

# Penal Issues

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## First steps of the National Council for Private Security Activities (CNAPS)<sup>1</sup>

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This paper presents the findings of his study on the new scheme for monitoring private security activities.

The CNAPS, a French public administration agency created by article 31 of the March 14, 2011 LOPPSI act and the December 21, 2011 founding decree, is presently manned by 214 agents. It is entirely funded by a tax paid by companies selling security services and by in-house security departments plus the fines inflicted for violation of the law. It was intended to replace the *préfectures*<sup>2</sup>, previously in charge of regulating businesses on the security services market as well as in-house security departments<sup>3</sup> by delivering, following an investigation, an authorisation to practice as first prescribed by a law dated July 12, 1983<sup>4</sup>. This new public agency has a twofold mission: first, to conduct preliminary investigation and to deliver certifications and authorisations to the staff and managers of companies corresponding to the domain defined by the law, through a central « single desk » system, in Paris. Second, to delegate decisional power to the CIACs (*Commissions interrégionales d'agrément et de contrôle*, inter-regional accreditation and control commissions) in any conflicts that might arise in controlling companies and their employees as to their entitlements and to any violations of the law.

### Methodology

The fieldwork was conducted between May 2012 and March 2013, using interviews, direct observation, and the analysis of various sources of documentation. We attended every monitoring session of the text at the *Collège* of the CNAPS (its board of directors) in 2012, questioned thirty-odd witnesses and actors (administration personnel and professionals) on the implementation of the scheme, accompanied inspectors on checks in some companies and attended two CIAC disciplinary committee meetings, one in Paris and one in a provincial city. This article cannot claim to assess the overall impact of the scheme on moralisation of this sector, for lack of sufficient hindsight. Its intention is to evidence the empirical conditions presiding over the shift from pure state regulation, shown, over time, to be quite inadequate, to a public/private joint regulation supposedly more suitable and more in phase with the growing supply and demand for security/protection.

### Origins of the scheme

Following years of reflection on how to improve earlier schemes believed to have fallen short of their goal of control and moralisation, the 2011 legislation invented a more flexible structure for delivering and renewing authorisations and licences<sup>5</sup> for security service providers, a profession for which regulation will continue. A scheme was developed at the intersection between two possible options: a non-specialised bureaucracy that could have been granted additional specific funding, or a professional association or some other ethical self-regulatory agency. Immediately following the commissioned report presented by two of the administration's General Inspectors<sup>6</sup> and the setting up of an interdepartmental delegation on private security (DISP) in September 2010, the « CNAPS solution » was finally adopted without much parliamentary debate. It is noteworthy that the new structure is not at all a joint agency, since employee unions were deliberately excluded from its steering. The main federations of private security employers (dealing in security guards, electronic or human surveillance, cash-in-transit, airport security, bodyguards, or private detectives) joined forces to finance this public institution and to participate in its functioning so as to take part in the new control and pedagogical strategy aimed at public and private customers.

<sup>1</sup> The *Conseil National des Activités Privées de Sécurité*.

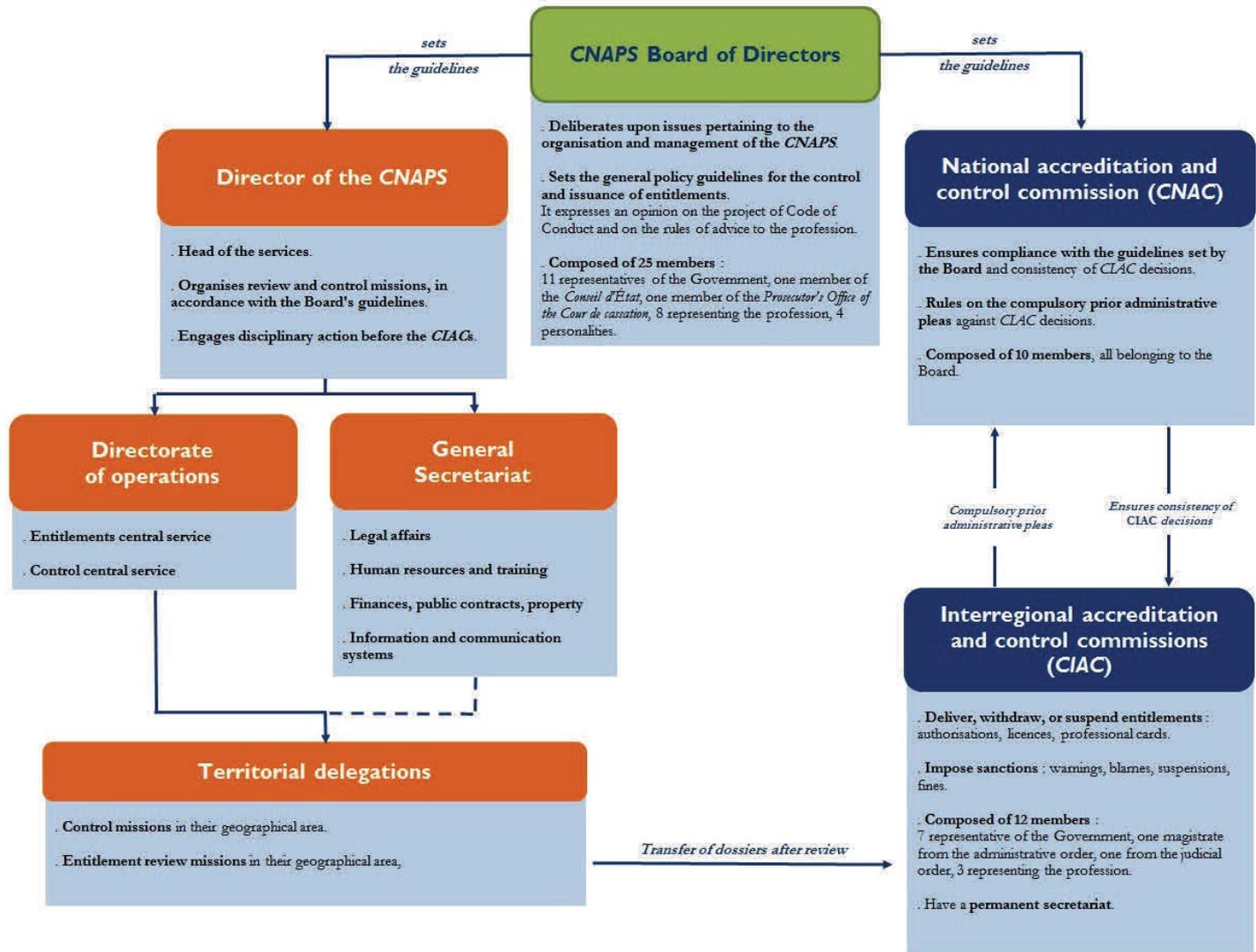
<sup>2</sup> The *préfecture* is an administration, with a *préfet* at its head, that at the level of each of the 101 French départements, represents the national government and as such exercises the powers that are constitutionally attributed to it.

<sup>3</sup> According to the INSEE (the national statistics agency), a conservative count of workers in the private security branch found 131,000 full-time employees in 2010, working in 9,000 companies (78% of which had less than 10 employees, with the top 10 netting 35% of all added value). Addition of the personnel of in-house security agents produces a figure of some 147,800 employees. Projections including a wider range of peripheral services suggest figures exceeding 200,000. See ROBIN M., MORDIER B., 2013, *La sécurité privée, un secteur en pleine expansion*, *INSEE Première*, 1432 (the complete dossier, [http://www.insee.fr/fr/themes/document.asp?reg\\_id=0&ref\\_id=ip1432](http://www.insee.fr/fr/themes/document.asp?reg_id=0&ref_id=ip1432)).

<sup>4</sup> OCQUETEAU F., 1991, *Patrolling and Security Guards: Inventory and Stakes*, *Penal Issues*, 1-4 ([http://www.cesdip.fr/IMG/pdf/PI\\_1991\\_FO.pdf](http://www.cesdip.fr/IMG/pdf/PI_1991_FO.pdf)).

<sup>5</sup> Licences are delivered to heads, managers or partners of the legal entity conducting the activity, whereas both legal entities and individual operators may be given an authorisation to practise.

<sup>6</sup> BLOT Y., DIEDERICHS O., MARTINI H., GARCIN P., HAN D., 2010, *Rapport sur les contrôles des entreprises de sécurité privée*, Paris, GSSIAP (this report may be downloaded on the Internet site : [http://www.gssiap.com/dl/GSSIAP\\_ControlEPS\\_rapportIGA.pdf](http://www.gssiap.com/dl/GSSIAP_ControlEPS_rapportIGA.pdf)).



The main task of the CNAPS was to take over the work inherited from the *préfectures* which were in charge of it since 1986, under the supervision of the Directorate of Public Freedom and Legal Affairs (*Direction des Libertés Publiques et des Affaires Juridiques* – the DLPJ). Its second job was to learn to react more promptly and efficiently by reclaiming the weapons and tools used by *préfets* to learn about the « pedigree » of applicants for authorisation, *i.e.*, the second version of the DRACAR<sup>7</sup> application, the appropriate police files (and especially STIC and JUDEX<sup>8</sup>), and B2 certificate<sup>9</sup> in criminal records.

### The scheme

With the creation of the CNAPS and of Inter-regional accreditation and control commissions (CIACs), a new territorial architecture was founded, in which the Board of directors of the CNAPS, the CNAPS itself, and the new CIACs are no longer under the supervision of the ministry of the Interior. The composition of the Board of directors of the CNAPS, which sets the general guidelines of the agency, was deliberately conceived so that state employees would outnumber private professionals (representatives of syndicates of firms dealing in private security guards, including those employing dogs, camera and electronic surveillance, cash-in-transit, airport security and private detectives). The latter are also in the minority within the CIACs (3 out of 12). The whole structure is actually now supervised by the CNAC, headed by a magistrate from the *Conseil d'État*, with a vice president from the *Cour de Cassation*<sup>10</sup>, who act as a « second-degree appeal court ». This re-

places the DLPJ (*Direction des libertés publiques et des affaires juridiques*).

The CNAC has been awarded a twofold mission : first, ensuring that the guidelines set by the Board of directors are respected; and second, ruling on *compulsory prior administrative pleas* (*recours administratifs préalables obligatoires* – RAPO) submitted against CIAC decisions who deliver, withdraw, or suspend authorisations to practise, so as to reduce regional discrepancies in those decisions. In fact, it was soon realised that regional differences in perceptions, tied to specific features of the local, locally-oriented private security scene might be called into question by the targets of supervision, be they employers or employees. An exchange between the National Commission and the Territorial Delegations (TD) aimed at harmonising their pre-review practices soon evidenced the need for adjustments, leading to a recentralisation of the new system initially aimed at loosening the central hold on checks.

### Sorting and reviewing applications: key role played by the TD's chief reviewer

TDs are the entry point for applications for authorisation, licences, and renewal of cards. The first review of applications is done by the administrative services, which identify problem dossiers. TD operations are of various sorts. First, they apply

<sup>7</sup> According to the June 8, 2012 decree modifying the February 9, 2009 decree, the CNAPS is given direct access to the DRACAR applications (Regulated Delivery of Authorisations and Professional Cards) for Private Security Agents (APS). The February 9, 2009 decree on the delivery of the « professional card », on prior authorisation and temporary authorisation of employees participating in private security activities represented a definite progress on the subject, but the practical implementation of the computerised system was considered a relative failure.

<sup>8</sup> STIC (*système de traitement des infractions constatées*) is the police offence processing system and JUDEX (*système judiciaire de documentation et d'exploitation*) means « judicial documentation and exploitation system ».

<sup>9</sup> The B2 certificate of a person's criminal record displays most of their convictions for crimes and misdemeanours and can only be communicated to certain administrative authorities or certain agencies, on very specific grounds (like access to some occupations).

<sup>10</sup> The *Conseil d'État* is the legal adviser of the Government and the highest administrative court. The *Cour de Cassation* is the highest judicial court. These two magistrates are assisted by two counsellors, the presidents of the SNES (the National Syndicate of Security Companies) and of the USP (the Union of Private Security Companies), the two most representative employer organisations on the security market.

norms for annual quotas, defined by the CNAPS Board of directors. Next, they guide the action of inspectors toward « profitable » deviant sectors such as sports events, festivities, and other public events where contingent, untrained security workers are commonly employed.

The pre-review prerogatives of each TD mostly involve doing a first selection, separating bad dossiers (such as unwarranted applications from workers or company managers who persist in applying despite a heavy criminal record) from the good ones (first applicants or applicants renewing cards and who do not seem to have anything to reproach themselves except being overdue out of neglect or some mistake). The point is to achieve a balance between a generous policy toward giving authorisations to employee applicants and an attempt not to be too lenient in allowing people who should not be in private security to deal freely in it. In short, to do « handstitched work », judging individual cases, to avoid the usual reproach that the administration is arbitrary, opaque and unfair toward candidates who are often not very affluent, whereas the political consensus was that they should be given a chance to get a good start in life: « *They apply for a professional card so they can work, as they were told to do at the Unemployment Bureau (Pôle Emploi), who practically view us as an employment agency* » (interview of the head of the Île-de-France [Greater Paris Region] TD, February 7, 2013). According to TDs, if you develop a healthy, honest breeding ground within the group of potential workers, the prior checks will be perceived as educational and positive, rather than as coming from a bogeyman. This requires resolutely refusing to take a purely dissuasive stance, the opposite of what some of the dominant professionals in the field would like to have the CIACs adopt: « *Our objective is not to make the sector healthier, as the lawmakers may have claimed..., but rather to make it more professional than it has been up to now. We aren't here essentially to punish, but to advise and accompany people who want to be more integrated, whereas they are usually poorly informed, even if they do everything they can to avoid being inspected* » (*ibid.*).

The chief reviewer of each TD reports on the elements of appraisal of applications to the permanent secretariat of the CIAC. This gives him some leeway and considerable influence in anticipating the fate of the applications examined by his office: « *It's a power in which we have a lot to lose, whereas the failed candidates have everything to gain by filing an appeal. If we give our consent or deliver an authorisation or a licence that may turn out to be catastrophic in the long run we engage the responsibility of the CNAPS and the CNAC. Because the CIAC will issue an authorisation for five years, and we will not necessarily be informed if the person commits some offence six months later. Just imagine how unfortunate this sort of automatic functioning can be, and how our work can be questioned. It's like a judge if something goes wrong after a probationary decision* » (interview with a reviewer, February 7, 2013).

## Birth of a new Inspection corps

Heads of TDs try to make the guidelines defined by the CNAPS management coherent, by adjusting them to local organisational and budgetary constraints. As for the proactive approach to local inspections, we observed the launching, by the head of one TD, of an inspection plan with a team of twenty-odd agents, all of whom had received special training before they began their work in the fall of 2011. Herein resides this scheme's major innovation, compared to the missions assigned to the police and *gendarmerie* on behalf of the *préfet* by the 2003 Law on Internal Security, which actually never functioned properly.

Who are these new inspectors? They are public and private agents, in approximately equal proportions. The public agents, in the Île-de-France TD for instance<sup>11</sup>, are volunteers on temporary contracts detached from the Paris *Préfecture de police*<sup>12</sup>. There are five police officers, one *gendarme* and two other central administration workers, one agent from the *Préfecture* and one detached from the Paris Civil Security Department. As for the *private agents*, they are deliberately chosen for their much more eclectic backgrounds. They include a handful of former civil servants gone over to private companies long ago, and including one from the Directorate for Protection and Security of the Ministry of Defence and another from the Corrections Administration, but also a former commercial agent in a bank, incidentally with good expertise in police dogs, a former safety assistant for a cash-in-transit company, two safety executives from a furniture company and a cultural products company, one employee of an electronic security company reputedly knowledgeable in hacking techniques. Last, one investigator was in close contact with the private detective world but was not one himself. The variety of careers corresponds both to the need to resort to skills appropriate to the milieu targeted and to mix them with administrative workers who, although unfamiliar with this sort of business, are more knowledgeable as to the law.. As one inspector explained: « *Company managers give us useful advice about how a security firm is put together, and they help us to detect the shortcomings in the many uses of the agents they recruit. Those formerly in charge of prevention within large firms give us first-rate technical information on how subcontracting is organised. The inspector with good knowledge of the dog-raising milieu has invaluable information for us, he's first-rate about the regulatory situation, having been a trainer in a dog-training school. Three of our inspectors have the SSLAP 3 qualification<sup>13</sup>, the highest one for respecting fire prevention rules... And we take advantage, directly or*

<sup>11</sup> Which provides a good idea of what is attempted to be set up in the other six CIACs and the five CLACs (*Commissions locales d'agrément et de contrôle*, or Local licensing commissions located Overseas).

<sup>12</sup> The national agency which provides the police force for the city of Paris and the surrounding three suburban *départements*.

<sup>13</sup> Agents of the Fire and Personal Assistance Security Services (*Services de Sécurité Incendie et d'Assistance à la Personne*) working in facilities open to the public and in very tall buildings are divided into three categories with different qualifications: SSIAP1 (agent), SSIAP2 (team head), and SSIAP3 (head of department).

*indirectly, of the expert knowledge they gained on the job* » (interview, inspector, February 7, 2013).

On-the-spot checks are generally triggered by requests for information sent by mail or e-mail to a particular company or worker by the TD secretariat. Their appropriateness is discussed in-house with the designated inspectors, with scheduling usually three to four weeks in advance. The inspection must be approved and validated by the head of the Delegation, who transmits it to the director of the CNAPS for assessment of its strategic cogency on the basis of two sorts of criteria: political, if the target constitutes an overly sensitive issue at the time, or purely administrative, if there is a need to boost figures by showing more balanced statistics for the overall perimeter of the sectors monitored, including service-providers and in-house services. Following which the go-ahead is given for an on-the-spot check, with the consent of the Public Prosecutor's office.

Whereas the official goal of the TDs and CIACs is clearly to develop solutions aimed at making people « tow the line », it is important to show that the widest variety of targets are monitored. The commissions must resist the temptation to act on exposure or informing, although the need to get results makes them prone to this. Above all, we note tension between the administrators and private actors in these commissions. Professionals from this sector tend to have economic interests leading them to attempt to eliminate competitors in the form of « amateurs » who care little about proving professional to get contracts. Representatives of the Government, on the other hand, remain attached to the principles set down in 1983, which aimed at cleansing the market of its questionable elements at the time. « *Today, the rot has already set in* », says an administrative agent from one TD, alarmed by the loss of control over the stakes: « *their power [of professionals] is no less real. If the CIAC is divided on a dossier, the three representatives of the industry could very well throw the decision in one direction or the other, and they would have no qualms about eliminating a black sheep who hurts their image on the basis of criteria other than those prescribed by the law, or conversely, protecting some colleague who is like them, especially if he belongs to their syndicate* » (interview, chief reviewer, *ibid.*).

## The judicial function of CIACs as disciplinary committees

The cases most frequently encountered by the CIACs have to do with decisions to refuse an initial licence or a request to renew certification. To avoid the risk of excessive regional differences in this sort of highly consequential decisions, some informal guidelines were defined during the first private security conference (in autumn 2012) by the *Conseil d'État* and the *Cour de Cassation*. Three recurrent, inter-related criteria pertaining to the situation of applicants are useful in making more enlightened decisions during examination of applications by « disciplinary committees ».

The first recommendation is that consideration of the *applicant's age* be primordial

in modulating severity or leniency. An applicant cannot be viewed in the same way if he is 16 or 30, or if the fact susceptible of being held against him is recent or old. An applicant who has not been suspected by the agency over the past ten years, or who was only accused of a single fact over the last five years should not have his request for a license rejected. Similarly, a sentence erased from the B2 criminal record certificate should be considered a positive element in a request for authorisation to practise. The most extreme caution is recommended in the follow-up of conditional dismissals ordered by the Public Prosecutor's office.

According to the same recommendations, in the case of *prosecuted offences*, marital violence in the applicant's private life, for example, should be considered in context. When repeated, it should be viewed as indicative of poor self-control susceptible of translating into the person's professional life. Traffic violations should be viewed as serious since they indicate poor knowledge of security rules and of possible addictive behaviour incompatible with the exercise of authority. A youth who once got a ticket for « smoking a joint » should not be automatically barred, as opposed to one who clearly was involved in trafficking. Similarly, with respect to contempt to a public official, extreme circumspection is required, inasmuch as their legal characterisation is very often ambiguous. Conversely, « violence » exerted on such officials should be viewed as revealing behaviour incompatible with discharging any authoritative function and should therefore lead to rejection of the application. As one magistrate member of a disciplinary CIAC said, speaking of the case of a fight between a security agent and public police forces that had got out of hand: « *We have to know what side a candidate for renewal of his ASP [Private Security Agent] card is on. It's not his business to question how the police intervenes* ». In other words, the inability to control one's own violence in a public or private setting is definitely the boundary defining which candidates should be included or excluded from the field of private security.

Last, regarding the *applicant's social status*, the suggested doctrine is to be as humane as possible in considering any signs indicating the applicant's sincere determination to achieve social and economic success, such, for instance, as his participation in « activities and approaches known as *École de la seconde chance*, The School of the Second Chance »<sup>14</sup>. The same should apply to anyone who has a long history of work in private security, even if there are some blots on his record.

Since the overall scheme is still in the trial stage, our study could not uncover or detect any local variations, or still less find any clear-cut explanations thereof. For the

<sup>14</sup> A re-schooling programme targeting youths who have dropped out of school for over one year without any diploma or skill.

time being, then, the impact of the scheme can only be depicted through a quantitative assessment of the dossiers examined.

#### Taking stock of the activity of CIACs during their first operation year (2012)

Total number of applications for authorisations transmitted to the CNAPS	83 408
Requests for professional cards (2009 law)	35 865
Requests for authorisation conditioned by access to vocational training	45 040
Number rejected (refusals)	6 102
Number of submissions to the CNAC for administrative review following refusal by a CIAC	366
Number of negative responses from the CNAC	193
Number of positive responses from the CNAC	113
Number of requests for judicial review following negative responses from the CNAC	19

Source : CNAPS.

According to the estimates and comments of the CNAPS itself, the trends for 2012 were reversed as compared with the practices of *préfectures départementales* in previous years. For the first time, first applications for prior or temporary authorisations (56%) exceeded requests for renewal of expiring professional cards (43%). This seems to indicate the end of an ambiguous situation in which delivery of a receipt conditioned by the acquisition of training was understood by applicants as tantamount to definite authorisation.

In addition, the totality of inspections conducted throughout the territory in 2012 shows that 826 checks targeted 684 companies and 2,483 workers. Unsurprisingly, most inspections pertained to surveillance and security guard work (84%), with a downturn during the last three months, when targets were more varied, including video monitoring, close protection of individuals, and cash-in-transit.

Of the 3,612 violations recorded, 62.3% (n = 2,249) pertained to non-compliance with the code of internal security [i.e. 27.4% (n = 615) for inability to show a professional card; 61.3% (n = 1,379) for improper dress; 11.3% (n = 255) for lack of a professional card], while 38% (n = 1,373) involved violations of the ethical code of private security promulgated in July 2012, violations of the immigration laws and of the labour laws.

At the close of 2012<sup>15</sup>, TD disciplinary committees had completed review of 114 dossiers, of which 56 were dismissed for lack of a definite offence or because the problem had been corrected in the mean-

<sup>15</sup> The CNAPS claims to have conducted 852 checks and 834 on-the-spot visits during the first semester of 2013, as against 589 checks and 887 on-the-spot visits during the second semester of 2012. A 40% increment was recorded in the number lapses found during these checks (Source: AEF SG, dispatch n° 9338, July 4, 2013).

time (49%), whereas 58 (51%) were handed over to a CIAC for disciplinary prosecution. In all, 14 dossiers were subjected to a disciplinary trial, following which 4 warnings were issued, 4 natural persons were prohibited from practising for a two-year period, 1 company was barred from the trade for one year, 4 fines ranging from 10,000 to 80,000 € were meted out. One compulsory administrative review was judged by the CNAC, which upheld the opinion/decision of the CIAC involved.

What do these data have to say? Is this a little, or a lot? Will it be dissuasive for future employee applicants or for company managers? The future, and future studies on the subject, will tell. The main point for the private actors enrolled is that they have succeeded in proving that the new scheme has rapidly produced some results, as the director of the CNAPS had hoped. And above all, that many obstacles that arose during the year were overcome, one by one, in spite of the cumbersome bureaucratic machinery produced by the small budgetary, material and cognitive « revolution » entailed by the structure of the new scheme.

#### Prospects

Can these « administrative hybrids » cropping up in the sovereign domain – as the CNAPS and the CIACs may be defined, sociologically – eventually improve regulation of the anarchic private security sector, or at least channel its erratic expansion better? To answer that question demands an understanding of the long-term economic and social changes that have affected the sector itself, and a look at whether it is the laws governing the economics of supply and demand or the new rules of the game imposed by the administration that have the upper hand in regulating the security/protection industry. And to do so in a discussion of the relevance of a new model which seems to be prevailing, increasingly, throughout Europe: what is known as a « public and private coproduction of security » model<sup>16</sup>, in reference to which each nation, with its own spirit and the history of its specific security system would be evaluated.

What we have here is a very imperfect market with fragmented services, composed of innumerable offers at times progressing, regressing, or stagnating. These services have one thing in common, their extreme dependency on and reactivity to the occurrence of unexpected traumatic events such as accidents, bombings, or natural catastrophes, so many electroshocks that periodically stimulate the demand for more collective security, by both public and private means. This is the main factor in the seesawing growth of the sector, and certainly what fuels it most to constantly per-

<sup>16</sup> Cf. COOLS M., PASHLEY V., 2012, La sécurité privée en Europe : une analyse des trois livres blancs, *Cahiers de la Sécurité*, 19, 40-54.

fect its services, both technological and human. Compared to the pressure exerted by the context, all the incentives encouraging the numerous customers to use human services have been of little avail. Be they public or private, most of them have no conception of how this type of investment impacts their company, since they do not necessarily see any immediate returns. While there is rather widespread belief that technologies for long-distance detection may replace human resources in the long run, in fact, at a time when the government is gradually withdrawing from all non-vital spheres, the close-up and « hand-made » interventions offered by private prevention companies still have a promising future. Customers are faced with a new situation, in which they find themselves enrolled in the new schemes since they pay the « CNAPS tax » indirectly, via its inclusion in contracts or a contribution based on their payroll, and at the same time they are more consistently obliged to shoulder the consequences of their responsibilities as consumers by consenting to buy more professional services at a higher cost. The idea is that these new factors will be potent enough to eventually change perceptions of the impact of investments in protection within companies whose calculations, up to now, have been too short-term.

However, when the economy is depressed, the diktats of « purchasing departments » are always pernicious. Unofficial negotiations in bids for public markets and the intervention of facility management firms (which in fact raise costs by bargaining in the company's stead for the outsourcing of services)<sup>17</sup> are still very frequent and conflict with the sector's overall aspiration to « loftier » practices involving the development of a shared culture of safety procedures. Service-providers are walking a tight rope in this respect. They are well aware that their interests will be in jeopardy in the long run if their customers convert to in-house protection of their company. By insourcing much of their security system through investment in training workers who would then cost more but be more stable, their customers would deprive them of substantial market shares.

We have illustrated the main elements of the concrete system of actions produced by the variety of positions of security suppliers within and peripheral to the CNAPS scheme. The dominant operators demand that the new scheme contribute to the consolidation of their leadership through more substantial concentration of what they consider an overly fragmented market, and to the elimination of the weakest and non-viable operators<sup>18</sup>. Those in the middle, sa-

mall and middle firms working alone or in a coalition, generally in a better position on historically more local markets and sometimes in niches, count on the positive impact of the rising cost of the entrance fee to their profession. They campaign for the imposition of a higher financial guarantee that would be more dissuasive for the self-employed and for small fly-by-night companies. In fact, they converge with the former group in seeking an overall cleanup through the new scheme, which accounts for the energetic participation of the USP (Union of Private Security Companies) and the SNES (National Syndicate of Security Companies) in running the CNAPS and the CIACs, in the hopes of gaining more control of their overall functioning.

The actual impact of this new monitoring system will depend on the degree and style of the government's involvement. Will the administration give in to or resist the pressure of the « profession » to do a financial cleanup rather than a legal one? To avoid raising this question straightforwardly, there is a consensual use of the catchword of « *professionalisation* » of the trade between all the actors involved (administration, employers, public and private training schools, with the exception of the general trade unions)<sup>19</sup>. But a closer look immediately reveals cracks in the postulated consensus on goals. Is the idea to professionalise a work force massively composed of employees carrying out orders, and if so, what skills should they be taught, and how can they be given better pay so as to stabilise them? Can this be done without giving any attention to the « rules of good conduct » inherent to a professional identity in the making and eager to distinguish itself from other public security professions? Wouldn't it be more appropriate to re-establish the middle management functions destroyed over the past decade, the outcome being that the tricks of the trade are no longer taught by supervisors, as was the case in the past? In this perspective, is the idea to give more training to in-house employees, reconverted military and police officers, and engineers with an in-house career? If so, to assign them to which missions? Who is in a position to train them, and what for? Is the assumption of a common core of training in « State public security » sufficient to produce good risk managers for firms, capable of supervising a private security team assigned to a partner?<sup>20</sup>

Other private security professions – some of which intellectual, such as safety consultants; others order-takers such as guards with combined fire and security functions; « ATMists » serving the Automatic Teller Machines (an extension of traditional cash-in-transit work) or technicians (in charge of the installation and maintenance of long-distance electronic

surveillance technology) – tend to define themselves as belonging within the perimeter of the law. It would not be very difficult to include them in book 6 of the Code of internal security now in the draft stages (a bill will be discussed in the spring of 2014). At that juncture, the French lawmakers should primarily more accurately define the invaluable contribution of this fourth actor in the « coproduction » of security, working in conjunction with the three existing public forces (the national police, the national *gendarmerie* and municipal police forces). They should measure their collective efficacy in each fragmented space in which these forces work in an increasingly coordinated manner. The State's rule of law must be reconsidered in regard to the gradually fading borders separating public and private spaces as well as physical and immaterial spaces, all of them being spheres of intervention for the coordinated action of security agents.

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<sup>17</sup> On « facility management » companies in the security field, see Facilities (<http://www.facilities.fr>), 2013, *Guide des services généraux et achats hors production*, 391-423, and on their questionable competency, see WARFMAN D., OCQUETEAU F., 2011, *La sécurité privée en France*, Paris, Presses Universitaires de France, 94-95.

<sup>18</sup> On this, see MATHIEU M. (president of Securitas France, vice-president of the USP and member of the CNAPS board of directors), 2013, *Quelles réalités économiques ? Bilan et prospective*, in BRAJEUX P., (dir.), *et al., Sécurité privée, enjeu public*, Paris, Armand Colin, 65-74.

<sup>19</sup> On this, see IGA, IGES, IGAS, 2012, *Rapport sur la formation aux métiers de la sécurité privée*, July (<http://www.interieur.gouv.fr/Media/MII/Files/Rapport-sur-la-formation-aux-metiers-de-la-securite-privee>).

<sup>20</sup> OCQUETEAU F., 2011, Heads of Corporate Security in the Era of Global Security, *Champ Pénal/ Penal Field*, VIII (<http://champpenal.revues.org/8245>).