

# *Security Services: The Changing Canadian Landscape*

By

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The bar is being raised for the Canadian security industry. And it's about time! Outdated legislation, which in some cases is almost 40 years old, is being revised in several provinces to encompass all security practitioners. New regulatory standards are emerging. What does this mean for the Healthcare sector? Read on!

## **The Drivers**

A number of dynamic factors are driving significant change within the Canadian security industry:

- **Public Concern**, fear of crime and heightened safety and security concerns – disasters, SARS, 9/11, West Nile Virus, power blackouts, gratuitous violence;
- **Public Policing Costs** are significant. The police may not always be able to provide a rapid response to urgent situations at large expansive healthcare sites, or provide the enhanced level of safety and security that some environments require;
- **Client, Staff and Community Expectations** for safe and secure environments - The expectation that a professional security department will be able to intercede, if necessary, before the police arrive;
- **Proliferation of the Security Industry** to the extent that the number of Canadian security officers now exceed public police officers. Minimum standards exist for police officers. Yet, the public is never certain of the qualifications, training, and capability-level of the security person responding to their situation;
- **Political Will** – The Law Commission of Canada upcoming report to Parliament on the overlapping *Roles of Public Police and Private Agencies* will make a number of recommendations to formalize professional standards for the Canadian security industry;

- **Legislative Changes** - Ontario recently introduced the new *Private Security and Investigative Services Act* (Bill 159) to include new standards for both in-house and contract security practitioners. British Columbia, Quebec, and the Atlantic provinces are in various stages of introducing similar changes. These new standards will include tiered security officer classifications, background screening, mandatory training, annual recertification on the lawful application of the use of force, accountability mechanisms, and increased fines and penalties.
- **Legal Liability and Due Diligence**  
*Bill C-45* Criminal Code amendments enacted in 2004 increase criminal liability for organizations in protecting both workers and the public. Maximum fines on summary conviction have been increased from \$25,000.00 to \$100,000.00. Section 217.1 of the Criminal Code of Canada now states:

***Duty of Persons Directing Work***

*Everyone who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task.*

The jury at the *Patrick Shand Inquest*, held in Ontario in 2004, determined that the cause of death was accidental caused by “restraint asphyxia with the following contributing factors; chronic and acute effects of cocaine use”. Mr. Shand was being restrained by store employees and a security guard after being apprehended for shoplifting. The jury made twenty-two recommendations for new standards, including the need for urgent change, which have far-reaching implications for organizations employing security personnel.

## **The Future**

This changing security landscape will result in higher standards, expanded legislative regulations, and public accountability mechanisms for hospital security departments; whether in-house security personnel or contract security guards are employed.

## **Getting Ready**

How to prepare for the future? Conduct a risk-based assessment of your current security services, systems, and programs. Review job descriptions, professional standards for your security staff, policies and procedures and service delivery practices. Ensure they are consistent and congruent. Audit and measure them against best practices, current and future industry standards, and legal precedents. Your auditor should be an independent professional who does not have a vested interest in selling you other services or products. By exercising due diligence in this manner, you will reduce risk, mitigate liability and enhance your hospital reputation in providing a safe and secure healthcare environment. Here comes the future!

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