

PRIVATE security agents and Youth



Can a security guard make me and my friends move along?

Yes. Security guards are hired to protect private property. If you and your friends are being loud, acting suspiciously, or causing a disturbance, a security guard can tell you to move along or leave. They do not have to give you an explanation.

Where do security guards work?

Security guards are often at malls but they also work at stores, government buildings, construction sites, convention centers, sport events and concerts.

Can a security guard stop me from coming into the mall, building or property?

Yes. The security guard can serve you with a 'Protection of Property' notice. This is a legal paper that bars you from coming on the property. It will not matter if you refuse to take the paper. When you are banned from one property, you may not be allowed on other properties owned by the same company. If you come back before the ban is up the notice may start back at day one.

Malls and other buildings have security cameras. They keep files and pictures of people who are banned. If you refuse to stay off the property, you are committing an offence. The security guard may call the police. You can be arrested, charged and fined up to \$500.

If you are at a concert or sports game, a security guard may ask to search your bag. You can refuse but they might not let you in.

What if I need to go see my doctor or visit the employment office?

If you have an appointment or need to do business in a place you have been banned from, you should call the Security Office. The Security Manager will make arrangements for you to enter and leave. (This won't work with a court order though.) If you do not follow the manager's arrangements, you will not be allowed back in the building.

Can a security guard arrest me?

Yes. A security guard can make an arrest the same as any other person. The security guard must have 'reasonable and probable' grounds to make an arrest. This means that there must be a good reason to believe that you have committed a crime. They can make an arrest if:

- You are committing a serious offence like robbery or physical assault
- You have committed an offence and you are escaping from the police and the police are chasing you
- You are committing an offence on the property, like shoplifting

Often the security guard may read you your rights and warn you that anything you say may be evidence against you in court.

Once you have been arrested, the security guard must turn you over to the police.



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Can a security guard use force?

Yes. How much force depends on the situation. If you are not a risk to their safety, security guards should not use force. They can use reasonable force to prevent you from taking property, for example, stop you from stealing.

Can a security guard keep me from leaving?

Yes. If you have been arrested, the security guard must hand you over to the police. In some situations a security guard may use handcuffs to hold you until the police arrive. If you haven't been arrested, the security guard cannot stop you from leaving.



Can a security guard search me?

Possibly, but more often than not the security guard will call the police.

What can I do if I think the security guard has treated me unfairly?

Write down the facts of what happened, include names, dates, times and the important points on what was said and done.

Go to the security manager and tell him or her what happened.

Give your written complaint to the security company.

Give the security manager a written copy of your complaint. Always keep a photocopy for yourself.

If you are not satisfied with how he or she deals with your complaint, you can talk to a lawyer to get some advice.

If you feel that you were treated differently because of your race, gender, religion, ethnicity or colour, you can contact the Nova Scotia Human Rights Commission.



What else can a security guard do?

Security guards have to enforce the Department of Health rules for public places.

- No bare feet – you must wear shoes
- No bare chest – you must wear a shirt
- No pets in the mall
- No biking or skateboarding

Where can I get more information?

www.youthjustice.ns.ca

If you feel that you have been discriminated against you can contact:

Nova Scotia Human Rights Commission – Call toll free
1-877-269-7699

Canadian Human Rights Commission – Call toll free
1-888-214-1090 or 613-995-1151

This brochure was developed by the Legal Information Society of Nova Scotia with funding from the Department of Justice Canada Youth Justice Renewal Fund.

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