

Improvement of Civilian Oversight of Internal Security Sector Project

ICOISS Phase II



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FACT FINDING REPORT ON PRIVATE SECURITY IN TURKEY

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Reference to the Description to the Action	
Component	B. Capacity Building
Sub-Component	B.2. Strengthening of Human Resources
Activity	B.2.2 Provide seminars to about 40 CEO and top executives of selected private security sector companies with a view to enhanced civilian oversight
Output	B.2.2. Seminar tool kit, seminar reports, fact finding report on private security in Turkey
Description	<ul style="list-style-type: none">Overall assessment of the private security seminar with a fact finding analysis



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Private Security Sector in Turkey: Fact-finding Report

Mark Button with support from Yusuf Dalda

1. Introduction

This report is a fact-finding report on the private security sector in Turkey. It begins by noting the origins and remarkable growth of private security in recent years, making it one of the largest in Europe by numbers employed. The report also notes some comparisons to other large EU countries illustrating only Spain per capita has a larger policing and security infra-structure. The report notes some of the significant activities of the private security sector, before moving on to outline the regulatory structure for the Turkish private security sector.

2. Origins and Growth

Cihan¹ argues the modern private security sector in Turkey can be traced back to the 1930s when Municipal Law No 1580 enabled policemen, district guards and forest guards to be hired as to supplement state forces. In 1981 Private Security Law of 1981 provided the first framework for the private security sector, but this soon proved inadequate in dealing with the private security sector and was replaced with the current law of 2004. Since this legislation Turkey has also experienced substantial growth in private security. Cihan² has recently published research drawing upon official figures which found there were only 1,394 employed security officers in 2004 and 29 security companies. These compare to the latest figures showing 1618 companies and 217,302 security guards working (see table 1).

¹ Cihan, A. (In Press) The Private Security Industry in Turkey: Officer Characteristics and their Perception of Training Sufficiency. *Security Journal*. doi: 10.1057/sj.2013.4.

² Ibid, p 5.

Table 1. Turkish licensing statistics for private security³

	Category	Number
1	The number of undertakings which have permission to hire private security.	65,187
2	The number of Private Security Companies	1,618
3	The number of Training Institutions	760
4	The number of persons who have private security training certificate	1,447,241
5	The number of private security guards who have licences	640.475
6	The number of private security guards actually working	217.302
7	The number of alarm centres	304

As of 31st March 2014.

Estimating the size of the private security sector and comparing countries is fraught with challenges.⁴ First, there is often high labour turnover and large numbers of part-time employees, which means active licences do not always mean that is the number of full-time staff actively working in private security. Second, there are often activities within the private security sector not subject to licensing and securing information on their number is often difficult. It is therefore not possible to say with confidence which country in the European Union has the biggest private security sector by staff numbers. Nevertheless if Turkey were a member of the European Union it would have one of the largest private sectors in terms

³ From www.egm.gov.tr

⁴ Van Steden, R. and Sarre, R. (2007) The Growth of Private Security: Trends in the European Union. *Security Journal*, 20: 222-235.

of the numbers of staff employed, with 217,302 active security officers and over 1600 companies (see table 1).

To put this in context Turkey is compared to some of the larger EU states in Table 2 below, drawing on statistics from COESS, Eurostat and other relevant sources.⁵ The table shows – and bearing in mind the caveats with such statistics identified above – that Turkey has the second largest private security sector and if police and private security staff numbers were combined would have the largest total number of staff of this group of countries, although Spain would have the largest per capita. The comparison to other countries also shows the further potential for growth of this sector in Turkey.

Table 2. Police and private security staff statistics compared in six countries

Country	Population	Police Officers	Private Security Staff	Police Officers per 100,000	Private Security Staff per 100,000	Private Security Staff to Police Officer Ratio
Turkey	76667864	446959	217302	583.0	283.4	0.49
France	65856609	203982	147000	309.7	223.2	0.72
Germany	80780000	243982	168000	302.0	208.0	0.69
Italy	60782668	276750	47858	455.3	78.7	0.17
Spain	46507760	249907	188000	537.3	404.2	0.75
United Kingdom	64308261	160566	339440	249.7	527.8	2.11

The private security sector in Turkey is typical of many other European countries. Some of the most common activities found include:

- Transportation of valuables
- Protecting public transport locations: airports, ports and railway stations.
- Protecting retail and leisure facilities.
- Protecting factories, offices, building and other workplaces.

⁵ COESS (2011) *Private Security Services in Europe*. Brussels: COESS;
<http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&language=en&pcode=tps00001&tableSelection=1&footnotes=yes&labeling=labels&plugin=1>;
http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en#;
<http://www.sia.homeoffice.gov.uk/Pages/about-news.aspx?newsID=473&ArtTypeID=13>; Association of Police and Crime Commissioners (2013) *Police Strength in England and Wales at March 2013*. London: Association of Police and Crime Commissioners.

- Protecting hotels and other residential complexes.
- Protecting sporting events.
- Responding to alarms.

Some of the large transnational security companies which operate across the European Union, such as G4S and Securitas operate in Turkey, along with many local firms. As table 1 illustrates, there are over 1600 recognised firms. As in many other countries in the EU private security staff tend to work long hours in Turkey for pay around the minimum levels. The partnerships between the public and private sectors were beyond the scope of this report, but the legislative base and other comments suggested this was an area which could be substantially improved.

The Turkish private security industry is regulated by **Private Security Services Law – 5188** issued on 26.06.2004 (29 items). This replaced the previous law passed in the early 1980s. There have been several amendments to this law (2008, 2011 and 2013) and there is scope for more detailed instructions to be issued under it by the regulatory bodies. Another major reform of the law is currently being considered by parliament. Some of the key components of the Turkish regulatory system will now be considered.

Responsibility

Responsibility for regulation is divided between the local Governor's office, the Ministry of the Interior, the Private Security Commission and the police. The different functions they undertake are listed in figure 1

Figure 1. Key Agents and their Responsibilities in Regulating Private Security

Governor	Private Security Commission (PSC)
<p>Decision on whether private security maybe employed and its shape in consultation with PSC bar emergency and temporary where Governor only. (Private Security Services Permit Certificate)</p> <p>Receives list of guards employed and their insurance within 15 days.</p> <p>Investigation of prospective security guards, managers and trainers.</p> <p>Issue of individual licenses (five years) (identity cards)</p> <p>Receive written notification of security company branches within one month.</p> <p>Receive written agreements between security companies and clients at least one week prior to commencement (covers name, title, address, scope of services, number of staff, term and other relevant matters).</p> <p>Supervise and audit private security units, companies and training centres.</p> <p>(Public administrators) authorised to supervise and audit private security measures in public places such as airports, ports, customs, railway and in places where mass activities occur such as sports, stadiums etc.</p> <p>(public administrator) order private security personnel.</p> <p>Allow purchase and possession of firearms by companies in CIT, temporary services, training centres.</p>	<p>(Assistant Governor Chairs, representatives of local security department, gendarmerie, chamber of commerce)</p> <p>Assist in determining security need of applicant. Can stipulate maximum number of staff, equipment and number of guns.</p> <p>Determine need for armed personnel and their nature.</p> <p>Allow purchase and possession of firearms by companies in CIT, temporary services, training centres.</p>

Issue permits for alarm centres.	
<p>Ministry of Internal Affairs</p> <p>Security company approval (must be solely security).</p> <p>Receive written notification of security company branches within one month.</p> <p>Provision of training (in law but not much in practice).</p> <p>Approve security training companies.</p> <p>Supervise and audit private security units, companies and training centres.</p> <p>Approval of uniforms and equipment used by security companies.</p> <p>Prepare examination questions and hold exams.</p>	<p>Police (National, Gendarmerie etc)</p> <p>Enforce legislation.</p> <p>Order private security personnel.</p>

In the regulatory system there is virtually no formal role for the private security sector (employers or employees), consumers of private security, the public or other relevant stakeholders. Turkey has a number of professional and trade associations which represent the interests of the private security sector. The largest organisation is GÜSOD – Güvenlik Servisleri Organizasyon Birliği Derneği (Association of Security Service Organisations) which represents some of the larger companies. Generally such bodies are consulted by the Ministry of Interior, but they do not have significant influence. There is also a Chamber of Commerce dedicated to private security, but this does not draw upon a wide representative base from the sector and is also not considered to be that influential.

Authority and powers of private security

The legislation clearly sets out the authorities and powers of private security staff in Turkey. These include:

- To Ensure that the people wishing to enter to the site they guard, pass through the metal detectors, and search them by manual metal detectors, and having their belongings pass through X-ray detectors or similar other security systems;
- In the case of mass activities such as meetings, concerts, sporting events, stage performances and similar activities, as well as funerals and wedding ceremonies; asking for identification of the visitors or participants, ensuring that they pass through the metal detectors, searching them by manual metal detectors, and having their belongings pass through X-ray detectors or similar other security systems;
- To arrest a person in accordance with the article 127 of the Code of Criminal Procedure with the number 1412 (general citizens right).
- To arrest and search in their assignment area people for whom a warrant of capture, a warrant of arrest or a criminal sentence has been issued.
- To enter premises and houses in their area of work at times of natural disasters, such as earthquakes and fires when help is requested.
- To ask for identification, ensure people pass through metal detectors, search them by manual metal detectors and have their belongings pass through X-ray detectors or similar security systems at public transportation buildings and facilities such as airports, ports, railway or other stations.
- To retain the objects and articles resulting from a crime or which may be evidence of a crime found during the search, or articles which, though not of criminal nature, can be hazardous, on the condition of informing police or gendarmerie immediately
- To retain abandoned or found articles
- To capture a person in order to protect him from a present and imminent danger threatening his body or health
- To protect the place of incident and the evidence of a crime and for this purpose, arresting a person according to and in the meaning of the Article 157 of Criminal Procedures Law
- To use force in accordance with the Article 981 of Turkish Civil Code, Article 52 of The Law of Obligations, clauses (1) and (2) of the paragraph I of the Article 49 of Turkish Criminal Code

In the seminar to discuss private security regulation held on the 9th June 2014 in Istanbul Professor Yenisey raised some serious issues for the private security sector, by suggesting some of the normal practices of private security staff may not be authorised under the current law, such as collecting the names and personal details of visitors and retaining CCTV footage. It was clear from the debate that the rapid growth of private security in size and role has meant that the law has not kept up-to-date with some normal industry practices and further reform may be necessary.

Approval to use private security

The foundations of the Turkish regulatory system starts with a requirement, which is unusual compared to other European Union systems, for an undertaking seeking to use private security to first apply to the Governor's office for a Private Security Services Permit Certificate. This permits sets out the number and shape(equipment, strategies) of private

security. This is done in consultation with the Private Security Commission, except in temporary and emergency cases where it is the Governor's office alone.

Licensing of private security

Most private security activities are subject to regulation and licensing. Regulation covers the following sectors:

- Manned guarding sector (contract and in-house unarmed and armed security guards, door supervisors working in pubs and clubs, guards in cash-in-transit and managers of these staff).
- Security training centres and their staff
- Alarm centres

Licensing, however, does not apply to private investigators or security consultants. There is also little differentiation between licences, other than a security guard and armed security guard licence. Individual licenses are secured from the Governor's office and for an unarmed security guard licence they must be a Turkish citizen, 18 years old, have achieved 8 years education, have good character (exclusions relating to various criminal convictions), good health (physical and mental) and have passed the 100 hours training course. If they are to be armed they must also be 21 years old, achieved high school education and undergone an additional 20 hours training on top of the 100.

Companies also require a licence from the Ministry of Interior, whose founders/managers must be Turkish citizens, of good character (bars on numerous convictions) and should:

- be graduates of a college or university of four years study,
- not be barred from public rights, and
- completed a private security basic training course comprising theoretical and practical training, as well as gun training with a total duration of one hundred and twenty course hours.

There are also requirements for security companies (and undertakings in the case of in-house security) for minimum standards of insurance and the use, storage and purchasing of weapons. There are no compulsory codes of conduct for either firms/undertakings or individual licence holders.

Training

There are provisions for training for unarmed and armed security guards which last 100 and 120 hours respectively. Refresher training is also mandated every 5 years and consists of a further 50 and 60 hours respectively. A more detailed breakdown of the training courses is set out below in Figure 2 and the trainee has to pass an examination with at least 60 percent to pass.

Figure 2. Basic training for licensed unarmed and armed guards

	Subject	Basic training (duration) hours	Refresher training (duration) hours
1	Private security law and human right	20	10
2	Security measures	20	10
3	Security system and equipment	5	3
4	Basic first- aid	10	4
5	Fire and intervention to the natural disaster	8	4
6	Narcotics substances	2	1
7	Effective communication	12	8
8	Event control	10	4
9	Close protection	9	4
10	Relation with law enforcement officers	4	2
11	Knowledge about weapons and shooting	20	10
	total sum	120	60

Red is for the armed guards only

There are no mandatory training courses for any of the specialised security roles within this sector (cash-in-transit; close protection, door supervisors etc) nor for managers. These courses are provided by around 760 licensed training institutions. However, between 13-16 June 2014 a ‘security training improvement project workshop’ was held at Bolu under the leadership of Directorate General of The Police in cooperation with Police Academy and Hacettepe University, with over 100 participants from companies, training institutions and universities. At the meeting discussions focused upon developing specialist provision for:

- Close Protections Training
- Facility and Establishment Security Training
- Strategic Business Units Security Training
- Collective Transports Security Training (Including Civil Aviation and Maritime Security)
- CIT Security Training
- Alarm Centre Security Training
- Temporary Activities Training

There is also another ongoing project looking to develop training standards for maritime security.

Turkey also has an advanced base of higher education provision for the private security sector. There are around 27 higher education institutions offering courses which provide exemption from the basic training. This is the largest provision in Europe. However, at the seminars to discuss private security there was debate over the quality of such candidates and the lack of appropriate managerial positions available for them in the sector.

Enforcement, sanctions and complaints

There is a high degree of compliance with the regulations in Turkey. The requirements to apply for permission to use private security mean the regulatory authorities know where private security is and therefore by implication know when there is no permission for it. The basic structures are supported by around 800 police officer who work in the Private Security Departments, in 81 Districts with a further 100 inspectors who work in Private Security Inspection Department and some Regional Districts.⁶ Breach of the regulations (and other laws) can result in the sanctions of loss of licence and administrative fines of up to 1000 to 2000 Turkish Lira per incident and criminal sanctions of fines and up to 1 year imprisonment too. There is no detailed provision in the legislation for complaints against licence holders. Complainants would be expected to pursue matters with the undertaking or company in the first instance or their insurer. More serious complaints or those not adequately dealt with by the first, can be made to the Governor's office and if there is a case investigated by the police. If evidence is found to support a breach of the regulations or other relevant laws than a case would be made for administrative or criminal sanction depending upon the severity.

3. Conclusion

This report has noted some of the key facts concerning the private security sector in Turkey. It has illustrated its phenomenal growth from a handful of companies and few thousand staff to one of the largest sectors in Europe, with over 200,000 private security staff and over 1600 companies. Compared to other large EU states it has one of the largest private security sectors. The industry provides a wide range of functions comparable to other EU states. The private security industry is regulated by a law passed in 2004, which has been amended several times and is about to be again. It creates a regulatory system based upon licensing of private security companies and staff and the requirement for authorisation by those seeking to hire private security. Licensing sets character and minimum training standards for staff, amongst others and a variety of requirements for companies. There are a variety of bodies involved in regulation including the Ministry of Internal Affairs, Governors Offices, Private Security Commission and the police. The system is comparable to many others in the EU and like some of those could be reformed in a number of areas to further enhance the effectiveness of it.

⁶ Personal communication.