal legislation specifically for regulating the PSI in South Africa and the government played a minimalist role as far as regulating the industry was concerned (Botha, 2015: 149). Despite this position, the PSI was still subjected to other criminal laws of South Africa and other legislation such as the National Key Points Act of 1980 (Berg & Howell, 2017:277).

The historic development of legislating the PSI in South Africa can broadly be divided into four distinct phases. The first period refers to the time when the Security Officers Act 92 of 1987 was promulgated on 3 April 1989. Secondly, it refers to the period after the establishment of the Security Officers Board (SOB) in September 1989 and thirdly, it refers to the period after the establishment of the Security Officers Interim Board (SOIB) in February 1999. The final phase refers to the promulgation of the Private Security Industry Regulation Act No. 56 of 2001 adopted by the democratic government. These periods must be seen within the context of the changing political scenario in South Africa at the time (Berg & Howell, 2017:279; Botha, 2015:151; Gumedze, 2015: np.).

The first formal attempt to regulate the PSI in South Africa started in the 1980s with the promulgation of the Security Officers Act, No. 92 of 1987. The adoption of this Act was the first legal mechanism introduced by the government to regulate the private security industry. This legislation was promulgated when the apartheid state realised that the PSI was growing exponentially and the industry was not subject to a proper regulatory framework (Minnaar, 2009: np). At the time, there was a realisation that the PSI was infringing on traditional public police functions and this called for stricter regulation and control (Gumedze, 2008c: 109).

The Security Officers Act of 1987 provided for a limited definition of the concept of 'security service' since the main purpose of the Act was to establish a form of regulatory mechanism to control the industry which came in the form of the Security Officers Board (Visser, 2004: 56). The main purpose of the 1997 Act was to provide

for the establishment of a board, to be known as the Security Officer's Board (SOB), to deal with and exercise control over the occupation of security officers, and other related matters (Security Officers Act 1987: np). Prior to the establishment of the SOB, the South African government was not directly involved in regulating the PSI and it was not the government's purpose to maintain acceptable and professional standards for the industry, but rather to ensure that the industry acts in the best interests of the government (Siebrits, 2001: 70).

The SOB's mandate was to preside and exercise control over the work of security officers, and the emphasis was on maintaining, promoting and protecting the status of the security officer. The Act was applicable to all businesses and individuals who charged clients a fee for the services rendered. Some of the key regulatory mechanisms it introduced were for the compulsory registration of all security companies and individual security officers. In addition, it created regulations for the establishment of minimum training standards, and an inspectorate to enforce the regulations (Minnaar, 2008: 7).

This Act made it compulsory for security companies, owners and guards to register with the Security Officers Board and for this purpose, the SOB issued a certificate of registration. Some of the reasons put forward to explain why the apartheid government saw the need to set up the SOB, included; the realisation of the government to take control of the private security industry and for this reason, the Security Officers Board was a legitimate structure created for this purpose. The apartheid state saw it as an instrument to assist with the enforcement of its policies (Taljaard, 2008: np). Another possible explanation is that the industry saw the need for a more formal regulatory authority and they requested the government to introduce legislation to regulate the industry (Berg & Howell, 2017: 43; Gumedze, 2008c: 109). The Security Officers Act of 1987 imposed restrictions that allowed the Security Officers Board to decide who would qualify to be registered as a security service provider (Botha, 2015: 43).

The Security Officers Board was made up of ten members consisting of employer and employee representatives. However, membership of the Board became a very contentious issue. The Board was made up of six members of the PSI chosen by the Minister for Law and Order, two commissioned police officers and two additional

members selected by the Minister (Berg & Nouveau, 2011:279). The intention was for the Board to be truly representative of the industry. However, half of the first elected SOB members have been previously involved in the apartheid security forces, and this raised credibility issues of its members (Botha, 2015: 98). Essentially, the Board's independence and objectivity were being questioned and it became evident that the Board was accused of being both the 'referee and player' in the same game (Berg & Gabi, 2011: 7). This was particularly challenging since it was felt that the allotted interests of the members of industry, could hamper the effective and fair regulatory functioning of the Security Officers Board (Gumedze, 2008c: 22).

The Act also required that training should be of a certain standard. It set up an inspectorate division to enforce the regulations and allowed for the creation of a Code of Conduct that was only applicable to the guarding sector. It soon became apparent that several gaps appeared in the Security Officers Act 1987 (No 92 of 1987). One of which was the exclusion of several categories of security services, notably in-house security providers, was seen to be problematic. Another weakness was the lack of the power and capacity by the SOB to enforce statutory regulations and to enforce the code of conduct for the PSI. Hence, the SOB was regarded as ineffective and encountered resistance from the security industry since its inception (Botha, 2015: 148).

The apartheid government introduced earlier legislation for the private security industry, primarily to safeguard the interests of owners of security companies, whereas, the later legislation (including the amendments of the 1990s) was created to protect the interests of the public (Gumedze, 2007b; np). This untenable situation could not prevail as the old SOB members appeared to be fighting to 'protect' and retain their own self-interest privileges and were seen to be impeding and obstructing the best interests of the industry as a whole (Botha, 2015:151). This tenacious position required the government at the time to review its stance on how to regulate the security industry and it became actively involved in numerous attempts to amend and improve it. This culminated in a number of amendments to the original Security Officers Act of 1987. It included the Security Officers Amendment Act, 1990 (Act 25 of 1990), Security Officers Amendment Act, 1992 (Act 119 of 1992).

4.2.2.2 *Private security industry legislation post-apartheid*

The Security Officers Act, 1996 (Act 64 of 1996) and the Security Officers Amendment Act 1997 (No. 104 of 1997) were promulgated after 27 April 1994 when South Africa became a democratic state. The composition and constitutional make-up of the previous Security Officers Board was seen to be problematic in the new democratic dispensation and for this reason, Section 2(1) of the Security Officers Amendment Act 1997 No.104 of 1997, made provision for the formation of the Security Officers Interim Board (SOIB), which replaced the former SOB.

This resulted in the restructuring of the SOIB now included in-house security within the regulatory domain of the Act (Berg & Howell; 2017:279). The SOIB was given the authority to exercise control over the occupation of security officers and to maintain, promote and protect the status of the occupation and to ensure that the industry acts in the public interest. The Act compelled the SOIB to submit regular reports to the Minister on the regulation of the security industry [Section 2(2)].

One observation of the SOIB Act of 1997 was the objectives set down by the Interim Board were far wider reaching than the objectives laid down in the original Security Officers Act of 1987, where the latter did not mention or ensure the public's interest, in as far as services and quality of services is concerned (Minnaar, 2008: 105). In a further development, the SOIB Act 1997 extended its definition of the various categories of services deemed to be regulated within the PSI. Persons such as employers, employees, manager or director of security companies/businesses; occupations such as a security guard, electronic security technician, or private security investigator, were now included. It added other sectors in the security industry such as armed and unarmed security and included the employer and employee relationship. In addition, objects or equipment used in the provision of a certain type of security service was now included [Section 3 (2)].

The amended legislation mandated the Interim Board to establish a future permanent Board and, in this regard, the 1997 Security Officers Amendment Act of 1997 further stipulated that the Minister would draft a new Bill for the PSI within eighteen months of its enactment (Gumedze, 2008c: 109). In order to accomplish

this, the SOIB had to take on additional functions, such as the establishment and maintenance of an up-to-date computer database of all registered security businesses and security officers. In addition, the Interim Board had to ensure proper classification and verification of fingerprints for employers and those seeking work in the industry (Botha, 2014:156). The SOIB was given the responsibility for overseeing training standards for all grades of security officers and it could now conduct inspections and prosecute security businesses who break the law, especially illegal operators. It furthermore included acts of misconduct or inappropriate behaviour, which is not necessarily a criminal act (Security Officers Amendment Act 1997, No. 104 of 1997).

At the time the urgency to draft proper regulation for the PSI became necessary since it was believed a volatile situation may develop and the rights and interests of the public, employed security officers and law-abiding security businesses and residents, may be compromised in the process and may not be sufficiently protected (Gumedze, 2008c: 110). This situation gave rise to the need to introduce new legislation to regulate the private security industry in South Africa.

4.2.2.3 *Private Security Industry Regulation Act 2001 (Act 56 of 2001)*

The need to review, change and transform the current regulatory framework in South Africa, became more apparent for a number of reasons. When apartheid was abolished, it changed the political focus and the landscape of the country. The adoption of a new Constitution of the Republic of South Africa in 1996, meant that the existing legislation for the PSI, pre-dated the Constitution of 1996 and it was not entirely consistent with all its values and principles. These changes gave rise to the need to ensure that new legislation was consistent with other laws that apply to all aspects of the security industry (Gumedze, 2007a: 11).

To support this, Visser (2004: 60) intimated that the need for effective regulation of the PSI in South Africa is much more relevant in democratic states, since this allows the PSI to grow and expand, but it must still be subject to proper state regulations. Another motivation levered to justify a change of the legislation relating to the PSI in South Africa, include the need to protect consumers from malpractice and

unscrupulous operators and to encourage a fair dispensation for the transformation of the industry (Berg, 2003: 180).

The final piece of legislation regulating the private security industry in South Africa was enacted as the Private Security Industry Regulation Act 2001 (Act 56 of 2001). This Act received the assent of the President on 15 January 2002 and commenced on 14 February 2002. This new Act repealed the Security Officers Act, 1987 (Act 92 of 1987) (and subsequent amendments) and expanded on some of the gaps identified in the old legislation. This 2001 Act augmented the scope of the legislation by extending and defining 'security service providers' as including both security officers and businesses. The Act also made provision for the creation of a new regulatory body in the form of the Private Security Industry Regulatory Authority (PSIRA).

Section 3 of the PSIRA Act 56 of 2001 states the main objective of the Authority is to regulate the PSI and to assure that the practices of security service providers conform to public and national interests, as well as the interests of the private security industry. Many private security companies in South Africa are driven by 'profit maximisation' and this can be to the detriment of the clients' interest. Such a situation leads to the need for effective protective regulations (Gumedze, 2007a: 109). As Zedner (2009: 34) pointed out, many private security companies try to exploit market opportunities, increase their turnover, and maximise returns to their shareholders (Zedner, 2009: 34). Therefore, effective regulation of the PSI in South Africa is necessary to ensure that citizens feel safe, secure and protected against unscrupulous and exploitative operators. The regulation also compels private security companies to become trustworthy and legitimate organisations that act within the confines of the law (Minnaar, 2006: np).

4.2.2.4 Commencement of the Private Security Industry Regulation Act 2001 (Act 56 of 2001)

The Private Security Industry Regulatory Act 56 of 2001 is one of the legal instruments that govern the PSI in South Africa. The purpose of the Act is to provide for the regulation of the private security industry and to provide for matters related to

the industry (PSIRA Act, 2001: np). The Act is based on the premise that all citizens need the protection of their basic human rights, such as the right to life and security of the person, as well as the right not to be deprived of property. These are foundational to the well-being and social and economic development of every person (Paragraph 1, Preamble: Private Security Industry Regulation Act of 2001: np). In support of this, the Act acknowledges that security service providers and the private security industry play an important role in protecting and safeguarding the right to life, the security of the person and the right not to be deprived of property.

Section 13 of the Act gives every person the constitutional right to choose freely any occupation, including that of a security service provider. This Act seeks to regulate the PSI through the establishment of a regulatory authority, known as the Private Security Industry Regulatory Authority (PSIRA). The key objectives of PSIRA are to ensure it regulates the industry in a fair, equitable democratic way and furthermore, it must use its mandate to effectively exercise control over the practice of the occupation of the security service provider. By doing this, the Authority ensures that security service providers act in the best interests of the public, national interest and the industry of the PSI itself [Private Security Industry Regulation Act 2001, Act 56 of 2001: np)].

To do this, the Act sets out the various key objects which PSIRA must aspire, as outlined in Section 3 of the legislation. Some of these include inter alia, the promotion of a legitimate PSI which acts in accordance with the principles enshrined in the South African Constitution of 1996. It must promote the industry which is exemplified by professionalism, transparency, accountability, equity and accessibility. It must ensure that the process of registration of security service providers is fair, transparent, objective and processed well in time and it must promote high standards in the training of security service providers and prospective security service providers (Private Security Industry Regulation Act 2001, Act 56 of 2001, Section 3).

A key focus of the PSIRA Act 56 of 2001 is premised on redress and empowering of previously disadvantaged communities in South Africa. To this extent, Section 3 (k) encourages ownership and control of security businesses by persons historically

disadvantaged through unfair discrimination. It encourages and supports equal opportunity employment practices in the private security industry (Section 3(l)), and seeks to promote the empowerment and advancement of persons who were historically disadvantaged through unfair discrimination in the private security industry (Section 3(q)).

Under this legislation, the governance of PSIRA rests with the appointment of a Council by the Minister of Police, hence giving it independent powers for the regulation of the industry. Unlike the previous legislation, Security Officers Act 1987 (No 92 of 1987) and its subsequent amendments, the PSIRA Act of 2001 made provisions for the formation of the Council. This was a fundamental shift and the difference in the new framework was the exclusion of security industry representatives within this regulatory structure (Berg & Howell, 2017: 281).

In terms of Section 10(1) of the Act, the Council is accountable to the Minister and for this, Section 10(a) implores the Council to provide the Minister with information in connection with the functions of the Authority. Within three months of the end of the financial year, the Chairperson of the Council must supply the Minister with an Annual Report on the activities of the Authority and the Council must table such a report to Parliament (Private Security Industry Regulation Act 2001, Act 56 of 2001, Section 10 (1)(c)).

PSIRA operates with a number of committees to assist in the daily operations of the Authority and to provide advice where necessary. Section 13(2) allows the Council to establish a committee representing different sectors, disciplines or interests in the private security industry (Section 13(2) of the Private Security Industry Regulation Act 56 of 2001: np). However, Section 13(5) does not legally bind the Council to accept any recommendation made by a committee. Another critical focus of the Act is to ensure compliance with existing legislation and this is done through a process of active monitoring and investigation of the affairs of security service providers (Section 3 of the Private Security Industry Regulation Act 56 of 2001: np).

The Private Security Industry Regulatory Authority (PSIRA) operates independently of the security industry and its responsibility is to consider applications for

registration of service providers and security officers in South Africa. It has the legal authority to suspend or withdraw the registration of security service providers and security officers and it is responsible for preventing the exploitation or abuse of members of the private security service providers (Berg & Gabi, 2011). PSIRA is responsible for establishing high standards of training and professionalism. It must establish an office to deal with complaints and it can impose penalties and sanctions for non-compliance.

Another primary function is the imposition and collection of levies, but also the setting of industry accords about wages and employment conditions to protect security officers themselves and impose sanctions on defaulting companies (Minnaar, 2008: 102). PSIRA is self-funding (by means of imposing and collecting industry levies) and receives no financial support from the Government. Instead, it gets its revenue by way of application fees, membership fees, fines and interests (Botha, 2015: 145).

In addition to the discussion on 4.2.1 and 4.2.2, further roles and functions of the Private Security Industry Regulatory Authority (PSIRA) and the Controlling Authority (CA) are summarised in the table below.

Table 3: Summary - Comparing the statutory regulatory frameworks of the PSI in India and South Africa

KEY ATTRIBUTES OF THE LEGISLATION	INDIA The Private Security Agencies (Regulation) Act, 2005. (PSAR Act 29 of 2005)	SOUTH AFRICA Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001)
Reasons for the legislation	Private Security Agency (Regulation) Act 29 of 2005 (PSAR Act 29 of 2005) was enacted to improve standards for private security in India and to regulate private security agencies through a licensing process. The Central Government drafted the law and encouraged all the	The Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001) was promulgated to provide for the regulation of the PSI. Its main purpose is to provide for the formation of the Private Security Industry Regulatory Authority (PSIRA). Every security service provider is compelled to apply for a licence and

KEY ATTRIBUTES OF THE LEGISLATION	INDIA The Private Security Agencies (Regulation) Act, 2005. (PSAR Act 29 of 2005)	SOUTH AFRICA Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001)
	States to enact and enforce it. Regulatory functions followed as a decentralised approach in each state after the PSAR Act was promulgated. Hence, the PSAR Act of 2005 has to be adopted by each state Assembly.	must register with the national regulator, PSIRA before they can provide a legitimate security service. Regulations of the PSI in South Africa is thus centralised.
Setting up the Regulatory Authority	Each state in India must appoint a Controlling Authority (CA) which is responsible for implementing the regulation of the Act at state level.	The Private Security Industry Regulatory Authority (PSIRA) was established for the regulation of the industry and a Council is responsible for the governance of the Regulatory Authority.
Licencing and Registration	Anyone who wants to provide services as a private security agency or wishes to perform the functions of a private security guard must obtain a licence from the CA (Section 4).	Any person or business entity who renders a security service to another for remuneration or monetary benefit must be registered with PSIRA [Section 21 (1)].
Citizenship	Section 10 (1) (a) of the Act stipulates a registered private security agency may only employ a security guard if the person is a citizen of India [(Section 10 (a)].	Section 23 (1) (a) prescribes Only South African citizens or permanent residents will be eligible to apply to operate and/or perform security functions for a fee.
Age limit	In order to apply for a licence, the person must be over the age of eighteen years and not attained the age of sixty-five years [(Section 10 (b)].	Only persons over the age of eighteen years and in possession of a valid training certificate may be considered before registration is approved Section 23 (b).
Eligibility to work in the PSI	Section 9(5) of the Act states that every private security agency shall give preference to a person who has served in armed forces (ex-	The Act disallows members of the South African Security Service from joining the industry (Section 23 (1) (h).

KEY ATTRIBUTES OF THE LEGISLATION	INDIA The Private Security Agencies (Regulation) Act, 2005. (PSAR Act 29 of 2005)	SOUTH AFRICA Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001)
	army, navy, air force or ex-police officers).	
Vetting of applications	<p>Section 6 (a) states that a person shall not be considered for a licence if he/she has a criminal record.</p> <p>The CA has the authority to issue a licence to operate a private security agency, but the application for a licence is only considered after due authentication of the person's background and thorough screening and vetting of the applicant's credentials.</p> <p>A person may be refused a licence if he/she has been convicted of fraud, has been declared insolvent or has been convicted of a criminal offence and sentenced to a term of imprisonment of not less than two years (Section 6 of PSAR Act 29 of 2005).</p> <p>The CA is the final arbiter in terms of vetting of new and renewed applications to perform the services of a private security provider.</p>	<p>PSIRA is charged with the responsibility of screening and administering applications for registration and in this way, it can ensure that those who apply, must follow the regulatory prescripts of the Act (Section 23). The applicants are subject to a screening process conducted by the South African Police Service for any previous criminal records.</p> <p>Any person who has been found guilty of a criminal offence as specified in the Schedule of Offences listed in the PSIRA Act of 2001, within a period of ten years immediately before the submission of the application to the Authority, may not be considered for registration as a security service provider.</p>
Display of insignia and badges	In terms of Section 17 of the PSAR Act, every security guard is issued with a photo identity card that must be displayed whilst on duty. The guard must produce it on demand for inspection by the Controlling Authority (CA).	PSIRA issues a certificate of registration and a certificate of identification to a registered security service provider. These must be visible at all times and it must be available on request (Section 25).
Training requirements	The person must be physically fit and have successfully completed the prescribed training (Section	Every natural person applying for registration as a security service provider must have successfully

KEY ATTRIBUTES OF THE LEGISLATION	INDIA The Private Security Agencies (Regulation) Act, 2005. (PSAR Act 29 of 2005)	SOUTH AFRICA Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001)
	10).	completed, at a training establishment accredited in terms of the law, at least the training course described and recognised in terms of the law and policy applied by PSIRA (Section 3 (2)).
Monitoring and investigation roles of the Regulatory Authority	The CA is authorised to enter the premises of the private security agency and inspect and examine the place of business, any records, accounts or documents connected with the licence. They have the authority to make copies of documents and information for further scrutiny and investigation (Section 16).	With regard to monitoring and investigations of the PSI, the Act provides for the appointment of inspectors (issued with certificates) who are subject to the control of the director of the Authority [(Section 4 (d)].
Revoking or cancellation of licences	The Controlling Authority may cancel any licence if there is a misrepresentation, incomplete disclosure or the supply of false documents or photographs. A security guard's licence may be cancelled and revoked if the guard fails to provide security as a result of carelessness, found to be habitually drunk or has committed a crime (Section 13).	PSIRA has the authority to revoke, suspend or withdraw a licence pending the outcome of a criminal investigation by the state against a registered security service provider [Section 26 (b)].
Code of Conduct	The PSAR Act 29 of 2005 does not make provision for a Code of Conduct. However, Section 14 (1) makes provision for an Appeals Process for persons aggrieved or unfairly treated by the Controlling Authority for refusing to grant a licence under sub-section (4) of Section 7.	Chapter 4 (Sections 28 to 30) of the PSIRA Act 56 of 2001 deals with Proper Conduct and Appeal. The main purpose of the Code of Conduct is to achieve an accountable and professional private security industry. It requires all security service providers to behave in a manner that is honest,

KEY ATTRIBUTES OF THE LEGISLATION	INDIA The Private Security Agencies (Regulation) Act, 2005. (PSAR Act 29 of 2005)	SOUTH AFRICA Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001)
		truthful, fair, responsible, and promotes the public and client interests (Sections 28 to 30).
Powers of Private Security Officers (PSOs)	PSOs are allowed the same powers as ordinary citizens to make arrests powers and can prevent entry to private properties similarly to ordinary citizens (Section 10). Section 43 of the Criminal Procedure Code (1973) has bestowed powers of arrest on ordinary citizens. The person exercising the power should report it to the police at the earliest possible time.	In South Africa, private security officers have the same powers as ordinary citizens. When security officers arrest a criminal, they have to call the police so that the police can take the matter further.
Use of firearms	In the PSAR Act 29 of 2005, no provision is made for regulating the use of firearms by private security guards. The Indian Arms Act of 1959 governs the manufacture, sale, transport, export, import and use of arms and ammunition in India. It only allows individual applicants to hold firearm licences. Private Security Agencies cannot have firearm licences in the name of their businesses and as a result, they are forced to employ people who have firearms licences in their individual capacity (Singh, 2014: np).	The Firearms Control Act of 2000 (Act No 60 of 2000) and the Regulations, control the use of firearms by the PSI in South Africa. It states a security officer may not use his/her own firearm while employed by the security company (Visser, 2004: 28).
Foreign Direct Investment	Currently, the PSAR Act 29 of 2005 stipulates that Foreign Direct Investment (FDI) limits foreign ownership of security services in	The current legislative landscape in South Africa does not place limitations with regard to majority ownership of private security

KEY ATTRIBUTES OF THE LEGISLATION	INDIA The Private Security Agencies (Regulation) Act, 2005. (PSAR Act 29 of 2005)	SOUTH AFRICA Private Security Industry Regulation Act 56 of 2002 (PSIRA Act 56 of 2001)
	India to 49%. Owners and majority shareholders of private security agencies have to be citizens of India.	companies by South African citizens.

In this table, key observations on the two pieces of legislation namely; the PSAR Act of 2005 and the PSIRA Act 56 of 2001 were evaluated and some similarities and differences were highlighted. Both pieces of legislation can be regarded as fairly recent laws although the PSIRA Act 2001 is five years older than the PSAR Act of 2005.

During its implementation, there were several shortcomings identified in the PSAR Act 29 of 2005 as well as the PSIRA Act of 2001. As a result, several proposals to amend the PSAR Act 29 of 2005 was drafted by stakeholders representing the PSI in India. One contentious area is the carrying and use of firearms by security guards in India, who transport cash, guard jewellery showrooms, fuel stations, bank branches and hotels, mainly after the 26/11 attacks in Mumbai. The Private Security Agencies (Regulation) Act, 2005 has nothing defined about carrying of firearms by private security guards, and only the Arms Act of 1959 of India, allows individual applicants to hold arms licenses. Therefore, the private security industry is technically compelled to employ people who hold arms license in their individual capacity, which is problematic. Furthermore, firearms issued by individuals have restrictions in terms of territories where they can be used. There is a need for the Indian government to revisit the PSAR Act 29 of 2005 and explore the possibility of issuing arms licenses to private security industries which may be used across all states.

In South Africa, the Private Security Industry Regulations Act 56 of 2001 (PSIRA Act 56 of 2001) has been in existence in South Africa for a number of years. The private security industry environment in South Africa has changed during this time and the

government has considered it appropriate to review and propose amendments to the existing Act. Furthermore, both government and civil society in South Africa have been concerned with the effective regulation of the industry. The introduction of the Private Security Industry Amendment Bill (B12 of 2012) seeks to address the challenges that have been experienced with regard to effective regulation.

Like in India, the South African government has noted with concern, the lack of proper accountability for firearms in the possession of members of the private security industry. This is one aspect that needs to be brought in line when the legislation is amended. A number of additional amendments to the existing legislation regulating the PSI in India and South Africa are proposed and both submissions are awaiting the signature of the Head of State.

Both make provision for the setting up of a regulatory authority to implement and monitor how the PSI is regulated in their respective countries. However, in India, it is the responsibility of each state to embrace and operationalise the regulations. For this reason, the PSAR Act stipulates that each state must set up a Controlling Authority (CA) to administer and enforce the regulations. In this regard, the regulatory process in India follows a decentralised approach.

According to Kole (2015:156), PSIRA has always experienced challenges in terms of regulating the PSI and strictly enforcing compliance to the regulations – a finding supported by Berg and Gabi (2011:21) that most South African academics, security experts and practitioners take the same view, that the PSI is not well-regulated. Some of the challenges identified by PSIRA were, amongst others, unregistered security companies rendering security services ('fly-by-night'), illegal underpayment of PSOs, unregistered and untrained PSOs hired to render security services. Some PSOs were even issued with firearms whilst they did not have firearm competency certificates (Kole, 2015:161).

Another problem facing the PSIRA is a large number of registered private security companies are not inspected annually which created a crucial compliance vacuum in the PSI in South Africa. In addition, lack of proper and effective regulatory measures in the PSI in South Africa and the tendency of private security companies recruiting

PSOs without properly screening them add to more challenges facing the PSI (Kole, 2015:161). As a result, most private security companies end up hiring untrustworthy or criminal elements.

In South Africa, the PSIRA has the potential to become a strong regulator that keeps the industry in check, but it does not play that role yet due to financial constraints (Schneider, 2012:119) which result in lack of resources and manpower (Berg & Gabi, 2011:20). As a result, these challenges hamper the institution to regulate the industry effectively. Berg and Howell, (2017:275) found that the PSI is not well regulated and most private security companies believed that PSIRA is not doing enough to ensure proper and effective regulation.

Since the introduction of a legislative framework to regulate the PSI in South Africa, eighteen years after its inception, the PSIRA Act 56 of 2001, has come under closer scrutiny. Because of the lacunae identified, South African policymakers proposed a number of amendments to address the shortcomings.

4.2.2.5 Private Security Industry Regulation Amendment Bill (B12 of 2012)

In South Africa, the PSIRA Act of 2001 makes provision for the establishment of the regulatory body known as the Private Security Industry Regulatory Authority that is mandated to oversee and monitor the implementation of the regulations governing the PSI in South Africa. PSIRA is a statutory regulatory body in South Africa which every security service provider must register with before it can start operating. However, in the light of the changing political, social and economic challenges facing the country, there is a need to review this legislation and currently, the Private Security Amendment Bill (introduced in 2012) is being debated in Parliament and still awaiting the signature of the President (Berg & Howell, 2017: 271).

The Private Security Industry Regulations Act 56 of 2001 (PSIRA Act 56 of 2001) has been in existence in South Africa for a number of years. During this period, the landscape surrounding the private security industry has changed and the government has considered it prudent to review and propose amendments to the

existing Act. In South Africa, ownership and control of most of the companies operating in the PSI are in the hands of a minority white male-dominated sector of the population. This has raised the ire of politicians and aspirant black entrepreneurs including trade unions and security officers who wish to join the industry, but who are faced with unnecessary obstacles. Concerns have been raised by civil society and government to revisit the effectiveness of the PSIRA Act of 2001 in transforming the private security industry eighteen years after it was first implemented (Chauke, 2018: np).

To give effect to this, the former Minister of Police, Mr Nathi Mthethwa introduced the Private Security Industry Regulation Amendment Bill to the National Assembly of the Republic of South Africa, on 21 November 2012. During his introduction, he outlined specific reasons for introducing the Bill. Both government and civil society have been concerned with the effective regulation of the industry and the Amendment Bill seeks to address the challenges that have been experienced with regard to effective regulation (Mthethwa, 2014b: np). The following proposals have been included in the Bill.

The current capacity of the Private Security Industry Regulatory Authority does not lend itself to effective governance, which needs to be addressed. Since the Regulator does not receive any financial help from the central Government, it constrains PSIRA in doing its work effectively. This lack of resources, compromise effective regulation and depends on funds and levies collected to fund its activities. The current funding model for PSIRA must be reconfigured to give it more power to exert its mandate.

The South African government has noted with concern, the lack of proper accountability for firearms in the possession of members of the private security industry. This aspect must be brought in line when the legislation is amended. Other proposals in the Bill include making owners of security companies who provide security services rendered outside the Republic by South African security companies, and this would include allegations of mercenary activities, to be more accountable to PSIRA for their actions. Aspects of criminality within the private

security industry and the growth of foreign-owned companies in South Africa is also being proposed in the Bill.

As a result of the challenges outlined above, the tightening of the South African regulatory framework for private security became a necessity. Some of the proposed changes to the current Act includes the provision to formalise and strengthen the co-operation between PSIRA and the Civilian Secretariat for Police. The Bill includes a provision for more control over the finances and accountability of the Authority; is provided for the establishment of the Exemption Advisory Committee.

Another of the controversial aspects of the Bill is that it provides for the regulation of security services rendered outside the Republic of South Africa (Private Security Industry Regulation Amendment (PSIRA) Bill, 2012: np)). This proposition will affect those security companies whose majority shareholders are non-South Africans. It was reported that the ruling ANC government has argued that foreign ownership in the security sector poses a national risk, as some national key points are being guarded by foreign-owned private security firms (Maritz, 2012b: np).

The former Minister of Police, Mr Nathi Mthethwa, told a Parliamentary briefing on the Private Security Regulations Amendment Bill that, many governments are reviewing their approach to regulating security companies because of the concern about foreign-owned, well-armed security officers operating in these countries. These include Kenya, Philippines, Switzerland and Mozambique, which currently have regulations and restrictions on foreign ownership of security companies (Mthethwa, 2015: np). As a development state, South Africa must ensure that the national and security interests are protected and that its domestic legislation provides a mechanism to protect such interests. In this regard, it is felt that a restriction on foreign investment in a sector such as the private security industry is both reasonable and justifiable in the context of the broader national security, given the nature and scope of this industry, the technological advancements in the private security industry and the developments since 9/11 (Mthethwa, 2015: np).

Such a practice is not without international precedent if one takes into account the legislation of other countries, which has adopted this practice. The recent trend in

some countries is to either totally prohibit ownership of private security companies by foreigners or to restrict the extent of foreign participation and give a majority shareholding and control to its citizens (Montreux Document on Private Military and Security Companies, 2011: 14).

With the new Bill, any person found guilty of a scheduled offence as listed in the (Table of Offences in the PSIRA Act of 2001), will be prevented from registering as security service provider despite the number of years (up to ten years in some instances), before the submission for registration to the Authority. The Bill will emphasise the role of the Regulatory Authority informing and strengthening its relationship with state organs in crime prevention activities.

The Bill gives the Regulator the authority to suspend a security service provider who defaults on unpaid levies as prescribed. This can result in the lapsing of registration of a security provider if levies are unpaid for a period of three (3) months from the date of suspension. Another wide-ranging proposal in the Bill is that it will be accountable directly to the Minister of Police for the performance of its functions (Private Security Industry Regulation Amendment Bill, 2012: np). The Council of PSIRA will be obliged to provide the Minister with relevant information and particulars pertaining to the functioning of the Regulatory Authority. It further proposes setting up an updated database held by the Central Firearms Registry of every firearm issued to security service providers (Private Security Industry Regulation Amendment Bill, 2012: np).

The issue of foreign direct investment (FDI) in the private security industry in South Africa is also coming under review. Currently, South Africa does not place any limitation on foreign ownership of private security companies. National security concerns have forced the South African government to review its current stance on foreign ownership of private security companies. The PSIRA Amendment Bill proposes a restriction on foreign ownership of security companies to forty-nine per cent. However, this proposal can have serious negative economic ramifications and withdrawal of foreign private security companies may result in substantial job losses, thereby exacerbating the already high unemployment rate in the country.

4.3 CONCLUSION

In the study, the factors influencing the regulation of the PSI was one of the objectives identified in the research. This chapter provided the historical context of the landscape regulating the PSI in India and South Africa. Both countries introduced legislation to regulate the PSI in their respective countries in the form of the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001. Despite these legislative imperatives, researchers have not ventured much into this terrain of scientific inquiry. It was observed that regulations are important especially for the PSI, which offers a variety of services across all sectors of the economy. Legislation becomes important since illegal and dishonest operators are prevented from entering the industry and it holds companies providing private security services accountable to the regulator and the client.

In India, some of the early precursors to introducing a formal regulatory for the PSI came in the form of the Railway Protection Force Act 1957 (Act 23 of 1957, which focussed on securing railway property. The railway security officers was an early form of security providing for railway infrastructure, other than the national armed forces. Later as a result of an increase in acts of sabotage in India, the Government of India passed the Central Industrial Security Force Act 50 of 1968 (CISF Act 50 of 1968) and was it the first legal framework to regulate official security agencies in India. CISF members were employed by the government to enhance the protection and security of certain industrial sites. There was no specific legislation that in India which made it a compulsory requirement for any private security agency to formally register with a statutory body. When the government of India realised that private security services were becoming popular and the industry was using armed guard services, this was seen as a threat to national security.

In South Africa, increasing security risks, including the armed struggle strategy adopted by the banned liberation movements, forced the apartheid government to use private security officers to guard national key points, thereby increasing the demand for private security services. The promulgation of the NKP Act of 1980 enabled the PSI to protect premises and government infrastructure declared as national key points. Later it passed the Security Officers Act, No. 92 of 1987 when

the apartheid regime realised that the PSI was growing exponentially and the industry was not subject to a proper regulatory framework. The formalisation of this Act was the first legal mechanism introduced by the government to regulate the private security industry

Effective regulation of the PSI in India and South Africa is necessary to ensure that citizens feel safe, secure and protected against unscrupulous and exploitative operators. Regulations compel private security companies to become trustworthy and legitimate organisations that act within the confines of the law. Statutory-based regulation, in particular, face a number of demands and challenges from the private industry, in particular, aspects such as rigid fee structure and severe penalties for non-compliance. However, the exclusion of any acknowledgement of the potential that the private security industry has in contributing to society also plays a role in the development of the regulatory framework.

CHAPTER 5

RESEARCH DESIGN AND METHODOLOGY

5.1 INTRODUCTION

This chapter portrays the research process and the method used in conducting the research. Interest in the research topic emanated from a general lacuna on recent empirical research and scholarly work looking at the factors leading to the rapid increase in the private security industry in India and South Africa and the manner in which the PSI is being regulated in the two countries. The importance and value of the study will contribute towards filling the existing gap in the knowledge on the topic. This study is qualitatively supported by a case study research design. The private security industry in India and South Africa are the two cases examined, based on an in-depth investigation of documents and by conducting personal interviews and sending out a qualitative questionnaire by email to research participants. The researcher used the case study to determine the factors contributing to the growth and regulation of the PSI in the two countries.

This study is considered applied research since the research problem is directed towards challenging a real-world social problem and tries to provide answers to a specific practical problem (Cherry, 2019: np). Generally, applied research is used to answer practical problems of the modern world, rather than 'to acquire knowledge for knowledge's sake'. (Singh, 2016: 5). In this study, the aim (as indicated in Chapter 1, Section 1.5) is, to determine from research participants, the reasons why the private security industry has been increasing and the concomitant need to regulate the industry in India and South Africa. The purpose of the study (as indicated in Chapter 1, Section 1.6) follows a dual approach, firstly, to explore the reasons leading to the rapid growth and regulation of the private security in India and South Africa and secondly, to describe the gaps in the in the regulatory legislation, that regulates the private security in India and South Africa.

The research objectives (as indicated in Chapter 1, Section 1.6) is represented in the following statements, which include to:

- examine the factors and reasons promoting the growth and rise of the private security industry (PSI) in India and South Africa;
- examine any gaps in the Private Security Agencies (Regulation) Act 29 of 2005 (India) and the Private Security Industry Regulation Act 56 of 2001 (South Africa) in regulating the PSI;
- explore whether the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001 have been effective in regulating the private security industry in India and South Africa;
- examine theoretical frameworks relevant to regulating the private security industry.

The research objectives were guided by research questions that comprise of the following questions (See Chapter 1, Section 1.7):

What are the factors and reasons leading to the rapid growth and regulation of the PSI in India and South Africa?

- How effective is the current regulatory practice in enforcing the legislation that regulates the private security industry in India and South Africa?
- What are the theoretical frameworks applicable to India and South Africa, relevant for regulating the PSI? and
- How could policymakers enhance the regulation of the PSI in both countries?

The researcher conducted a pilot study to ensure that the study is feasible and the research questions are realistic. The pilot study was useful in identifying logistical problems that may occur before using the proposed methods. For example, a real problem identified during the pilot phase was the impracticality in using telephone interviews to collect data. The researcher scrapped the idea of using telephone interviews, especially with Indian participants, due to unreliable telephone connectivity between the researcher and research participants.

5.2 Qualitative Approach

In the current study, the qualitative research approach was considered appropriate since it describes existing achievements through asking questions, such as, 'what is',

and it reports things the way 'they are' (Silverman, 2016: 3). It is concerned primarily with the present and does not involve the manipulation of independent variables (Hagan, 2017: 43). For this study, qualitative research is used to examine, evaluate and gather insights into the research problem, namely, what are the factors and reasons promoting rapid growth and the concomitant need to regulate the industry in India and South Africa. The researcher did this by understanding the underlying opinions and reasons provided by the research participants chosen for the study. Qualitative research methods are applied to gain a better understanding by delving deeper into the topic. In this research, it is used when there is limited previous knowledge of a particular phenomenon which the researcher aims to evaluate, as in the case of the present study (Hammarberg, Kirkman & De Lacey, 2016:501).

In many instances, qualitative research is focussed on clear methodological traditions of inquiry that investigate social or human problems. In this way, the researcher is able to report comprehensively of research participants in a natural setting (Fouché & Delport, 2016a: 67). Thus, by adopting a qualitative research approach the researcher is able to ask wide-ranging research questions aimed at evaluating, interpreting, or understanding the social context and characteristics of the research problem; i.e. the factors promoting the growth and regulation of the PSI in India and South Africa.

5.2.1 RESEARCH DESIGN

The research design is a plan to answer the research questions linked to the aim, purpose and objectives of the study. (Trafford & Lesham, 2008:90). The study used a qualitative case study design to explore, in this case, the factors and reasons contributing to the rapid growth and regulation of the PSI in India and South Africa. The use of the qualitative case study design helped the researcher to emphasise the need to conduct the study and to address the gaps in the existing knowledge base. The application of the research design assisted the researcher to formulate the research questions, select the sample and clarify the approaches and techniques used by the researcher to collect and analyse the data. In this way, it helped to find solutions and answers to the question, such as; why has the private security industry been growing rapidly in India and South Africa? In the next section, the researcher

discusses the research paradigm and provides a description of the conceptual framework guiding the research.

5.3 PARADIGMATIC BASIS OF THE STUDY

The research paradigm supports the way in which the research is undertaken, as well as the role of the researcher. In this instance, a paradigm means a worldview, which, as the word itself suggests is, “an overall view of the world” (Anserson, 2017: np). Philosophers would argue that is not a physical view of the world, but rather a deep-thinking view of how interpretation and meaning about things happening around us, can be explained. Thus, a paradigm is a set of shared beliefs among members of a speciality area (Anderson, 2018: np). In this study, the paradigm will include stakeholders and role-players involved in the private security industry in India and South Africa. To contextualise this, it is necessary to outline the characteristics of the research paradigms used in the current study.

Firstly, ontology refers to the way the researcher believes the research question can be answered most truthfully (Fouché & Schurink, 2016:309). The ontology describes the nature of reality and ‘real existence’, thus asking questions about how things really are? What things exist? What categories do they belong to? (Schwandt, 2015:135). Thus, in the development and execution of the research topic, the fundamental question is: what are the factors and reasons driving growth and regulation of the PSI in India and South Africa?

A second research characteristic that the study considered is the epistemology where the research captures views about the world via questions directed towards what is known and how one comes to know it (Rapley, 2016: 331). It refers to the philosophical study of the nature, origin, and limits of human knowledge (Silverman, 2016: 5). In other words, what are the existing regulatory practices governing the PSI in India and South Africa?

Finally, the methodological paradigm determines the way in which the research is done and it is usually based on the strategy and design of the research. In the current study, by using a qualitative research approach, the researcher is able to

immerse himself in the research, and this allowed him the opportunity to interact with the research participants being interviewed (Fouché & Delport: 2016a: 61-76). This study follows a qualitative approach using a case study design and documentary analysis, which is qualitative, explorative and descriptive. More discussion on these aspects is covered in the following discussion.

5.3.2 Case Study research design

The case study component of the research design was adopted since the researcher posed a number of "how" or "why" questions relating to the growth and regulation of the PSI in India and South Africa. The two cases referred to in this study is the private security sector in India and in South Africa. The cases in this study are explored to gather more insight into factors promoting the growth and regulations of the private security industry in India and South Africa.

Yin (2012) confirms the case study aspect is more relevant when the emphasis of the research is on a present-day trend within some real-life context (Yin, 2012:1). As noted in Chapter One and Chapter Two, the PSI has shown exponential growth across the globe, and India and South Africa were chosen as the two cases that required deeper investigation into the problem. The case study research approach allowed for more flexibility and considered appropriate since, it is not readily offered by other qualitative approaches such as grounded theory or phenomenology and it was designed to suit the chosen cases and research questions (Hyett, Kenny & Dickson-Swift (2017: 1).

The case study design is used to explore and describe factors and reasons influencing the growth of PSI in India and South Africa. In addition, the researcher chose the cases to identify and explain the factors that influenced the regulation of PSI in India and SA.

5.3.3 Explorative component of the design

Exploratory research starts with an area of interest on the part of the researcher and he/she conducts a full investigation of the phenomenon, including all the factors related to it. The researcher does this with the intention to provide more insight into

the various ways during which the phenomenon manifests, (Silverman, 2016: 4). In this study, exploration is used to investigate the factors and reasons contributing to the growth and regulation of the PSI in India and South Africa. By exploring, it gives the researcher more insight into a problem that has not been the subject of recent scientific enquiry. Exploratory research is usually used to provide details where a small amount of information exists (Krishnaswamy, Sivakumar & Mathirajan, 2015: 56) as in the case of this research, where there is a dearth of scholarly research on the topic under investigation.

The need to use exploration in the research came about mainly due to a lack of basic information on a new area of interest, namely; to explore the factors and reasons giving rise to the growth and regulation of the PSI in India and South Africa. The researcher did this by trying to acquaint himself, with the problem under investigation. For this study, one of the objectives is to investigate the factors and reasons underlying the growth and regulation of the PSI in India and South Africa as the phenomenon of interest. To do this, the researcher used ~~exploration~~ one-on-one interviews and sending out the qualitative questionnaire per email as part of the data collection and analysis. This was done to obtain in-depth information about individual understanding and perceptions about the reasons contributing to the growth and regulation of the PSI, in India and South Africa.

5.3.4 Descriptive component of the design

A descriptive study provides an accurate account of and clearly portrays the characteristics of a particular phenomenon in real-life situations. It furthermore provides a high level of new discovery relating to previously unknown aspects (such as the factors contributing to the growth of the PSI in India and South Africa) in the human experiences (Fouché & Schurink, 2016: 320). Burns and Grove (2018: 35) add that researchers conduct descriptive studies in the natural setting without any manipulation of the environment. This study describes the gaps in the in the regulatory legislation that regulates the private security in India and South Africa and the factors and reasons contributing to the growth and regulation of the PSI in India and South Africa.

5.4 UNIT OF ANALYSIS

In this study, the unit of analysis includes all stakeholders and role-players involved in the provision, management and delivery of private security services to paying clients in India and South Africa. The researcher examined the existing research population in its broadest sense and in this way was able to single out the specifications of the target population. The target population refers to a group of persons (in this case, members of the Board of Governors of the IISSM and the members of the Board of Governors of the South African Institute of Security), who have the traits or areas of interest similar to the researcher (Flyvbjerg, 2017:360).

5.5 SAMPLING METHOD

Sampling methods describe how members from the population are selected for the study (Silverman, 2016:5). In this study, the researcher used non-probability sampling method to select the sample since it allowed the researcher to draw inferences about a population based on results from a subset of the population. Snowball sampling was used to select the research participants for the pilot study. To choose the sample for the study, the researcher used the purposive sampling technique. The researcher's years of experience in researching private security issues, including his network of peers working in the private security industry in both India and South Africa, helped to understand the dynamics of the sample. In this way, the researcher relied on his own judgment when choosing members of the population to participate in the study.

The sample for the study was selected purposively by including elected members of the Board of Governors (BOG) of the International Institute for Security and Safety Management (IISSM) in India and members of the Board of Governors of the South African Institute of Security (SAIS). The total number of members of serving on the BOG of the IISSM for the period 2016-2019 consisted of twenty-three (23) members. From this, fifteen (15) members of the BOG of the IISSM agreed to participate in the study. The total number of BOG members of the South African Institute of Security

for the period 2016-2019 was twenty (20). From this sample, nineteen (19) members of the BOG of the SAIS participated in the research. Several attempts to contact all participants identified to participate in the study proved unsuccessful.

Sample sizes may be problematic for many qualitative studies since the small sample size does not allow the researcher to generalise the results to the greater population (Brink, Van der Walt & Van Rensburg, 2016:87). In the current study, the aim is not to generalise the findings to the wider population. By including a sample of the population, it helped to reduce costs and workload and this made it easier for the researcher to obtain high-quality information. In the current study, the persons selected to take part in the study are referred to as, “participants”, “research participants” or “respondents”. The research participant’s age and gender are discussed below.

Table 5 provides the demographics and gender specifics of the participants in the study.

Table 4 Research participants’ age

IISSM Participants – India		SAIS Participants- South Africa
35 - 45 years	3	5
46 – 55 years	4	8
56 – 65 years	2	4
66 - 75 years +	2	3
TOTAL	15	19

The ages of the sample groups in India and South Africa ranged between 35 years and 75 years. For example, the youngest Indian participant (P12) was 33 years and the youngest South African participant (P10) was 35 years at the time of the data collection phase. Additionally, the oldest Indian respondent (P11) was 74 years, while the oldest South African respondent (1) was 69 years.

Table 5 Research participants’ gender

GENDER	IISSM	SAIS
Male	14	17

Female	1	2
TOTAL	15	19

The sample in both countries was predominantly male participants. Only one participant in the sample in India was female and two participants from the South African sample were female.

The discussion that follows provides the contextual relevance for selecting the sample and offers depth and understanding into nature and profile of the sample selected, which reflect on the key research questions, aims and objectives of the study.

5.5.1 Characteristics of the sample population

The sample constituted elected members of the Board of Governors of the International Institute for Security and Safety Management (IISSM) in India and elected members of the Board of Governors of the South African Institute of Security (SAIS). To understand the contextual relevance of the participants, a brief description of the profile, nature, composition and attributes of the members of both organisations chosen in the sample, is provided.

5.5.2 International Institute of Security and Safety Management (IISSM)

The International Institute of Security and Safety Management (IISSM) is a non-profit educational institution established 1991 in India and is registered under the Indian Societies Act of 1860 (International Institute for Security and Safety Management, 2016: np). The IISSM's mission focusses on the development and endorsement of professional excellence among security and loss prevention practitioners. The IISSM acts as a means to bring professionals together to share experiences and to keep updating professional knowledge in security, loss prevention and fire protection, through the provision of numerous training courses and seminars. In this way, it allows security practitioners to keep abreast with contemporary advancements in technology and prepare them to achieve their aims and objectives in their respective professional fields (IISSM: 2016. np).

The members of the Board of Governors of the International Institute for Security and Safety Management were included in the sample since they represent a diversity of key stakeholders, role players and decision-makers drawn from the PSI in India. Its membership consists of specialists in the fields of security management and investigations, the Chief Editor of Security Today (India) magazine, security service providers and end-users of security products, security technology and information experts. Members of the IISSM BOG included chiefs of security representing iron and steel, oil and gas, banking, hospitality sectors in India, security consultants, private detective services, electronic security consultants, academics and security trainers, risk managers and loss control specialists.

5.5.3 South African Institute of Security (SAIS)

In 1983, the South African Institute of Security was established and it was the primary organisation for professionals within the security industry in South Africa. (South African Institute of Security, 2018: np). Its membership comprises of those with formal qualifications in security, risk management or similar fields and or practical experience in security management, investigations, deception testing, risk management, criminology, education and training and numerous security-related fields (South African Institute of Security, 2018: np).

Members of the Board of Governors of the South African Institute of Security were included in the sample because they represent a diversity of sectors within the private security industry. These included: ASIS International (Chapter 203 – Cape Town), Business Against Crime (BAC), Electronic Security Distributors Association (ESDA), Locksmiths Association of South Africa (LASA), South African Intruder Detection Association, Security Association of South Africa (SASA), Security Industry Alliance (SIA), Motor Vehicle Security Association of South Africa (VESA), and the South African Polygraph Association amongst others. In addition, its members included providers of security training, academics, government sector, members of allied security associations and members representing other self-interest groups associated with the private security industry.

The diverse nature and expertise of the two sample groups allowed for the collection of rich data. It provided for a better understanding of research participants' views on the growth and regulation of the PSI in India and South Africa. The nexus between these two organisations, its membership and their influence in PSI activities in India and South Africa is replicated in a number of similarities observed by the researcher, for example, promoting and maintaining high standards in the PSI through continuous education and training programmes. In this way, both organisations strive to create a professional ethos for security practitioners. This provided additional impetus for the researcher to delve more closely into the role and function members of these bodies play, in fostering a better of understanding of how the growth and regulation of the PSI manifest itself in the two countries.

Closer examination of the Constitutions of IISSM and SAIS found the two organisation is based on a number of similarities in their objectives. The significance in the similarities between these two bodies, including its members, their backgrounds, experience and knowledge, motivated the researcher to delve deeper into and explore new knowledge of why the private security industry blossomed during the past two decades in India and South Africa and the resultant challenges it poses, for regulators of this highly profitable industry. The similarities are briefly summarised in the following table.

Table 6 Similarities in the Objectives of the International Institute for Security and Safety Management and the South African Institute of Security

IISSM	SAIS
<p>The main objective of the IISSM is to promote and inspire a culture of professionalism amongst individual security practitioners and private security agencies in general.</p> <p>IISSM also places emphasis on raising awareness around security among non-security personnel, by facilitating and presenting a variety of short and long-term training interventions on security, fire and safety, security technologies and related areas.</p>	<p>The aim of SAIS is to promote the ongoing professional development of security practitioners. In this way, SAIS hopes to contribute to uplift the overall level of excellence in the security industry.</p> <p>SAIS is further committed to raising and maintaining the level of excellence and professional competence of security practitioners. To facilitate this, they liaise with the Sector Safety and Security Training and Education Authority and institutions of higher learning.</p>

IISSM	SAIS
<p>IISSM assists in encouraging members to network and it hosts an annual global conclave where security and safety experts from all over the world gather to share knowledge and information at the forum.</p>	<p>Members of SAIS aspire to encourage the advancement of technology, enhance the integrity, status and spirit of membership by upholding high standards of qualification and enrolment.</p> <p>In order do this, the SAIS Constitution makes provision for a career structure for the security practitioners through recognition of professional examinations. Its membership structure is categorised according to levels of Graduate, Member and Fellow. To exert its influence in the PSI in South Africa, SAIS facilitates liaising with business, industry, commerce, government departments, public bodies, professions, academic institutions and other associations.</p>

The areas of expertise of the sample selected from members of both organisations included owners of private security companies, employer and employee bodies, security training providers, higher education institutions, government sector, consultancy and investigation services, security service users, risk managers and loss control specialists, and security technology experts. These experts' views will contribute significantly to a body of knowledge and expertise within the sample and will assist in trying to obtain a better understanding of the research participants' views and reasons for the growth and reasons for regulating the PSI, in India and South Africa. An expert is a professional who has gained knowledge and skills by pursuing further studies and by being in practice for a number of years, in a particular field or subject. Such a person's opinion may to some extent be helpful in finding solutions to problems or understanding of a situation (Businessdictionary, 2019: np). Expetise on the other hand relates to knowledge and feelings gained through learning and practice over a period of time.

To obtain a better insight into the problem, the researcher discussed the issue with experienced and knowledgeable individuals in the field of private security in India

and South Africa and used their insights for a better grasp of the problem. The researcher achieved this by having several discussions with leaders and decision-makers in the field of private security in India and South Africa. The deployment of information technology speeded up the process since electronic communication (e-mail). In this study, emailing the qualitative questionnaire to the research participants is used effectively and efficiently to reduce time and save on costs. Attending academic conferences, scholarly seminars and industry liaison discussions, and keeping an open mind, helped the researcher to understand the research problem more clearly and this required some critical reflection of it.

5.6 DATA COLLECTION METHODS

Data was collected through the rigorous and systematic gathering of information relevant to the research aim and it was linked to the specific objectives and questions of the study. The researcher used the following methods to collect data, namely: (1) in-depth individual interviews supported by a qualitative questionnaire; (2) by emailing the qualitative questionnaire to the research participants and (3) including documentary study.

5.6.1 The value and use of qualitative questionnaires

One study, Eckerdal and Hagström (2017: np) suggest that the use of qualitative questionnaires became popular to gain in-depth information on participants' personal opinions and recollections of everyday life experiences. These authors pronounce that qualitative questionnaires usually generate rich information on past, present and everyday life experiences and supported by qualitative analysis of the data (Eckerdal & Hagström, 2017: np). In addition, qualitative questionnaires are utilised to gain a better understanding of the topic, (Eckerdal and Hagström's, 2017: np) and as with opinions, it helps to understand the nature of the respondents' experiences (Baht, 2019: np). Qualitative questionnaires are therefore less structured and directed by clear questions that usually commences with "what" and "how" open-ended questions, where the respondents are given adequate space to provide details about their experiences and feelings (Baht, 2019: np).

According to Debois (2019: np), the framework of a qualitative questionnaire comprises of a primary question, in this case: What are the factors and reasons that contributed to the growth and regulation of the Private Security Industry in India and South Africa? Based on this, the sub-questions following on from this are: how effective is the current regulatory practice in enforcing the legislation that regulates the Private Security industry in India and South Africa? How could policymakers enhance the regulation of the Private Security Industry in both countries? What are the theoretical frameworks applicable to India and South Africa, relevant for regulating the PSI?

This study was undertaken in an effort to add depth to the understanding of the factors and reasons contributing to the growth and regulation of the PSI in India and South Africa. The first research question concerning the growth of the PSI in India and South Africa required the researcher to elicit the views of persons with some background knowledge about the PSI in their respective countries. Participants in this study had an option to participate in face-to-face individual interviews or receive a qualitative questionnaire to complete and return by e-mail (See Annexures A and B). For the study, data collection was conducted with research participants in India and South Africa from June to November 2016 and 2017 and follow-up interviews were undertaken during November 2018 in the two countries.

5.6.2 Interview process

Face-to-face interview technique is used to collect data since it is distinguished by structured communication in time and place. Using face-to-face interviews gave the researcher an opportunity to seek clarity on questions and concepts to the interviewee, where need be. During the data gathering process, the researcher conducted seven (7) one-on-one interviews with Indian research participants chosen in the sample. The interviews took place in New Delhi in November 2017 after the annual International Conclave hosted by the IISSM and the researcher conducted follow-up interviews in November 2018. For the South African sample, the researcher interviewed eight (8) research participants personally through face-to-face interviews. The researcher conducted the interviews during the period June 2016 to November 2017 in Johannesburg and Pretoria. Follow-up interviews for

participants (1, 2, 4, 7 and 10) in India and for participants (2, 3, 6, 7, 8, 9 and 11) in South Africa, took place during 2018.

The follow-up interviews provided the researcher with more in-depth information into the participants' feelings, opinions, and perspectives of the research aim and purpose. For example, some of the participants were hesitant to talk openly about the regulatory challenges and if it affects the industry positively or negatively in any way. To overcome this, the researcher nudged the participants gently to share their personal experiences with the regulation of the PSI in the two countries. Therefore, seeking clarity assisted in the collection of rich data, which was required to disclose participants' perceptions of the research problem. In order to keep the research participants focused on the process, the researcher resorted to writing down their thoughts on pieces of paper, which the researcher used, to encourage participants to express themselves.

The time is taken to conduct the face-to-face interview sessions varied from one participant to another. In some cases, the researcher spent more than half an hour interviewing research participant, whilst in other cases, the researcher could complete the interview in fifteen to twenty minutes. The length of the interview depended on how much information the participant was willing to share. As the interviews unfolded, the researcher made use of individual probing questions to get clarity, especially in instances where the responses were vague. The one-on-one interviews were audio-recorded and then transcribed into meaningful text. The researcher sent the qualitative questionnaire by e-mail to research participants.

5.6.3 Qualitative questionnaire sent by email

During the data collection phase, not all members of the sample were available to attend a one-on-one interview and for this reason, they preferred emailing the qualitative questionnaire to them. The qualitative questionnaire was emailed to Indian and South African participants during July 2017. Follow-up emails were sent out to the research participants in India and South Africa between June and November 2018, in cases where no response to some questions or even incomplete responses were identified, to probe the gaps. The wide geographical spread of the

research participants across India and South Africa, as well as a saving in subsistence and travel costs, justified emailing the qualitative questionnaire to the participants.

Hence, emailing the qualitative questionnaire to a range of participants made it possible to reach participants ‘anywhere in the world’ (Greef, 2016: 354). Some of the respondents in both the sample groups requested for the qualitative questionnaire to be e-mailed to them so that they could take their time, apply their minds and respond more comprehensively. Emailing the qualitative questionnaire made it possible to accommodate the participants’ convenience of their busy time schedules, since the researcher and participants did not have to identify a suitable time, to talk to each other.

A timeframe was stipulated for the return of the emailed qualitative questionnaires and regular reminders were sent to each respondent to return the completed questionnaires. A consent form granting permission to participate in the research was sent to each respondent and it was signed and returned to the researcher (Annexure C). Eight (8) of the research participants from India chose to respond by email and eleven (11) participants from South Africa replied by e-mail.

One of the advantages associated with emailing the qualitative questionnaire is that they do not need transcribing costs, thereby eliminating transcription errors (Greef, 2016: 354). The researcher maximised the use of emailing the questionnaire because it expedited the data collection process and a quicker response rate for the return of the interview schedule.

Table 7 List of Indian participants responding by email

Participant Number	Designation/Occupational Status
P1	Security Consultant with National Aluminium Company (Mines & Refinery) E-mail communication 13 November 2017 and 23 November 2018.
P2	Executive Director on the Board of the largest CCTV manufacturer in India. E-mail communication 13 November 2017 and 23 November 2018.
P3	Chairman IISSM committee member. E-mail communication 10 July 2017 and 22 November 2018.

P4	Past President and DG of IISSM. E-mail communication 20 July 2017 and day 23 November 2018.
P5	Retired former BOG member of IISSM. E-mail communication 10 July 2017 and 23 November 2018.
P6	A business owner in PSI. E-mail communication 10 July 2017 and 23 November 2018.
P7	Regional director. E-mail communication 10 July 2017 and 23 November 2018.
P8	Security head at a major public sector gas supplier. E-mail communication 10 July 2017.

Table 8 List of South African participants responding by email

Participant Number	Designation/Occupational Status
P1	Security Trainer/Assessor. E-mail communication 10 August 2017
P2	Security Director. E-mail communication 10 August 2017.
P3	National security manager (State-owned enterprise). E-mail communication 15 August 2017 and 10 November 2018.
P4	Director Protection Services. E-mail communication 20 September 2017.
P5	Regional HR/IR Manager for blue chip security provider E-mail communication 20 September 2017.
P6	Head of security (tertiary institution) E-mail communication 23 November 2017
P7	Chief Executive Officer. E-mail communication 20 September 2017 and 3 November 2018.
P8	Consultant. E-mail communication 20 September 2017 and 17 November 2018.
P9	Managing Director. E-mail communication 20 September 2017 and 15 November 2018.
P10	Independent security advisor/consultant & Chairman E-mail communication 20 September 2017.
P11	Contract Management. E-mail communication 20 September 2017 and 15 November 2018.

The remaining participants from both sampled groups were interviewed on a one-on-one basis, by using the same qualitative questionnaire to probe for further information during the mentioned time period.

5.7 PILOT STUDY

The researcher conducted a pilot study with a group of six persons (three per country) to help refine the qualitative research questionnaire, other than the selected sample. The pilot was used to test the research procedure and to check whether appropriate the steps in applying appropriate research methods is correct. Snowball sampling technique was used to select participants to take part in the pilot study. The researcher conducted pilot interviews on an unstructured basis with senior security managers, in both countries, who had an interest in the project, or who were recommended as being authoritative on the subject, by peers in the field. The pilot study was conducted in India during November 2016 and in South Africa during the same period. For the pilot study, the researcher chose the participants since they

possessed academic knowledge, expertise as well as national and international experience in the field of the PSI in their respective countries.

The pilot study helped to understand some of the practical aspects of the interview process, for example, establishing access to respondents, making contact and conducting the interviews, as well as sharpening the researchers' own interviewing skills (Greef, 2007b: 294). For example, during the pilot study, the participants frequently referred to their concerns around the lack of participation of females in the PSI. This prompted the researcher to include a question on gender discrimination in the PSI in India and South Africa. Therefore, given the lack of previous experience on the subject, the pilot interviews offered the researcher some useful indicators of key issues (including gender discrimination), influencing the growth and regulation of the private security industry in the two countries.

During the pilot phase of the research process, the researcher explored the possibility of conducting telephone interviews with respondents from India with a view to saving costs. This method of data collection proved to be ineffective due to the erratic telecommunication connectivity. There were frequent breaks in communication because of technical difficulties experienced by service providers. A further problem was the cancellation of the interview at very short notice for those who initially agreed to be interviewed. Using telephone interviews for data collection purposes was not pursued further.

The results of the pilot study are not included in the final analysis of the data since these provided tentative responses to the qualitative questionnaire. In addition, the data from the pilot study was used to test the methodology and the steps of the study, so that adjustments could be made to the final qualitative questionnaire. Another reason is a danger that the integrity of the data obtained in the pilot study may contaminate the findings of the study if they are included in the main study (Nowell, Norris, White & Moules, 2017: 605). A further concern about not including participants from the pilot study in the main study comes about, since only those who were involved in the pilot, and not the entire group, will have had the experience of being exposed to the research questions (Hassan, Schattner and Mazza, 2006:70).

5.7.1 Document analysis

During the research process, a documentary analysis was undertaken to gain more insight into the research problem, by reviewing earlier and current legislation and policies related to regulating the PSI in India and South Africa.

A documentary analysis provided the researcher with an opportunity to gather information on a lesser researched topic by working through an extensive list of publications and other academic papers (Frey, 2018: 3). The majority of the literature consulted was located in various research databases and library listings. In addition, a review of reports, legislation, newspapers, books, articles in scientific journals, industry magazines and publications, internet websites and annual reports was undertaken to determine the nature and extent of the problem.

Several news article databases and websites were also utilised to locate information on the regulation of the PSI in the two countries. In an attempt to contextualise the growth of the private security industry globally, studies from countries other than the two identified focus countries, (India and South Africa), was appraised. This process involved the systematic procedure used to review both printed and electronic documents. To do this, the researcher evaluated the existing policy frameworks, annual reports, parliamentary briefings and other related literature that deals with aspects of regulating the PSI namely; the Private Security Agencies (Regulation) Act, No. 29 of 2005 in India and the Private Security Industry Regulation Act, No. 56 of 2001 in South Africa.

5.8 DATA ANALYSIS

The process of analysing of the data started as soon as the data collection process commenced. Data were analysed by using Thematic Analysis where themes and patterns were identified using the data collected from the one-on-one interview supported by the qualitative questionnaires and those questionnaires returned by email. The researcher used this method to examine and record patterns (themes) arising from the data. Braun and Clarke (2006) define thematic analysis as a method of identifying what is common to the way participants' respond to a topic or research

question, by making sense of the common patterns (Braun and Clark, 2006: 59). The researcher used thematic analysis because of accessibility and flexibility to make sense from the data generated during the data collection phase. For this study, Braun and Clarke's (2006:67) six-phase process of thematic analysis where the top-down or theoretical thematic analysis, was applied and based on the specific research question namely: What are the factors and reasons contributing to the growth and regulation of the private security industry in India and South Africa? This process allowed for flexibility in the analysis of the data and in this way, it gave the researcher some degree of freedom between the steps.

Table 9 Six-phase framework for thematic analysis (adopted from Braun & Clark, 2006: 67)

Step 1: Become familiar with the data	Step 4: review themes
Step 2: Generate initial codes	Step 5: Define themes
Step 3: Search for themes	Step 6: Write up

The first step of the process started with the researcher reading and re-reading the transcripts from the emailed qualitative questionnaires and the transcriptions from one-on-one interviews supported by the questionnaires to become familiar with the data. During this phase, the researcher made notes on some early impressions emanating from the data. The second step involved a closer reading of the transcripts to generate initial codes. During this process, the researcher identified and labelled relevant words, phrases and sentences, which helped the researcher to start organising the data in a meaningful and systematic way. The researcher used manual coding such as highlighting pens and post-it stickers on the text that was analysed. After completing the coding, the researcher looked for codes, which are same and then collated them together.

In step three, the researcher began searching for themes and this required breaking down the narrative data to more general and transferable parts. To identify themes the researcher obtained data from field notes recorded from the transcripts of the interview (Table 11).

For example, the literature found that individuals are attracted to join the PSI for a number of reasons, hence contributing to its rapid growth. This emerged as one

important aspect, which the researcher clustered under the broad theme of “Reasons for joining the PSI”. The example provided in Table 11 gives the breakdown of the reasons Indian respondents provided for joining the PSI. These were further analysed into categories such as (a) personal reasons; (b) previous experience and need to use expertise; (c) motivation and inspiration from others. This was further analysed into a number of sub-categories, as illustrated in the table below.

Table 10 Example: reasons for joining the PSI

THEME 1 INDIAN PARTICIPANT’S REASONS FOR JOINING THE PSI	
Categories	Sub-categories
Personal reasons	Pursuing another career Giving back to the community The natural progression from military
Previous experience and need to use the expertise	Experience and growth in the safety and security environment Need to use expertise in a useful manner
Motivation and inspiration from others	Got inspiration from the media and police conduct Motivate and encouraged by others to join the PSI

During the fourth step in thematic analysis, the researcher conducted a deeper review of the identified themes and this process allowed the researcher to question whether to combine, refine, modify or discard initial themes. In step 5, the researcher checked whether the themes fit into the overall data. By applying this process, the study identified the following common themes across both the sample groups in India and South Africa. The themes were grouped into:

- Theme (1) Socio-Economic Factors Responsible for Growth of the PSI
- Theme (2) Citizens Fear of Insecurity
- Theme (3) Political Factors Influencing Growth of PSI
- Theme (4) Poor Policing Influencing Growth of PSI
- Theme (5) Factors Responsible for Regulation of PSI

The last step of the thematic analysis process requires the researcher to transform the analysis into an understandable piece of work that report logically on the themes, and how it relates to the literature. These aspects are reported on in Chapter 6 of the thesis.

The above steps in the process of data analysis concluded the analysis by which the researcher obtained answers to the research questions. In the following section, the aspects of the research method applied to ensure the trustworthiness of these answers is described.

5.8.1 Reliability and validity

The term 'reliability' (or consistency) applies to quantitative research and relates to producing consistent results time after time if the study is replicated, while 'validity' concerns qualitative research and speaks to 'trustworthiness' (Simon & Goes, 2016: np). According to Simon and Goes (2016: np), 'reliability' is covered in qualitative research in terms of 'credibility', 'transferability', 'dependability' and 'conformability' of the research methods used in the study and also in terms the results of the research. These researchers caution that 'dependability' is just as important to qualitative research as 'reliability' is to quantitative research, since there must be 'credibility' in qualitative research to ensure 'dependability' (Simon & Goes, 2016:np).

5.9 STRATEGIES FOR ENSURING TRUSTWORTHINESS

When qualitative researchers ensure their research findings are consistent with academic and scientific rigour, this is viewed as trustworthiness. Trustworthiness may refer to the level of confidence qualitative researchers have in their data (Nowell, Norris, White & Moules; 2017: 3). In this study, the data collected was analysed qualitatively during the process of data analysis using Guba's (1981) four constructs of ensuring the trustworthiness of the data, namely credibility, transferability, dependability and conformability.

5.9.1 Credibility

Credibility is defined as the confidence that can be placed in the truth of the research findings (Anney, 2015: 276). In addressing credibility, researchers try to show a true picture of the problem by presenting in this instance, the factors contributing to the growth and regulation of the private security industry in India and South Africa. To establish rigour of inquiry in qualitative research, the researcher adopted the credibility strategies of; truth-value, prolonged engagement, reflexivity, triangulation, peer examination, researcher credibility and structural coherence (Anney, 2015: 276, Schurink, Fouchè & De Vos: 2016: 419).

5.9.2 Truth-value

Truth-value refers to the fact that the data is rich and reflects the participants' knowledge of the research problem. Credibility is the strategy implemented to provide truth-value to qualitative research (Myburgh & Poggenpoel, 2017: 66). To confirm this, the researcher chose a sample of members of the Board of Governors of IISSM and SAIS due to their knowledge and expertise they possess and they were in the best position to provide such rich data. During the research process, truth-value was obtained from the participants who shared their personal experiences of the PSI as they are lived and perceived in their respective countries.

5.9.3 Prolonged engagement

During the data collection phase, the researcher engaged in deep conversations with the participants in order to gain first-hand information related to the research questions. This allowed the researcher to spend sufficient time collecting data to give him a comprehensive understanding of the sample under study to test for misinformation and distortions. The researcher used the time to ensure saturation of key themes and categories. In addition to this, prolonged engagements with documents such as the PSAR Act 29 of 2005, the PSIRA Act 56 of 2001, Annual Reports of the PSIRA and commissioned research reports, gave the researcher an

opportunity to immerse himself in the research context of the research participants, to look for recurrent themes and patterns.

5.9.4 Peer examination

With this approach, the researcher discussed the research process and findings with impartial colleagues who have experience with qualitative methods (Rapley, 2016: 334). Polit and Beck (2014: 594) express this as 'peer review' and 'debriefing'. In this study, the researcher canvassed the ideas on methodological and data analysis techniques with work peers who are knowledgeable in that area of study, to complement the researcher's own credibility.

5.9.5 Researcher credibility

This refers to the trust and faith in the researcher based on his or her qualifications, experience and reflexivity, among other aspects (Polit & Beck, 2014: 741). These authors see this as a very important factor, especially in qualitative research, where the researcher serves as the data-collection point and becomes fully involved in the data analysis process (Polit & Beck, 2014: 596). In this study, the researcher was not a novice researcher. He has been involved in conducting academic research for educational purposes in the field of the private security industry for almost 22 years. The researcher is involved in the supervision and marking of graduate students' research projects on various aspects of security management and contemporary issues facing the PSI.

In addition, the researcher has done work and published allied research in the field of the PSI, as reflected in published journal articles, conference proceedings and various chapters in books on the subject. The researcher was recently appointed (October 2019) as the Chairperson of the Sub-Committee on Security Education and Training of the PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY (PSIRA) in South Africa, whose task is to advise the PSIRA Council on matters relating to education and training across all sectors of the private security industry. This expertise is useful in ensuring the credibility of this study, including the structural coherence of the data.

The aspect of structural coherence ensures that data collection and the interpretation thereof seek to ensure that there are no contradictions between the two processes (Schurink, Fouche and De Vos, 2016: 421). To ensure such soundness, the researcher obtained comprehensive information from the literature review, through the application of the strategies of prolonged engagement and triangulation, as described in the previous sections. In addition, the researcher applied various reasoning strategies and approaches to data collection and analysis, to explain every emerging significant finding.

5.9.6 Triangulation

In the study, the researcher used triangulation as a way of ensuring 'reliability' of the research by using a variety of methods to collect data on the same topic. For this study, different methods, such as one-on-one personal interviews supported by the qualitative questionnaire, emailing the questionnaire to research participants and documentary analysis was used. Triangulation is not used in this study to cross-validate data, instead, it was applied to encapsulate different aspects of the research phenomenon. The following methods of triangulation were applicable to the study.

Data triangulation: This was applied in the study across three sub-types namely; time, space and person. Time triangulation involves collecting data at different times in order to assess the congruence of the phenomenon across time. For the study, the researcher conducted in-depth individual one-on-one interviews, supported with the qualitative questionnaire with participants in India and South Africa during June to November 2016 and 2017 and follow-up interviews was undertaken during November 2018. In addition, the researcher emailed the qualitative questionnaire to research participants who requested it, during the same period. Furthermore, documents published over an unspecified period of time was reviewed, for example, the researcher reviewed the Annual Reports of the Private Security Industry Regulatory Authority in South Africa, for the period 2000-2018.

Space triangulation, according to Polit and Beck (2014: 590), involves collecting data on the same phenomenon in multiple sites to test for cross-site consistency. This entails the setting in which the study or its events take place in terms of time, space

and values. This study focuses on the growth of PSI and the factors and reasons for its regulation in India and South Africa. Geographically, this description coincides with the two countries (sites) which the researcher identified as the primary targets for substantial growth of PSI.

Investigator triangulation involves working cooperatively with the supervisor and knowledgeable individuals who assist as qualitative research experts. The supervisor read the work produced and provided timely feedback to ensure the quality of the final report/product.

In the study, methodological triangulation was used to enhance credibility and it refers to the use of two or more research methods in a single study (Burns & Grove, 2018: 225). In addition to both face-to-face interviews with the support of the qualitative questionnaire and emailing the qualitative questionnaire, a documentary analysis was used and the literature was reviewed for this purpose. To support this, the interviews were recorded and the researcher made field notes.

5.9.7 Transferability

Transferability was demonstrated by the dense or thick descriptions and detailed account of data collected during field research in which the researcher recorded patterns of cultural and social relationships of the research participants and placed them in context (Nowell, Norris, White & Moules, 2017: 3). In the study, in-depth descriptions of the study setting and sources of the data including the research design and the results were outlined to create a clear image of the situation in the reader's mind. For each piece of literature reviewed, similar details were provided about the source and all the information was included in the List of References for the thesis. Data were collected up to the point of saturation from all possible sources, in order to ensure that the information obtained is very rich.

To demonstrate transferability in this study, the researcher collected sufficiently detailed descriptions of data in context and reported on them. This was done by providing a comprehensive contextual overview of the literature encompassing factors influencing the growth and regulation of the private security industry in India

and South Africa. This will allow readers to make judgements about transferability. Therefore, the obligation of a researcher in enhancing transferability is to present sufficiently detailed descriptive data about the research setting or context, as well as about the transactions and processes observed during the inquiry (Silverman, 2016: 78).

5.9.8 Dependability

When the findings of the research are consistent if the research is replicated with the same subjects or in a similar context, this process is then referred to as consistency. In a qualitative research study, this is termed 'dependability', rather than 'reliability' (Simon & Goes, 2016: np). The criterion of dependability is achieved once the researcher has determined the credibility of the findings (Fouchè & Schurink, 2016: 310; Simon & Goes, 2016: np). In this study, the strategies used to ensure credibility, as well as applicability, as described in the sections above were used to ensure the dependability of the study. These strategies include a dense description of the research participants. Consistency was achieved by applying appropriate research methodologies. The study used qualitative research, with a case study design and documentary analysis, so that if the research is replicated by other researchers who follow the research methodology of original research, they may arrive at similar conclusions (Schurink et al., 2016: 420).

5.9.9 Confirmability

The concept of confirmability in the research process can be compared to the researcher's concern about objectivity (Shenton, 2004:64). Qualitative interviewing involves a continuous process of reflection on the part of the researcher and for this reason, it requires the researcher to reflect continuously by examining both himself as the researcher, and the research relationship with the participants. It involves introspection and self-searching and looking closely at the researcher's assumptions and preconceptions and how these affect research decisions especially in the selection and wording of questions (Anney, 2015: 276). The researcher applied this process to reflect constantly on his knowledge of the topic. It involved affirming the

research relationship with the participant and in this way can determine how the relationship dynamics may affect responses to the research questions.

5.10 ETHICAL CONSIDERATIONS

Before conducting research with human participants there are a number of ethical issues the researcher must consider. The researcher was guided by the principles adopted in the Belmont Report, governing the ethical framework to protect the rights of research participants (Krish & Maddock, 2019: np). The three major components of (1) respect for persons, (2) beneficence, and (3) justice, was considered whilst undertaking the research (Miracle, 2016: 224). In the study, the researcher used qualitative techniques to collect data, and this required the researcher to spend a lot of time (in person and through email communication) engaging with research participants to get to know more about their intimate details and how they think. To do this, the researcher needed to build rapport and establish sufficient trust with the participants in order to gain personal details or controversial information related to the research.

This was done by sending out continuous emails to research participants informing them about the stated aim and objectives of the research. The researcher explained the reasons why the participants were selected for the study and the value of their responses to the questions relating to the growth and regulation of the PSI in India and South Africa. Furthermore, the researcher had to ensure confidentiality throughout the research process and this required getting informed consent from research participants. Finally, the researcher assured participants that all their identities will not be divulged.

Before data collection commenced, the researcher applied to the College of Law Research Ethics Review Committee (CLAWERC) for ethical clearance to conduct the study. In the application, the researcher signed a declaration confirming his adherence to the UNISA Code of Conduct regarding the ethics of the research. The research project is classified as Category 2 - Low risk. This means that the only probable risk of harm is the possibility for minor discomfort or inconvenience,

meaning the research would not pose a risk above the everyday norm. In the research, ethical aspects of confidentiality and anonymity, informed consent, voluntary participation and no harm to subjects are addressed. The researcher also abided by the general guidelines as stipulated by the UNISA Policy on Research Ethics (2017). Once this was done, the researcher received a signed letter granting him permission to proceed with the study (Annexure D).

5.10.1 Voluntary participation

Research participants must be given the opportunity to exercise their own free will when deciding whether to participate in a research activity or not to participate (Krish & Maddock, 2019: np; Resnik, 2018: 67). Before the commencement of gathering data, the researcher informed respondents that participated in the study was purely on a voluntary basis and this required some level of personal interaction with the identified participants. To do this, the researcher assured each participant that they have a choice to participate and were not forced to partake. The researcher informed the participants that they made their decision without any undue influence or prejudice and finally, the participants were given prior warning of possible risks or benefits.

For a choice to occur, subjects must be of age and have the mental capacity to make such decisions (Mechling, Gast & Lane, 2018: 16). For this reason, the study sample included elected members of the Board of Governors of the International Institute of Security and Safety Management and elected members of the South African Institute of Security. Some members chose not to participate in the research mainly due to busy work schedules. The researcher respected this and did not coerce respondents to participate in the study.

5.10.2 Informed consent

Informed consent is a voluntary agreement by respondents to participate in a research project. It is not merely a form which is signed between the researcher and the subject. It involves a process, in which the researcher explains to the participants the aim and purpose of the research, informs the participants of their rights, the

procedures to go through and the potential risks and benefits of participation (Mechling et al., 2018: 19). The researcher obtained informed consent by assuring all participants of guaranteed anonymity and confidentiality. The informed consent is recorded in writing (as a signed consent form (Annexure C) and be producible by the researcher in the event of an audit, up to several years after the research was completed (Resnik, 2018: 69).

In the study, the researcher obtained informed consent by including an informed consent letter given to each participant before the commencement of the interview and before completing the qualitative questionnaire. For those respondents who preferred to take part in the e-mail interview, the researcher attached a letter of consent to the questionnaire and participants had the option to choose whether to participate or not. If they chose to participate, then they were required to sign the informed consent form. The researcher had to obtain specific permission from the participants to audio-record the interviews in compliance with the privacy legislation of India and South Africa.

5.10.3 No harm to subjects

It is important that no harm must come to participants due to their participation in the research (Resnik, 2018: 46). In the study, the researcher assured participants they will not be exposed to danger in the course of the research, and gave each one the undertaking of any adverse consequences, due to their participation. To avoid further harm, the researcher had to guard against the avoidance of undue intrusion on research participants personal matters. Respect for participants meant that the researcher discussed only those matters that were relevant to the issues under research. In this way, the researcher was able to distinguish what is personal and private and avoid any undue harm or intrusion to the respondents.

5.10.4 Confidentiality and anonymity

Essentially, respect for participants means that confidentiality (i.e. non-disclosure of information) must be applied to all private or personal matters or views, or when any such undertaking is given (McArdie, 2018: 80). All the information gathered including

names and locations of all participants was handled confidentially and the anonymously. The researcher did not divulge any of the research information shared by participants to anyone. This minimised the potential distrust that research participants may have had towards the researcher. The research participants agreed to take part in the research on the presumption that they will be anonymous and that their anonymity is protected unless they have given permission to be named. The researcher assured all participants of full confidentiality of personal matters.

5.10.5 Data protection

Because of the confidentiality of data, the researcher had to take measures to ensure that the data collected is stored securely. Section 4.7 of the Unisa Ethics Policy clearly states that “Researchers should preserve research records for a minimum of five years (or as required by policy or legal frameworks) and secure it from unauthorised access after the submission of the report or the results. (Unisa Policy on Research Ethics, 2016: 17). Immediately after interviewing the research participants, the researcher transcribed the information and saved it as a password protected MSWord document. Similarly, all the email responses were saved as separate encrypted files. In the study, the researcher made full disclosure regarding the research methods and analytical procedures. This is important to enable repetition of the research by another researcher; to enable peers to review the adequacy of the methodology; and to encourage critical self-reflection and any implications for the results and conclusions (McArdie, 2018: 80).

The researcher wrote up the findings as accurately and objectively as possible once all the data was collected and analysed. The researcher followed the UNISA Policy on Research Ethics in order to ensure the ethical rigour of research standards of quality, confidentiality and anonymity. The researcher undertook to present the findings to the member of the Board of Governors of the International Institute for Security and Safety Management as well as the South African Institute of Security. The findings of the study will be disseminated through the preparation and publication of scientific articles in accredited national and international journals.

5.10.6 Conflict of interest

Conflict of interest by the researcher on the research problem was avoided by putting place measures to ensure the findings of the study are free from bias. Despite the researcher's knowledge of issues relating to the private security industry, the researcher had to maintain a neutral stance when engaging with the research participants. Neutrality refers to the research being free from researcher bias (McArdie, 2018: 80). To do this, the researcher had to constantly remind himself of the rule of being objective, which is usually achieved once truth-value and applicability are established (Silverman, 2016: 67).

Despite the researcher being regarded as a knowledgeable person on matters pertaining to PSI in SA, and for being well-known and recognised on the subject in India, this esteemed position did not hold any conflict of interest pertaining to persons, friends and co-board members that were included in this study (as participants).

5.10.7 Limitations of the study

During the research process, the researcher experienced some drawbacks whilst reviewing documents relating to the topic under discussion as well as during the process of conducting the empirical work. The limitations of the study are those characteristics of design or methodology that impacted or influenced the interpretation of the findings from the research.

5.10.8 Limitations of the literature review

Generally, literature on the reasons for the growth and regulation of the PSI especially in India and to a lesser extent in South Africa, is limited and previous studies identifying its importance are generally scarce. During the review of the literature, it became evident there is limited academic and empirical literature written about the research problem, especially in India. Furthermore, in India, the lack of comprehensive research findings made it difficult to assess the drivers of the growth of private security agencies. To overcome this, the researcher had to draw on data using a combination of methods namely face-to-face interviews supported by a qualitative questionnaire and emailing the questionnaire to research participants and

including a review of documentary sources. Furthermore, to fill this lacuna of lack of academic material on the subject, the researcher relied on research reports, statistical presentations, internet resources and commissioned and sponsored research into the PSI in India. The review of existing literature on the PSI points to one direction - the PSI in India has emerged as a major player in security provisioning which calls for more research foci into this dynamic field.

5.10.9 Limitations of empirical study

The study's sample size is not based on a mathematical random population sample. A non-probability sampling method was selected for the current study and the data was produced by textual qualitative research. Hence, textual data are not numerical and do not lend themselves to statistical analysis. Researchers and decision-makers alike often wish to generalise the conclusions of their research from their samples to some larger population of interest (Strydom, 2016: 78). In the current study, textual data does not permit this kind of generalisation.

The time constraints on the part of the researcher meant that only a small sample is selected to have the in-depth interviews administered to them. Despite this, not all the selected participants agreed to participate in the interview process, due to their own lack of time and busy meeting schedules. With more time, the researcher would have been able to collect data from a larger sample, and possibly discover additional themes.

To overcome this, the researcher emailed the qualitative questionnaire to participants with clear instructions of the aim and objectives of the research. However, one significant drawback when using email for data collection purposes is the inability of the researcher to maintain or even sustain the notion of prolonged engagement with research participants (Gaiser & Schreiner, 2009:42). To illustrate this, the researcher figured that some of the email responses provided by the research participants were either nebulous or in other instances they provided very comprehensive statements. It became evident some of the responses were clear cases of cutting and pasting of information. Several attempts to follow-up on

incomplete or vague responses provided by the research participants yielded low replies in some instances.

5.11 CONCLUSION

The study used qualitative research methodology to obtain the research participants' views of the factors and reasons giving rise to the growth and regulation of the PSI in India and South Africa. The qualitative approach helped to clarify the aim, purpose, objectives, research questions, unit of analysis, sampling methods, data collection methods and data analysis and interpretation methods. In addition, the study applied documentary analysis to review the PSI legislation in India and South Africa and it also included, but not limited to, the review of Annual Reports, commissioned research reports, including internet sources and newspapers.

The unit of analysis consisted of all stakeholders and role-players involved in the provision, management and delivery of private security services to paying clients in India and South Africa. The sample consisted of elected members of the Board of Governors of the International Institute for Security and Safety Management, in India as well as elected members of the Board of Governors of the South African Institute for Security. A non-probability sampling method, namely purposive sampling was used to select the sample and for the pilot study, snowball techniques were used. A pilot study helped to determine the feasibility of undertaking such research. In addition, the pilot study assisted the researcher to modify and adapt the qualitative questionnaire and, in this way, helped to cleanse the qualitative questionnaire of any ambiguity.

Data were collected by conducting one-on-one interviews that were underscored by a qualitative questionnaire, emailing the questionnaire to participants who could not be interviewed with the questionnaire, and by conducting a document analysis on the factors and reasons promoting the growth of the PSI, in India and South Africa. The data analysis was done by using Braun and Clarke's (2006:67) the six-phase process of thematic analysis. The study used Thematic Analysis to identify themes and patterns by using the data collected from the one-on-one interviews and supported by the qualitative questionnaires, including the questionnaires returned by

email. This process provided for flexibility in the analysis of the data and it gave the researcher some degree of autonomy to merge the data during the data analysis phase. In the study, the validity of the qualitative data was ensured through the adherence of the principles of credibility, transferability, dependability and conformability.

The researcher ensured that ethical standards were honoured by not coercing the respondents to participate in the study and by informing the research participants prior to collecting any data that their participation, is entirely on a voluntary basis. The researcher made sure that no harm was done to the participants and gave each one the undertaking, that they will not be exposed to danger in the course of the research, due to their participation in the study. To show respect for participants, the researcher covered only matters relevant to and related to research questions. In this way, the researcher was able to distinguish what is personal and private and avoid any undue harm or intrusion to the respondents.

The participants were informed of their participation in the study and if they agreed, each participant signed an informed consent letter before the commencement of the interview and before completing the qualitative questionnaire. The researcher attached a letter of consent to the qualitative questionnaire sent by email and the participants had the option to choose whether to participate or not. To avoid conflict of interest, the researcher made sure that despite his knowledge of the issues relating to the private security industry in India and South Africa, the researcher had to maintain a neutral stance when engaging with the research participants.

CHAPTER 6

ANALYSIS AND INTERPRETATION OF DATA

6.1 INTRODUCTION

The aim of the chapter is to organise and structure the data provided by the research participants to consider the factors and reasons contributing to the growth and regulation of the PSI in India and South Africa. In this chapter, the data analysis and interpretation of the data is discussed under two sections. In SECTION A, the dataset obtained from Indian participants is considered and SECTION B will discuss the findings of South African research participants. This structure is necessary due to a large amount of data collected during the research process. In order to achieve the aim of the study outlined in Chapter 5, the researcher formulated the following objectives. In addition, during the study, the researcher examined various documents, amongst others, the PSAR Act of 2005 and the PSIRA Act 56 of 2001 and the analysis thereof, is discussed in Chapter 4.

The research objectives were formulated, to examine the factors and reasons promoting the growth and rise of the private security industry (PSI) in India and South Africa. A further objective is to examine any gaps in the Private Security Agencies (Regulation) Act 29 of 2005 (India) and the Private Security Industry Regulation Act 56 of 2001 (South Africa), in regulating the PSI. The study also explores whether the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001, has been effective in regulating the private security industry in India and South Africa and lastly, it examines theoretical frameworks relevant for regulating the private security industry.

6.2 ANALYSIS OF DATA

This section discusses the findings analysis of data collected from the sample of research participants in India. For this study, the documentary analysis pertaining to the regulation of the PSI in India and South Africa was conducted and presented in Chapter 4.

6.3 SECTION A: FACTORS AND REASONS INFLUENCING THE GROWTH AND REGULATION OF THE PSI IN INDIA

In the present study, elected members of the Board of Governors of the International Institute for Security and Safety Management in India, who were well experienced and who possessed subject matter expertise on issues relating to the PSI, constituted the sample. The process of analysing the data began as soon as the data collection process started. The researcher recorded field notes, especially analytical field notes during the data collection phase. Most of the research participants were influential persons who worked in a number of capacities in the PSI in India. All participants confirmed they possessed a post-school academic qualification.

Table 11 Educational Level/Qualification

HIGHEST QUALIFICATION	IISSM	SAIS
School leaving certificate	1	2
Post-School: Diploma	4	8
Degree	5	6
Post-graduate	4	3
TOTAL	15	19

The majority of the participants (P 2, 3, 6, 7, 8, 9, 11, 13 and 14), as indicated in Table 10, possessed either a diploma or a degree. By selecting the sample, the researcher envisaged that this group of individuals possess the necessary intellectual capacity, expertise and institutional memory, to provide wider insights of the factors and reasons contributing to the growth and regulation of the PSI in India.

The following table provides a summary of the description of the sample of Indian research participants.

Table 12 Summary of the Indian sample description

Participant Number	Current Role	Number of years of experience in PSI	Previously employed in the security services	Reasons for joining PSI
1 (male) – email questionnaire	Security Consultant	15 years	Infantry officer in the Indian Army	Career opportunity
2 (male) – email questionnaire	Executive Director	25 years	No	Career Opportunity
3 (male) email questionnaire	Security Head	28 years	Captain in India Army	Natural progression
4 (male) – email questionnaire	Chairman of IISSM Committee	25 years	Indian Police Service	Career opportunity
5 (male) – email questionnaire	Past President and DG of IISSM	14 years	Police /Intelligence	Head-hunted
6 (male) – email questionnaire	Committee member	35 years	Did not specify	Exposure to PSI
7 (male) email questionnaire	Business Owner & Editor	28 years	Did not specify	Opened business in PSI
8 (male) – email questionnaire	Managing Director	14 years	Army	Experience
9 (female) interview with a questionnaire	A business owner in PSI	25 years	No previous work	Opened business in PSI
10 (male) interview with questionnaire	Regional Director	Seven years	Army	Natural progression
11 (male) interview with questionnaire	President of Security Association of India	46 years	Army	Natural progression
12 (male) interview with questionnaire	Senior Regional Director for two Regions of India's largest security	11 years	Army	Natural progression

Participant Number	Current Role	Number of years of experience in PSI	Previously employed in the security services	Reasons for joining PSI
	agency			
13 (male) interview with questionnaire	Advisor to Central Association of Private Security Industry	23 years	Armed forces	Better salary
14 (male) interview with questionnaire	Retired former BOG member of IISSM	29 years	Army	Career opportunities
15 (male) interview with questionnaire	Security Head at a major public sector gas supplier	21 years	Army	A retired and natural progression from the military

Research participants 1 to 8 responded to the qualitative questionnaire sent by email and Participant's 9 to 5 took part in one-on-one interviews with the questionnaires. As evident in Table 11, the majority of the research participants (P1, 2, 3, 4, 5, 6 7, 8, 10, 11,12,13,14 and 15) were male, with the exception of one female participant (P9). To gauge the level of expertise of participants in the PSI, the researcher posed the following question:

- What is your current role/position in the PSI?

The following verbatim responses were recorded.¹

¹ In the interest of authenticity all quotes are presented verbatim and no changes were made to language and grammar.

Table 13 **Current role/position in the PSI**

Participant number	Response
1	<i>I am not working in PSI. I am a full-time Security Consultant with National Aluminium Company (Mines and Refinery) Complex, a Public Sector undertaking.</i>
2	<i>I am on the Board of the largest CCTV manufacturer in India. I work as Executive Director at SPARSH CCTV.</i>
3	<i>I am working as Security Head in GAIL (India) Limited - a public sector gas major.</i>
4	<i>On the Board of Governors of the International Institute of Security and Safety Management (IISSM), a Registered Society in New Delhi, India.</i>
5	<i>I have been past President and Director General of IISSM since 2005, though I am no longer connected with PSI.</i>
6	<i>I serve on the Federation of Indian Commerce and industry and also serve on the Homeland Committee. I am the editor of Security Today and I represent IISSM as the vice-chairman.</i>
7	<i>I have my own security systems business, a service provider with customised solutions.</i>
8	<i>I am the Managing Director for Union Delta Force. Our clients include IT giants and manufacturing plants.</i>
9	<i>I am currently running a Private Security Agency.</i>
10	<i>I am the Regional Director for one of the leading security companies. I look after the operations in the south of India.</i>
11	<i>President of Security Association of India.</i>
12	<i>Regional Security Director (Maharashtra) for one of India's largest manned guarding private security agency.</i>
13	<i>Advisor to the Central Association of Private Security Industry.</i>
14	<i>Retired former BOG member of IISSM.</i>
15	<i>Security Head at a major public sector gas supplier.</i>

The study found the Indian participants held various positions in the security industry, such as Directorships (Participants, 5, 8, 10 and 12), Heads of Security (Participants 2, 3 and 15), security consultants (Participants 1, 13 and 14), and owners of security agencies and official positions in a number of security-related institutions in India (Participants 4, 5, 6 and 11).

The roles and occupational areas of the research participants are grouped as follows:

- Head of Security
- Security Consultant
- President and Director-General of IISSM
- Security Service Provider
- Owner of a private security business
- President of Security Association of India
- Managing Director of a large multi-national company
- Senior Regional Director of the largest private security agency
- Editor of Security Today (India)
- Advisor to Central Association of Private Security Industry

The researcher further probed each participant to establish for how long they worked in the PSI, by asking the following question:

- What is the number of years of experience you have in the private security industry (PSI)?

The total number of years of experience by the participants was 329 years. The average number of years of experience for each participant working in the security industry was 23 years. Most of the respondents were key stakeholders and captains of industry who played an influential role in shaping the future of the PSI in India. Others were senior role players employed in various government departments and the private sector as Security Advisors, Directors and Consultants. From the responses received, the sample constituted a cross-section of key role-players of the private security across India.

To get an understanding of the participants' estimate of the economic value of the PSI in India, they were asked the following question:

- What is the estimated value of the PSI in India?

The literature found the private security industry in India to be estimated in the region of security 57,000 crore rupees or USD 8.8 billion in 2016, and it is projected to

increase to INR 99,000 crore rupees or approximately (USD 23.1 billion) by 2022 (FICCI, 2018: np). Participants responded as follows:

P1: *PSI in India is said to have crossed Rs 350 to 400 billion mark. (900 million Rands- am not sure if my conversion is correct).*

P2: *Globally, security services are a \$140 billion industry. India's private security industry is estimated to be worth over \$600 million.*

P3: *Should be around \$8 - \$9 billion USD and is growing exponentially and expected to be double by 2020.*

P4: *I do not have the correct figure, but I think it could be about 40billion US dollars.*

Although all participants did not give an exact figure estimating the financial value of the PSI in India, they did confirm that it is a multi-million dollar industry and the value of the industry is expected to rise incrementally, as more citizens who can afford to use such services, contract private security agencies for their own protection.

The research participants were asked if they were previously employed in the security services, for example, army, navy, police (other).

Eleven (11) research participants confirmed they had previously worked in the Indian security services, i.e. the army, navy and the police force. Oommen (2016: np) found that in India there is a strong predisposition for security agencies, to recruit retired service personnel from other Central and State security forces. Those that did not respond (Participants 2, 6, 7 and 9) may not have had any previous experience in the security services.

The search for themes and concepts started during the data analysis phase and included, but were not limited to, an analysis of documents such as annual reports, legislation, commissioned research and internet sources. The researcher collected data by conducting personal interviews assisted by a qualitative questionnaire and by emailing the questionnaire to the research participants. The researcher conducted personal interviews with each participant, and the average interview lasted

approximately 25 to 40 minutes. The interviews took place in New Delhi. The researcher conducted follow-up interviews between June and November 2018. The qualitative questionnaire was emailed to the participants and follow-up emails were sent to ensure a better response rate and to seek clarification, where gaps in the responses were identified.

Data from pertinent themes obtained during the interviews and from the qualitative questionnaire returned by email were grouped together and analysed. During the data analysis phase, some research participants provided inappropriate answers, vague and sometimes unrelated responses to the research questions. Therefore, not all the participant's responses were captured and discussed verbatim, during the data analysis phase. Based on the individual interviews and responses obtained from the email questionnaires returned by Indian participants, the following themes emanated from the analysed data:

- Theme 1 Reasons for joining PSI
- Theme 2 Socio-economic factors contributing to the growth of PSI in India
- Theme 3 Citizens fear of insecurity
- Theme 4 Gender disparities within the PSI in India and
- Theme 5 Factors responsible for the regulation of PSI in India

These themes are explained in the following section.

6.4 THEME 1 REASONS FOR JOINING THE PSI

The researcher asked the participants the following question:

- What are the key factors that encouraged you to join the PSI?

The following verbatim responses were recorded and presented below :

Table 14 Reasons for joining the PSI

Research participant number	Response
1	<i>I left the Army when I was 54 and hence wanted to pursue another career. It was</i>

Research participant number	Response
	<i>convenient for me as the company which chose me is located in my home town. Moreover, I was keen to employ my expertise in a useful manner.</i>
2	<i>I always wanted to serve the country but could not join any of the uniformed forces. I had a lot of experience and I wanted to give back. Grown-up in Safety & Security environment and having a bent of mind in this direction, I started with a Fire Safety Company and gradually came into Physical Security.</i>
3	<i>The man in uniform understands the nuances of maintaining law-and-order and is capable to handle public disorder. It also prepares a man to lead his team in challenging circumstances.</i>
4	<i>On retirement from the police, one such organisation (IISSM) involved me in designing and running training programs which in turn brought me in touch with a wide circle of PSI professionals and entrepreneurs. This was different from my background in public service. Since then I have been engaged with PSI in one or the other capacity. I wanted to plough back my expertise in the PSI.</i>
5	<i>Head-hunted after retirement from Indian Police Service. I had been requested by the Chairman of the SIS (Security and Intelligence Services of India to join the IISSM). I wanted to plough back my expertise in the PSI.</i>
6	<i>My brother started his own business in 1970 with man-guarding. The influence came from him as I was exposed to this industry from a very young age.</i>
7	<i>I was in electronics and telecommunications. I was working for a company that manufactured monitors for CCTV cameras. One of our customers had a problem with the monitor and I was able to find a solution to the problem. The chairman of the company then told me to open my own electronic security company which I did in 1997.</i>
8	<i>I had a lot of army and security force experience and I wanted to give back to the community and as a result, I joined PSI. It was convenient for me as the Bank which chose me to work for in its security department is located in my home town.</i>
9	<i>I did not want to join the police and women were not allowed to join the armed force college. I had to be an officer through being a medical doctor which I did not want to do. I got married early and discussed with my husband and he said he would be interested in opening a Private Security Agency. He opened the organization in my name and since then I have been running my own security agency.</i>
10	<i>It seemed to be a natural progression from the army with similar activities to the security industry.</i>
11	<i>Coming from an army background, I will fit into the security industry.</i>
12	<i>The natural progression from armed forces.</i>
13	<i>Better salary.</i>

Research participant number	Response
14	<i>Career opportunities.</i>
15	<i>Natural progression.</i>

During the interview discussions and in the qualitative questionnaire sent by email, the participants were required to provide reasons for joining the PSI. These reasons are grouped into categories namely; (a) personal reasons; (b) previous experience and need to use the expertise and (c) motivation and inspiration from others. These categories were broken into sub-categories, where participants identified inter alia, giving back to the community, PSI as a natural progression from the armed forces, experience in the armed forces and growth in safety and security environment, need to use expertise in a useful manner, inspiration from the media and police conduct, as reasons for joining the PSI in India. Some were encouraged by family members to join the PSI. These sub-categories illustrated in the following table.

Table 15 Analysis of reasons for joining the PSI

ANALYSIS OF REASONS FOR JOINING THE PSI	
Categories	Sub-categories
Personal reasons	Pursuing another career Giving back to the community The natural progression from military
Previous experience and need to use the expertise	Experience and growth in the safety and security environment Need to use expertise in a useful manner
Motivation and inspiration from others	Inspired by the media Motivated and encouraged by family members to join the PSI

6.4.1 Personal reasons

6.4.1.1 Pursuing another career

Participants 1, 4 and 14 joined PSI as a way of pursuing another career and they wanted something different or something new. The growth of the PSI is seen as another path they can embark on, to fulfil their career desires.

The participants' responses are captured as:

P1: I left the Army when I was 54 and hence wanted to pursue another career.

P4: I wanted to try something different; yes, I wanted to see what other careers have to offer.

P14: Coming from an army background I will fit into the security industry.

Participants 6, 7 and 13 indicated that they left other careers to join PSI since they found it financially more attractive and rewarding. They wanted to try something new and to explore further, what other careers have to offer especially in the PSI.

6.4.1.2 Giving back to the community

Some of the participants (2, 4 and 8) indicated they joined PSI as a way of giving back to the community. This was due to the experience they had, and joining the PSI would enable them to share this expertise with the community. In this regard, the participants' responses were captured as follows:

P2: I had a lot of experience and I wanted to give back to the community, as a result, I joined PSI.

P4: I wanted to plough back my expertise in the PSI.

P8: It was convenient for me as the company which chose me to work for in its security department is located in my home town, so it was more of a way of giving back to my community.

6.4.1.3 Natural career progression from the armed forces

Participants 3, 10, 12 and 15 reported that joining PSI from the armed forces was a natural career progression for them. They felt that joining PSI was a build-up from the work that they have previously done in the security services. In this regard, the following participants stated:

P3: *It seemed to be a natural progression from the army with similar activities to the security industry.*

P10: *This was a natural extension of my earlier profession.*

P12: *The migration from armed forces to the field of PSI is a natural progression.*

P15: *Natural progression.*

6.4.2 Previous experience and need to use the expertise

6.4.2.1 Experience and growth in safety and security environment

The experience, growth and security environment were also reasons that led to some participants joining the PSI. The participants' previous experience such as working in the army also contributed to the involvement in PSI. The following responses were significant:

P2: *I always wanted to serve the country but could not join any of the uniformed forces.*

P5: *Growing up in Safety & Security environment and having a bent of mind in this direction, made be consider private security.*

P10: *It seemed to be a natural progression from the army with similar activities to the security industry.*

P12: *Coming from an army background I will fit into the security industry.*

6.4.2.2 Need to use expertise in a useful manner

Participant 5 felt his training and the expertise gained whilst serving in the armed assisted him when he joined the PSI.

6.4.3 Motivation and inspiration from others

Motivation and inspiration from others came up as another sub-category where participants reported that they were encouraged by their families to join the PSI, others reported that they were inspired by the media, and some were encouraged by peers to join the PSI.

6.4.3.1 Encouraged by family members

The participants also reported that family members encouraged them to join the PSI. The influential family members included brothers, husbands and fathers. These family members were very instrumental in encouraging participants to join PSI, as they felt it was a good industry with many opportunities. Participants 6 and 9 responded in the following way:

P6: My brother started his own business in 1970 with man-guarding. The influence came from him as I was exposed to this industry from a very young age.

P9: I was encouraged by my father to join. He always told me that I would best fit in the security industry.

6.4.3.2 Got inspiration from the media

The media and police conduct were reported as factors that contributed to the joining of PSI by participants. Participants 3 and 9 were inspired by the conduct of security personnel, and their uniform attracted them to PSI. The following statements confirm this position:

P3: The man in uniform understands the nuances of maintaining law-and-order and is capable to handle public disorder. It also prepares a man to lead his team in challenging circumstances. This inspired me a lot to join PSI.

P9: I got married early and discussed with my husband and he said he would be interested in opening a Private Security Agency. He opened the organization in my name and since then I have been running my own security agency.

Table 16 Analysis of socio-economic factors responsible for the growth of the PSI in India

Categories	Sub-categories
Growing economy and population	Growth/Rise in population Accumulation of wealth and property Rapid growth and infrastructure Increasing urbanisation Use of technology

The literature confirms that many factors have influenced the growth of the PSI globally and India is no exception, as these factors may have influenced the industry in different national contexts (Gandal, 2018: 97; Komar, 2013: 32; Krishnan, 2017: np; Van Dijk, 2008: 67). Attempts to explain and expand on the reasons for the rapid growth of the PSI in India yielded a wide array of reasons, deductions and conclusions which were discussed in Chapter 2.

In this study, based on the individual interviews and the qualitative questionnaires returned by email, the contextual factors contributing to the growth of PSI in India, were categorised into; (a) growing economy and (b) rise in population. The sub-categories identified include; (i) population growth, (ii) accumulation of wealth and property, (iii) rapid growth and infrastructure, (iv) increasing urbanisation and (v) increased use of technology, which resulted in the need and demand for increased protection from the PSI.

6.5.1 Growing economy and population growth

6.5.1.1 Growth/Rise in population

Participants 1, 3, 4, 8, 10 and 15 reported that the economy and population of India were growing rapidly and it contributed to the rapid growth of infrastructure, increasing urbanisation, growth of the population and use of technology. These factors contribute to the growth of the economy and had an impact on the growing population of India. The rising economy and population are associated with a greater

need for security. The following responses from the participants confirm these sentiments:

P1: Given the size and a booming population growth India, this demand is huge and hence the phenomenal growth of PSI in India.

P3: Over the past decades, the Indian population has grown enormously and this is the reason why PSI also grew because as the population grows, there is also a need for security to ensure that people live peacefully.

P4: Growing urbanisation, coupled with retail boom and increased concerns regarding the security of men, money and material has led to the rise of an organisation under the umbrella of private security segment in India.

P8: Everyone is coming to India and this increases the population in every area here in India. So, I think that is another reason why there is now a dire need for private security because people are just too much.

P10: With the growth of the Indian economy over the last two decades, the demand for security has increase grown significantly.

P15: Given the size and a booming India, this demand is huge and hence the phenomenal growth of PSI in India. There may not be a single industry/manufacturing shops/ residential areas/hotels/restaurants/ cinema halls/ banks/ATMs that do not employ private security guards.

6.5.2.1 Accumulation of wealth and property

Research Participants 6, 8, 13 and 14 confirmed that the growth in the Indian economy contributes to the growth of the middle class, who have more income at their disposal. This increases the need for additional security and for this purpose, private security agencies are hired to protect the assets of the wealthy. The participant's responses include:

P6: *Growing economy, coupled with retail boom and increasing concerns regarding security has led to a rise of organisations catering to the private security segment in the country.*

P8: *The accumulation of wealth and acquisition of private property. The fact that people realise that security plays a vital part in terms of reducing losses against theft, espionage, vandalism and terrorism.*

P13: *In India, the increased demand for security services has been attributed to the rise in the GDP per capita of the employed sector.*

P14: *Rise in the income of the middle class in India, with more disposable income led to an increase in the spending pattern on luxury items. People now depend on private security agencies for protection.*

Gandal's (2018) assessment of the PSI in India found the widespread growth of the PSI is attributed to the expanding development of the economy over the last two decades. This led to an increase in the spending pattern on luxury items, prompting the need for greater protection (Gandal, 2018: 97).

6.5.2.2 Rapid growth of infrastructure

Participants 11, 12 and 14 reported that the rapid growth of infrastructure also led to the growth of PSI in India. This increases the need for a greater demand for security services. The economic realities and rapid economic growth have made shopping malls, business parks, entertainment venues, sports complexes and hotels vulnerable to security threats (Grant Thornton Report, 2015: 16). The following verbatim quotes express the voices of participants:

P11: *Recently, India has seen development in public infrastructures such as airports, metro stations, shopping malls and other public utilities which have created a direct demand for private security services.*

P12: *Mushrooming of shopping malls and self-contained townships requires more security to ensure people are safe.*

P14: *Post-independence, India launched a number of plans and projects towards self-reliance in terms of economy, food, water and myriad of industrial products and commodities for the prosperity and welfare of the state and its people. This gave rise to a tremendous boost to expanding the small and large industry, trade and business, education and employment. The resultant expansion of business and industry, small and large residential colonies and business complexes et al led to increased construction and commercial activities. These businesses needed to increase their security and since then private security agencies were used on an increasing level.*

6.5.2.3 *Increasing urbanisation*

Participants 6 and 9 reported increasing urbanisation contributes to the growth of PSI in India. With urbanisation, people flock to cities and urban centres from different backgrounds with the hope of getting employment and seeking better services and security (Shen, Shui & Song, 2017: 24). Some participants reported that urbanisation contributed significantly to the growth of PSI in India. Over the past few years, (Krishna-Kumar, 2016: np) found the concept of 'smart cities' has also widened the scope of the private security industry in India. The following are verbatim comments from the participants:

P6: *The industry growth could be attributed to the key drivers like growing urbanization.*

P9: *The increasing trend in urbanisation, and rapid industrial growth coupled with job creation, which has directly impacted the need for security services.*

6.5.2.4 *The use of technology*

Greater use of technology was reported as one of the factors leading to the growth of PSI in India. Participants 3, 8 and 14 reported that increased use of technology and

convergence of physical and security technologies have led to the growth of PSI in India. It was also reported that the use of innovative methods of providing security through the use of modern technology has helped a lot in the growth of PSI. The following responses were recorded:

P3: Also, more and more use of technology and the convergence of physical and logical security is one of the reasons for the growth of PSI.

P8: Pioneering and innovative methods of providing Security Solutions in India through the use of technology. These new technology trends have helped a lot in the growth of PSI in India.

P14: Also, more and more use of technology and the convergence of physical and logical security is one of the reasons for the growth of PSI.

Another theme identified for the growth of the PSI in India is citizens' feeling of insecurity.

6.6 THEME 3: CITIZENS' FEAR OF INSECURITY

In India, the public's fear of being insecure and unsafe was identified as another theme in the study, as citizens' demand for protection increased. Aspects such as rise in terrorist attacks, lack of police personnel, growing needs of corporates for more security and corruption and crime was the sub-categories, identified in the study. The table below captures the participant's views on citizen's fear of insecurity as one of the themes identified in the study.

Table 17 Analysis of citizens' fear of insecurity

Category	Sub-category
Growing need and demand for protection	Increase in terror attacks Shortage of police Demands of the corporate sector and private industrial units Corruption and crime

6.6.1 Growing need and demand for protection

6.6.1.1 Increase in terror attacks

According to the Home Ministry, terrorism in India poses a significant threat to the people of that country (Press Trust of India, 2018: np). In 2016, the number of terrorist attacks increased by 16 per cent and the total number of deaths resulting from terrorism, has increased by 17 per cent in India. The U.S. State Department in its Country Report on Terrorism reported during 2016, India recorded 927 attacks and Pakistan had 734 attacks (Press Trust of India, 2018: np). Participants 2, 4, 5, 7 and 12 reported that there were frequent terrorist attacks in India which made it difficult for them to live happily and peacefully. These occurrences jeopardised their comfort and security and demanded that they seek alternative security services for their protection.

The same participants reported India is the largest growing economy and there was the perception that adversaries across its borders did not want to see India prosper. As a result, terrorism continued to grow, which needed security to be in place to ensure people's safety. It was further reported that people in India felt unsafe and insecure due to the increase in the number of terrorist activities plaguing the country. The following verbatim statements were recorded:

P2: There are frequent terror attacks in our country which make it very difficult for people to live happily. So, we need to have more security to protect people during these attacks.

P4: As India is the largest growing economy friends from across the borders don't want India to prosper as a result there is growing terrorism from across the border.

P5: High Terrorism Index (direct and indirect impact of terrorist activities) forced citizens and industry to opt for available reliable resources to secure. The increase in terrorist activities in India has raised alarms for correspondingly increasing the security services in India.

P7: The fact that people realise that security plays a vital part in terms of reducing losses against theft, espionage, vandalism and terrorism.

P12: People have started feeling unsafe and insecure due to the increase in the number of terrorist activities around the country.

Thus, the frequency of terror attacks coupled with a shortage of police personnel has been attributed as one of the key factors driving the growth of the PSI in India. The Confederation of Indian Industry (CII) Report (2016: 23) noted that one of the significant repercussions of the November 26, 2011, Mumbai terror attack, was the sudden upsurge of the Indian private security industry.

6.6.1.2 Shortage of police

The State Police are not primarily responsible for catering for the specific needs of commerce and industry and for providing security for business establishments and private individuals. The legislative mandate of the police is to manage public order, prevent crime and investigate criminal cases when reported (Mawby, 2018: 65). It was established that a low number of police officers in India are available to service the increasing population. This encouraged the growth of private security services in the industrial, commercial and domestic sectors. In addition, a slow response rate on the side of police personnel for breaches in security results in the public seeking alternate forms of protecting themselves and their property.

For example, some studies (Krishna-Kumar, 2016: np; Nalla & Prenzler, 2018:23) confirm the significant rise in the number of private security companies especially in developing countries occurs as a result of the ineffective and untrustworthy public security department. The growth of the sector in India is significant especially when the government is not able to act quickly and protect the public and the failure of the police to provide sufficient security.

Participants 2, 5 and 7 reported that there is no adequate police force to provide internal security for residents in India. Participant 2 reported that this shortage was a major problem in many government agencies. Participant 11 stated that India has a very large population and very poor police to person ratio made people feel unsafe and this warranted the utilisation of security services by many residents in India.

Participants further reported that there was also the inadequate provision of security by the government. The following statements confirm the participants' views:

P2: There is a huge shortage of police personnel in India. So, we cannot rely only on police officers for our protection and safety.

P5: There are not adequate police force to provide internal security, secure law and order, it is unimaginable to scout for them to provide security of Private enterprises.

P7: One of the most important reasons is the shortage of man-power in government agencies.

P9: The lack of confidence in the police and the judiciary has provided e opportunities for private entrepreneurs to set up private security agencies. Consider these facts: The total number of people in the police force in India is around 1.5 million. By contrast, according to a Survey report, private security agencies are expected to employ as many as 10 million people over the next 5 years. This is because the government has failed its citizens.

P11: India has a very large population with very poor police to person ratio. The population feel they do not get enough security from the police people, therefore, took on private security. There is also an inadequate provision of security by the government.

Hence, the shortage of police and lack of faith of the populace on the traditional policing methods to ensure their safety and security, prompted citizens to pay for their protection. The reasons put forward was the failure of the police force to meet the citizens' expectations to provide security and consequently, the private security industry in India is growing at a faster pace than the police force. Smetha (2015: np) confirmed under-investment in training the police and a lack in modernising the police force have resulted in the erosion of the public confidence in the criminal justice system (Smetha, 2015: np).

6.6.1.3 Demands of the corporate sector and private industrial units

The demands of corporate and private industrial units for greater protection of business assets was attributed to the growth of PSI in India. Participants reported that the PSI in India developed to meet the growing need and demand for protection against theft, sabotage and subversion that is felt by the corporate heads, which resulted in high demands of security services in private, and corporate sector. Participants 1, 2 and 6 responded in the following way:

P1: It is whether state police force or even the paramilitary forces are not able to cater to the large requirement of the corporate sector and private industrial units; the demand of private security setup is increasing on daily basis.

P2: The PSI in India developed to meet the growing need and demand for protection against the threat theft, sabotage and subversion felt by the corporate heads. This has resulted in high demands of security services in the private, public and corporate sector.

P6: The limited security services provided by the governments through the police started buckling and proved woefully inadequate. Gradually this gave rise to a new awakening among the public and especially in the private sector and establishments that they have to resort to 'self-help' to secure themselves and their assets. Once this trend of self-security was set in, it never looked back and saw an amazing increase in private security numbers. According to Dr JJ Irani, MD Tata Steel, India, Security industry is mushrooming at the fastest rate of growth in India. He was addressing a security seminar in Jamshedpur.

6.6.1.4 Corruption and crime

Corruption and crime in India have also led to the growth of the PSI. Participants 5 and 7 reported that government agencies are completely corrupt and they reported that every police station is more of a business centre where police loot from both the victim and the perpetrator. In addition, it was noted that the public distrusts the police because they perceive them to be very corrupt. It was also reported by Participants 2

and 9 that crime rates increased enormously in India and this has led the rise of demand for private security services. The participant's responses include:

P2: Additionally, there has been an increase in the crime rate in India.

P5: I will not hesitate to admit the government security agencies apart from the defence force are completely corrupt. Every police station is more of a business centre where the victim and the culprit are enchased upon. They are earning through 2 sources and they are supplementing their income through corruption.

P7: The public cannot trust the police anymore because they are very corrupt. Corruption is fuming in police services, so it's better to have private security in place for our safety and protection because our police personnel are driving corruption agenda.

P9: Security is a subject all over the world – not only India. As crime grows so does security grows. According to a survey, there is a 30-40 per cent growth of PSI in India.

P15: The PSI in India developed to meet the growing need and demand for protection against the threat theft, sabotage and subversion felt by the corporate heads.

To support this, Srivasta (2014: np) discerned that fear of crime, police corruption and violence in India have affected the quality of life, which necessitated the need for the public to turn to private security providers for protection.

In addition to this, research participants were asked:

- What are the reasons for private citizens, public/commerce/industry to opt for private security providers to safeguard their property and assets as opposed to the public police service?

Participants indicated that in India, the police to citizen ratio is very low, compared to the large population in that country, which renders policing almost ineffective. This

forced business owners and private citizens to look to the PSI for their protection. Some felt that the Indian Police Act is outdated and not in keeping with the demands of the twenty-first century. Participants confirmed that the shift to this industry came about as a result of the public's perception of increasing crime rates and citizens' fear of crime or becoming victims of crime and poor police to citizen ratio (Krishna-Kumar, 2016: np; Nalla & Prenzler, 2018: 23). The following responses include:

P6: The Indian Police Act, which is the backbone for the functioning of our police system, was passed in 1861. Therefore, the framework of the functioning of our police is almost 150 years old and not keeping up to the demands and needs of protecting the citizens.

P7: In India, the Police to Citizen Ratio is 1.3:1000. In such a scenario when there is no adequate police force to provide internal security, secure law and order, it is unimaginable to scout for to look towards private security enterprises.

The fourth theme identified in the study relates to gender discrimination in the PSI.

6.7 THEME 4: GENDER DISPARITIES WITHIN THE PSI IN INDIA

Although women's involvement in the PSI was not a factor linked directly to the growth and regulation of the industry in India, it became apparent during the pilot study that females were discriminated against in the PSI. The qualitative questionnaire was adapted before it was administered to the sampled groups and the research participants were asked to provide reasons why so few women are appointed to management positions in the PSI in India.

In order to ascertain the gender profile of the PSI and to explore whether there are any barriers to entry that preclude women from entering the industry, the following question was posed to the participants:

- What are some of the barriers that prohibit females from joining the PSI in India?

TABLE 18 Analysis of gender disparities within the PSI in India

Category	Sub-category
Gender inequality	Inhibition for women to join the PSI Male-dominated industry
Barriers to appointing females to management positions	The belief that management positions are for males Concerns about women's safety

6.7.1 Gender inequality

Gender inequality was reported as one of the disparities in PSI. It was reported that women were inhibited to join PSI and it was still perceived as the male-dominated industry. The sub-categories are discussed below.

6.7.1.1 *Inhibition of women to join PSI*

Participants 3 and 5 reported that India is a patriarchal society where women are not treated equally to their male counterparts. They reported that women are inhibited to join the security industry and that they were not allowed to do security work. Participants 3, 5 and 8 voiced that it is very rare to find women in the security industry. The following responses were recorded:

P3: India is a patriarchal society. Women are not treated equally as their male counterparts, especially when it comes to doing security work.

P5: In India, there is still inhibition for women to join as security guards and the industry.

P8: Very scarce to find women in this industry.

6.7.1.2 *Male-dominated industry*

Participants 1, 3 and 10 submitted that the PSI was a male-dominated industry where the male to female ratio is skewed. Participant 3 saw the PSI as a male-dominated industry in India and Participant 11 reported that it was traditionally

dominated by men, due to the physical nature of the job and the risks that are involved. Participants 1, 3, 10 and 11 gave the following responses:

P1: Male to female ratio as far as I am aware is totally skewed.

P3: It is undoubtedly a male-dominated industry.

P10: Security industry is seen as male-dominated service that too could be one of the other causes for lesser numbers.

P11: Services which have been traditionally man dominated due to the physical nature of the job and physical risks involved.

6.7.2 Barriers to appointing females to management positions

There were barriers to the appointment of females in management positions that were reported by Participants 4, 7, 9 and 12, and these included the belief that management positions are for males and concerns about women's safety must be taken into account. These barriers are discussed below.

6.7.2.1 The belief that management positions are for males

Participants 4, 7, 9 and 12 mentioned that management positions in the PSI were meant for males only and strongly believed that management positions are ideal for men only because the PSI is a male-dominated industry. They reported that the mind-sets in India state that men are better equipped for management positions compared to females. This is what participants had to say:

P4: Management positions too are still a male bastion, to my belief.

P7: I said that this is a male-dominated industry, and hence men are preferred in the management positions for better control and management of the ground staff.

P9: *Indian mindset states that men are better equipped to take on management roles. Ladies take on jobs like searches and frisking and soft job.*

P12: *Security is still considered a man's job in India.*

6.7.2.2 Concerns about safety

Participants 6 and 8 claimed that one of the barriers to the appointment of females in management positions were concerns about safety. They reported that there is an issue of safety in the security industry with regards to females who are performing night shift work. It was further asserted that females do not feel safe to do security work as it is associated with a number of risks such as armed robbery and fears of being killed. The two participants' answers were:

P6: *Then there is the issue of safety of women in the security industry who are doing night shift work.*

P8: *Females do not usually feel safe to work as security guards due to a number of risks such as armed robbery and fear of being killed while on duty.*

6.8 THEME 5 - FACTORS RESPONSIBLE FOR THE REGULATION OF PSI IN INDIA

One of the objectives identified in the study is to gauge the research participants' view of how the PSI is regulated, and they were asked the following question:

- What were the reasons which gave rise to the government to pass legislation to regulate the PSI in India, namely, the PSAR Act 29 of 2005?

From the responses received, one category i.e. Regulatory Factors was identified and subsequent sub-categories were developed for Theme 5.

TABLE 19 Factors responsible for the regulation of PSI in India

Categories	Sub-categories
Regulatory Factors	Factors which led to regulation of the PSI in

Categories	Sub-categories
	<p>India:</p> <ul style="list-style-type: none"> • Growth of unlicensed security agencies • Threats from terrorist groups • Combating the exploitation of security personnel • To regulate training standards • The aspects of PSI that are being regulated <p>Licensing:</p> <ul style="list-style-type: none"> • Inspection by the Controlling Authority • Vetting of security guards • Effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in India <p>Perception of regulatory frameworks as ineffective:</p> <ul style="list-style-type: none"> • Lack of records for implementation of PSAR Act • Weak enforcement of regulations in some States • Lack of official records and statistics • Not enough resources to implement the laws <p>Perception of regulatory frameworks as effective:</p> <ul style="list-style-type: none"> • Effective in stopping the number of unlicensed businesses

6.8.1 Regulatory Factors

The formalisation of regulation of the PSI in India commenced after the passing of the PSAR Act 29 of 2005. Participants reported a number of factors which led to the regulation of PSI in India. The following sub-categories emanated out of this theme,

namely: factors which led to regulation of PSI in India; the aspects being regulated; effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in India and, participants' perception of regulatory frameworks as ineffective:

6.8.1.1 *Factors which led to regulation of PSI in India*

Participants reported on the factors leading to the regulation of PSI in India. These are discussed below.

a) Growth of unlicensed security agencies

Growth of unlicensed security agencies was reported as one of the reasons to regulate the PSI in India. Participants 1, 2, 10 and 11 reported that the flourishing number of unlicensed securities was one of the reasons that forced the government to introduce legislation to regulate private security agencies in India. The participants answered:

P1: The number of unlicensed security agencies began flourishing.

P2: As the size of the industry was becoming big, it was necessary to recognize one of the largest employers of the nation as an industry. Moreover, before this PSI was not governed by any common law.

P10: The PSAR Act in India was brought in to regulate this fast-growing industry in order to abolish all unlicensed agencies which were taking advantage of the industry.

P11: To regulate the industry and to enforce the Act. There should be licenced companies that provide security services to the citizens. The service taker should also only take on companies that are registered.

b) Threats from terrorist groups

Participant 6, 8, 11, 13 and 15 stated that threats from terrorist groups to the national security of India forced it to redeploy state security forces, including the police, to address these threats. This resulted in inadequate policing to protect ordinary citizens. This gave rise to the growing employment of private security personnel and agencies to provide more focussed and customised security protection for their needs. In support of this, the findings of Antenucci (2017: 79), Freedonia Group (2017: np), Grant Thornton (2015: 16), Krishna-Kumar (2016: np) and Singh, (2014: np), confirm an increase in terror attacks raised the security threat levels in the country, which triggered a demand for high-end security technology equipment. The following verbatim responses were recorded:

P6: I am not aware of the official reasons elicited in the government records for bringing out the PSAR Act but here is a brief account of the activities of the PSI, which surely were part of the reasons leading the government to pass this law. Aggravated and increasing challenges to the national security including law and order in the country led to the diversion of government police and security outfits towards newer challenges like terrorism, extremism, organised crime and large scale civil, agrarian, labour and student agitations etc. Thus, the routine street policing and local crime/criminal control increasingly suffered inadequate police attention. The public gradually and reluctantly learnt the lesson of self-help for securing themselves as well as their property and assets.

P8: As India is the largest growing economy friends from across the borders don't want India to prosper as a result there is growing terrorism from across the border.

P11: Frequent terror attacks, lack of police officers and fear, have been attributed as key drivers to the growth. it may sometimes be even safe to say that there are more security guards than the number of policemen today.

P13: One of the significant repercussions of the November 26, 2011, Mumbai terror attack was the sudden growth of the Indian private security industry.

P15: *The industry growth is due to growing urbanization and increasing insecurity, frequent terror attacks, shortage of police personnel and last but not the least security agency itself being a profitable business.*

c) Combating the exploitation of security personnel

Another reason for the promulgation of the PSAR Act 29 of 2005 was to combat the exploitation of security personnel. Participants 1, 4, 5, 9 and 12 emphasised that the PSAR Act of 2005 helped in ending the exploitation of security personnel and it assisted in the regulation of correct wages for security guards. Furthermore, some private security contractors were unethical and did not follow statutory compliances to pay security guards properly and PSAR Act 29 of 2005 helped in correcting such irregularities to ensure that security personnel are fairly remunerated. The participants' responses included:

P1: *Private Contractors were not ethical, and did not follow statutory compliances. Guards were paid much less than their entitlement, so this PSAR Act helped a lot in correcting those to ensure that security guards are paid properly.*

P4: *That is because the PSI started exploiting human labour, such as not paying the minimum wages or Provident Fund money etc. The government took this step to "regulate" the PSIs.*

P5: *To regulate correct wages of security personnel and to monitor proper functioning levels.*

P9: *The PSAR helped a lot because millions of guards were being exploited by their employers and other stakeholders who were using them.*

P12: *There was no regulation on wages and social compliance was not there.*

P15: *Owners of private security agencies felt because of undercutting there was a need to regulate the industry.*

d) To regulate training standards

Prior to the introduction of formal legislation to regulate the PSI in India, training of security guards took place on a piecemeal basis (Tripathi, 2018: 349). The FICCI Report (2014) found security guards in India are required to perform functions which they are not particularly trained for. Many of them are expected to perform highly skilled functions like access control, operating baggage x-ray machines and metal detection equipment at airports, securing five-star hotels or guarding industrial complexes through the use of CCTV surveillance systems. The security guards also manage entry and exit of thousands of workers and by vehicles at IT parks, or managing complex functions at private ports and airports. These activities required security guards to acquire a certain level of training.

Participant 4 and 9 stated the following:

P4: The PSAR Act did bring about some improvement, such as making training compulsory even for the owners of the private security industry.

P9: The Act must regulate basic training. Clients should also be educated. No client wants to use untrained and unregistered guards.

e) Aspects to be regulated

Research participants (3, 5, 6 and 9) agreed that the focus of the PSAR Act 29 of 2005, is to make sure that no person may operate a security agency, prior to obtain a licence to render such a service.

6.8.2 Licensing of private security agencies

Section 4 of the Private Security Agencies Regulation Act 29 of 2005 clearly states that any persons or Private Security Agency may not operate or provide private security guards without a licence. Some participants alluded to this by providing the following responses:

P3: *If you provide a security service, then you must apply for a license to operate a security agency.*

P5: *The Act mainly focuses on regulating the industry through licensing the security agencies which satisfy the eligibility conditions as laid in the Act.*

P6: *About five million security personnel, most of them, who are not from registered companies, apparently have access to our homes and offices. This is a safety and security issue. Moreover, issues relating to issuing of licences under the PSAR Act must be viewed as law and order issue.*

P10: *Carrying on private security business without the valid license is a cognisable offence under the Act. The Act and rules there under prescribing the records to be maintained by each licensed agency.*

6.8.2.1 *Inspection by the Controlling Authority*

Participant 2 and 12 reported that the Controlling Authority in each state is responsible for the implementation of the regulation at that level:

P2: *Implementation has not taken place in all the states. The Controlling Authority normally issues the licence after the vetting process.*

P12: *The process of regulation is still in progress and will take a considerable time. Since it is a state subject, differences appear in each State. Presently there is no strict and formal Government Agency to regulate the PSI.*

6.8.2.2 *Vetting of security guards*

Section 10 of the PSAR Act 29 of 2005 makes provision for property background checks of all security guards before they are granted a licence. A person must be a citizen of India, over 18 years old, must not possess any criminal record, must be physically fit and must have undergone some basic security training. This was confirmed by the following response:

P13: All the security staff are to be verified for their antecedents and trained every 5 years. Even the owner is required to undergo security training unless he belonged to the police or armed forces of the Union of India.

To understand the research participant's perception of the effectiveness of the legislation, the researcher asked the following question:

- How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in India?

Participants in India reported their perceptions of the ineffectiveness of the current PSI regulatory framework.

6.8.3 Perceptions towards the ineffectiveness of the current PSI regulatory framework of the PSI in India.

Participants 4, 7 and 8 reported their concerns regarding the current PSI regulatory framework and factors such as the lack of records for the implementation of PSAR, existence of unlicensed security businesses and inconsistent application of the regulations across all states in India, which render the regulations as ineffective.

a) Lack of records for the implementation of PSAR

Participant 4 maintained that it is very difficult to get a clear picture of the implementation of PSAR as there is little information pertaining to the implementation of the PSAR Act.

Participant 7 reported that there are no statistics about the number of licences issued, cancelled or prosecutions launched.

The following response was the response from participant 8:

P8: *The difficulty is that there is very little coming out from any quarters about the implementation of the PSAR Act. No statistics are available on the no. Of licenses issued or cancelled or prosecutions launched.*

b) Existence of unlicensed security companies

Some of the participants reported that there was an on-going existence of unlicensed security companies despite the fact that PSAR was passed. In some states in India, it is said that the PSAR Act has not been implemented, and this was reported as a major reason that resulted in rising of unlicensed illegal business within the security industry. The following responses confirm this position:

P4: *My own sense is that more PSAs are running without licenses than those licensed. If this is true then the whole purpose for bringing in the legislation is lost because the whole exercise was done for disciplining these unlicensed and unprofessional businesses.*

P5: *Among many defects, the major one is that one has to take a license district wise, and then state-wise. There is no provision in the PSAR. Act for an all India license.*

P7: *I know that some states in India have not even implemented the PSAR Act. This gave rise to many unlicensed security agencies that were operating illegally.*

P14: *Issue of firearms is a problem.*

In addition to the above, research participants were asked to identify any gaps or shortcomings in the PSAR Act 29 of 2001. In summary, Indian participants identified the following weaknesses in the current legislation. As per the PSAR Act 29 of 2005, all States in India had to implement the Act it as per the requirements, based on State-specific guidelines. However, the big challenge lies in the uniform implementation of the Act across all States. The responses included:

P3: *All States have not been able to implement this policy in a proper manner, and issues continue to remain unattended. Therefore, the Acts need to be reinforced properly. The licensing needs to be controlled centrally under one authority. The Government would need to regulate the sector to ensure it is more planned and organised (resolving the issue of the un-organised segment).*

Participant 4 indicated the *degrees of inconsistency in the minimum wages paid to security guards in India is a problem because of the various laws operating across the different States.*

P4: *Uniformity of wage policies needs to be considered and should be centralised. Movement of employees across states is not possible because of various laws in different states.*

P 6: *Delays in issuing of licences for establishing a private security agency is a matter that needs to be investigated.*

P8: *There have been delays at the authority level in granting a license to the private security agencies. The regulatory conditions are different in every state.*

P12: *The PSAR Act of 2005 does not make provision for a security agency to acquire firearms and rely on guards who have been issued a licence for personal use.*

P13: *The issue of firearms is a problem for private security agencies and the law is not very clear.*

P14: *The legislation is silent on regulating new technologies incorporating artificial intelligence in the use of remote site monitoring, operating and installing of electronic and technology-enhanced security services and solutions.*

6.8.4 Perception of regulatory frameworks as effective

Although participants had many concerns about the ineffectiveness of the PSI regulation, there were some positive aspects to the regulation of the industry in India.

6.8.4.1 *Effective in stopping the number of unlicensed businesses*

Participants 8 and 11 reported that the regulation was very effective in stopping unlicensed businesses as it stopped a large number of fly by night security operators. Furthermore, participants reported that this regulation is effective in dealing with cases of misconduct amongst security companies. The following verbatim statements confirm the participant's position:

P8: In my personal opinion has been good for the industry and it has stopped a large number of "fly by night" operators. Companies that do not have a licence can offer their client cheaper rates, although the clients are not protected in any way.

P11: It is effective. Once there is misconduct on the company's part, then the licence will get revoked.

P14 Police do not have enough resources to implement the laws, prompting illegal operators to enter the security industry.

Research participants in India provided a number of reasons prompting the increase in the PSI in that country and in addition, participants shared their views on a framework to regulate the industry in India. A number of divergent and cross-cutting views were canvassed and explained in Section A.

In the next section, the findings pertaining to the factors and reasons contributing to the growth and regulation of the PSI in South Africa is discussed.

6.9 SECTION B: FACTORS INFLUENCING GROWTH AND REGULATION OF THE PRIVATE SECURITY INDUSTRY IN SOUTH AFRICA

In SECTION B, the researcher presents the findings obtained from a sample of South African research participants. The findings reported are in response to the central research question namely: What are the factors and reasons that contribute to the growth and regulation of the PSI in India and South Africa? To obtain the data

from South African participants, the researcher conducted eight (8) face-to-face interviews supported by the qualitative questionnaire and eleven (11) participants responded to the qualitative questionnaire sent by e-mail. In addition, a documentary analysis (see Chapter Four) was undertaken to get a factual and contextual understanding of the research problem.

6.10 ANALYSIS OF DATA

Data was collected from a sample of elected members of the Board of Governors (BOG) of the South African Institute of Security (SAIS). The researcher conducted face-to-face interviews assisted with the qualitative questionnaire with the South African participants from June to November 2016 and 2017, and follow-up interviews were undertaken during November 2018. The interviews lasted between 25 to 40 minutes. The researcher conducted the interviews in the cities of Johannesburg and Tshwane, in the province of Gauteng in South Africa. In addition, during the same period, the researcher emailed the qualitative questionnaire to research participants. The researcher sent reminders and follow-up emails to ensure a good response rate.

The table below provides a summary of the description of the sample of South African research participants.

Table 20 Description of the South African sample

Participant Number	Role	Years of Service in PSI	Previous involvement in PSI	Reasons for joining PSI
1 (male) email questionnaire	Mentoring & Consulting	45 years	Police Detective	Career opportunities
2 (male) email questionnaire	Management	25 years	Police Constable	Good career growth – better opportunities
3 (male) email questionnaire	Executive management	20 years	SADF: Captain	Experience as a trained soldier
4 (male) email questionnaire	Training facilitator / Assessor	12 years	SADF: Counter-intelligence officer	Job opportunities

Participant Number	Role	Years of Service in PSI	Previous involvement in PSI	Reasons for joining PSI
5 (female) Email questionnaire	Director	15 years	Not at all	Education & Training
6 (male) email questionnaire	Risk Management I PSI	21 years	Not at all	Mistake (Administrative duties)
7 (male) email questionnaire	Director Protection Services	34 years	SAPS Constable	Better salary and benefits
8 (male) email questionnaire	Senior Manager	17 years	Not at all	It was a growing industry
9 (male) email questionnaire	National Risk Manager	17 years	SADF: Rifleman	Career opportunities
10 (male) email questionnaire	Regional HR/IR Manager	07 years	SADF: Corporal	Career Opportunity
11 (male) email questionnaire	Managing Director	17 years	SAPS: Captain	Better career prospects
12 (female) interview with a questionnaire	CEO	18 years	Not at all	Career Opportunity
13 (male) interview with a questionnaire	Independent consultant	38 years	Foreign: Her Majesties Armed Forces	Career opportunity (Rewarding)
14 (male)interview with a questionnaire	Consultant	26 years	SADF: Admin Duties	Rewarding Career Opportunity
15 (male) interview with a questionnaire	Managing Director	28 years	JMPD: Assistant Superintendent	Great prospects and lots of career opportunities
16 (male) interview with a questionnaire	National Admin Manager	23 years	SADF:	Better pay?
17 (male) interview with a questionnaire	CEO	N/A	SAPS: Patrol Officer	Career Opportunity
18 (male) interview with a	Independent security advisor/consultant &	7 years	Metropolitan Police London: Detective	Related to Policing

Participant Number	Role	Years of Service in PSI	Previous involvement in PSI	Reasons for joining PSI
questionnaire	Chairman		Chief Inspector	
19 (male) interview with a questionnaire	Contract Management	21 years	Not at all	Career Opportunities

Only Participants 5 and 12 from the South African sample were female with one being a Managing Director of a private security company and the other a Chief Executive Officer and an owner of a security vetting and qualification verification company. Most of the participants obtained some form of higher qualification (diploma, degree) after finishing school.

The positions held by BOG members of the South African Institute of Security (SAIS) give an indication of their high level of involvement in various capacities in the private security industry. This was evident by the richness, diversity and expertise of the views canvassed from all of the participants in the study. The poor representation of women, especially at the decision-making level, raises the issue of a lack of transformation and inclusivity and the contribution women can bring to the PSI in South Africa (Berg & Howell, 2017: 276). Gender disparity and inequality in the PSI is a global issue, however, this position is starting to change, as more women are now seeking employment in the sector, and the barriers to entry for women to enter the security industry is gradually being eroded (Mabena, 2017: np).

During the analysis of the data, some of the responses elicited from the transcriptions of the interviews appeared to be unconvincing and tenuous and these were not included in the analysis of the findings.

In order to determine the current role/position the participants occupy in the private security industry in South Africa, all participants were asked the following question:

- What is your current position in the PSI?

The following verbatim responses were recorded.

Table 21 Current position in the PSI

Participant Number	Response
1	<i>Providing mentoring and consulting services within the private security industry.</i>
2	<i>Security Manager.</i>
3	<i>Executive management role.</i>
4	<i>I am currently involved in the security industry, and mainly as a training facilitator/assessor for the PSI.</i>
5	<i>I am a Project Manager at the Quality Council for Trades and Occupations (QCTO) responsible for managing the implementation of quality assurance functions as delegated to Quality Assurance Partners (QAPs) including SASSETA. The SASSETA responsible for quality assurance of training provision within the safety and security sector is one such QAP.</i>
6	<i>Previously the President of Security Association of South Africa (SASA). Currently, I have an employee screening business, which does play a role and we would like to put HR onto the risk map, to add value by addressing risk.</i>
7	<i>Director Protection Services.</i>
8	<i>Senior Manager: Law Enforcement.</i>
9	<i>National Risk Manager.</i>
10	<i>Regional HR/IR Manager for one of the largest security service providers in SA. I am a Governor and a Fellow of the SAIS. I am also affiliated to the SIA employer's organization (SANSEA) and I have just completed my 5 years as a Board member of the SASSETA, training authority for the entire country's safety and security industry sector.</i>
11	<i>Managing Director of a South African-based security consultancy and a Director of a German-based bespoke security services company, Governor on, and past-Chairman of the Board of the South African Institute of Security.</i>
12	<i>I am currently the Business Development and Marketing Director as well as the KZN SASA (Security Association of South Africa) Chairman.</i>
13	<i>I am an independent consultant and have been for the past three years. Prior to that, I was employed in various corporates as the in-house risk manager.</i>
14	<i>I work as a consultant in physical security and own a business that sells locks, panic hardware, access control equipment and door hardware. This business undertakes a small amount of high-quality installation work- largely for commerce and industry and for others in the security industry.</i>
15	<i>The Managing Director of an accredited training provider. Accredited with the Safety and Security Sector Education and Training Authority. Proving safety and security training in accordance with the specifications as required by the South African Qualifications Authority.</i>

Participant Number	Response
16	<i>National Admin Manager.</i>
17	<i>Chief Executive Officer.</i>
18	<i>I am an independent security advisor/consultant and Chairman of the South Africa Institute of Security.</i>
19	<i>I am employed by Eskom to contract management on the security service providers.</i>

The study identified that the majority of the research participants (2, 3, 6, 8, 10, and 16) occupied different managerial roles and senior positions in the organisations and government departments where they worked. Participants 5, 7, 11 and 15 were employed as directors of security or protection services at different government departments. The remainder of the sample (participants, 1, 4, 13, 14, 18 and 19) were self-employed and worked as independent security advisors, security consultants and Chief Executive Officers (CEOs).

All the participants indicated they were currently employed and active in various roles and capacities in the private security industry in South Africa. These roles and responsibilities were grouped as follows:

- Chief Executive Officer
- Executive management/Director
- Risk/Project/Contract Manager
- Security advisor/consultant
- Training facilitator/Assessor
- Independent consultant
- Security service provider
- Head of security
- Director: Security services
- A retired member of Board of Governors

Following the collection and analysis of the data from the South African participants, the resulting themes emerged:

Theme 1 Reasons for joining the PSI

Theme 2 Socio-economic factors responsible for the growth of PSI

- Theme 3 Political factors influencing the growth of PSI
- Theme 4 Poor policing impacting the growth of PSI
- Theme 5 Factors responsible for the regulation of PSI
- Theme 6 Gender discrimination and the PSI in South Africa

A number of categories and sub-categories were inferred from the identified themes. The researcher probed each participant to establish whether they were previously employed in the armed forces by asking the following question:

- Where you previously employed in the security services, for example, army, navy, police, (other)?

From the responses received, fourteen (14) of the participants were previously employed in the military (army, navy and defence force) or the police, and five participants indicated they did not have any previous background or did not work in the security services.

In addition, the participants were asked to respond to the following question:

- Why did you join the PSI?

The participant’s responses were clustered under Theme 1.

6.11 THEME 1: REASONS FOR JOINING THE PSI

Participants were asked to provide reasons for joining the private security industry in South Africa. The following responses were recorded in Table 21 below.

Table 22 Reasons for joining the PSI

Participant number	Response
1	<i>Career opportunities. To fulfil consultancy functions and to get into business markets and to share my knowledge and experience that I gained whilst I was in the police.</i>
2	<i>Good career growth – better opportunities in the PSI than at Government Agencies.</i>
3	<i>As a trained soldier, that’s what I knew to do best and people were seeking such skills, it’s also something I enjoy doing so it was a win-win.</i>
4	<i>Job opportunities offered to me when I left the SANDF. As a Counter-Intelligence</i>

Participant number	Response
	<i>officer, I had a lot of experience in security practices.</i>
5	<i>Interested in raising standards of security training provision and continuous professional development of security officers. Many individuals' who own security businesses were likely to have held some rank in their previous employment (security forces), thereby bestowing 'management' or 'leadership' experience. Many former law enforcement officials think a security manager job will be easy after retiring from the force.</i>
6	<i>I joined by mistake. I started in an administrative role in a security company and grew within the industry.</i>
7	<i>Better salary and benefits and to get out of the SAPS.</i>
8	<i>It was a growing industry and new opportunities were opening up.</i>
9	<i>I actually wanted to be a farmer, but it was very easy for me to be hired as a security officer.</i>
10	<i>I was working in the metal industry sector as an HR/IR Manager. I received a call from a prominent employment agency and they stated that there was a security company that was about to get an international tender and that they were looking for a seasoned HR Professional, I went for the interview, they were impressed with my credentials and offered me a good package.</i>
11	<i>I was headhunted and the prospects were better for me.</i>
12	<i>I have always been passionate about the various criminal elements that present themselves in South Africa. The Private Security Industry not only provides me with the opportunity to make a difference but feeds my curiosity and thirst for knowledge regarding crime.</i>
13	<i>Initially, I took up a position with the National Broadcaster designing program input equipment for the television system. This proved unrewarding and I was invited to take up a position in PSI which I then did.</i>
14	<i>I grew up in a hardware environment (when hardware meant 'ysterware') and began selling key blanks and locksmiths supplies (out of the boot of my car) in 1975. I began to employ locksmiths I began to embrace the ethics and credo of the Locksmiths Association and have served on the local committee for well over 30 years – so it can be said that although I set out to sell hardware - I 'fell' into the PSI by chance!</i>
15	<i>I was offered a senior position, as a Regional Loss Control manager in a national retail organisation and identified at the time that the PSI in South Africa had great prospects and offered me a host of opportunities.</i>
16	<i>It was better paying than the army.</i>
17	<i>I joined the Private Security Industry due to an interest in career progression in the regulatory environment.</i>
18	<i>It seemed the logical move after a policing career as many of the key skills is related.</i>

Participant number	Response
19	<i>It was an easy way of getting employed. It is a fast-growing industry which is very easy to get employment in it. I did not have any qualification by then and to get security qualification it only took me three weeks. After that, it took another week to be employed.</i>

Analysis of Theme 1 indicated that research participants provided various reasons for joining the PSI. These reasons were grouped into the following categories namely; better career opportunities (participants 1, 2, 4, 12, and 17); head-hunted because of specialised skills and experience (participants 3, 10, 11, 13, and 18); better salary and easy to get a job in the PSI (participants 9 and 19). These categories were broken into the following sub-categories namely; career progression, experience in security work, PSI is a better paying sector. These are discussed in the table below.

Table 23 Analysis of reasons for joining the PSI

Category	Sub-category
(a) Better career opportunities and more competitive salary in the PSI	(i) Career progression and PSI pays a better salary
(b) Retrenched by the army	(ii) Forced to leave armed forces
(c) Head-hunted	(iii) Previous experience in security

6.11.1 Better career opportunities

In South Africa, majority of the participants (1, 2, 4, 8, 12, 15, 17 and 19) indicated that they joined the PSI because of more scope and improved career opportunities offered by the private sector.

6.11.1.1 Career progression

Participants 1, 2, 4, 12, 15, 17 and 19 joined the private security industry because it afforded more opportunities for career development, progression and more job prospects. They reported that the salaries offered by the PSI were far more

competitive than the public sector and this motivated them to seek greener pastures in the PSI.

The following verbatim responses were recorded:

P1: Career opportunities. To fulfil consultancy functions and to get into business markets and to share my knowledge and experience that I gained whilst was in the police.

P2: Good career growth – better opportunities in the PSI than at Government Agencies. Job opportunities offered to me when I left the SANDF.

P4: As a Counter-Intelligence officer, I had a lot of experience in security practices.

P12: The Private Security Industry not only provides me with a career opportunity to make a difference but feeds my curiosity and thirst for knowledge regarding crime.

P15: I was offered a senior position, Regional Loss Control manager in a national retail organisation and identified at the time that the PSI in South Africa had great prospects and offered me a host of opportunities.

P17: It seemed the logical move after a policing career as many of the key skills is related.

P19: It was an easy way of getting employed. It is a fast-growing industry which is very easy to get employment in it.

6.11.2 Retrenched by the army

Research Participants 3, 4, 7 and 16 indicated that they were given severance packages and were forced to leave the armed forces. They cited the PSI provided a natural home where they could use their military and policing background. These statements are captured in the following statements:

P3: As a trained soldier, that's what I knew to do best and people were seeking such skills, it's also something I enjoy doing so it was a win-win.

P4: When I left the SANDF as a Counter Intelligence officer, I had a lot of experience of security practices.

P7: Better salary and benefits and to get out of the SAPS.

P16: I was given a package to leave and joined private security because of my military experience.

The literature (Berg & Howell, 2017) confirms that after the demise of apartheid in South Africa, the previous racist armed forces had to transform from a previously white and male-dominated security force to one that represents the demographics of a free and democratic South Africa. As a result, many highly trained and skilled members from the armed were forced to resign and took early retirement, and some were offered severance packages (Berg & Howell, 2017: 275). This resulted in many choosing to leave the armed forces and they found a natural home in the emerging private security industry market in South Africa (Berg & Gabi, 2011:8).

Further affirmation by Botha (2015: 63) and Berg and Howell (2017: 274) confirm that members who had previous experience in the military, police or armed forces had a positive disposition towards finding employment and/or better career opportunities in the private security industry in various capacities. They could use their skills and training in combat and the rigid disciplinary regime in the PSI. In addition, the retrenchment processes within the former South African Defence Force (SADF), forced many white officers with substantial combat experience to leave the armed forces. With little opportunities for finding employment, the private security industry offered them the chance to use their military training (Gumedze, 2008a: np).

Research Participant 5 suggested that many high-ranking officers who retired or resigned from the armed forces considered themselves sufficiently skilled, competent and equipped to take on leadership and management positions in this highly competitive industry because of their experience. This created a sense of

entitlement to join the PSI because these members brought with them a strict military code of discipline and training. In this regard, Participant 5 said the following:

P5: The security function has frequently been regarded as a bastion of ex-military/ police/ law enforcement officers or members of the apartheid forces. These individuals who may have held some rank in their previous employment (army) think a security manager job will be easy after retiring from the force because, in a sense see themselves as anointed, to have 'management' or 'leadership' positions in the private security sector bestowed on them.

These ex-military officers used these skills to complement the rigid physical training of security officers. In addition to their experience in the security forces, the private security industry provided them with better salaries and benefits (Botha, 2015: 65).

6.11.3 Head-hunted

Research Participants 10, 11, 13 and 15 reported that they were head-hunted to join the PSI because of previous specialised expertise in security and other business skills.

The following statements confirm this:

P10: I received a call from a prominent employment agency and they stated that there was a security company that was about to get an international tender and that they were looking for a seasoned HR Professional, I went for the interview, they were impressed with my credentials and offered me a good package.

P11: I was headhunted and the prospects were better for me.

P13: I was invited to take up a position in PSI which I then did.

P15: I was offered a senior position as a Regional Loss Control manager in a national retail organisation and identified that the PSI in South Africa at the time, had great prospects and offered me a host of opportunities.

To obtain an understanding of the participants' estimate of the economic value of the PSI in South Africa, they were asked the following question:

- What is the estimated value of the PSI in South Africa?

Participants 5, 8, 15 and 17 estimated the economic value of the PSI in South Africa to be in the region of R50 billion to R120 billion, and it is projected to grow even more. These participants responded as follows:

P5: Annual turnover of R50 billion in 2016.

P8: In my view, considering the number of security officers deployed and the vast electronic sector, probably close to R80 billion to R100 billion.

.

P15: +/- R64billion. There has been a phenomenal growth in the industry.

P17: The value of the Private Security Industry has never been formally surveyed. Currently, the total turnover of the guarding sector of the Private Security Industry is estimated to be in the region of R 75 Billion per annum. This estimate excludes the turnover in the electronics security sector and other sectors that are active in the industry.

These participants confirmed that the PSI in South Africa is a multi-million-rand industry, and this trend is expected to continue as the demand for security services by consumers grow on a daily basis. In the next section, the researcher analyses the responses relating to the factors contributing to the growth of the PSI in South Africa.

6.12 FACTORS CONTRIBUTING TO THE GROWTH OF THE PSI SOUTH AFRICA

The researcher examined the reasons prompting the growth and rise of the private security industry PSI in South Africa. To obtain the data, the researcher asked the following question:

- What are the factors that gave rise to the growth of the PSI in South Africa?

From the responses received, the data revealed the following themes: socio-economic factors responsible for the growth of PSI, political factors influencing the growth of PSI and poor policing influencing growth of PSI. Two further categories were identified, namely, (a) population group and illegal immigration and (b) economic factors.

A number of sub-categories are listed in the table below.

Table 24 Socio-economic factors responsible for the growth of PSI in South Africa

Categories	Sub-categories
Population Growth and Illegal Immigration	Poverty and unemployment Illegal immigration A growing number of foreign migrants entering South Africa The rise in crime associated with insecurity of citizens An increased need for safety and security of SA citizens Insecurity of citizens PSI as a desirable way to provide safety and security The faster response rate of PSI Accountability of PSI More skilled than police Crime prevention role Trusted Services Personalized service to clients Demand for security products
Economic Factors	Growth in private property Increase in personal wealth PSI perceived as a money-making scheme Technological Growth and PSI Corporate Governance

6.13 THEME 2: SOCIO-ECONOMIC FACTORS RESPONSIBLE FOR GROWTH OF THE PSI IN SOUTH AFRICA

6.13.1 Population Growth and Illegal Immigration

In South Africa, like elsewhere in the world, the country's population rate is growing at a phenomenal rate. In 2018, South Africa's mid-year population was estimated to have increased to 57,73 million in 2018, demonstrating an overall increase of 1,55%

between 2017 and 2018 (Statistics South Africa, 2018b:np). Many citizens from rural areas are lured to bigger cities in search of better opportunities and employment. This results in more people moving from rural areas to urban areas in search of greener pastures. Many of them set up their homes in slums and informal settlements in urban centres (Tomlinson, 2017:22). Such situations can create added problems for police, preventing them from doing their work effectively. The resultant consequences of migration to the cities may lead to overcrowding, inability to find employment, poverty and feelings of insecurity (Shen & Song, 2017: 23). This the influx of illegal immigrants to the country adds to the socio-economic woes of the many currently unemployed South Africans. The following are the views expressed by the participants:

P3: ... insecurity of citizens, high crime rates, in the past, civil unrest, which we see a return in recent years, illegal immigration, poverty and unemployment.

P12: Growing number of foreign migrants entering South Africa, rising levels of crime, poverty, unemployment.

P16: Growth in population.

P17: Population growth in particular in urban areas and in the middle-class category also influenced the growth of the industry.

P19: More and more people in urban areas could no longer rely on the protection provided by the Public Police as the population grew.

6.13.1.1 Poverty and unemployment

High unemployment rates, coupled with poverty, are major factors that lead to an increase in crime rates in the country. Due to these reasons, the majority of citizens are exposed to crime (Super, 2017: 19). As a result, there are increased chances of people falling victim to crime, especially violent crime. Participants expressed the following views about poverty and unemployment:

P3: ... *insecurity of citizens, high crime rates, in the past, civil unrest, which we see a return in recent years, illegal immigration poverty and unemployment.*

P5: *Socio-economic factors have led to high unemployment, poverty and inequality have created a social environment conducive to increases in crime.*

P15: *Poverty..... unemployment.....corruption... The growth of the private security industry can also be attributed to a response to increasing armed violence and public perceptions of rising violent crime rates.*

P17: *Rise in crime associated with insecurity of citizens.*

According to the 2018/2019 Annual Crime Statistics released by the Minister of Police, a total of 2.01 million crimes were recorded between 1 April 2018 and 30 March 2019 in South Africa. The report indicated an increase in murder, sexual offences and other contact crimes in the last financial year (Statistics South Africa, 2018:2019: np). In a newspaper report, Sicetsha (2018) expressed the views of the bleak crime problem facing the country in the following way, "These numbers do not lie and they make for a pretty grim reading about safety and security in South Africa" (Sicetsha, 2018: np)

It became clear that the rise of criminal activities in South African communities resulted in insecurity of the public. Participants cited a general increase in lawlessness, rising crime levels and sophistication of crime as reasons for the growth of PSI in South Africa. Thus, citizens' fear and concern for violence and theft is causing more residents and corporates to turn to the PSI for personal crime prevention methods to protect their lives and property. The following verbatim responses were recorded:

P1: *Rise in crime. Fear of white people who lost faith in SAP to protect themselves, especially in the 1980s when political violence was increasing.*

P3: *Insecurity of citizens, high crime rates.*

P4: *Fear of crime. No trust in police.*

P5: *Socio-economic factors have led to high unemployment, poverty and inequality have created a social environment conducive to increases in crime.*

P6: *Crime, the sophistication of crime, the inadequacy of police, no forward-thinking.*

P8: *Crime obviously has an impact on the growth – especially violent crime and fear of violent contact crime.*

P10: *The chief reason historically is the crime rate in this country.*

P14: *Threats like hi-jacking and kidnap & ransom have found their way to Southern Africa as well, and have created the need for yet another type of security specialization.*

P15: *South Africa's crime statistics were the worst in a decade, with increases in murder, attempted murder, violent armed robbery, and car-jackings.*

P16: *Fear of crime has led to a boom in South Africa's private security industry since Apartheid ended 20 years ago. The field's quick expansion is largely a result of continued social and economic inequality, increased violence, and inept police forces.*

P18: *Rise in crime post-apartheid. Change in the profile of crime incidents from government targeted disobedience/terrorism to general public-facing crime – requirements changed from quasi-military to general guarding.*

P19: *The rise of crime and companies are very desperate to be guarded in South Africa.*

6.13.1.2 *Increased need for safety and security for SA citizens*

Due to high crime rates in South Africa, it is important for citizens to have alternative ways of protection from such. As a result, there is a greater need for increased

safety and security. Abraham Maslow (1943), in his theory “Hierarchy of Needs”, places safety and security second on the list of needs. Safety and security are basic, fundamental needs, which needs to be satisfied by humans (Simply Psychology, 2017: np).

In this study, two sub-categories were identified namely: (1) insecurity of citizens’ leads to the PSI as a desirable way to provide safety and security; (2) an increased need for safety and security for South African citizens. These sub-categories are discussed below.

6.13.1.3 *Insecurity of citizens and the PSI as a desirable way to provide safety and security*

Due to high crime rates, it became clear that citizens felt insecure and needed more security for themselves and their properties. As a result, the need for private companies to provide such safety became necessary. In this category, the PSI became more desirable to the community as a means of protection for individuals and their valuable items.

In this category, six sub-categories were revealed by the reasons provided by research participants on why the PSI is more desirable in the provision of safety and security for South African citizens. These include: (1) response rate of PSI, (2) accountability of PSI, (3) skills (4) crime prevention, (5) trusted service and lastly (6) personalised services.

a) Response Rate of PSI

The PSI growth was also associated with the response rate by private security providers to criminal acts or attacks. The participants revealed that the PSI was quicker to respond, as compared to the South African Police Service (SAPS). This is what the participants had to say about the response rate of the PSI:

P1: *Lack or delayed response from SAPS. Faster service from private companies. Because of more competition among armed response companies, public use security companies because of quicker response time.*

P10: *This is a trend that was better for the client in terms of response times.*

P11: *Private security is better trained and equipped and can respond faster when incidents are reported.*

P17: *Faster service from private companies. Reaction time; armed response reaction of 3 min; Because of more competition among armed response companies.*

P18: *PSI are alternatives and have innate pressure to perform to maintain their employment/profit.*

b) Accountability of PSI

The research participants revealed that the PSI was desirable to communities and industries because they are accountable for their acts and omissions as they provide their services. The participants responded as follows:

P15: *They can be held accountable under Service Level Agreements to their clients to be the sole responsibility of the police.*

P19: *Private security can be managed and guard your assets as per your instruction. You do not have as a public police service.*

c) PSI is better skilled

Apart from the accountability, research participants also revealed that the private security personnel were better skilled than the government police. This was confirmed by the following responses:

P2: Public policing failed South Africa – lack of skilled people in SAPS thus the need for using private security.

P7: The SAPS have deteriorated in service delivery and the employment standards have dropped in the SAPS. The PSI has grown in stature and currently outranks the SAPS in numbers.

P10: Generally, security companies started to better upskill their staff and provide a better array of different services, a sort of one-stop-shop, which the SAPS lacked the ability to do. It's strange that ex-policemen often join the security companies when they leave or retire. The SAPS is a one size fits all, whereas the PSI tailor makes their products to fit the client's needs.

P15: Private security are better trained and equipped; stability in the workplace; the PSI tailor makes their products to fit the client's needs.

P19: Even the police in some cases rely on private security providers to safeguard police stations.

d) Crime Prevention

In addition to being skilled and providing a better array of services, research participants also revealed that private security prevented the crime from occurring. They responded in the following way:

P5: Fear and concern for violence and theft are causing more residents and corporates to turn to personal crime prevention methods to protect their lives and property.

P8: In addition, the roles have also changed over time and the private security industry is increasingly performing a function which used to be the sole responsibility of the police. It is increasingly seen that the police generally investigate and apprehend criminals after the commission of crime whereas the private security industry, by contrast, seeks to prevent crimes in a proactive manner.

P16: *Demand for private security – people’s assets more valuable, more to protect, more disposable income, Insurance requirements-alarm, burglar bars etc.*

e) Trusted Services

The research participants indicated that private security could be more trusted as compared to government police whom the public had lost confidence. They reacted as follows:

P8: *Clients place considerable trust in an industry that has far more resources available than the public police service.*

P19: *Even the police in some cases rely on private security providers to safeguard police stations.*

f) Personalised Service

It became clear that private security provided personalized services that matched the needs of their clients. Participants indicated that private security responded to their client’s needs and requirements in the following ways:

P8: *Consumers are also demanding more personalized security (including electronic security) which will meet their needs.*

P10: *... generally, security companies started to better upskill their staff and provide a better array of different services, a sort of one-stop-shop, which the SAPS lacked the ability to do.*

P14: *All organisations run by Governments are usually less efficient – and a profit motive spurs the PSI to provide better services – or lose out to their competitors.*

P15: *Private security is better trained and equipped.*

6.13.1.4 Demand for security products

Private security brings with it a variety of products. This makes the security industry to be desirable to individuals and business owners. Such security products are necessary for the performance of various functions. The participants responded in the following way:

P2: ... *Then you have the different sectors which require different methods of security, for example, the mining, industrial and retail all differ with their requirements when it comes to security. Specializing became a very big thing when the new South Africa came about.*

P5: *The chief reason historically, however, security covers a whole range of products, not just physical guarding, but risk assessments, electronics, personal protection, national key points, and of course the most important training and development.*

P8: ... *Consumers are also demanding more personalised security (including electronic security) which will meet their needs.*

P15: *The concept 'you pay for what you get' is an important factor.*

P19: *Private security can be managed and guard your assets as per your instruction.*

6.13.2 Economic Factors

The growth of the private security industry in South Africa has been influenced by various factors, amongst others economic growth which results in the acquisition of private wealth and assets, especially the rise of a middle class with resources to pay for these security measures (Maritz, 2015: np). The growing industrialisation in the commercial sector meant that the public security agencies, such as the police, could no longer protect private interests. To support this, the research participants provided the following the reasons supporting growth of the PSI in South Africa namely: (1) growth in private property and (2) easy employment since it is easy to get qualification for security.

6.13.2.1 Growth in private property

Due to rapid growth in private property, there has been a number of building projects e.g. shopping malls, gated communities and free-standing homes within South Africa and private security companies have been contracted to provide security for these establishments, thereby creating a demand for these services. Participants confirmed this in the following statements:

P8: Growth in the private property market (security estates, malls, etc.).

P11: Firstly, changes in property associations have taken place, due to the growth of mass private property i.e. urbanization, environmental factors and new building demands.

P12: There increase of “private security villages/ gated communities” creates bigger demands for private security to protect the assets and life of residents in such villages. The developers of these “private security villages/ gated communities” use their adequate or enhanced security as a marketing tool to offer their services.

P14: The increase in what has been described as “mass private property” resulting from the increasing number of large shopping malls with subsequent demand for private security to protect shoppers, tenants and vendors.

Botha (2015: 51) found that the middle class South African, for fear of safety, are moving away from public spaces to ‘public-private property’. The absence of visible public police demanded the need to deploy private security officers to secure ‘public-private property’.

Roitman (2015) confirms that failure of the state from providing basic services, (housing, water and sanitation) results in a rise in urban crime and violence that justifies citizens moving to a gated community (Roitman, 2015: 33). Thus, the provision of private security services to ‘gated’ communities has become more

necessary as people seek to enjoy the peace and tranquillity provided by security companies (OECD, 2004: 3).

6.13.2.2 *Increase in personal wealth*

When there are signs of economic growth, people are promoted and some have access to better job opportunities. In this way, citizens accumulate personal wealth and possessions, which needs protection from private security. The following responses were recorded:

P4: There are both demand and supply factors that could be cited as demand and supply factors associated with the reasons for the growth of the private security industry.

P9: A dramatic increase in the personal wealth of the Black professional middle class as well as the increase in wealth associated with the rise of what has been described as the ‘tenderpreneurs’ has led to the increasing demand for protection of their person as well as assets.

P15: Security is no longer an “add on or a nice to have for corporates and individuals – it is a necessary addition to managing risk in order to protect your life as well as your assets. It is thus a must-have.

P18: There is also a trend developing in South Africa, where many of the wealthy and privileged choose to live in “private security villages/ gated communities”. They rely on their own private security to secure their safety in their gigantic private mansions.

Therefore, as people’s income increase, it leads to the acquisition of more private property (Gumedze, 2016b: np). As a result, this increases the need for the provision of additional security for those who can afford it (Mabena, 2017: np). In South Africa, Melane (2016) confirmed the emerging middle class with more disposable income and resources to pay for additional security measures, facilitated the growth in this sector in South Africa (Melane, 2016: np).

6.13.2.3 *PSI perceived as a money-making scheme*

Due to economic growth and accumulation of wealth, some people viewed the PSI as a way to make quick cash for themselves. This resulted in owners paying their staff lower salaries in order to make more money for themselves. The responses included:

P5: It was a quick way of making a lot of money for Company owners, as there was not a lot of/no governance of the industry way back in and before 1982 when I joined the industry.

P7: Salaries were low but owners made a lot of money. The security situation in the country and the independent homelands at the time assisted in bringing the growth factor in.

P8: A profit motive spurs the PSI to provide better services – or lose out to their competitors– so, the fierce competition takes place from a low base-line.

P12: PSI are cheap alternatives and have innate pressure to perform to maintain their employment/profit.

P14: Security is a major role player in many facets of society today, due to the economic situation in the country.

P15: Many police officers who were offered early retirement from the force, saw the PSI as an ideal opportunity to offer their skills to clients and at that same time earn a lot of money – they saw the PSI as a lucrative business opportunity.

6.13.2.4 *Technological growth and PSI*

Economics, coupled with the rise in the number of new security technologies was associated with increased demand for electronic security devices at business settings, homes and airports where serious criminal activities are anticipated. In support of this, the participants responded as follows:

P7 *felt increased demand for personalized security – consumers want to take responsibility and control for their own protection by using/installing the latest security technology.*

P10: *the increased availability of improved electronic security drives growth (vehicle tracking, CCTV, etc.) in this industry.*

P18: *Security is no longer an ‘add on or a nice to have’ for corporates and individuals – it is a necessary addition to managing risk in order to protect your life as well as your assets. It is thus a must-have.*

6.13.2.5 Corporate Governance

In addition to technological growth, there was a need for businesses to be looked after by the skilled security personnel and participants responded in the following way:

P2: *Corporate need for skilled people to look after corporate assets.*

P7: *Company owners, as there was not a lot of/no governance of the industry way back in and before 1982 when I joined the industry.*

P8: *Insurance companies expecting additional security by clients to limit risks?*

P11: *Security integrated into business practices (information security) – it is good corporate governance?*

In South Africa, it was reported that electronic security providers are using smarter video surveillance and sophisticated alarm systems. This means that customers and businesses can protect their assets better without having to invest in manned guarding only (Mantis Security, 2018: np).

6.14 THEME 3: POLITICAL FACTORS INFLUENCING GROWTH IN PSI

In addition to socioeconomic factors influencing the growth of the private security industry, it became clear that the political factors also play a major role in escalating the use of private security in South Africa. Three categories were identified, namely: (i) being scared of political violence, (ii) being scared of civil unrest and (iii) being scared of terrorism.

6.14.1 Being scared of political violence

Political violence played a major role in promoting the use of private security in South Africa. Some of the mentioned reasons were racially motivated e.g. whites were scared of political violence that is escalating in the country. Some were scared their items or belongings would be being stolen. This is what the participants had to say about political violence:

P1: Fear of white people who lost faith in SAP to protect themselves, especially in the 1980s when political violence was increasing.

P4: During South Africa's period of turmoil in the 1980s a surge of crime and political violence led to a need for private security companies.

P8: Security is a major role player in many facets of society today, due to the political and economic situation in the country.

6.14.2 Being scared of civil unrest

In addition to political violence, participants also cited that civil unrest was associated with post-apartheid South Africa as another factor that fuelled the use of private security. This period was associated with political turmoil in the country. During this time, the South African Defence Force failed to control the political unrest that was happening in the country. This forced many businesses and individuals to seek the support of private security (Blakemore, 2019: np). This is what participants had to say about civil unrests in the country:

P3: ... *civil unrest, which we see a return in recent years.*

P5: *During South Africa's period of turmoil in the 1980s a surge of crime and political violence led to a need for private security companies - due to the inability of the police to deal with the situation extensively.*

P7: *I worked at Sun City and the external threat such as bombing the place was the order of the day. Homelands were greatly opposed by many, especially the exiled ANC at the time.*

P10: *The end of the "border war" against the South African Liberation movements provided a vast pool of trained former military personnel for recruitment by private companies.*

P11: *The rise of political conflict in SA following the June 1976 scholar protests.*

P13: *A lack of political will to deal with the crime.*

6.14.3 Being scared of terrorism

Fear of terrorism was yet another issue that escalated growth of PSI in SA. This was associated with bombings that took place during the time when people united to fight against the apartheid regime. Some properties were burnt down and this propelled crime, as people began to vandalise property, loot shops and some family homes (Larson, 2019: np). Participants made the following comments:

P5: *Threats like hi-jacking and kidnap and ransom and terrorism have found their way to South Africa as well and have created the need for yet another type of security specialization.*

P8: *In the 1970's it was the old apartheid 'swart gevaar, and 'rooi gevaar' (fear of communism) that was the driver, and ex-military and police personnel moved into the PSI for better prospects.*

P13: *Commercial crime was always there and together with the threat of Communism and terrorism, created the access control and guarding industries. The biggest security employers were always the guarding industry, and in time they began to 'set their own standards.*

P14: *In the 1980s when terrorism and bomb threats were the order of the day – the industry mushroomed.*

P16: *Since the 1980s when there was an increased threat of terrorism.*

6.15 THEME 4: POOR POLICING

Apart from the political factors that fuelled the growth of PSI in South Africa, poor services rendered by the South African Police Services (SAPS) resulted in citizens looking for alternative services from the private security industry. Participants mentioned a number of reasons explaining why South Africans diverted their security needs to the PSI.

6.15.1 Capacity of police

Capacity in this study also referred to the number of police available to provide for the safety and protection of South African citizens. Participants revealed that there was fewer police, police were not visible or they were providing unsatisfactory services to the community. The following verbatim comments were recorded:

P2: *Poor policing- (SAPS can't address crime).*

P2: *... due to the inability of the police to deal with the situation extensively.*

P5: *Furthermore, concerns are raised about the quality of policing, the capacity of the police to manage crime and the declining trust and confidence in the police.*

P6: *Crime, the sophistication of crime, the inadequacy of police, no forward-thinking.*

P7: *The SAPS have deteriorated in service delivery and the employment standards have dropped in the SAPS.*

P8: *Consumers not having trust or faith in the public police to protect them and their property and limited resources of public police – less visibility.*

P13: *The SAPS's inability to deal with crime.*

P15: *Although the police force is appointed by the government to protect and safeguard the citizens of South Africa, they are totally understaffed, undertrained and incompetent to do so. The ratio, with regard to Private Security Officers and Police Officers, is currently two Security Officers to one Police Officer – this confirms the need–supply on demand.*

P16: *Reaction time. Fewer police resources due to sector policing. Armed response reaction of 3 min. SAPS may take up to 10 min.*

P17: *More and more people in urban areas could no longer rely on the protection provided by the Public Police as the population grew.*

P18: *Private citizens have acknowledged that the increase in crime and the population growth meant that public police resources are stretched. The ratio of one police official to citizens has widened to the extent that it has become almost unrealistic to expect public police to be everywhere at all times. In light of this changing circumstance, private citizens opted to pay to have their assets and person protected by the private security industry.*

6.15.2 Lack of Resources in the SAPS

Lack of police resources was another factor that influences the growth of PSI in South Africa. Participants revealed that the SAPS had fewer resources and South African citizens required more support regarding personal safety and security, which the SAPS could not provide. The participants responded:

P2: Public Policing failed South Africa – lack of skilled people in SAPS thus the need for private security.

P5: Furthermore, concerns are raised about the quality of policing, the capacity of the police to manage crime and the declining trust and confidence in the police.

P8: Limited resources of public police and the fact that the public police are not visible enough.

P9: In some cases, police don't have enough resources to safeguard private citizens effectively.

P12: As a result of apartheid, police resources were not used optimally to protect citizens and as a result, the need for private security role players increased.

It was confirmed that under-resourced police stations and poor service delivery of policing activities allow the PSI to thrive (Mbhele, 2019: np).

6.15.3 Lack of Skills

Apart from a lack of resources in the SAPS, participants also cited a lack of policing skills as the reason that fuelled the growth of the PSI. They felt that SAPS lack proper training, expertise, and equipment to help them conduct their business. Participants expressed the following views:

P2: The SAPS have deteriorated in service delivery and the employment standards have dropped in the SAPS.

P5: ... lack of skilled people in SAPS thus the need for private security, the SAPS is also viewed as poorly trained and equipped.

P9: In some cases, police don't have enough resources to safeguard private citizens effectively.

P11: *Changing the nature of the security threats/risks and inability of the police to provide the level of service required by the public.*

P13: *The general populations' loss of faith in the law enforcement community.*

P15: *Public police service doesn't have the training, skills, expertise, equipment or the will to carry out their mandate.*

6.15.4 Lack of trust and confidence in the police

One major reason for South Africans to turn to the PSI was a loss of confidence in and lack of trust in the South African Police Service. It became clear that the police were not working in favour of the communities they are serving. Participants expressed the following views:

P2: *Public Policing failed in South Africa.*

P3: *In recent times, I note great mistrust by the public for the police (I am a reservist in my area and feel the mistrust and disdain to the SAPS).*

P8: *Mistrust in the police. Consumers not having trust or faith in the public police to protect them and their property and limited resources of public police – less visibility.*

P9: *As the trust between civilians and the police continues to break down, more and more people who have the means to do so are turning to private security providers for protection.*

P12: *Broken trust between police and civilians (post-apartheid), no trust in police, the general populations' loss of faith in the law enforcement community.*

P19: *Police are seen to be corrupt, hence trust is an issue; the public's lack of confidence in the police has fuelled the growth of the Private Security Industry.*

Many studies (Friedman, 2015: np; Nalla & Prenzler, 2018:23; Shipman, 2019: np) confirm the increase in the number of private security companies especially in developing countries is attributed to ineffective and untrustworthy public security institutions. Hence, private security providers step-in when governments' failure to act swiftly to protect the citizens and the failure of the police to provide adequate security.

6.15.5 Corruption

In addition to the above reasons, it was revealed that corruption within the South African Police Service leads citizens to look at other ways of ensuring their safety. Participants made the following significant statements:

P8: Corruption within the industry since other people got employed even without proper certificates.

P9: Many South Africans believe that even those police who are not tainted by corruption or misconduct are simply incapable of providing adequate protection, or unwilling to make this a priority in all communities.

P13: No proper background checks are done within the industry which even allows even the criminals to join security.

P 19: Police are seen to be corrupt, hence trust is an issue; the public's lack of confidence in the police has fuelled the growth of the Private Security Industry.

The study found that a lack of skills, capacity, resources, confidence and escalating corruption among South African Police officers, forced people to employ the services of a private security company, for their own protection.

In the next section, the researcher discusses the findings relating to the regulation of the private security industry in South Africa.

6.16 THEME 5: FACTORS RESPONSIBLE FOR REGULATION OF THE PSI IN SOUTH AFRICA

To obtain data for the above theme, the researcher asked the research participants to respond to the following questions:

- What were the reasons giving rise to the government to pass legislation to regulate the PSI in South Africa, namely, the PSIRA ACT 56 Of 2001?

The factors responsible for the regulation of PSI in South Africa were divided into three categories, namely: (a) reasons for legislation to regulate the PSI in South Africa, (b) aspects of PSI that are being regulated and (c) effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in South Africa. The categories and sub-categories are listed in Table 25 below.

Table 25 Factors responsible for the regulation of PSI in South Africa

Categories	Sub-categories
The reasons for legislation to regulate the PSI in South Africa	Political reasons Benchmarking initiatives and aligning Address exploitation of security officers Growth of the security industry Statutory Control
The aspects of PSI that are being regulated	Training Remuneration Standards Code of Conduct Labour rights
Effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in South Africa	<u>Perception of regulatory frameworks as ineffective:</u> Duplication of Services Lack of capacity Poor control over some sectors of the PSI Lack of resources Security guards with criminal records Lack of compliance by companies <u>Perception of regulatory services as effective</u> Effective changing the behaviour of security

Categories	Sub-categories
	providers Successful in withdrawing the licenses of many non-compliant security service providers Brings awareness to the industry through compliance forums Adopts an enforcement strategy that focuses on criminal prosecution

6.16.1 The reasons for regulating the PSI in South Africa

This category deals with the reasons for the government to pass legislation to regulate PSI in South Africa namely, i.e. the PSIRA Act 56 of 2001. It addresses three categories, namely: (a) reasons for the government to legislate PSI, (b) the aspects of PSI that are being regulated and (c) effectiveness of current regulatory mechanisms/frameworks. These three categories are discussed in the following sub-categories.

6.16.1.1 Political reasons

One of the main reasons that lead to the South African government legislating the PSI was the fear of insurgency that was determined to destabilise the apartheid regime (Taljaard, 2008: np). The participants revealed that such a situation would make it impossible, for example, to control firearms and other weapons that may have put the lives of innocent South Africans in danger. The participants responded as follows:

P2: *The Act ensures that there is some state control over private security industry role players.*

P4: *... but it is known that in political circles, the Private Security Industry was perceived to be instruments of power in the hands of foreign governments. The PSI had to do a lot of work to convince politicians that it is not the case.*

P6: *It was mainly political because the new government had a fear of 3rd force and had to regulate the industry.*

P8: *However, in view of the growth of the private security industry, the government now views the regulation of the vast private security industry as key national importance in order to achieve and maintain a trustworthy and legitimate security industry which also do not pose a threat to national security.*

P13: *Largely the fear of a force that has more boots on the ground, more vehicles and more weapons than the Government forces do.*

P17: *During the apartheid era, the role of private security companies was tainted negatively by allegations of participation in political violence. The negative outlook encouraged the then founders to approach the apartheid regime with the request to formalise themselves into a regulatory structure. The Security Officers Board was then established. The move by the government to introduce the Private Security Industry Regulation Act, 56 of 2001, was to align the provision of the old legislation with the new Constitution of the country. The PSIRA Act 56 of 2005 also covered a larger scope and new areas than those that were previously not regulated.*

6.16.1.2 *Benchmarking initiatives and alignment*

The need for more effective regulation, funding challenges, the need to address more complex scenarios and changes in inadequate resources compromised effective regulation. There was a need to deal with security services offered outside the country and address criminality within the industry. Prior to the introduction of PSIRA, a regulatory body to set the rates payable for services was unreliable. This allowed security providers to undercut each other leading many to go bankrupt as a result. Certain 'board' member companies were being awarded all the lucrative tenders and were 'exempt' from maintaining certain standards. The following verbatim comments reflect these sentiments:

P7: *The new legislation...was to align the provision of the old legislation with the new Constitution of the country. The PSIRA Act also covered a larger scope and new areas than those that were previously regulated.*

P10: *... the institution of the Sectoral Determination Number 6 (SD6) as a 3-year term to fix wages and the rise of employer's organizations such as Security Services Employees Organisation, Security Industry Alliance, South African National Security Employers Association and the SAIS, meant affiliations to overseas bodies, which assisted the industry in benchmarking initiatives and aligning themselves to best practices in security internationally.*

P12: *... requiring all Guarding companies to wear only three specified shades of green in their uniforms – i.e. to look alike – and to be differentiated ONLY by shoulder flashes or some small insignia. This meant a 'guard was a guard, was a guard – regardless of who paid them.*

6.16.1.3 Statutory Control

The main reason for introducing the PSIRA Act 56 of 2001 was to give powers to the Regulator to introduce and enforce rules to regulate the private security industry. The Act must also protect the interest of the industry at large and it must protect the public, as well as the public and national interest. Participants responded as follows:

P2: *Originally in terms of the Security Officers Act, 1987 which saw the first Board established in 1990. This body was replaced by the Private Security Industry Regulatory Authority in terms of the Private Security Industry Regulation Act, 2001 which came into operation on 14 February 2002.*

P8: *... to ensure a legitimate, trustworthy and competent private security industry which is capable of contributing to the achievement and maintenance of sufficient levels of safety and security in the country.*

P11: *We needed to ensure that all statutory wages would be regulated like pension funds, UIF and of course continued development (training and development), statutory control for pricing rates (benchmarking initiatives).*

P15: *The Security Officers Board was introduced by the industry for the industry, but the board consisted of the major role players in the guarding industry and many of the “regulations” were introduced to benefit the board members companies and gradually a monopoly syndrome developed. Certain ‘board’ member companies were being awarded all the lucrative tenders and were ‘except’ from maintaining certain standards. The government then intervened to level the playing field and PSIRA was legislated.*

P19: *To exercise effective control over the security service providers and to promote a legitimate private security industry which acts in terms of the principles contained in the Constitution and other applicable law.*

6.16.2 The aspects of PSI that are being regulated

It became clear when participants were requested to state what they perceived to be regulated, that the majority of them mentioned that everything was being regulated. Direct verbatim quotes are as follows:

P8: *Regulate everything with regards to guarding industry... all aspects of work conditions...most of the security services which are stipulated in the PSIRA Act. The entire private security industry and all private security practitioners are to be regulated.*

P10: *SD6 covers everything from positions, time and attendance leave, salary, salary increases and uniform (similar to the BCEA, yet is signed by the various Unions, employer’s organizations and the Labour minister. PSIRA covers good governance and the PSSPF governs death, disability and the security pension fund.*

P17: *The current regulation focuses on effective monitoring of all forms of legislation that regulates this industry. The code of conduct which is the pillar of the regulation*

focus of the enforcing rights and obligations in relation to the State, members of the public and fundamental rights.

P18: The guarding sector – as this is the major funding group for PSIRA.

P19: The services offered by the PSI companies ensure that they are duly registered.

6.16.2.1 Training

One of the objectives of the Authority is to promote high standards in the training of security service providers and prospective security providers. Training service providers, by law, are required to be registered and accredited with PSIRA before services are offered. This is what some participants had to say about training:

P1: Security Training providers are also affected by the PSIRA ACT ... and minimum training requirements per service offered to the client.

P5: Performance of PSIRA accredited training providers with respect to the quality of training provision of PSIRA Grades has been seriously neglected and given very little if any attention.

6.16.2.2 Remuneration

Apart from the training of personnel in the PSI, the participants also raised remuneration as another aspect being regulated. This is what the participants answered about the remuneration:

P1: ... minimum and maximum hours and remuneration, as well as guidelines to the grades and training of the officers more especially training standards.

P3: Officers are still being paid very little which contributes to low morale in the industry it's known that a security job is the last resort, most people do it cause they

have no other option, very few actually choose it because they enjoy it if we can fix that we can correct a lot of issues within the PSI.

P5: My experience is that there is a general lack of commitment by employers to the qualities which are recognised and characterised as essential to a well-trained trained and professionally qualified security officer.

P13: There is generally a lack of an uncompromising commitment to the pursuit of excellence by many security employers and it impacts on security officers.

6.16.2.3 Standards

The standard of people entering the industry and companies operating in the security industry was another aspect which is regulated. This regulatory action does not necessarily regulate the integrity of people entering the industry. This is what participants had to say about regulating standards:

P2: The services offered by the PSI companies (ensure that they are duly registered) – and minimum training requirements and standards per service offered to clients.

P4: Standard of people entering the industry and companies operating in the security industry. This regulatory action does not necessarily regulate the integrity of people entering the industry.

P5: Key functions of PSIRA regarding training is to determine minimum statutory training standards for the industry and registration accreditation of training centres and instructors to present PSIRA statutory courses.

P12: Provides for amongst others, the regulation of minimum standards on the transportation of cash and other valuables, effective control and accountability of the use of firearms within the industry, improved regulation on the use of uniforms and insignia similar to our police services, defence force and other law enforcement agencies.

6.16.2.4 Code of Conduct

Research Participants 5, 6, 15 and 17 mentioned the code of conduct of private security providers as yet another aspect of the PSI which is being regulated. The responses of the research participants are reflected below:

P5: All providers of security services as stipulated in the SOB Act and PSIRA Act, including behaviour and code of conduct.

P6: The primary objective of law enforcement is to ensure that compliance with existing legislation by security service providers is being promoted and controlled through a process of active monitoring and investigation of the affairs security service providers. This includes the Conduct Code of Conduct prosecution.

P15: The entire private security industry and all private security practitioners are to be regulated. Methods of service delivery; code of conduct and best working practices.

P17: The current regulation focuses on effective monitoring of all forms of legislation that regulates this industry. The code of conduct which is the pillar of the regulation focus of the enforcing rights and obligations in relation to the State, members of the public and fundamental rights.

6.16.2.5 Labour Rights

The focus on the protection of labour rights was influenced largely by the participation of the trade unions, in particular, the former Transport and General Workers Union known in present-day South Africa as the South African Transport and Allied Workers Union (SATAWU). The following responses concern the labour rights of the PSI:

P3: ... all aspects of work conditions, minimum and maximum hours and remuneration, as well as guidelines to the grades and training of the officers.

P10: *Sectoral Determination 6 covers everything from positions, time and attendance leave, salary, salary increases and uniform (similar to the BCEA), yet is signed by the various Unions, employer's organizations and the Labour minister. PSIRA covers good governance and the PSSPF governs death, disability and the security pension fund.*

P17: *The focus on the protection of labour rights was influenced largely by the participation of the Unions, in particular, the former Transport and General Workers Union known in present-day South Africa as Satawu (South African Transport and Allied Workers Union).*

6.16.3 Effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in South Africa

The research participants were asked to respond to the following question:

- How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in South Africa?

The effectiveness of the current regulatory mechanisms or frameworks in the enforcement of the legislation of the PSI in South Africa, were other aspects perceived by participants as aspects to be regulated in the provision of private security services. This category was divided into two sub-categories, namely: (a) perception of regulatory frameworks as totally ineffective and (b) perception of regulatory frameworks as effective. These two sub-categories are discussed in the sections below.

6.16.3.1 Perception of regulatory frameworks as ineffective

Ten participants (1, 3, 4, 6, 7, 8, 11, 12, 13 and 15) were of the opinion that the regulatory frameworks in South Africa were ineffective due to many factors ranging from (1) duplication of services to (2) lack of resources and capacity. It is clear from the participants' views that the regulation of the PSI is hampered by many factors to ensure proper and effective regulation. The following sections discuss the participant's perceptions of the regulations to be ineffective.

a) Duplication of Services

Factors influencing ineffective regulation of PSI is a duplication of service provision. This is explained in the following direct verbatim quote:

P11: A high emphasis is placed on regulating minimum conditions of employment, firearms etc. which other government departments or agencies are responsible for in terms of their mandates.

b) Lack of capacity

Participants (1, 4, 6 and 15) mentioned lack of capacity and competences as another reason making it impossible to properly regulate the PSI. The following verbatim quotes are evidence of lack of capacity as mentioned by participants:

P1: Shortage of skilled inspectors, therefore some unscrupulous people/companies are flouting the system.

P4: I suspect that it is not very effective and that people and companies (specifically rural areas) are not always caught in the net of regulatory action.

P6: Not effective at all. Still many fly by night companies. Non-compliance. Not effective enforcement.

P15: The lack of capacity - PSIRA is also seen to be short-staffed, PSIRA not effective in overseeing pricing of security providers.

c) Poor control over some sectors of the PSI

Participant 7 and 14 revealed that there was still poor control over some sectors of PSI for instance key cutters. This is what participants said about illegal operators, in particular, key cutters:

P7: *We still see a number of companies operating illegally and use non-registered security guards. PSIRA is not completely in charge of catching them.*

P14: *The PSIRA Act says that the cutting of keys is regulated – but there are key cutters all over the country that are not signed up, not fingerprinted, and not paying. The same can be said of most aspects of the industry – see the response below.*

d) Lack of Resources

Lack of resources was yet another factor identified as a reason for the ineffective regulation of PSI. Participants' answers regarding lack of resources are the following:

P7: *They are improving as stated above but they remain hugely ineffective due to a lack of resources (PSIRA are self-funding) and a lack of awareness and understanding of the PSI within their staff.*

P9: *... the practical implementation of many of these provisions has been unsuccessful – dogged by lack of resources and manpower... experiencing challenges to regulate effectively in view of limited resources.*

P10: *... limited resources are available to regulate a vast and growing security industry...*

P15: *I am confident they would like to do more but don't have sufficient resources to do so at this time.*

e) Security Guards with criminal records

One participant revealed that there is a problem over control of screening security guards as they are employed. He mentioned this problem in the following manner:

P19: *They are not effective enough. We still experience security guards with criminal records, some with a fake certificate and so on.*

f) Lack of compliance by companies

Complying with regulations is certainly an important activity within the PSI. Some participants expressed the view that there was a lack of compliance by some companies to compliance:

P4: Generally ineffective as many companies are non-or partially compliant with the PSIRA Act and related Labour Law.

P6: Not effective at all. Still many fly by night companies. Non-compliance. Not effective enforcement.

Only one participant indicated that a serious shortcoming in the current legislation is its failure to regulate security devices and new technologies and aspects related to cyber-security and crime:

P5: ... new technologies and cybercrime are absent in the legislation and that is a big shortcoming.

6.16.3.2 Perception of regulatory services as effective

Fewer participants (3, 8, 12 and 17) perceived the framework regulating the PSI to be effective. They mentioned that the current regulation is very effective and has in many areas managed to change the behaviour of security providers. One positive aspect is the introduction of an internal PSIRA Tribunal, which has not only suspended but also withdrawn the licenses of many security service providers. The answers are as follows:

P3: ... the regulations are quite effective and provide a reasonable framework, the problem is with the implementation and enforcement since PSIRA can only 'police' registered companies, if it doesn't know or can find out about unregistered and rogue operations, it can't police and ensure they operate within the law.

P8: Very much effective as most of the recipients (clients) of these services requires compliance certificates before appointing security service providers. It's not easy for non-compliant security service providers to work for more established organisations.

P12: Regulation makes security officers aware of their hourly rates. Due to competitiveness, companies not complying to stipulated regulations are always exposed.

P17: the effectiveness of enforcement depends on the law enforcement strategy that supports the regulatory framework. PSIRA's two-prong strategy aims to bring awareness through compliance forums and secondly, to the enforcement strategy that focuses on the criminal prosecution of those who know their obligations but choose to evade the law.

In addition to finding out their views on the effectiveness of the legislation, the researcher questioned the South African participants on aspects in the PSIRA Act 56 of 200, that needs to be amended.

The following points summarise key issues which participants feel must be dealt with when the PSIRA Act is amended. These include addressing effective governance and capacity of the Private Security Industry Regulatory. Currently, the PSIRA is not funded by the government that impact on the lack of resources, which compromise effective regulation by PSIRA. Participants felt that more resources are needed for effective regulation to take place. The number of non-compliant service providers and rising crime within the sector requires more intervention and commitment by the South African government, must be given serious attention by the Regulator.

6.17 THEME 6: GENDER DISCRIMINATION AND THE PRIVATE SECURITY INDUSTRY IN SOUTH AFRICA

In the present study, women's involvement in the PSI was not a factor linked directly to the growth and regulation of the industry in South Africa. However, during the pilot study it became apparent that gender bias in the PSI required further exploration.

The researcher revised the qualitative questionnaire and participant's were asked to respond to the following question:

- What are some of the barriers that prohibit females from joining the PSI in South Africa?

Research participants (2, 7, 8 and 13) in this study mentioned that gender differences between male and female roles play a major role in the discrimination against women in the PSI in South Africa. Issues of men not being able to comply with a female supervisor, females not perceived as equals to males but viewed by society as subservient to males. Participants expressed the following views about gender discrimination of females in PSI in South Africa:

P2: Also, within traditional African cultures (and elsewhere in 3rd world and or developing countries), at times a male won't be so compliant to a female superior; Females are not treated as equals. Subservient to males.

P7: Old guard refuses to change. Still hold high roles. Paternalistic patronising roles. PSI chauvinistic character. Pre-apartheid police guarding.

P8: I tend to believe that men tend to perceive that security is a man's domain when it comes to senior positions.

P13: Many clients insist on males to be put on their sites especially retail because the stigma is that the females are lazier than their male counterparts. And of course, certain sites only call for males, especially the industrial sites and ad hoc sites.

The study found that woman are discriminated against by their male counterparts in the PSI as a result of the following reasons:

6.17.1 Being feminine a major misconception about women in the security industry

Research Participants 2, 9, 11, and 16 indicated that many employers in the PSI do not prefer women because of various misconceptions and these include the fact that women get pregnant and require lengths of leave from work, time required to raise children, vulnerability of women and the fact that women are more emotional as compared to men. This is what research participants had to say about women being feminine:

P2: Another simple reason may be the fact that females do get pregnant and therefore may be absent for long periods and they are still viewed as care-takers and need to stay at home and look after the kids. Breaks in employment/service due to personal circumstances (e.g. children).

P9: Females require more time off to have to raise families; Misconception that the security industry has always been a male dominant industry; Misconception that females will be vulnerable and high risk to cope with an immediate, dangerous situation.

P11: Belief that women are not operationally effective as men in the general security arena, such as military and police – e.g. they lack strength and aggression.

P16: I think the fact that women are considered more emotional – and can get pregnant - are real factors that probably still influence male-management thinking.

6.17.2 Being inexperienced and lacking exposure to the security industry

Since employment trends in the security industry prefer males, women are further discriminated against by not being considered for such positions, largely due to the gender bias of men especially in the PSI towards women. The following statements by research participants confirm this position:

P3: Women are not exposed to the security environment.

P12: *Lack of experience and exposure to managing business in a male-dominated sector. Bias and experience from male counterparts. It probably stems from the fact that it is a male-dominated industry. It is historically a male-dominated industry with a high number of managers coming from the state security forces or agencies such as SAPS, SANDF, etc. Private Security Industry has been predominantly reserved for males in the past.*

P15: *Of course, one cannot deny the danger for women especially firearm trained security officers.*

6.17.3 Being weak and lacking physical strength to perform in security work

The perception that women do not have the physical strength and attributes to respond to security-related incidents was articulated in the following statements:

P4: *Some work needs physical strength. Shift work for females, perceived dangers of security work after dark.*

P7: *Many people in the industry still view females at the “weaker sex” inexperienced and “too weak” to take charge.*

P11: *Misconception that emotionally females are weaker than their male counterparts.*

P14: *They choose to work in quiet areas where there is no crime. This makes them weak and management not to believe in them.*

P18: *Females are considered to be weak. Women are easily manipulated.*

6.17.4 Traditional employment trends in the security industry

It became clear from the responses of participants during interviews that traditional employment trends in the security industry still play a major role, even nowadays.

This is associated with the fact that many employers prefer the deployment of men in their sites over women. This is because men have always been employed to work in the security industry. This is what participants had to say about employment trends and the security industry:

P1: Of significant importance is the fact that males have always formed the larger part of the workforce, especially in the private security industry, since the job was considered risky. This is why very few women work in the private security industry.

P5: Due to the nature of the environmental requirement, not many women are able to work at lower levels within the PSI. Like most jobs, the operational experience put someone in a better position to take over the higher position when the time arrives. Skills, men tend to study further a lot more than their female counterparts.

P15: The guarding sector which predominantly utilises human as opposed to machines to render services have preferred male security officers as instead to females. Some companies say that clients demand specific gender and others say it depends largely on the type of site where security is required to be deployed. Females are found predominantly in the retail and hospitality sector.

During the data collection phase, the researcher asked South African participants to identify any gaps or shortcomings in the current legislation that regulates the PSI in South Africa. Participants 2, 5, 12 and 17 indicated that the Act must be more specific when it comes to paying fair wages to security officers. The inspectorate division of PSIRA is under-staffed and there are too few inspectors to oversee such a large industry. Non-registration of security officers and companies is seen to be an increasing problem. Finally, lack of oversight and monitoring of security officers on-site by security companies are seen as impediments to effective regulations.

6.18 CONCLUSION

In this chapter, the analysis and interpretation of the data were presented in two sections, due to a large amount of data collected from the research participants responses during personal interviews and the returned email qualitative

questionnaires. In Section A, the researcher presented and discussed the findings of data collected from a sample of Indian research participants. The analysis and interpretation of the data collected from the South African sampled are discussed under Section B. To assist with the analysis and interpretation of the data, the researcher adopted Braun and Clarke's (2006) six-phase framework for thematic analysis. Following on from this process, the five themes emerging from the data collected from Indian participants were grouped into: reasons for joining the PSI, socio-economic factors responsible for growth of PSI, political factors influencing the growth of PSI, poor policing impacting the growth of PSI, factors responsible for regulation of PSI and gender discrimination and the PSI in India.

The themes from data analysed from South African participants were clustered into the reasons for joining the PSI, socio-economic factors responsible for the growth of PSI political factors influencing the growth of PSI, poor policing impacting the growth of PSI, gender discrimination in the PSI and finally, the factors responsible for the regulation of PS in South Africa.

The Indian participants joined the PSI for personal reasons including previous experience in the armed forces and the need to use their expertise, whilst South African participants confirmed they entered the PSI because it afforded them better career opportunities, more attractive salaries, retrenchments from the army and for being head-hunted by the private security industry.

There were a number of similarities and divergent views from both samples on the factors contributing to the rapid growth of the PSI in their respective countries. Participants in both sample groups expressed pertinent views on the socio-economic reasons that contributed to the growth of the PSI in India and South Africa. Amongst others, the Indian participants felt the growth in the Indian economy coupled with a rise in population growth, are key factors stimulating growth in the PSI.

South African participants suggested that rising unemployment rates and poverty, coupled with the increasing number of illegal immigrants entering the country and growth in personal wealth, contributed to the increase in the number of private security companies, operating in the country.

Another factor contributing to the growth of the PSI in India and South Africa is citizen's fear of insecurity, and this gives rise to a growing need by citizens to demand more protection. More specifically in India the public's fear of terrorist attacks contributed to private security growth, whilst in South Africa, participant's fear of political unrest and civil disobedience is mentioned as reasons for its growth.

In addition, participants' in both countries confirmed that the current legislation regulating the PSI in India and South Africa have not proven to be effective in regulating this growing industry in the two countries. The gaps identified by the Indian participants include weak enforcement of the regulations by the Controlling Authorities across all States in India, lack of official records and poor control over some of the sectors of the industry. These factors makes the legislation to be ineffective. The South African participants felt that inadequate government funding impacts on the Regulatory Authority to execute its mandate effectively and which compromise effective enforcement of regulation by PSIRA. Participants confirmed that the increase in the number of non-compliant service providers and rising crime within the sector is a consequence of weak enforcement of the legislation.

CHAPTER 7

DISCUSSION OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

7.1 INTRODUCTION

This chapter will discuss the findings of the documentary analysis outlined in Chapter 4 and the data that was analysed and presented in Chapter 6. This chapter highlights the main findings of India and South Africa; it presents a confluence of general themes and categories related to these two countries; it answers the research questions; provides valuable recommendations for further research, and lastly, it concludes the dissertation.

The purpose of the study was two-fold: to explore the factors and reasons leading to the rapid growth and regulation of the private security in India and South Africa and secondly, to describe the gaps in the in the regulatory legislation that regulates the private security in India and South Africa.

To achieve this, the researcher focussed on the following objectives, namely to:

- examine the factors and reasons promoting the growth and rise of the private security industry (PSI) in India and South Africa;
- examine any gaps in the Private Security Agencies (Regulation) Act 29 of 2005 (India) and the Private Security Industry Regulation Act 56 of 2001 (South Africa) in regulating the PSI;
- explore whether the PSAR Act 29 of 2005 and the PSIRA Act 56 of 2001 have been effective in regulating the private security industry in India and South Africa; and
- examine theoretical frameworks relevant to regulating the private security industry.

To address the research problem and find answers to the research questions, the researcher used a qualitative research design to delve deeper into the phenomenon and data was collected about it in the two countries.

The researcher used qualitative research methods, specifically a case study design and conducted personal interviews supported by a qualitative questionnaire, emailing the qualitative questionnaires to participants, as well as documentary analysis techniques to achieve the purpose and objectives of the study. The boundaries of the research were restricted to the two cases, namely India and South Africa. A pilot study was conducted and the qualitative questionnaire was adapted where necessary.

Regarding the main research, the sample in India consisted of elected members of the Board of Governors (BOG) of the International Institute of Security and Safety Management (IISSM) located in New Delhi, India. Fifteen (15) participants from the BOG of IISSM agreed to participate in the study. From this group, seven (7) participants were interviewed personally by the researcher and eight (8) responded only to the qualitative questionnaire sent by email.

The South African sample constituted elected members of the BOG of the South African Institute of Security situated in Johannesburg and Pretoria (Gauteng), South Africa. Nineteen (19) participants from the BOG of SAIS participated in the study. The researcher conducted eight (8) one-on-one interviews with South African participants and eleven (11) members responded to the qualitative questionnaire sent by email.

The study addressed the following research questions: What are the factors and reasons leading to the rapid growth and regulation of the PSI in India and South Africa? How effective is the current regulatory practice in enforcing the legislation that regulates the private security industry in India and South Africa? What are the theoretical frameworks applicable to India and South Africa, relevant for regulating the PSI? How could policymakers enhance the regulation of the PSI in both countries?

The responses to these questions in main and question-specific responses are discussed in two sections. SECTION A – India and SECTION B – South Africa.

7.2 SECTION A - FINDINGS: INDIA

Data from the Indian participants' responses were grouped into five themes namely; (1) reasons for joining the PSI; (2) socioeconomic factors contributing to the growth of the PSI in India; (3) citizens' fear of insecurity; (4) gender disparities within the PSI and (5) the regulation of the PSI in India.

The majority of the sample from India were male, with an average of 23 years of experience in the PSI. Most of them confirmed they were attracted to join the PSI because of its growth and the entrepreneurial opportunities that come with it. Some saw it as diversifying their talent into another career. The participants confirmed that their previous experience in the armed forces could benefit the PSI.

In response to the question: What are the reasons driving the growth of the PSI in India, the growth and expansion in the Indian economy are cited as the most prevailing factor that contributed to the growth of the PSI. There were a number of socio-economic factors promoting the growth of the PSI in India and these were categorised into: a growing economy and population growth and the sub-categories included: accumulation of wealth and property, rapid growth and infrastructure, increased urbanisation and use of technology. Citizens' fear of insecurity as a result of frequent terrorist attacks, shortage of police, demands from the corporate sector for additional security measures and corruption and crime, were other factors cited by participants' in India, that spurred on the growth trajectory of the PSI in that country. Gender discrimination was a common practice in the PSI in India and participants perceived it as a male-dominated industry.

The key factors identified for regulating the PSI in India were to clamp down on the increasing number of unlicensed security agencies and secondly and to curb rampant exploitative practices in the industry. Participants indicated that police do not have enough resources to implement the laws, prompting illegal operators to enter the security industry. Participants confirmed that the PSAR Act of 2005 has not

been effective in ensuring uniform implementation of the Act across all States in India. This resulted in the existence of a number of unlicensed security agencies. Hence, a gap identified in the existing regulatory framework by Indian research participants is the challenge to ensure the PSAR Act 29 of 2005 is implemented uniformly across all States in India. Despite these negative perceptions, some participants reported that the regulation is effective in dealing with cases of misconduct amongst security agencies.

7.3 SECTION B: FINDINGS: SOUTH AFRICA

The age of the participants from South Africa ranged between 45 years and 75 years and only two participants were female. The study found that the majority of the participants had some form of previous military training and they used the experience and training when they joined the PSI. The literature (Berg & Nouveau, 2011, 279; Botha, 2015: 45) confirms ex-army members had a positive disposition towards finding employment and/or better career opportunities in the private security industry, in South Africa.

Based on the findings of this study, it became clear that the growth of PSI in South Africa is attributed to a number of factors. These factors were grouped into four themes, namely; factors responsible for the growth of PSI, socio-economic factors, political factors and poor policing. The factors responsible for the regulation of the PSI was another distinct theme.

The socio-economic factors responsible for the growth of PSI in South Africa were categorised into population growth, illegal immigration and economic factors. Participants confirmed as the population grew, more people in urban areas could no longer rely on the protection provided by the South African Police. Poverty and unemployment were other reasons (as a sub-category) identified as factors contributing to the growth of the PSI. These factors may increase the chances of citizens falling victim to crime, especially violent crime, like home invasions, hence the need for added protection.

Most of the participants confirm that PSI growth is a consequence of the increase in criminal activities in South African communities and this resulted in citizens feeling

insecure and vulnerable. Participants felt the general increase in lawlessness, rising crime levels and sophistication of crime, as reasons influencing the growth of PSI in South Africa. Citizens' fear and concern for violence and theft are causing more residents and corporates to turn to the PSI for personal crime prevention methods to protect their lives and property. Fear of crime, especially among the middle class, has led to the expansion in South Africa's private security industry since apartheid ended 25 years ago.

The majority of the participants felt the PSI was growing since it is a desirable opportunity to provide safety and security to South African citizens. Participants revealed that the PSI was quicker to respond, as compared to the South African Police Service (SAPS). Others felt due to competition among armed response companies, citizens' make use of security companies because of quicker response times. Participants revealed that customers hold private security companies accountable for the services they are contracted to provide, in the form of Service Level Agreements, thus contributing to its growth.

Apart from the accountability to their clients, research participants also revealed that the private security personnel were better skilled than the government police. It became clear that private security provided personalised services that matched the needs of their clients. The clients preferred the PSI since they provide a better array of services, which the South African Police Service lacked the ability to do, thereby contributing to its growth. Additionally, some participants viewed the ability of the government to protect its citizens as less efficient. Hence, a profit motive spurs the PSI to provide better services or lose out to their competitors. In the study, research participants indicated that they could trust private security companies more, as compared to government police whom the public had lost complete trust and confidence.

PSI growth in South Africa was influenced by economic opportunities, resulting in the acquisition of private wealth and assets, especially by the middle class who have the resources to pay for security services. In this study, the participants claimed the increase in the number of new shopping malls, gated communities and free-standing homes within South Africa, created a need for additional security and private security companies have been contracted to provide security for these establishments,

thereby creating a demand for these services. The wealthy citizens rely on their own private security to secure their safety especially in private security villages or gated communities.

Another theme identified by South African participants was political factors influencing growth in the PSI and from this, the following categories were identified, namely; fear of political violence, being scared of civil unrest and being scared of terrorism. In post-apartheid South Africa, the rise in crime was attributed to the change in the profile of crime incidents from government targeted disobedience or terrorism, to the public-facing broader criminality (Gould, 2017: np).

Civil unrest associated with post-apartheid South Africa was another factor that fuelled the use and growth of private security. Being scared of terrorism was a reason given for the growth of the PSI in South Africa, although the responses have to be seen in the context of the participants' own experiences of terrorism in South Africa, during the time when there was political turmoil in the country during the 1980s, when terrorism and bomb threats were random and frequent. In post-apartheid South Africa, the literature (START Report, 2017: np) confirmed that South Africa does not feature in the list of the countries in the world, most likely to be attacked by terrorists.

Under the theme poor policing, the participants identified police capacity, insufficient resources, lack of skills, lack of trust and confidence in police and corruption as factors contributing to the growth of the PSI in South Africa. The high ratio of the number of private security officers and police officers renders the SAPS incapable of coping with rising crime rates. When this occurs, consumers lose trust or faith in the public police to protect them and their property and limited resources of public police make them less visible, which renders the South African Police Service incapacitated to deal with escalating crime rates.

The respondents felt the breakdown of the trust between civilians and the police leads more and more people who have the means to pay, to turn to private security providers for protection. The study confirmed corruption within the South African Police Service leads citizens to look at other ways of ensuring their safety.

The categories identified for regulating the PSI in South Africa were grouped into the reasons to introduce legislation to regulate the PSI in South Africa, the aspects of PSI that are being regulated and the effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in South Africa. Some of the reasons participants gave to introduce new legislation to regulate the PSI in South Africa include political reasons, benchmarking initiatives and alignment, to address the exploitation of security officers, the rapid growth of security industry and to maintain statutory control.

The study found that most of the participants viewed the regulatory frameworks controlling the PSI in South Africa to be ineffective and ascribed these to several factors, ranging from, duplication of services to, a lack of resources and capacity. Despite this negative perception, some participants felt that the existing regulatory framework is satisfactory to change the behaviour of security providers, it has been successful in withdrawing the licenses of non-compliant security service providers, the regulations create awareness to the industry through compliance forums and the regulatory framework adopts an enforcement strategy that focuses on criminal prosecution.

The study further found gender discrimination in the PSI in South Africa is common and some of the barriers prohibiting women from entering the PSI are the traditional stereotypes males hold against females, such as lack of physical strength and an attribute especially required for the guarding industry.

Based on the discussion of the findings, some common overlapping themes emerged from participants in India and South Africa, explaining the factors and reasons driving the growth and regulation of the PSI in the two countries. These are discussed below.

7.4 CONVERGENCE OF COMMON THEMES AND CATEGORIES

From the findings of the study discussed under Sections 7.2 and 7.3, the researcher identified five common converging themes from the data obtained and analysed from

the research participants in India and South Africa. The findings show that both sample groups indicated, (1) socioeconomic factors, (2) political factors, (3) citizens' fear of insecurity and rising crime rates, and (4) poor policing, as the primary reasons responsible for the growth of the PSI in India and South Africa. The fifth category was thematically clustered under the factors responsible for regulating the PSI in the two countries. In addition, the participants identified several weaknesses on the part of the Controlling Authority (CA) in India and the Private Security Industry Regulatory Authority (PSIRA) in South Africa, in the effective implementation of the regulations. Table 26 summarises the convergence of themes, categories and sub-categories identified by research participants in the study in both India and South Africa.

Table 26 Convergence of Common Themes and Categories

THEME	INDIA	SOUTH AFRICA
PRIMARY FINDING: SOCIO-ECONOMIC FACTORS RESPONSIBLE FOR GROWTH OF THE PSI	SECONDARY FINDING: Growing economy and population Growth/Rise in population Rapid growth and infrastructure Increasing urbanisation Growth of the middle class Use of technology	SECONDARY FINDING Unemployment, illegal immigrants, growth in personal wealth A growing number of foreign migrants entering South Africa Growth in private property Increase in personal wealth PSI perceived as a money-making scheme Technological growth and PSI
CITIZENS FEAR OF INSECURITY	Growing need and demand for protection Low police to citizen ratio Demands of the corporate sector and private industrial units Corruption and crime	The rise in crime associated with insecurity of citizens An increased need for safety and security of South African citizens The insecurity of citizens and PSI seen as a desirable way to provide safety and security
POLITICAL FACTORS INFLUENCING GROWTH OF PSI	Increase in terror attacks Frequent terrorist attacks	Being scared of political violence Being scared of civil unrest

THEME	INDIA	SOUTH AFRICA
<p>POOR POLICING</p> <p>INFLUENCING GROWTH OF PSI</p>	<p>Policing Factors</p> <p>Shortage of police</p> <p>Corruption</p>	<p>Policing Factors</p> <p>Capacity of police</p> <p>Lack of resources</p> <p>Lack of skills</p> <p>Lack of trust and confidence in the police</p>
<p>FACTORS RESPONSIBLE FOR REGULATION OF PSI</p>	<p>Regulatory Factors:</p> <p>Issues which led to regulation of the PSI in India-</p> <p>Growth of unlicensed security agencies</p> <p>Combating the exploitation of security personnel</p> <p>The aspects of PSI that are being regulated:</p> <p>Licensing and inspection by the Controlling Authority</p> <p>Vetting of security guards</p> <p>Effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in India:</p> <p><u>Perception of regulatory frameworks as ineffective:</u></p> <p>Lack of records for implementation of PSAR Act</p> <p>Weak enforcement of regulations in some States</p>	<p>Regulatory Factors:</p> <p>The reasons for legislation to regulate the PSI in South Africa-</p> <p>Political reasons</p> <p>Benchmarking initiatives and alignment</p> <p>Address exploitation of security officers</p> <p>Growth of the security industry</p> <p>The aspects of PSI that are being regulated:</p> <p>Training</p> <p>Remuneration</p> <p>Standards</p> <p>Code of Conduct</p> <p>Labour Rights</p> <p>Effectiveness of current regulatory mechanisms/frameworks in the enforcement of the legislation of the PSI in South Africa:</p> <p><u>Perception of regulatory frameworks as ineffective</u></p> <p>Duplication of Services</p> <p>Lack of capacity</p> <p>Poor control over some sectors of the PSI</p>

THEME	INDIA	SOUTH AFRICA
	<p>Lack of official records and statistics</p> <p>Not enough resources to implement the laws</p> <p>The regulation does not clear a level playing field</p> <p>Does not help to consolidate the industry</p> <p>All States act on their own and not all have implemented it</p> <p>If PSARA was attractive all States would have to be aligned</p> <p>The act has no teeth as it stands</p> <p>The big weakness is the consultation with PSAs and stakeholder took place after enactment</p> <p>Being PSARA compliant is never a qualifier for submitting a tender</p> <p>Level of enforcement by CAs differ from state to state</p> <p>No national conformity for implementation of PSA Act across all States</p> <p>Admin machinery to set up CA was challenging to poor resource allocation</p> <p>Shifted additional responsibilities to the police to take over the administration of the PSAs”</p> <p>Still many unregistered PSAs operating</p> <p><u>Perception of regulatory frameworks as effective:</u></p> <p>Helpful in stopping unlicensed</p>	<p>Lack of resources</p> <p>Security guards with criminal records</p> <p>Lack of compliance by companies</p> <p><u>Perception of regulatory</u></p>

THEME	INDIA	SOUTH AFRICA
	businesses Facilitated dealing with cases of misconduct amongst security companies	<u>frameworks as effective:</u> Effective changing the behaviour of security providers Successful in withdrawing the licenses of many non-compliant security service providers Brings awareness to the industry through compliance forums Adopts an enforcement strategy that focuses on criminal prosecution

7.5 DISCUSSION ON CONVERGENCE OF COMMON THEMES

The aim of the study is to determine from research participants the factors and reasons contributing to the growth of the private security industry in India and South Africa and the concomitant need to regulate the industry in the two countries. The purpose of the study was firstly, to explore the reasons leading to the rapid growth and regulation of the private security in India and South Africa and secondly, to describe the gaps in the in the regulatory framework regulating the private security in India and South Africa. To do this, the researcher considered four research questions listed below and the findings linked to the research questions are discussed.

RESEARCH QUESTION 1

- What are the factors and reasons contributing to the growth and regulation of the PSI in India and South Africa?

In this study, the researcher set out to discover the factors and reasons driving the growth of the PSI in India and South Africa. The primary findings from both sample groups confirm; socio-economic factors, citizens' fear of insecurity and rising crime rates, political factors and poor policing, as the main reasons responsible for the growth of the PSI.

Across the globe, especially in developing countries, socio-economic factors manifest itself in various forms, for example, lack of education, access to basic services (water and sanitation) over-population, various forms of discrimination such as race, gender, and wealth, including unemployment and corruption (Mawby, 2018: np). These factors play an increasing role and often determine how people react to the State's responsibility to protect its citizens. It can also have a negative influence on the economic activity of the citizens of the country (Mbhele, 2019: np).

In India, the findings confirm that growing economy, population and infrastructure, coupled with increasing urbanisation, increase in personal wealth of the middle class and use of technology contributed to the expansion of the private security sector. The research found economic growth led to an increase in criminal activities and this created many business opportunities for the private security industry to thrive.

In India, another socio-economic indicator driving the increased demand for security services has been attributed to the rise in the GDP per capita of the employed sector. Consequently, wealthy citizens spend more acquiring luxury items, prompting the need for greater protection (Grant Thornton, 2015: 16). In addition, rapid spending by the Indian government on infrastructure projects such as the construction of new airports, shopping malls and smart cities, combined with increasing urbanisation, growth of the middle class as well as greater use of technology, stimulated growth in the private security sector. Notwithstanding this, Gandal's (2018) assessment of the PSI in India and the Grant Thornton (2015:16) reports, confirmed widespread growth of the PSI is attributed to the escalating expansion of the Indian economy over the last ten years. Hence, the need for private security increases as more people amass wealth and personal possessions (McElreath et al2013).

Studies on the PSI in India and South Africa corroborate that increasing levels in personal income wealth lead to the acquisition of private property (Gumedze, 2016b: np; Krishnan, 2017: np), resulting in the need for the provision of additional security for those who can afford it (Mawby & Gill, 2017: 261).

In South Africa, socio-economic factors such as rising unemployment, an increase in the number of illegal immigrants entering the country, growth in personal wealth, increased ownership of private property, and the changing modus operandi of criminals stimulated the demand for private security services and the type of services required by the client. The South African participants confirmed poverty and unemployment, coupled with a rise in crime were associated with the growth of the PSI.

The use of technology was another factor given for the growth of the PSI in India and in South Africa, resulting in more service providers entering the market. This finding concurs with Gill (2014:67) and Adam's (2015: np) conclusion that increased demand especially for CCTV surveillance and monitoring and increased demand for hi-tech security equipment (Whitmore, 2014: np) sparked the growth of the PSI. Whitmore (2014: np) concluded that emerging and new technologies will impact directly on the PSI and these disruptions will force the industry to identify new ways to create efficient procedures and collect data to develop new strategies to mitigate security risks and threats. Therefore, answers to these security challenges can be a combination of skilled human capacity, processes and technology.

In South Africa, the trend for people to move to 'gated' neighbourhoods, to enjoy a sense of peace and safety, gave rise to the provision of private security services. These observations correlate with the findings of other researchers who explored the reasons for the growth of the PSI in South Africa; for example, Berg and Howell (2017: 275), Davis (2019: np) and Mabena (2017: np) arrived at similar conclusions.

Citizens' fear of insecurity and growing need and demand for protection were other findings which participants from both sampled groups indicated as reasons for the increased use of private security services, in India and South Africa countries. The findings of Krishna-Kumar (2016:np) and Whitmore (2014: np) confirmed that more private citizens resort to private security due to citizens' perception that crime rates are increasing and fear of crime or becoming victims of crime contributed to the growth of the PSI.

In South Africa, rising crime rates, especially home robberies and car-hijackings forced citizens to look for alternative forms of security and protection. The results of the 2017/2018 Victims of Crime Survey (VCS) reported by Statistics South Africa confirmed these sentiment (Statistics South Africa, 2017: np). The VCS (2017/2018) found South Africans most feared type of crime is being a victim of home invasions and almost half of the urban households installed physical measures to protect their homes, and most employed private security services, for their protection (Statistics South Africa, 2017: np).

Private security companies in South Africa contributed in a number of ways to ensure businesses, communities and citizens protect themselves. They provide alarm systems linked to a central monitoring station and despatch alarm response teams when there is an alarm activation. In this instance, the researcher concluded that the PSI is perceived as a desirable alternative of filling the gap to provide additional safety and security.

Another finding is the research participants from both India and South Africa confirmed that poor policing and lack of confidence in the police have an effect on the growth of PSI. Internationally, the number of private security officers (PSOs) exceeds the number of public police officers (PPOs) and India and South Africa are no exceptions (Forbes: Statista, 2017: np). The literature (Berg & Howell, 2017: 275; Krishna-Kumar, 2016: np; Nalla & Prenzler, 2018:23; Shipman, 2019: np) confirmed in India and South Africa, low number of police officers are available to service the increasing population and this encouraged the growth of security services in the industrial, commercial and domestic sectors. In light of this changing circumstance, private citizens opted to pay to have their assets and persons protected by private security.

Political factors influencing the growth of PSI was another factor contributing to the growth of the PSI in India and South Africa. The rise and frequency of terrorist attacks especially in India encouraged citizens who can afford to pay for the services, to contract private security for additional protection. Participants in the South African sample felt the growth of the PSI is a consequence of increased

political violence, service delivery protests, and civil unrest, where people use private security services to ensure their personal safety and security.

However, since India and South Africa are developing countries, the growth of the PSI demonstrates inequalities among the citizens of these countries, especially between the wealthy and the poorer citizens. The growth needs to be seen against the context of those who can afford to pay and those who cannot afford to pay for such services to ensure safety for themselves, their families and assets.

RESEARCH QUESTION 2

- How effective is the current regulatory practice in enforcing the legislation that regulates the PSI in India and South Africa?

Another finding of the study relates to the factors influencing the need to regulate the PSI in India and South Africa. The intention for the regulation of the PSI is to promote public confidence in the industry and the literature found regulators serve the best interests of the public and are legally bound and accountable to the public and the industry it regulates (Grabosky, 2017: 148).

In India, the factors leading to the regulation of the PSI include the growth of unlicensed security agencies and combating the exploitation of security personnel. The Indian participants felt that the PSAR Act of 2005 has several limitations and shortcomings. From the outset, the process of promulgating of the PSAR Act was problematic. It was 'rushed' through Parliament through an 'extraordinary' process and finally gazetted on 23 June 2005. During this process, the government hardly consulted with industry stakeholders during the drafting of the legislation (Sinha, 2018. Personal Interview. 28 November 2018). As a result, participants in India cited lack of official records and statistics for implementation of the PSAR Act, weak enforcement of regulations in some States and not enough resources to implement the laws, as reasons why they felt that the PSAR Act was not effective in regulating the PSI in India.

Another factor contributing to the weak implementation of the PSAR Act 29 of 2005 is the delay by some States in India to implement the regulations, whilst other States have embraced it and have made substantial progress to ensure its implementation.

The intention of the PSAR Act of 2005 was to ensure that every security service provider must be registered with a Controlling Authority to provide such a service. However, in the absence of any effective enforcement of the regulatory framework in some States, participants mentioned that this allowed unregistered security agencies to operate illegally. Influential industry role players and representatives admit that a lack of standardisation and professionalism is giving the industry a bad reputation.

Some of the key observations associated with poor implementation of the PSIRA Act 56 of 2001 in South Africa, is a lack of capacity on the part of the Regulator to enforce the regulations as determined by the PSIRA Act 56 of 2001. This loophole creates opportunities for unscrupulous and illegal operators to continue to operate and also to go largely unnoticed. The shortage of trained inspectors with requisite skills and competencies appear to compound the problem of effective law enforcement by the Regulator, in South Africa. A further point illustrating the ineffectiveness of the PSIRA Act of 2005, is the inability of the Regulator to oversee pricing structures for the industry. The ineffectiveness of the regulations and the lack of resources are mainly ascribed to the self-funding model adopted by PSIRA.

To overcome the regulatory challenges, the researcher developed a Model to Facilitate Efficient Provision and Regulation of the Private Security Industry in India and South Africa (Figure 5) that is proposed and expanded in the discussion below.

RESEARCH QUESTION 3

- What are the theoretical frameworks applicable to India and South Africa for regulating the PSI?

This study explored Gunningham and Rees's (1997) Spectrum of Regulatory Frameworks and considered the Regulatory Continuum (2014) developed by the Commissioner for Better Regulations, as the general theoretical frameworks for regulating the private security industry. In both models, governments generally choose the type of regulatory approach they want to adopt to regulate any sector. In this study, India and South Africa chose to follow statutory based regulation to ensure accountability and transparency for regulating the PSI in their respective countries. The participants' views confirmed that statutory based legislation imposed

by PSAR Act 29 of 2005 and the PSIRA Act of 2001 is not wholly effective in regulating the PSI in India.

Indian participants indicated that implementation of the PSAR Act of 2005 has been fraught with problems. The findings suggest that the growing rate in the number of unlicensed security agencies and the perception that the regulatory frameworks are ineffective are weaknesses in the legislation. Participants reported on the factors leading to the regulation of PSI in India including, growth of unlicensed security agencies and the combatting of the exploitation of security personnel. Their concerns related to the lack of records for the implementation of the PSAR Act and the difficulty in obtaining to get accurate statistics about the implementation of the PSAR Act. They felt that CA's do not keep proper records pertaining to the implementation of the PSAR Act of 2005.

According to South African research participants, the implementation of the PSIRA Act of 2001 was also been plagued by a number of pitfalls. These include duplication of services, lack of capacity, poor control over some sectors of the PSI, lack of resources, employing security guards with criminal records, and lack of compliance by companies.

RESEARCH QUESTION 4

- How could policymakers enhance the regulation of the in the two countries?

The final research question of the study is to support policymakers for the enhancement of the regulation of the PSI in India and South Africa, through the implementation of improved strategies for the enforcement of regulating the private security industry. Based on the findings of Research Question 3, the researcher developed six strategies to improve enforcement of the regulations in the private security industry. The intention of these strategies is to improve the enforcement of regulations in the private security industry in India and South Africa and to assist and enable regulators to perform their roles optimally and efficiently. It is envisioned that these strategies may support regulators to maintain and uphold high standards and embrace ethical practices to regulate the private security industry in the two countries.

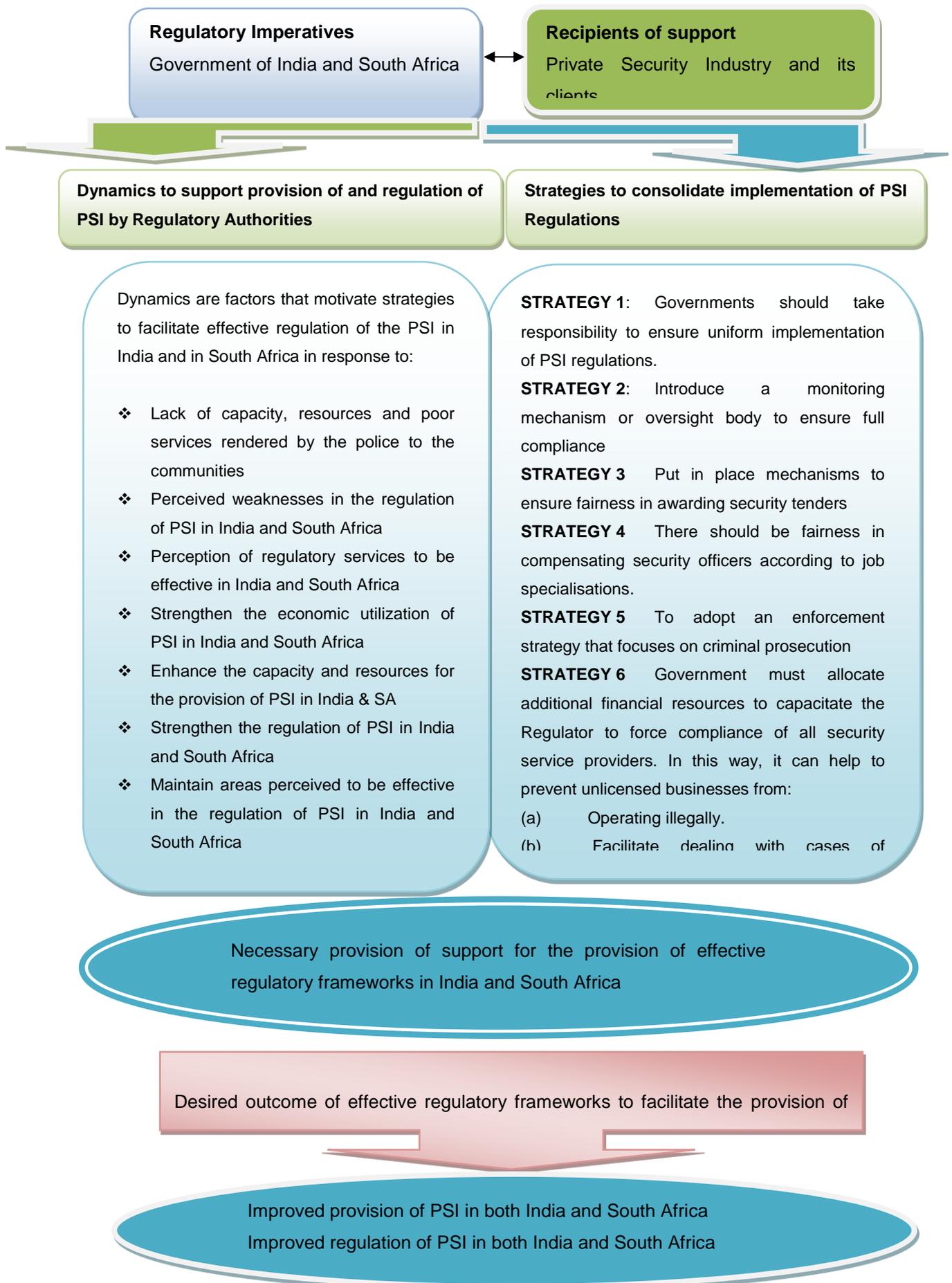
Table 27: Six Strategies to Improve Enforcement of the Regulations in the Private Security Industry

STRATEGY 1:	Government must take full responsibility to ensure uniform implementation of PSI regulations.
STRATEGY 2:	Introduce a monitoring mechanism or oversight body to ensure full compliance with the regulations.
STRATEGY 3:	Position mechanisms to ensure fairness in awarding security tenders.
STRATEGY 4	Fairness in compensating security officers according to job specialisations.
STRATEGY 5	Adopt an enforcement strategy that focuses on criminal prosecution.
STRATEGY 6	Allocate additional financial resources to capacitate the Regulator to force compliance of all security service providers.

Successful implementation of the strategies may result in improved provision and regulation of the private security industry in both India and South Africa. To illustrate this further, the researcher proposes the following model (Figure 5) or framework aimed to assist with the smoother implementation and regulation of the PSI in India and South Africa. The intention of these strategies is to guide and assist policymakers, the private security industry and consumers in India and South Africa to enhance the effective implementation of regulations for the PSI.

The proposed Model to Facilitate Efficient Provision and Regulation of the Private Security Industry in India and South Africa (Figure 5) recognises that governments' usually take the responsibility to introduce legislation to regulate any sector. It should provide guidelines to implement, monitor and must be held accountable for the effective implementation of regulations for the private security industry.

Figure 5 Framework to facilitate efficient provision and regulation of PSI in India and South Africa



The dynamics to support the provision of and effective regulation of the private security industry by Regulatory Authorities emanated from the findings of the study, which identified several weaknesses/shortcomings in the implementation of private security legislation in India and South Africa.

At the apex of the proposed Model, Regulators and Recipients of private security services feature as key stakeholders in the PSI. To give effect to this, the model outlines the dynamics to support the provision of and regulation of the private security industry by Regulatory Authorities. In addition to the six proposed strategies to consolidate the implementation of PSI regulations, the model recognises that governments are central role players in ensuring that the PSI is properly and efficiently regulated. The expected result of the implementation of the strategies is the effective regulatory frameworks to facilitate the provision of private security services. In this way culminating in improved regulation in the provision of services offered by the private security industry in India and South Africa. This model attempts to create a culture of conformity and regulatory compliance where both clients and service providers have mutually agreed upon roles to fulfil.

As is evident in the above findings and answering of the research questions, the type of research design, research methods, data collection methods and research analysis ensured that the aim, purpose and objectives set out in the study was achieved.

7.6 CONTRIBUTIONS TO NEW KNOWLEDGE

The rise and expansion of the PSI especially in India and South Africa triggered the need to conduct an in-depth investigation into this phenomenon. A study of this nature has not been undertaken previously and the outcomes of the research will contribute positively towards a better understanding of this dynamic and fluid industry in the two countries. Appraisal of the literature revealed a scarcity of current and available information on the scope and regulation of the private security industry and fewer scholarly publications on the problem in the two countries. This study makes a modest contribution to fill this gap in the corpus of knowledge on the

research problem and it will help to supplement the failure of scholars to track the security industry's evolution and growth especially in India and South Africa.

The study confirmed PSI growth is a combination of social, economic, political and factors. However, based on the findings of the study, one needs to consider that the political factors contributing to the growth of the PSI in India and South Africa was more poignant and this needs to be seen in the national and international context of the two countries.

Globally, terrorist attacks, in particular, take place randomly and sporadically in countries across the world. Acts of terror manifest itself as an act against the State, and as a result, the security of the State is compromised. In this study, a distinguishing feature is the Indian participants' unanimous view in blaming the rise in terror attacks for expansion of the private security industry in that country. In these situations, the safety and security of citizens is threatened, culminating in the need for citizens to take personal responsibility for their safety and security and turn to the PSI to provide additional security, at a fee.

In South Africa during apartheid, the political factors also saw random acts of terror and sabotage used as a strategy by liberation forces to force the regime to make political changes. In post-apartheid South Africa, the political landscape is currently subject to socio-political issues related to factors such as lack of housing and basic services, transformation, equity and redress of former apartheid structures, corruption at government level and lack of visible policing which contribute to citizens' feelings of insecurity. In South Africa, fear of political violence, civil unrest, and an increase in protests against poor service delivery by the government were 'political' reasons put forward to the growth of the private security industry.

Based on the evidence gathered and after analysis and interpretation of the data, the study concluded that citizens' fear of terror attacks in India and fear of political unrest and civil disobedience by South African citizens, were the two distinguishing findings of the study, contributing to the growth and expansion of the private security industry in India and South Africa.

In addition, the study identified a link between corruption within the police in both India and South Africa as a unique factor that contributes to the growth in the PSI. In Chapter 2, the literature reviewed considered and discussed various factors contributing to the global growth of the PSI. However, corruption in the police is hardly mentioned as a contributing factor. This study confirmed police corruption has affected the quality of life resulting in a breakdown of trust, which compelled the public to turn to private security providers for protection. This finding is unique to the study and governments in both countries need to tackle the issues of corruption among police officials and in this way regain the trust of the citizens.

Therefore, the rise of terrorist attacks, police corruption in India and South Africa, coupled with socio-political factors contributing to the growth of the PSI, are worthy of further investigation and explanation. These two findings are unique to India and South Africa, in this, way the research makes a modest contribution to the development of new knowledge in the discipline of Security Science.

This study will add to the limited literature and research supporting the growth in the sector, especially in India and South Africa. Furthermore, the study can serve as a channel to stimulate further exploratory research of this rapidly growing sector. This study is relevant and its significance is embedded in its outcomes. It is purported that the growth and regulation of the PSI in India and South African will be understood better through research-driven evaluation, which can raise the public's understanding of the role and function of the PSI.

This study will provide a valuable resource to policymakers and the private security industry in general in both countries and may assist in revisiting and refining existing regulatory mechanisms for the industry. Accordingly, this study contributes to the body of knowledge in what has historically been an under-researched field by social scientists.

The items listed in the List of References demonstrate the researcher's contribution to the corpus of knowledge on matters relating to the growth and regulation of the PSI in India and South Africa.

7.7 RECOMMENDATIONS

The findings of the study identified some shortcomings in the legislative frameworks regulating the PSI in India and South Africa and to supplement this, this research proposes the following recommendations:

It is recommended that more in-depth research into the way Controlling Authority (CA) regulates private security agencies in India is necessary. In this way, best practices such as maintaining an updated database of all security officers in each State can be introduced and this could be used to harmonise the implementation of the PSI regulations across all States in India.

The nature of security work is changing and as criminals become smarter, many security companies, who deploy security officers to guard infrastructure, property and information, will face new challenges. In reality, the 4th Industrial Revolution can render thousands of security officers to lose their jobs and more are at risk of losing their jobs to robotics in various industries. The 4IR is bringing about new opportunities and disruption, especially in the light of rapid technological innovation and advancements and in the use of new and sophisticated security devices and gadgets.

This poses significant challenges for regulators who strive to maintain a balance between fostering innovation, protecting consumers, and addressing the potential unintended consequences of disruption. Emerging technologies such as artificial intelligence (AI), machine learning, big data analytics, Cloud security and the Internet of Things (IoT) are creating new ways for consumers to interact and are disrupting traditional business models.

It is recommended that the current legislations need to be aligned to encapsulate these new developments and the regulations must be amended to accommodate the deployment of advanced security surveillance systems. For example, more security

providers are using drone technology to 'patrol' and survey large spaces. They can record audio and video clips and store the information. They can also be unauthorised intruders that can invade a person's privacy. These are the missing links that need to be addressed and incorporated in the proposed amendments to the PSAR Act 29 of 2001 and the PSIRA Act 56 of 2001 before they are formally promulgated in Parliament.

Some private security companies are already using state of the art technology for example in South Africa, cash-in-transit companies have invested heavily in research and development to combat attacks on their cash vans. It is recommended that these best practices and resources to be shared with their Indian counterparts, to bolster crime prevention initiatives, and in this way, citizens may be reassured of feeling safe in their streets and communities.

Given the low police to citizen ratio in India and South Africa, it is recommended that partnerships between the State police and private security providers become formalised. This may require changes to the existing legislative frameworks to cement and coordinate such a relationship. This can result in increased visibility due to coordinated efforts between state police agencies and private security companies.

Considering the limitation like the poor police-citizen ratio and the increasing ratio of private security guards to the police personnel, it is necessary to develop a security model which elegantly clarifies public-private partnership for the private security industry. There is an opportunity to empower the private security provider to shoulder greater responsibilities along with the police and a need to relieve some of the functions traditionally done by the public police, to the private security sector.

Both the PSAR Act 29 of 2007 and the PSIRA Act 56 of 2001 do not make provision for setting up any form of an oversight body to watch over the Regulators of the PSI. In some instances, there is an Inspectorate which investigates only regulatory infringements. It may also have a complaints line which deals more with working conditions (labour matters). There is a need to establish a civilian oversight body to monitor the regulator's performance and hold them accountable.

In India, the Federation of Indian Chamber of Commerce and Industry (FICCI: 2014: np) has called for the creation of an Industry Consultative Committee by the Ministry of Home Affairs (MHA), where State regulators and industry representatives can meet to review enforcement, share information and address issues of the industry.

Better skills training and re-skilling for security officers must be prioritised. There is a need for both Governments to recognise specialised security academies for providing advanced training to private guards, technical as well as soft skills.

In India, especially, security training needs to be made mandatory owing to the increased threat perceptions and be in line with technological advancements the terrorists have achieved. The need to redesign and modernise the training requirements to meet the skills gap needed by a new generation of private security officers, who will be competent to function in a fast-paced technological environment, is rapidly approaching.

With technology rapidly changing the economic, cultural and social realities, the time is ripe for the governments of India and South Africa to tweak PSI legislation and in this way allow the regulatory framework to be adaptable, flexible and relevant. It should also create a social environment to ensure that private security officers have the means to pursue lifelong learning and acquire the necessary skills and competencies to survive and contribute to a rapidly changing society across different industrial revolutions.

7.8 AREAS IDENTIFIED FOR FURTHER RESEARCH

At several points throughout the research process, there were areas identified as aspects requiring further research.

Citizens across the globe are increasingly making use of private security to ensure they feel safe and their personal possessions are secure. The focus of this study was to determine the factors influencing the growth and regulation of the PSI only in India and South Africa. In this regard, more triangulated or even comparative research in other BRICS countries; namely; Brazil, Russia, and China, is necessary

to obtain a holistic picture of the reasons contributing to the growth and regulation of the private security industry in these countries.

The study 'scratched the surface' with respect to regulatory weaknesses related to the effective implementation of the regulations governing the private security industry in India and South Africa. To this extent, further research is supported which may assist regulators to refine and to some extent rethink some of its current practices, in conjunction and partnership involving all key stakeholders. In this way it can contribute to increased accountability, greater compliance and more satisfied customers. To support this more academic research is required on these aspects in both countries on the regulation of the private security industry.

The issue of gender discrimination in the PSI is another under-researched field that merits further attention by researchers and scholars alike.

Whilst there have been attempts to research professional attributes of security practitioners, more scientific inquiry is necessary to determine how to further professionalise this dynamic and growing sector of the economy across the globe.

The private security industry in India and South Africa are highly capitalised sectors of the economy and both contribute substantially to the GDP of both countries. This study confirmed the legislative framework in India, namely the Private Security Agency (Regulations) Act 29 of 2005 and the current law regulation the PSI in South Africa, namely; the Private Security Industry Regulation Act 56 of 2001, do have certain shortcomings.

It is hoped that the Framework to Facilitate Efficient Provision and Regulation of PSI in India and South Africa and the recommendations and strategies proposed, will assist policymakers to re-align and fine-tune the legislation where necessary, to meet the requirements of future needs of the private security industry. In this way, it will accommodate the needs of a new generation of security practitioners.

The aforementioned research endeavours are necessary and important to supplement knowledge production and, in this way, expand the academic knowledge base in the broad field of security science. Further exploration and research in this

regard are necessary and this may lead to the discovery of new knowledge or alternative perspectives when considering different and best practice models to regulations and regulatory practices of the private security industry.

7.9 CONCLUSION

Despite the infancy of academic research into the field of the private security industry, there is consensus that the provision of private security services across the globe is large and growing considerably. The changes in contemporary knowledge, emergent understanding of legislative frameworks, coupled with evolving technology in the PSI, gave rise to the need to conduct further investigation into this phenomenon. The study confirmed that PSI provides diverse services and activities across various sectors of the Indian and South African economies and there are different structures and accountability mechanisms, involved in providing security and attempts to regulate it.

This study confirmed that the private security industry is growing at a rapid pace in both India and South Africa and there were some common factors and reasons contributing to the growth of PSI in India and South Africa. These include socio-economic factors, for example, rapid growth and infrastructure, increasing urbanisation, growth of the middle class; poverty and unemployment, illegal immigration, growth in private property and increase in personal wealth. In addition, citizens' fear of insecurity gave rise to a growing need and demand for protection by citizens who could pay for private security services

Additionally, the PSI is seen as a desirable way to provide safety and security due to citizens' feelings of insecurity. The study found political factors in both India and South Africa plays a role in driving the growth of the PSI in the two countries. The Indian participants felt strongly that an increase in terror attacks is a key factor contributing to the rapid growth of the PSI. South African participants attributed PSI growth to their fear of political violence and being scared of civil unrest as reasons for the increase PSI presence in the country. There was consensus from participants in India and South Africa, that poor policing by the public police, including corruption within the police, lack of capacity, skills and resources contributed to PSI growth in the two countries.

Since it was promulgated, the PSAR Act 29 of 2005 of India was found to be “ineffective” insofar the inconsistent adoption of the PSAR Act of 2005 across all Indian States. In addition, weak enforcement of the regulations by the Controlling Authority (CA) in some States, portray the regulations as ineffective. In India, some CAs are grossly under-resourced and lack the capacity to execute their mandates at a state level.

In South Africa, the PSIRA Act 56 of 2001 makes provision for the establishment of a regulatory body known as the Private Security Industry Regulatory Authority (PSIRA) - the institution established to carry out its regulatory mandate. The PSIRA Act 56 of 2001 of South Africa was “ineffective” due to PSIRA’s lack of practical implementation of the Regulations. Since the promulgation of the PSIRA Act, industry stakeholders have continuously voiced their concerns about a lack of consultation with them on key aspects affecting their operations. The Regulator is experiencing challenges to regulate effectively in view of its limited resources. As the PSIRA is not a recipient of government funding, limited resources are available to regulate a vast and growing security industry.

Both India and South Africa implemented statutory based regulation to make sure there is some form of accountability and transparency for regulating the PSI in their respective countries. The participants confirmed that statutory based legislation imposed by PSAR Act 29 of 2005 and the PSIRA Act of 2001 is not wholly effective in regulating the PSI in India.

However, government-imposed legislation may be effective only if Regulators are properly resourced to enable them to carry out their regulatory mandate and when there is an oversight body to scrutinise whether the Regulators are carrying out their mandate in a truly transparent manner. In this way, it can also hold providers of private security services accountable to their paying clients.

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LIST OF ANNEXURES

ANNEXURE A: Interview Schedule

Date:

Participant number:

1 Gender

Male	
Female	

2 Educational Level/Qualification

HIGHEST QUALIFICATION	
School leaving certificate	
Post-School: Diploma	
Degree	

3 Research participants' age

35 - 45 years	
46 – 55 years	
56 – 65 years	
66 - 75 years +	

- 3 What is your current role/position in the PSI?
- 4 What is the number of years of experience you have in the private security industry (PSI)?
- 5 What is the estimated value of the PSI in India?
- 6 Were you previously employed in the security services, for example, army, navy, police (other)?
- 7 What are the key factors that encouraged you to join the PSI?
- 8 What are the reasons which gave rise to the growth of the PSI in India?
- 9 What are the reasons for private citizens, public/commerce/industry to opt for private security providers to safeguard their property and assets as opposed to the public police service?

- 10 What are some of the barriers that prohibit females from joining the PSI in India?
- 11 What were the reasons which gave rise to the government to pass legislation to regulate the PSI in India, namely, the PSAR Act 29 of 2005?
- 12 How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in India?
- 13 What are the gaps or shortcomings in the PSAR Act 29 of 2001 and PSIRA Act 56 of 2001?

THANK YOU FOR YOUR PARTICIPATION

ANNEXURE B: Qualitative Questionnaire sent by email to research participants in India and South Africa

From: Pillay, Krisandren <CPillay@unisa.ac.za>

Sent: 01 June 2016 06:39 AM

Subject: QUESTIONNAIRE FOR RESEARCH ON THE REASONS FOR THE GROWTH AND REGULATION OF THE PRIVATE SECURITY INDUSTRY (PSI) IN INDIA AND SOUTH AFRICA.

Dear _____

My name is Kris Pillay and I am a PhD candidate registered at the Department of Criminology and Security Science, School of Criminal Justice, College of Law at the University of South Africa

AIM AND OBJECTIVES OF THE STUDY

I am currently busy with a study to examine and consider the factors and reasons that contributed to the growth and regulation of the PSI between India and South Africa. The paucity of information and research into this field of study is limited, hence the need to conduct an in-depth analysis pertaining to the regulation, its application and effectiveness of the legislation which governs the PSI in India and South Africa.

All the information that is received from the participants/respondents will be treated with the utmost confidentiality (i.e. respondents will remain anonymous and no reference will be made to their identity or of the organisation for which they work. No organisation and personal names will be disclosed in the research report and participation in the research is on a voluntary basis.

Please be open, honest and as comprehensive as possible in your responses.

Thank you for your willingness and participation in this interview.

Regards

A handwritten signature in black ink that reads "K Pillay". The signature is written in a cursive style with a large, looping initial 'K'.

Kris Pillay

012 433-9419

E-mail: cpillay@unisa.ac.za

QUALITATIVE QUESTIONNAIRE

Participant number:

1 Gender

Male	
Female	

2 Educational Level/Qualification

HIGHEST QUALIFICATION	
School leaving certificate	
Post-School: Diploma	
Degree	

3 Research participants' age

IISSM Participants - India	
35 - 45 years	
46 – 55 years	
56 – 65 years	
66 - 75 years +	

3 What is your current role/position in the PSI?

4 What is the number of years of experience you have in the private security industry (PSI)?

5 What is the estimated value of the PSI in India?

6 Were you previously employed in the security services, for example, army, navy, police (other)?

7 What are the key factors that encouraged you to join the PSI?

8 What are the reasons which gave rise to the growth of the PSI in India?

9 What are the reasons for private citizens, public/commerce/industry to opt for private security providers to safeguard their property and assets as opposed to the public police service?

10 What are some of the barriers that prohibit females from joining the PSI in India?

- 11 What were the reasons which gave rise to the government to pass legislation to regulate the PSI in India, namely, the PSAR Act 29 of 2005?
- 12 How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in India?
- 13 What are the gaps or shortcomings in the PSAR Act 29 of 2001 and PSIRA Act 56 of 2001?

THANK YOU FOR YOUR CO-OPERATION AND WILLINGNESS TO PARTICIPATE IN THE INTERVIEW.

ANNEXURE C: Informed consent form

Participant number:

Date:

INFORMED CONSENT FORM

Affiliation: Department of Criminology and Security Science

Researcher: K. Pillay

Title of Study: The Growth and Regulation of the Private Security Industry in India and South Africa

Purpose of Study: This study intends to, explore the factors and reasons that contributed to the growth and regulation of the PSI between in two countries and consider the reasons for such nonconforming practices.

The study will also undertake a critical review of the legislation regulating the PSI in India and South Africa; namely India's Private Security Agencies (Regulation) Act, 2005 [NO. 29 OF 2005] [June 23, 2005] and South Africa's Private Security Industry Regulation Act 56 of 2001.

Procedures: The researcher will be conducting an interview with the help of an interview schedule and a qualitative questionnaire. The researcher may also make use of a tape recorder to record conversations. The interviews will not be longer than two hours but may end sooner by natural process or on request of the respondent or researcher, depending on the circumstances. Where it is not possible to conduct one on one interviews, the interview schedule will be e-mailed to respondents with a full guarantee of anonymity and confidentiality.

Risks and Discomforts: The respondent may become tired or feel emotional discomfort at which point a break may be requested or the interview may be postponed to a later date or terminated if so desired. The researcher will make every effort to ensure the comfort and minimize the risks for the respondent.

Benefits: It is my hope that the respondents partaking in this study will feel the satisfaction of contributing to solving a social problem and facilitating in illuminating

the problem for those studying the phenomena, which may help others in the future. The respondent shall also assist in providing insight into the problem, which can stimulate future research, and thus be of even greater help in the future. On a personal level, it is the hope of the researcher that the respondents will obtain personal satisfaction once they have discussed certain issues with the researcher and thus gaining personal insights that were not gained prior to the interview.

Respondent's Rights: Participation in this study is voluntary and may be withdrawn at any time without negative consequences for the respondent. All information is treated as confidential and anonymity is assured by the researcher. The data shall be destroyed should the respondent wish to withdraw.

The researcher (and his study leader) are the only individuals who will have access to raw data from interviews, and hereby ensure that data will be treated as stipulated above.

Right of Access to Researcher: Respondents are free to contact the researcher at the telephone number as stipulated on this form, at a reasonable hour, in connection with interview particulars, if they so wish.

THANK YOU FOR YOUR PARTICIPATION IN THIS STUDY.

I, the undersigned, agree to participate in this study voluntarily without duress.

Signed at on this....day of20.....
.....
(Print Name.....)



Ref: CLAW2014/P48

Applicant: K Pillay

COLLEGE OF LAW RESEARCH ETHICS REVIEW COMMITTEE

2014/11/13

Dear Prof K Pillay

ETHICAL CLEARANCE: A COMPARATIVE ANALYSIS OF THE GROWTH AND REGULATION OF THE PRIVATE SECURITY INDUSTRY IN INDIA AND SOUTH AFRICA

Thank you for the application for research ethics clearance by the College of Law Research Ethics Review Committee for the above mentioned research project. The ethical clearance application for the above mentioned research project has been approved.

The proposed research may now commence with the proviso that:

- 1) *The researcher/s will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics, which can be found at the following website: http://www.unisa.ac.za/cmsys/staff/contents/departments/res_policies/docs/Policy_Research%20Ethics_rev%20app%20Council_22.06.2012.pdf*
- 2) *Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study, as well as changes in the methodology, should be communicated in writing to the Chair of the College of Law's Research Ethics Review Committee. An amended application could be requested if there are substantial changes from the existing proposal, especially if those changes affect any of the study-related risks for the research participants.*
- 3) *The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study.*

Yours Faithfully,


 Prof Marelize Schoeman
 Chairperson Research Ethics Review Committee
 College of Law


 Prof R Songca
 Executive Dean
 College of Law



University of South Africa
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 Telephone: +27 12 429 3111 Facsimile: +27 12 429 4150
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ANNEXURE E: List of Indian Research Participants

Participant Number	Designation/Occupational Status
P1	Security Consultant with National Aluminium Company (Mines & Refinery) E-mail communication 13 November 2017.
P2	Executive Director on the Board of the largest CCTV Manufacturer in India. E-mail communication 13 November 2017 and 23 November 2018.
P3	Chairman of IISSM Committee. E-mail communication 20 July 2017 and day 23 November 2018.
P4	Past President and DG of IISSM. E-mail communication 10 July 2017.
P5	Retired former BOG member of IISSM E-mail communication 10 July 2017 and 23 November 2018
P6	Business Owner & Editor E-mail communication 10 July 2017 and 23 November 2018.
P7	Regional Director. E-mail communication 10 July 2017 and 23 November 2018.
P8	Security Head at a major public sector gas supplier
P9	Business owner in PSI - 22 November 2017 and 15 November 2018.
P10	Regional Director. Personal interview – 23 November 2017.
P11	President of Security Association of India Personal interview 10 July 2017 and 23 November 2018.
P12	Senior Regional Director for two Regions of India's largest security agency. Personal interview -November 23 2017.
P13	Advisor to Central Association of Private Security. Personal interview 23 November 2017.
P14	Retired former BOG member of IISSM. Personal interview 10 July 2017.
P15	Managing Director. Personal interview 20 November 2017.

ANNEXURE F: List of South African Research Participants

Participant Number	Designation/Occupational Status
P1	Security Trainer/Assessor. E-mail communication 10 August 2017 and 15 November 2018.
P2	Security Director. E-mail communication 10 August 2017 and 12 November 2018.
P3	National Security Manager (State owned enterprise). E-mail communication 15 August 2017.
P4	Director Protection Services. E-mail communication 20 September 2017.
P5	Regional HR/IR Manager for blue chip security provider. E-mail communication 20 September 2017.
P6	Head of Security (tertiary institution) E-mail communication 23 November 2017
P7	Chief Executive Officer E-mail communication 20 September 2017 and 3 November 2018 and 3 November 2018.
P8	Consultant. E-mail communication 20 September 2017 and 17 November 2018.
P9	Managing Director. E-mail communication- 20 September 2017
P10	Independent Consultant E-mail communication 20 September 2017.
P11	E-mail communication 20 September 2017 and 15 November 2018.
P12	Contract management Personal interview. 20 September 2017.
P13	Managing Director. Personal interview. 20 September 2017.
P14	Consultant. Personal interview.12 September 2017.
P15	Managing Director. Personal interview. 11 September 2017.
P16	National Admin Manager. Personal interview. 20 September 2017.
P17	Chief Executive Officer. Personal interview. 24 September 2017.
P18	Independent security advisor/consultant & Chairman. 20 September 2017.
P19	Contract Management. Personal interview. 25 September 2017.

**ANNEXURE G: EXAMPLE OF COMPLETED QUALITATIVE QUESTIONNAIRE
EMAILED BY INDIAN PARTICIPANT**

DEPARTMENT OF CRIMINOLOGY & SECURITY SCIENCE
BROOKLYN HOUSE, VEALE STREET, BROOKLYN
UNIVERSITY OF SOUTH AFRICA (UNISA)
P O BOX 392, UNISA, 0003, SOUTH AFRICA

**THE GROWTH AND REGULATION OF THE PRIVATE SECURITY INDUSTRY (PSI) IN
INDIA AND SOUTH AFRICA.**

Kris Pillay (DLitt et Phil candidate)

INTERVIEW SCHEDULE

AIMS OF THE STUDY

The Indian and South African governments concern over the rapid and continued increase in number of private security service providers in their respective countries has prompted need for changes in the manner in which this industry needs to be regulated. The paucity of information and research into this field of study is limited, hence the need to conduct an in-depth analysis pertaining to the regulation, its application and effectiveness of the legislation which governs the PSI in India and South Africa.

KEY OBJECTIVES OF THE STUDY

This study intends to examine, compare and consider the factors that contributed to the growth and emergence of the PSI between India and South Africa and consider the reasons for the promulgation of legislation to regulate to and introduce mechanisms to control the PSI in the two countries.

The study will also undertake a critical review of the legislation regulating the PSI in India and South Africa; namely, India's Private Security Agencies (Regulation) Act, (29 of 2005) and South Africa's Private Security Industry Regulation Act (56 of 2001). It will seek to explore the reasons for the amendment of the respective legislation by the government of India and South Africa.

All the information that is received from the participants/respondents will be treated with the utmost confidentiality (i.e. respondents will remain anonymous and no reference will be made to their identity or of the organisation for which they work. Organisation and personal names will not be used in the research report. Participation in the research interviews will also be on a voluntary basis. Remember to complete and return the signed consent form with your completed questionnaire. Please be open, honest and as comprehensive as possible in your responses.

Thank you for your willingness and participation in this research project.

Regards

Kris Pillay

+27 12 4339419

E-mail: cpillay@unisa.ac.za

Participant No.

INTERVIEW QUESTIONS

1 (a).What is your current role/position in the PSI?

- *On the Board of Governors of the International Institute of Security and Safety Management (IISSM), a Registered Society in New Delhi, India*
- *Chairman IISSM committee of experts tasked to plan and develop a credible system of multiple certifications of security professionals from all over India*
- *On the Board of Governors and Advisors of Central Association of Private Security Industry of India*

(b). How long have you been working in the private security industry (PSI)?

I have been engaged with PSI for the last about 25 years since my retirement from Indian Police Service.

2 Were you previously employed in the security services, for example, army, navy, police (other)? Please state reasons for leaving and your last rank before leaving the service.

I served the Indian Police Service for over 33 years and superannuated in 1991 as Director General, National Crime Records Bureau, Ministry of Home Affairs, Government of India, New Delhi. I had the privilege of being the founder of this Bureau.

3 Why did you join the PSI?

Even while in police service I was invited for lectures and discussions on security subjects that fall in the domain of both government and private security services. The attendees of these programs comprised largely private security professionals. On retirement from the police one such organisation (IISSM) involved me in designing and running training programs which in turn brought me in touch with a wide circle of PSI professionals and entrepreneurs. Since then I have been engaged with PSI in one or the other capacity.

4 What are reasons which gave rise to the growth of the PSI in India?

Post independence, India launched a number of plans and projects towards self reliance in terms of economy, food, water and myriad of industrial products and commodities for the prosperity and welfare of the state and its people. This gave rise to a tremendous boost to expanding the small and large industry, trade and business, education and employment. The resultant expansion of business and industry, small and large residential colonies and business complexes et al led to increased construction and commercial activities. Crime and development go hand in hand is an established phenomenon all over the world and India is no exception. The limited security services provided by the governments through the police started buckling and proved woefully inadequate. Gradually this gave rise to a new awakening among the public and especially in the private sector and establishments that they have to resort to 'self help' to secure themselves and their assets. Once this trend of self security was set in, it never looked back and saw an amazing increase in private security numbers. According to Dr. JJ Irani, MD Tata Steel, India, "Security industry is mushrooming at the fastest rate of growth in India". He was addressing a security seminar in 1994 in Jamshedpur.

5 What is the estimated value (in rands) of PSI in India?

According to the latest report of Federation of Indian Chambers of Commerce and Industry (FICCI) and Ernest & Young, published in the year 2013, the private security services market was estimated to be INR 350–380 billion in FY13. A reading of the Report reveals that this

figure is derived from the discussions had with the Industry captains and not on the basis any empirical study or official statistics.

6.1 What is the demographic profile/composition of the security industry with regards to the number of male:female employed by the PSI?

Here again there are no official figures or authentic estimates of the women workforce in PSI in India. There are some fragmented news bits which show that women are employed and provided for security services by a few private security agencies in Metro cities. They are paid better than the men folk due to the shortage of women in security services as also because they fetch higher revenue. It is reported that G4Securitas in India were having women strength of 5000 in 2009 and there were smaller contingents in other companies. It appears that there is a sizable demand for women security hands in various commercial and retail sectors apart from individual demands. However there is a shortage aspirants for the security jobs for variety of reasons some of which are given in para 8.2 below.

Women employment in Industry in India as a whole is far lagging behind and private security is no exception. India has one of the world's largest gender gaps when it comes to labour force participation in industry and businesses, with women accounting for only 23-24% of the total labour force and generating a mere 17% of the share of GDP, finds the MGI study. This is far below the global average where female workers generate 37% of the world's GDP.

But India also has the biggest relative scope to add GDP at 16% in a best-in-region scenario. The full potential boost would be as much as 60%. Boosting female labour force participation in India would contribute 90% of gains in the full-potential scenario.

6.2. What are some of the barriers that prohibit females from being appointed to management positions in the PSI in India?

There is no legal bar in India to the joining of women to the management positions in PSI. The Minimum Wages Act applicable in all states does not distinguish between the genders in regard to the emoluments. There are laws which provide special amenities and dedicated facilities for women workers only including the recent announcement of 26 weeks maternity leave to enable them to look after themselves and the new-born well enough. To the best of my perceptions, there are no gender barriers peculiar to the PSI management that inhibit the entry of females. All the barriers that inhibit women from joining other professions or having joined then pursuing careers successfully in India are applicable to the PSI, whether it is joining the rank and file or management positions. At the most it can be stated that the barriers are more inhibiting in armed forces, police and paramilitary forces and such other services which have been traditionally man dominated due to physical nature of the job and

physical risks involved. However, despite these constraints, womenfolk have been surging forward in ever increasing numbers and making new forays into the job market including technical, financial and even defence and police services. They are now visible in the private security deployments. It is a matter of time that they will have adequate representation in the PSI in India.

7. Why have private citizens, public/commerce/industry opted for private security providers to safeguard their property and assets as opposed to the public police service?

Option for private security by private sector and individuals is not of their own volition but thrust on them by force of circumstances, reasons for which are twofold. First, as already stated in para 5 above, the public police could not provide dedicated or proximate security cover to organised places like large industrial, commercial and retail complexes and large residential colonies. Second, and more importantly, the public police anywhere in the world is essentially a law enforcement instrument and at best can perform security functions at public places and cover important fairs, festivals or other public gathering. It is not designed or catered to provide in-premises security to private establishments or individuals except under special circumstances. Even governments in India and abroad have started utilising private security for certain duties to enable the public police to cope with more pressing law and order demands.

8. What were the reasons which gave rise to the government to pass legislation to regulate the PSI in India, namely, the PSAR ACT 29 of 2005?

(Note : Comments below are based on the aspiration and activities of the PSI before the Government tabled the PSAR Bill in Parliament in the year 2005)

Generally any legislation passed by the Parliament or state legislatures give a detailed statement of objectives for which the law has been passed. The PSAR Act of 2005 (PSARA) passed by the Parliament states the Objective of the Act as under:

“An Act to provide for the regulation of private security agencies and for matters connected therewith or incidental thereto.”

I am not aware of the official reasons elicited in the government records for bringing out the PSAR Act but here is a brief account of the activities of the PSI which surely were part of the reasons leading the government to pass this law.

Aggravated and increasing challenges to the national security including law and order in country led to diversion of government police and security outfits towards newer challenges like terrorism, extremism, Naxlism, Maoism, organised crime and large scale civil, agrarian, labour and student agitations etc. Thus the routine street policing and local crime/criminal control increasingly suffered inadequate police attention. The public gradually and reluctantly learnt the lesson of self help for securing themselves as well as their property and assets. This gave rise to the growing employment of private security personnel and agencies to provide a more focussed and customised security cover for their needs. The consequent mushrooming of private security agencies over a period of time got stratified between well established and organised security businesses duly incorporated under the law and smaller unregistered private security agencies. The latter agencies, generally, were not known to exhibit much of professionalism in their performance or business ethics in their dealings with customers or even with their own men. This brought the whole PSI a bad name and adversely affected the better managed security businesses. The PSI leaders therefore started cogitating about means and methods of bringing some order in the madness. Attempts were made to bring about some kind of self regulation through forming professional associations but except at a time of crisis in the PSI due to some laws or regulation, these associations were of no consequence to anyone. The PSI leaders then made forays to the Ministry of Home Affairs (MHA) for a law to regulate the conduct of PSI on its various aspects. The MHA showed reluctance to having a law on the subject and advocated self regulation like the Bar Council of India, Medical Council of India, Chartered Accountants Association of India etc. However the PSI did not relent and was finally able to persuade the MHA to formulate a law on the subject. Of course by this time the MHA might also have had its own inputs which too indicated about the prudence in have a law to regulate PSI.

9. When was the regulatory framework implemented in India?

PSAR Act 2005 was implemented with effect from 15th March 2006 by a notification in the Official Gazette dated 14 03 2006.

10. What is being regulated?

The Act mainly focuses on regulating the industry through licensing the security agencies which satisfy the eligibility conditions as laid in the Act. All the security staff are to be verified for their antecedents and trained every 5 years. Even the owner is required to undergo security training unless he belonged to the police or armed forces of the Union of India. The Licensing Authority can inspect any licensed agencies to ensure that all the eligibility conditions are being fulfilled all the time. Carrying on private security business without the valid license is a cognisable offence under the Act. The Act and rules there under prescribe the records to be maintained by each licensed agency.

11. How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in India?

The regulatory provisions in the Act can be as effective as the mechanism to ensure compliance on the ground. The difficulty is that there is very little coming out from any quarters about the implementation of PSAR Act. No statistics are available on the no. Of licenses issued or cancelled or prosecutions launched. My own sense is that more PSAs are running without licenses than those licensed. If this is true then the whole purpose for bringing in the legislation is lost because the whole exercise was done for disciplining these unlicensed and unprofessional businesses.

12. Who is responsible for the oversight in terms of implementing the regulatory mechanisms of PSAR ACT 29 of 2005

The Licensing Authorities of the States. The Act does not provide for self regulation by the PSI through their own professional associations.

13. Why is there a need to amend the PSAR ACT 29 of 2005?

The Act has come in for criticism from many quarters and representations by professional associations have been duly made to the government. The government appears convinced about it but is hesitant to move amendments because of other pressures on the Parliament's time.

14. What will be amended?

The primary need for amendment is that the Act is perceived by the industry as wholly one-sided. Quality of private security services depends as much on the service providers as on

the service users. The Act does not cast any responsibility on the customers for sharing the burden of modernising and professionalising the services and has thus stopped the process of reformation.

The Act has failed to recognise many requirements unique to the private security services like the states' minimum wage for pan Indian operations and working hours as there is no provision to facilitate the industry's smooth operation in this respect.

The Act has not recognised the increasing importance of armed private security personnel in operations of the private security services in the light of the prevalent internal security scenario and has not touched subject at all leaving the PSI at the mercy of the Indian Arms Act which does not provide for any group use of the arms.

There are many more areas which need to be addressed for the Act to be a comprehensive legislation.

THANK YOU FOR YOUR CO-OPERATION AND PARTICIPATION IN THIS RESEARCH PROJECT

**ANNEXURE H: EXAMPLE OF COMPLETED QUALITATIVE QUESTIONNAIRE
EMAILED BY SOUTH AFRICAN PARTICIPANT**

Participant No.

INTERVIEW QUESTIONS

1 (a).What is your current role/position in the PSI?

I am currently the Business Development and Marketing Director at Enforce Security as well as the KZN SASA (Security Association of South Africa) Chairman

(b). How long have you been working in the private security industry (PSI)?

18 years

2 Were you previously employed in the security services, for example, army, navy, police (other)? Please state reasons for leaving and your last rank before leaving the service.

No

3 Why did you join the PSI?

I have always been passionate about the various criminal elements that present themselves in South Africa. The Private Security Industry not only provides me with the opportunity to make a difference, but feeds my curiosity and thirst for knowledge regarding crime.

4 What are reasons which gave rise to the growth of the PSI in South Africa?

- **Broken trust between police and civilians (post-apartheid)**
- **Rising levels of crime**
- **Increase in private property**
- **Low levels of police recruitment**
- **Lack of resources**
- **Poverty**
- **Unemployment**
- **Corruption**

5 What is the estimated value (in rands) of PSI in India/South Africa?

R30 billion per annum

Approximately 487 058

6.1 What is the demographic profile/composition of the security industry with regards to the number of male: female employed by the PSI?

Although the private security industry is a gendered field in the work community, dominated by men employees, global changes influenced by HIV/Aids, human rights laws and the shift in gendered roles, more women are welcomed in the South African industry

6.2. What are some of the barriers that prohibit females from being appointed to management positions in the PSI in South Africa?

- **The Security Industry is male dominated**
- **Gender discrimination**

7 Why have private citizens, public/commerce/industry opted for private security providers to safeguard their property and assets as opposed to the public police service?

High levels of violent crime and home robberies, and the public's lack of confidence in the police have fuelled the growth of the Private Security Industry.

8 What were the reasons which gave rise to the government to pass legislation to regulate the PSI in South Africa, namely, the PSIRA ACT 56 Of 2001?

Given the challenges of growth the Private Security Regulatory Industry Authority (PSIRA), government and civil society had received concerns about the effective regulation of the industry, given the challenges of growth in the industry.

Some of the main reasons behind the Bill included the exponential growth in the private security industry over the past years, the challenges in the Regulatory Authority (PSIRA) itself, which included the need for more effective regulation, funding, the need to address more complex scenarios

and changes, the potential for elements of that industry to misuse firearms or threaten national security, and the risks perceived by foreign ownership of security firms. Inadequate resources compromised effective regulation. There was a need to deal with security services served outside the country and address criminality within the industry. Finally a tighter framework would tie in with the government's strategic plan to build a development state to ensure that all citizens were and felt safe.

9 What is being regulated?

The amendment provides for amongst others, the regulation of minimum standards on the transportation of cash and other valuables, effective control and accountability of the use of firearms within the industry, improved regulation on the use of uniforms and insignia similar to our police services, defence force and other law enforcement agencies. It further revised sanctions to be imposed against those convicted for serious illegal practices from twenty four months to five years imprisonment. These changes give an expression of the seriousness with which illegal practices must be viewed and punished under our law.

10 How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in South Africa?

The normative regulatory framework in place for the private security industry is good, however, the practical implementation of many of these provisions has been unsuccessful – dogged by lack of resources and manpower, unintended consequences of the legislation and the very nature of regulating an industry which is extremely diverse, large and inherently problematic

11 Why is there a need to amend the PSIRA ACT 56 Of 2001?

According to a Cabinet statement, tighter regulation is necessary due to the “threat to national security posed by participation of foreigners”.

12 What will be amended?

The PSIRA Amendment Bill 2012 requires that at least 51 percent of the ownership and control of security services providers is exercised by South African citizens. The definition of 'security services' is comprehensive and includes practically all guarding, protection, security, response, training, monitoring and managing functions, even those services provided by locksmiths. The requirement also extends to existing companies; services providers that are currently registered are being given five years to align their ownership and control structure with the Bill. The Bill gives the Minister for Safety and Security additional discretion to prescribe a "different percentage of ownership and control" for certain categories of security businesses. It presents the option for the Minister to completely deny any foreign investment if done in the "security interests of the Republic". Existing security firms are also subject to these powers, which suggests that even the ownership and control of firms currently operating in the South African market can be adjusted by the Minister.

13 What will be the implications of the amendments to the legislation for the PSI in India/South Africa?

Some of the major concerns include the nature with which the Bill was introduced to government, potential breaches in South Africa's international trade obligations, the damage that it could do both local and foreign investment, as well as the unintended and damaging consequences that could arise as a result of the Bill's narrow focus.

What is the most concerning is the potential devastating economic impact that such a Bill could have on South Africa. By forcing foreign entities to disinvest in the country, not only will SA immediately lose out on that financial strength but this will also create strong negative signal to investors.

The Act has also broadened the definition of private security practitioners to include manufacturers, distributors and suppliers of security equipment.

This is considered to be highly unreasonable as it means that the number of firms falling under the newly expanded definition of security services is unknown.

With the list of non-compliant companies continuing to grow, forced divestitures of shares by international investors will lead to significant financial loss.

14 What are the gaps, inconsistencies, and areas of improvement in relation to the regulation of the PSI in India/South Africa?

There are gaps within the normative framework which do not sufficiently engage, if at all, with the many internal challenges faced by all within the employ of private security companies; problems which the private security industry indirectly contributes to (such as inequality of security provision); the sheer diversity of the activities that the industry is involved with on both public and private spaces; as well as the increasing involvement of private security in policing activities traditionally thought of as being the exclusive domain of the state.

ANNEXURE I: EXAMPLE OF VERBATIM TRANSCRIPT OF PERSONAL INTERVIEW WITH INDIAN RESEARCH PARTICIPANT

Participant no.

Date of interview: 15 November 2017 (New Dehli)

INTERVIEW QUESTIONS

1 .What is your current role/position in the PSI?

I currently serve on a couple of committees to do with man-guarding. I am the interface between man-guarding and the corporates. I serve on the Federation of Indian Commerce & industry and also serve on the Homeland committee. I am the editor of security today and I represent ISSM as the vice-chairman.

2 How long have you been working in the private security industry (PSI)?

I started in the mid 80's in the US working in the electronic security industry. I then returned to India and I started my own security company. In the year 2000 I started my own training and publishing company. I have been in the industry for over 35 years.

3 Were you previously employed in the security services, for example, army, navy, police (other)? Please state reasons for leaving and your last rank before leaving the service.

No

4 Why did you join the PSI?

My brother started his own business in 1970 with man-guarding. The influence came from him as I was exposed to this industry from a very young age.

5 What are reasons which gave rise to the growth of the PSI in India?

In the early days it was easy to sell a guard to a client. Industrial plants were owned by government and they had their own security force. They employed ex-servicemen. Mr Sinha had a man-guarding company and he did work for TISCO.

Tisco asked him to do a survey on man-guarding and he got in touch with me and together we built a report for Tisco. First Tisco has in house guards but later on they out-sourced this to Mr Sinha. There was a need for out-sourcing since with the labour laws in India it was difficult to remove an employee who was not performing. If company employed guards in-house their costs would be higher.

6 What is the estimated value (in rands) of PSI in India?

It is difficult to give a figure but I would estimate about 30-40 crores.

7.1 What is the demographic profile/composition of the security industry with regards to the number of male:female employed by the PSI?

Nowadays women are much sought after. The process is only for men, but not many take on the job of security guard. Females are considered good investigators.

7.2. What are some of the barriers that prohibit females from being appointed to management positions in the PSI in South Africa?

With the new company laws there are no barriers. New company law says that women must be well represented.

8 Why have private citizens, public/commerce/industry opted for private security providers to safeguard their property and assets as opposed to the public police service?

The police do not have the capacity and they are overworked. New issues such as terrorism, industrial unrests and growing crime which the police alone cannot cope with and the resources are stretched. Therefore the private citizens resort to private security. Also if you are paying for a service you can expect efficiency and quick response.

9 What were the reasons which gave rise to the government to pass legislation to regulate the PSI in Indian namely the PSAR Act of 2005?

The government felt there was a threat to national security, therefore the government felt the need to regulate the industry. PSI felt because of undercutting there was a need to regulate the industry. Cleaning up the industry to get rid of the fly by night companies. Parasa act was implemented in 2005.

10 What is being regulated?

Social security and benefits for the PSI. Contract labour and abolition act. We are still trying to implement the Pasra act. Implementation has not taken place in all the states. The controlling authority normally issues the licence after the vetting process.

11 How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in South Africa?

It is not very effective as the country has not yet implemented the laws. There are not enough resources to implement the laws and the police is already overworked.

12 Why is there a need to amend the PSIRA ACT 56 Of 2001?

Lacuna in the regulations

13 What will be amended?

14. What are the gaps, inconsistencies, and areas of improvement in relation to the regulation of the PSI in India/South Africa?

**THANK YOU FOR YOUR CO-OPERATION AND WILLINGNESS TO
PARTICIPATE IN THE INTERVIEW.**

ANNEXURE J: EXAMPLE OF VERBATIM TRANSCRIPT OF PERSONAL INTERVIEW WITH SOUTH AFRICAN PARTICIPANT

Participant no.

Date of interview : 17 August 2017 (Johannesburg)

INTERVIEW QUESTIONS

1. .What is your current role/position in the PSI?

I have registered with PSIRA (Private Security Industry Regulatory Authority) which used to be called SOB (security officers board) since 1995. Currently I am employed by Eskom to contract management on the security service providers which are servicing Eskom.

2. How long have you been working in the private security industry (PSI)?

I am now full twenty one years in the industry.

3. Were you previously employed in the security services, for example, army, navy, police (other)? Please state reasons for leaving and your last rank before leaving the service.

No, however I know a lot of people coming from army and police who joined security industry.

4. Why did you join the PSI?

It was an easy way of getting employed. It is a fast growing industry which is very easy to get employment in it. I did not have any qualification by then and to get security qualification it only took me three weeks. After that it took another week to be employed.

5. What are reasons which gave rise to the growth of the PSI in South Africa?

- *The rise of crime and companies are very desperate to be guarded in South Africa.*
- *Easy employment since it is easy to get qualification for security.*
- *Corruption within the industry since other peoples got employed even without proper certificates.*
- *It is easy to change from one Security Company to another.*
- *No proper background checks is done within the industry which even allows even the criminals to join security.*

6. (a). What is the estimated value (in rands) of PSI in India/South Africa?

I am not sure now but according to business day in 30 July 2014 it was estimated at 50 Billion rand

7.1 What is the demographic profile/composition of the security industry with regards to the number of male: female employed by the PSI?

I am not sure of the number but majority are males which I think they are about 80% in the industry and 20% could be woman.

7.2. What are some of the barriers that prohibit females from being appointed to management positions in the PSI in South Africa?

We are sometimes not giving enough in the industry. They choose to work in quiet areas where there is no crime. This makes them weak and management not to believe in them.

8. Why have private citizens, public/commerce/industry opted for private security providers to safeguard their property and assets as opposed to the public police service?

Private security can be managed and guard your assets as per your instruction. You do not have as a to public police service.

9. What were the reasons which gave rise to the government to pass legislation to regulate the PSI in South Africa, namely, the PSIRA ACT 56 Of 2001?

The primary objects of the Authority are to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest and the interest of the private security industry itself

10. What is being regulated?

It's the manner in which the PSI must operate. That includes registration of companies, hiring of security guards, and payment of monthly premiums.

11. How effective are the current regulatory mechanisms/frameworks in the enforcement of the legislation of the private security industry in South Africa?

They are not effective enough. We still experience security guards with criminal records, some with fake certificate and so on.

12. Why is there a need to amend the PSIRA ACT 56 Of 2001?

Yes, PSI is not properly monitored e.g. Firearm licences are issued by SAPS but are not monitored at PSI level. At some stage untrained security officers are issued with gun to do their work.

13. What will be amended?

The use of firearms e.g. There should be a body within PSI which must monitor the use of firearms. Currently some companies have firearms which are not even registered with SAPS. One was found where guards were in a shot out with criminals.

14. What will be the implications of the amendments to the legislation for the PSI in India/South Africa?

The use of illegal firearms within the security industry will be limited or even eliminated.

15. What are the gaps, inconsistencies, and areas of improvement in relation to the regulation of the PSI in India/South Africa?

I am not sure about India but in South Africa, there are a lot of inconsistencies and gaps. They said that they want to stop the criminal element within PSI by making sure that every security officer updates his or registration every eighteen months. They are then issued with a certificate which is value for eighteen months. You are also issued with a PSIRA card which is valid for twelve months. This means that every six months a security officer must visit PSIRA offices of which is time and money costing.

THANK YOU FOR YOUR CO-OPERATION AND WILLINGNESS TO PART

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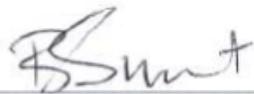
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THE GROWTH AND REGULATION OF THE PRIVATE SECURITY INDUSTRY IN INDIA AND SOUTH AFRICA

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