

Private Security Legislation and Accountability in Türkiye: Evaluating Regulatory Mechanisms Against Misconduct

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Abstract

The existence of the Law of Private Security Services of Türkiye (Law no. 5188), and even its implementation regulation, does not negate the problems associated with inefficient regulatory tools, varying levels of education, and a lack of effective control that contribute to the increasing danger of misconduct. This research considered how the law on private security services and its implementation regulation in Türkiye are used to regulate private security activities and prevent misuse of authority by the rapidly growing private security sector. The theoretical framework for the research comprised the social control theory and the rational choice theory, while the document analysis method was used for studying legislative acts, regulation documents, and scientific articles. The research findings proved that the law regards the private security service as an important additional element of public security, which operates in subordination to the state. From the standpoint of social control theory, measures like training and licensing, as well as collaboration and affiliation with state institutions, facilitate social conformity and adherence to state authority. In terms of the theory of rational choice, there are deterrent factors embedded in the law, which include operational boundaries, constraints regarding the utilisation of firearms, and administrative and criminal sanctions designed to prevent misconduct and misuse of power. Nevertheless, even though the law is theoretically well-founded, the paper demonstrated that there are some implementation problems, including the lack of an appropriate system for control, training, and enforcement. It can be stated that although the law in question is a strong basis for the regulation of the industry, accountability needs to be ensured through enhanced supervision, training, audits, and enforcement of sanctions.

Keywords: Private security, legislation, accountability, regulatory mechanisms, misconduct

Introduction

The area of private security has gained greater significance as far as modern-day security management is concerned across the globe. With threats to security increasing, more urbanisation happening, the need for securing key infrastructural elements, and requirements for security measures in both public and private areas, there has been exponential development of private

security firms. Private security firms often work along with public security services in ensuring that peace prevails and life and property are protected, in addition to helping prevent any criminal activities. As suggested by Asangausung et al. (2024), private security firms form an integral part of the security system of any nation in the form of protection provided at public functions, corporations, homes, and other sensitive facilities. Though faced with numerous difficulties, Filiz (2016) believes that private security firms would keep playing their role as part of modern security systems.

The process of formulating legislation on private security practices in Türkiye is characterised by the institutionalisation of the sector within the context of the overall public security system. The first significant legislative regulation of private security practices was through Law No. 2495 in 1981 (Alkan, 2024). Nevertheless, the fast expansion and differentiation of the private security sector prompted further reforms in this area, resulting in the introduction of Law No. 5188 on Private Security Services, enacted on 10th June 2004. The adoption of such legislation became a crucial shift in private security management in Türkiye, since it provided a formalised set of rules that aimed at integrating private security services into the national security structure, while maintaining government control over the use of force. Additional clarification of the aforementioned rules has been made possible through the Regulation on the Implementation of the Law on Private Security Services on 7 October 2004.

The growth of the private security industry in Türkiye has increased worries about professionalism, accountability, ethics, and the prevention of any misconduct by private security officers. While the organisations involved in private security services can be seen as aids to public security organisations, the assignment of some tasks to private entities has raised many legal and institutional concerns, such as abuse of power, operational limits, and citizen rights protection. As highlighted by Dölek & Rigakos (2018), the fast-growing rate of the industry is a reason for the occurrence of issues related to poor regulation, labour exploitation, and institutional contradictions. According to Mülayım (2024), the evolution of the private security industry in Türkiye is still mounting pressure on the accountability system.

Likewise, the growing complexity of operations within the industry has generated additional demands for specialist education and professional regulation. As pointed out by Demirci et al. (2024), despite the clear need for professional specialisation in the field, current training facilities might be inadequate for addressing future security challenges in Türkiye. As a result, Yağcı et al. (2025) emphasised the need for better collaboration between the General Directorate of Security Private Security Inspection Department (ÖGDB) and the Council of Higher Education (YÖK). According to Alkan & Töz (2020), increasing levels of education among private security officers have led to higher expectations regarding working conditions and professionalism.

Moreover, collaboration between private security providers and public law enforcement bodies is another essential factor that has gained significance in the security governance system of Türkiye. In this regard, the KAAN Project implemented by the General Directorate of Security seeks to promote greater interaction between private security personnel and public law enforcement agencies in the interests of public safety (EGM, 2024; Demirci, 2020). Nevertheless, there are worries about inconsistencies in terms of oversight, varying implementation of regulations, and insufficient mechanisms of accountability to handle ethical misconduct and misuse of power in the sector.

In light of the above, this research investigates the ways in which the Private Security Law No. 5188 and the implementation decrees regulate the activities of private security firms and prevent misconduct by members of private security agencies in Türkiye. In particular, this paper

discusses the legal and institutional instruments designed to foster accountability, professionalism, and compliance in the private security sector in the country. Based on the principles of Social control and rational choice theories, the research investigates how the Turkish private security regulatory system fosters conformity through institutionalisation, as well as discourages misconduct through sanctions, controls, and accountability.

Statement of the Problem

Indeed, one aspect that distinguishes modern security governance around the world has been the growth of private security companies. With rising security threats in various settings such as corporate organisations, residential areas, public gatherings, educational institutions, transportation, and critical infrastructures, private security companies have come to play key roles in the delivery of security and protection services in the public interest. In Türkiye, the adoption of Law No. 5188 concerning private security services in 2004 formalised the security industry by incorporating it into the national security policy as an additional aspect of public policing services (Demirci, 2022; Alkan, 2024). This means that today, private security operatives can be found in various spaces in the country (Demirci, 2021b).

Despite the essential contributions made by private security agencies towards improving public security, there have been growing concerns raised on issues surrounding accountability, professionalism, regulatory measures, abuses of power, and the effectiveness of regulations due to the fast-paced development and operations of the industry. With the increased outsourcing of security operations by public authorities, there has been much concern about how much private security officers adhere to the law, uphold the citizens' rights, and stay accountable in democratic systems of governance. Though private security guards are bestowed with particular powers in surveillance, detention, access controls, and securing their clients' properties, there are chances of abuse of these powers if not properly regulated.

Despite the existence of Law No. 5188 and the related regulations concerning the operations of private security companies in Türkiye, some researchers indicate that the current system of regulation has been unable to cope with the rapid changes in the sector and the new security threats that have emerged (Filiz, 2016; Dölek & Rigakos, 2018). Due to the rapidly increasing size and complexity of the sector, as well as the prevalence of armed private security agents, there is a greater need for an efficient system of management and control. Nevertheless, lack of consistency, inadequate professional requirements, ineffective procedures for complaints, and ineffective monitoring still pose problems. Likewise, worries have been expressed about the effectiveness of the institutionally based arrangements meant to control and coordinate the operations of private security forces in Turkey. While the sector is regulated by the General Directorate of Security Private Security Inspection Department (ÖGDB) (Uçkun et al., 2021), the growing complexity of activities within the private security sector calls for a more specialised and centralised administrative system that ensures the regulation and coordination of operations across the country. On another note, the lack of standardisation of training and certification programs casts doubt on the readiness and competence of security operatives working in security-sensitive areas.

This issue gets further complicated by the implications posed by regulatory inefficiency regarding the principles of democratic accountability, public trust, civil liberties, and the monopolistic power of the state to employ coercive force. Given the lack of proper legal control and regulation, the increasing involvement of private actors in security-related activities can lead to the development of a situation that is prone to the abuse of power, misconduct, and the loss of

public trust in the security-related regulatory framework. Thus, there is a need to review whether the private security legislation in Türkiye adequately regulates the industry.

Past research on private security in Türkiye has mainly explored issues related to industry development, roles of private security, interactions between private security and police, and development of professional practice. Nevertheless, there is a lack of literature that addresses how the Turkish Private Security Law No. 5188 and its implementing regulations work as accountability and prevention instruments within the private security industry in particular. Another problem is the small number of works applying criminological theories to analysing the legal framework under study. This research focuses on legislation and accountability within the private security industry in Türkiye by analysing the measures introduced for preventing any form of wrongdoing within the private security industry. Based on social control and rational choice theories, the research attempts to investigate how Law No. 5188 and its regulatory laws encourage conformity and accountability among the private security personnel in Türkiye.

Literature Review

This part of the paper is devoted to a systematic literature review on private security laws, accountability, regulation, professionalisation, and prevention of misconduct in the private security sector in the context of Türkiye. The review is structured around several major themes in order to detect academic controversies, empirical studies, and theories related to the topic of interest. Major themes identified through the literature review on private security include collaboration between private security and public safety; regulation of private security institutions; professionalism and training requirements for private security officers; accountability in the private security sector; and misconduct, abuse of power, and ethics.

The official legal structure for the management, regulation, and control of private security services in Türkiye was created with the passing of the Law No. 5188 on Private Security Services in 2004. The major goal of the legislation was to ensure proper regulation of the growing private security industry while making sure that private security services operate under the control of the state security regulations and laws (ÖGHK, 2004). In particular, it should be noted that private security services in Türkiye have never been viewed as an independent option to governmental law enforcement organisations.

To ensure the sustenance of this complementary relationship, private security officers are, by law, expected to collaborate with the public forces of law enforcement, to inform the police about the commission of crimes observed in the course of their official duties, and to adhere to the instructions issued by the police in emergencies. The hiring and professional training of private security guards is similarly strictly regulated by the legal regulations. Individuals desiring to work as private security guards should undertake approved training programs from either private training centres approved by the Ministry of Interior or higher education institutions accredited by YOK. Training for unarmed private security guards should last at least 100 hours, whereas training for armed private security guards should last a minimum of 120 hours. Besides, associate degree programs in private security and protection consist of two academic years and include completion of all the compulsory courses in the curriculum.

In view of the growing complexities associated with the running of private security business in Türkiye, Demirci et al. (2025) highlighted the importance of establishing clear professional requirements for individuals employed in private security jobs along with specific training programs based on the same. The validity period of the identity card for a person working in private security in Türkiye is five years, after which the individual must undertake refresher

courses. Certification, examination, licensing, and inspection activities are carried out by the General Directorate of Security Private Security Inspection Department through Law No. 5188 (Yağcı et al., 2025).

Private security organisations need to secure operating licenses from the Ministry of Interior, while the work permits for the private security workers need to be secured from the governors of each province. Moreover, the private security agencies are legally required to secure financial liability insurance that covers any damages to third parties due to their security activities. In addition to this, the law provides for stringent mechanisms of deterrence and accountability to ensure that any kind of misconduct or misuse of power does not take place in the industry. Penalties for any violation of the law involve the suspension of the license, imposition of monetary penalties, criminal sanctions, and even exclusion from participation in the sector on a temporary or permanent basis. The use of firearms by private security personnel is governed by stringent regulations.

In order to improve accountability, transparency, and recognition, private security officers are expected to wear uniforms and identification cards. This is to clearly distinguish them from the police and military personnel since confusion might occur about the roles and powers they hold.

In general, private security firms in Türkiye make great contributions to public safety, crime prevention, and the protection of critical facilities and private property. All this takes place within a regulatory framework formulated by Law No. 5188 concerning private security services and related regulations. The statistics associated with the private security industry in Türkiye are given in Table 1.

Table 1. Private Security Statistics (Police District) in Türkiye

Description	Number		Total
Number of private security training institutions	620		
Number of private security companies	1.312		
Number of provincial special administration/municipal companies	370		2.368
Number of alarm monitoring centres	66		
Number of locations with special security permits	85.082		85.082
Number of individuals granted personal protection permits	381		381
Number of active private security guards	Public	Private	325.366
	169.058	156.308	
Number of individuals with a valid private security guard ID	Armed	Unarmed	831.262
	556.559	274.703	

Source: (EGM, 2025).

As can be observed from Table 1, the private security industry in Türkiye stands out not only for its large scale but also due to its structural complexity. According to the information provided by the Police Responsibility Area as of October 6, 2025, the private security industry demonstrates high capacity in terms of institutions involved, including 2,368 training centres, 1,312 private security companies, and another 370 companies managed by the administrations of various municipalities. It becomes even more evident in terms of the sector's scope through 85,082 licensed security facilities and 381 personal protection permits. As far as employment is concerned, one can observe the presence of a balanced ratio between the public (52%) and the private (48%) sectors among the 325,366 private security guards employed in the industry. Out of 831,262 guards with identification cards, 556,559 (67%) have gun licenses, while 274,703 (33%) are not armed.

Private Security and Public Safety Collaboration

There is an extensive scholarly literature exploring the changing dynamics between private security firms and public law enforcement agencies in Türkiye. There is also a consensus among scholars about the impact of the fast-growing private security industry on private security guards as valuable complements to the security system in Türkiye. Filiz (2016) observe that private security firms have become integral players in contemporary security management practices because of rising security complexities and the incapability of public law enforcement agencies to address escalating security needs on their own. Likewise, Pişkin (2025) note that private security organisations perform a vital function in enhancing public safety through easing the load on police agencies and preventing crimes.

Demirci (2020) goes further to show that collaboration among private security officers and police is enhanced through the implementation of projects such as the KAAN Project, which was instituted to improve the communication and coordination between private security officers and public police forces. From Demirci (2021a), the views concerning police and private security collaboration are found to differ in relation to certain demographics and education levels among private security guards.

Despite their positive role, certain researchers suggest avoiding an over-reliance on private security systems. For example, Göç et al. (2017) note that while private security plays a huge role in maintaining public security, the growing assignment of security duties to non-state institutions is worrying, since it can threaten the principle of democratic accountability, transparency, and state monopoly of force. Similarly, conferring private security officers with powers typical of law enforcement bodies poses problems from a constitutional point of view Çelik, 2025).

Legal and Institutional Regulation of Private Security

The adoption of Law No. 5188 on Private Security Services in 2004 was considered an important landmark in the institutionalisation and regulation of the private security industry. As pointed out by Alkan (2024), the law provided a clear institutionalised legal framework for the incorporation of private security services into the state public safety system, with certain restrictions on their activities.

According to Mil (2014), the regulatory regime developed in the wake of Law No. 5188 increased the level of supervision of private security firms by the state through licensing mechanisms, inspection processes, and control measures. Nevertheless, some researchers have

noted that the legislation in question failed to address the growing dynamic of the private security sector in Türkiye. For example, Filiz (2016) states that while Law No. 5188 serves as a starting point in regulating private security, it does not provide for new challenges. In the same vein, Dölek & Rigakos (2018) claim that the development of the private security industry in Türkiye is one that has taken place in a scenario defined by precarity, militarisation, and insufficient institutional oversight. They assert that the failure to establish an effective oversight process and implementation processes makes the legal framework less effective. According to Uçkun et al. (2021), due to the complexity of the industry, there is a need for a more centralised regulatory body overseeing its activities throughout the country.

Professionalism, Training and Sectoral Development

The authors in this field note that the success and legitimacy of private security operations largely depend on the training level, professionalism, and competence of their personnel. Yağcı (2021) notes that formal education is an essential way to enhance professionalism among private security personnel, especially in first aid, emergency operations, and general conduct. According to Demirci et al. (2025), the increasing sophistication of the security threat calls for more specialisation in the private security industry. These authors note that the current training system is not adequate to address the sectoral demand, thus calling for reforms in the area of professionalism and institutional accreditation. Yağcı et al. (2025) also propose that private security and protection operations be accredited through a collaborative effort by the General Directorate of Security and the Council of Higher Education.

Studies have shown that the level of education has a significant impact on the professionalism and effectiveness of private security agents. For instance, Alkan & Töz (2020) assert that increased education levels of private security agents have a positive correlation with professionalisation as well as adaptability to occupational duties. Demirci (2021b) adds that the process of professionalisation of the Turkish private security industry is uneven because of varying training standards from one company to another.

Accountability, Oversight, and Regulatory Enforcement

Accountability is undoubtedly one of the most widely discussed topics in literature devoted to the regulation of private security in Türkiye. It is clear to researchers that an efficient control system should be in place to ensure proper functioning and prevent possible violations of the law. Thus, according to Topal (2015), private security institutions, as well as individual employees, should stay under close judicial and administrative oversight to make sure that everything works properly. At the same time, Silahtaroğlu (2013) discusses compulsory liability insurance to protect citizens from damage caused by private security agencies. Not denying the necessity of such measures, the researcher highlights some shortcomings related to the application of existing regulations.

Moreover, Dölek & Rigakos (2018) argue that shortcomings in regulatory enforcement, labour precariousness, and lack of consistent monitoring could generate circumstances in which there might be opportunities for abuse of power and unethical behaviour within the sector. Furthermore, according to Mülayım (2024), another factor which complicates the situation with respect to the private security sector in Türkiye is the fact that the sector works in an evolving institutional context defined by dynamic regulatory practices and organisational turbulence.

Misconduct, Abuse of Authority, and Ethical Challenges

The literature has also addressed issues such as misconduct, abuse of power, and ethical misconduct in the private security industry. According to Demirci et al. (2024), perceptions of ethics in private security personnel have been analysed, and unethical practices such as abuse of power, neglect of duty, and professional misconduct were listed. It was also claimed by the authors that the ethical problems within the private security industry may be associated with inadequate training, institutional monitoring deficiencies, and ineffective enforcement of professional ethics.

Issues related to the exercise of power by private security guards are also discussed in the literature from both a legal and ethical perspective. Akkaş & Doğan (2022) studied the legal rights and duties of private security personnel during criminal process proceedings and found that private security guards in Türkiye have greater rights to exercise compared to normal citizens under certain circumstances. Akkaş & Akpınar (2024) noted that private security personnel also have limited powers to detain or arrest in the areas they are authorised.

From these results, one can conclude that although private security officers make a huge contribution to preventing crimes and ensuring public security, increasing their authority makes it more necessary for there to be efficient supervision and ethical regulation. Therefore, scholars always underline the importance of constant legal reformations in the context of training, supervision, and operational constraints on them.

Gaps in the Literature

From the reviewed literature, it is evident that the development, management, professionalisation, and operations of the private security sector in Türkiye have received much attention from scholars. Studies have addressed police-private security collaboration, legal issues, training, institutions, and accountability problems. Nevertheless, very few studies have considered the Private Security Law No. 5188 and its implementing regulations from the criminological theoretical perspectives of Social Control Theory and Rational Choice Theory.

Most prior research tended to focus on operational, legal, and administrative aspects, while no systematic investigation has been carried out on the role of the legislation itself as a tool for preventing misconduct and regulation by normative integration and deterrence. In addition, very little research has considered the interaction between legal regulation, accountability, and the prevention of abuse of power in the burgeoning private security industry. The current study is expected to contribute to the existing literature on the subject matter in that it conducts a theoretically-based analysis of Türkiye's Private Security Law No. 5188 and its related regulations via two theoretical approaches, namely, the theories of social control and rational choice.

Theoretical Framework

Social Control Theory

The Social Control Theory was proposed by Travis Hirschi in 1969. According to this theory, individuals are generally predisposed to deviate, but their tendencies are controlled by their connections with society. Based on the ideas proposed by Hirschi (1969), the theory identifies four main elements that help in promoting conformity to social norms, including beliefs (society norms and values), involvement (engagement in legitimate activities), commitment (engagement in conventional occupations and achievements) and attachment (relationship to others). The Turkish Private Security Law, together with its regulations, creates formal social control measures that facilitate adherence to norms because of the connection created through institutions between private security actors and the state.

The Private Security Law in Turkey has such provisions as criminal reportage, cooperation with police, representation of public security officers in decision-making bodies, such as the Security Commission, constraints on strike, liability insurance, training and licensing that enhance commitment and professionalism to achieve integration of private security actors within the institution of the state (Asangausung et al., 2024).

Criticism of the Social Control theory, however, is that it is only concerned with the individual level and not the structural components like bias from institutions, organisational culture, or inequality. Furthermore, the alternative beliefs existing within the society can be neglected, and there is the risk that the theory would always take the existence of universal values for granted. The applicability of the Social Control theory in the study, despite its limitations, is well justified because the theory stresses the use of legality in making private security personnel part of law enforcement.

Rational Choice Theory

The rational choice theory was created by classical criminologists such as Cesare Beccaria, refined by Gary Becker in 1968 and Cornish and Clarke in 1986. According to the theory, human actions arise from rational calculations. Humans are seen as actors who calculate the pros and cons of each action prior to acting in criminal or deviant ways. Therefore, deterrence is achieved by increasing the risks associated with the crime.

Concerning the current study, the application of rational choice theory would indicate that there are certain limitations in terms of the implementation of Türkiye's Private Security Law and that the law acts as a deterrent. In line with the concepts presented by rational choice theory and situational crime prevention theory, it could be argued that private security guards act as an essential deterrent, raising perceived risks of offending and lowering offenders' incentives to commit crimes (Doğan & Sevinç, 2011). Through the inclusion of certain aspects such as sector bans, licence revocation, criminal offences of unauthorised practice, and supervision by the Ministry of Interior and provincial governors, the non-compliance costs have been increased. In addition, through the definition of authority, ban on firearms, and jurisdictional boundary definitions, the chances of abuse have been decreased.

Nevertheless, rational choice theory can be faulted on the grounds that although it assumes that people are rational actors, it overlooks aspects such as environmental, psychological, and emotional considerations. Moreover, rational choice theory often overlooks aspects such as societal pressures that might prompt someone to break the law despite facing great legal consequences. The adoption of rational choice theory can be explained by its capacity to examine the creation of a cost-benefit analysis within the legal environment.

Theoretical Synthesis

The research was guided by the assumptions of social control and rational choice theories in explaining the rationale behind the structure of Türkiye's Private Security Law (Law No. 5188), as well as its enforcement rules in regulating private security activities, crime prevention, and preventing misconduct among private security employees. As compliance is explained in terms of social integration and social attachments, according to social control theory, rational choice theory assumes that compliance results from a rational decision based on costs and benefits associated with certain choices and the probability of being punished or rewarded.

Under the purview of the social control theory, the Turkish laws and regulations aim at increasing social control by means of institutional attachment and the use of the formal processes

of social integration. According to Hirschi (1969), the tendency of people to commit themselves to deviation from socially acceptable practices will be minimised to the degree that they are well attached to authoritative figures, committed to socially acceptable aims, involved in lawful pursuits, and supportive of societally established beliefs and norms. Concerning this particular study, the terms of Law 5188, such as licensing requirements, professional training, coordination with law enforcement agencies, liability rules, and membership in government-authorised security organisations, are considered as tools for achieving formal social control and integrating private security operators into the state's purposes.

In a similar fashion, the deterrent aspect of the act is discussed in light of the principles of rational choice theory, which highlights the fact that humans make decisions based on calculations. The theorists of classical and contemporary rational choice believe that humans evaluate potential benefits and dangers before indulging in any sort of deviant or criminal behaviour. As per the regulation of private security in the case of Türkiye, the legislature creates an environment where there is more cost than benefit for those who indulge in misconduct or abuse their powers. There are numerous penalties, criminal charges, license cancellation, ban from the field of work, firearms restriction, and supervision by the Ministry of Interior and local governments that make such activities hazardous for individuals. On the other hand, having clear limits of operation, the need for ID cards, and following procedural regulations makes the process transparent and discourages misuse of power and authority.

As can be seen from the combination of the above-discussed theories, private security law in Türkiye uses normative measures as well as deterring measures to ensure its effectiveness. While the former is achieved through the process of social control theory, whereby the sense of obligation is strengthened by association, professional identification, and incorporation into the state security apparatus, the latter is achieved through rational choice theory, whereby the individual's sense of obligation is increased by imposing penalties, prohibitions, and minimising risks.

Despite their respective shortcomings, both social control theory and rational choice theory have proven applicable in this study, as both theories help make sense of the behavioural and organisational rationale behind the private security legislation system in Türkiye. The reason is that, by applying both theories, one gains a better insight into the mechanisms through which legal control, oversight, and regulation prevent the occurrence of undesirable behaviour in the private security market in Türkiye.

Table 2. Summary of social control and rational choice theories in analysing the Türkiye's Private Security Law and the related regulations

Theory	Concept	Mechanism/Regulation	Explanation & Legal Basis
Social Control Theory	Attachment	Integration with State Authority	Private security personnel must comply with law enforcement commands in emergencies (ÖGHY Art.13; ÖGHK Art. 6).

	Crime Reporting Obligation		Mandatory reporting of crimes to law enforcement (ÖGHY Art. 16; ÖGHK Art. 9).
	Institutional Structure		Security Commission includes police/gendarmerie representatives (ÖGHY Art. 5; ÖGHK Art. 4).
	Licensing System		Costly activity/work permits for companies/personnel (ÖGHK Art. 5-11).
Commitment	Training Requirements		120-hour basic training (armed personnel) and bachelor's degree (managers) (ÖGHY Art. 33; ÖGHK Art. 5-14).
	Financial Investment		Mandatory liability insurance (ÖGHK Art. 21-24).
	Exclusivity Principle		Firms restricted to security services only (ÖGHK Art. 5-16).
Involvement	Continuing Education		Mandatory refresher training every 5 years (ÖGHY Art. 34; ÖGHK Art. 14).
	Strike Ban		Personnel prohibited from striking (ÖGHK Art. 17).
Belief	Complementary Definition	Role	Legal framing is "complementary to public security" (ÖGHK Art. 1).
	Distinctive Uniforms		Uniforms must differ from law enforcement (ÖGHY Art. 22).
	Criminal Penalties		Imprisonment/fines for unlicensed activity (ÖGHK Art. 19/a-c).
Rational Choice Theory	Deterrence	Administrative Sanctions	License revocation and sector bans (ÖGHK Art. 20/a.h).
	Audit Risk		Ministry/governorate oversight (ÖGHY Art. 43; ÖGHK Art. 22).

Opportunity Reduction	Authority Limits	Explicitly enumerated powers (ÖGHK Art. 7).
	Jurisdictional Boundaries	Powers restricted to duty area/time (ÖGHK Art. 9).
	Weapon Controls	Firearm bans in sensitive locations + inventory logs (ÖGHK Art. 8; ÖGHY Art. 27).
	Visibility	Mandatory ID cards and uniforms (ÖGHY Art. 21–22; ÖGHK Art.12).

Source: Created by the Authors (2026).

Materials and Methods

Research Design

The study used the approach of document analysis. Document analysis refers to a research approach which may stand on its own or be used with other research approaches (Morgan, 2022). In the document analysis approach, meaning is derived from documents analysed, an insight is developed concerning the topic, and the data are analysed to gain empirical knowledge (Corbin & Strauss, 2008).

Data Collection

The data for this research were collected using document analysis. Documents are one of the significant data sources in qualitative research. Document analysis can be defined as the systematic analysis of written documents containing information about the topic of interest (Yıldırım & Şimşek, 2021). Documents employed in the current study were chosen based on the purpose of the study. The data sources include the Private Security Services Law (2004) and the Regulation on the Implementation of the Private Security Services Law (2004). All data sources were obtained from the Turkey Official Gazette website. The aim was to collect only the official documents.

Data Analysis

Content analysis was the method of data analysis used. Content analysis basically involves finding out relationships and concepts which would help in explaining the collected information. Information which has been summarised and explained in descriptive analysis goes through another level of interpretation in the process of content analysis, where concepts and relationships which could not be discovered using descriptive analysis are discovered. The fundamental thing involved in content analysis is combining information in such a way that it makes sense to the reader under the cover of some specific concepts and themes (Yıldırım & Şimşek, 2021). According to Falkingham & Reeves (1998), content analysis is one of the most recent methods of evaluation of large volumes of literature.

Validity and Reliability

Different ways were employed to make sure the research would be reliable and valid. First, it was ensured that the credibility of the information was verified, and that the official documentation was used for the same. It was guaranteed that no individual or organisation would be benefited or put at risk because of the use of such documentation.

Ethics Committee Approval

It is hereby declared that our study is among those studies which do not need ethics committee approval.

Findings and Discussion

The results of this study indicate that Türkiye's Private Security Law No. 5188 and the rules that govern its application represent an extensive set of legal regulations aimed at regulating private security personnel. Specifically, the law recognises private security as a supportive aspect of public safety, and by doing so, incorporates private security activities into the overall concept of national security, without undermining state sovereignty. This result validates the argument by Çelik (2025), who suggests that Law No. 5188 assigns some of the tasks relating to public safety to private entities and ensures that private entities remain subservient to the authority of the government. According to Çelik (2025), despite endowing private security guards with similar powers as those of a law enforcement agency, the legal system imposes necessary limitations on private security activities.

Considering the social control theory, it is evident that the Turkish legal environment encourages individuals to conform and behave responsibly by integrating institutions, regulating professions, and aligning norms with state power. Through means such as mandatory training, licensing process, collaboration with law enforcement bodies, and institutionally overseeing the guards' activities, they build stronger relationships with the state and remain committed to following rules. In addition, the composition of the Private Security Commission, including members of police and gendarmerie supervised by the state, is another way of instilling the relationship between private security and public security institutions. This outcome supports the assumption by Hirschi (1969) that having strong social ties prevents one from becoming deviant.

Furthermore, these results have shown that private security officers in Turkey operate as an extension of public authorities and not as independent security organisations. Apart from engaging in preventing crimes, private security officers must also report any incidents they come across within their jurisdictions and cooperate with public law enforcements in emergencies. These organisational practices have provided some justification for the claims made by Pişkin (2025). According to Pişkin, the private security industry in Turkey plays an important role in improving public security through its assistance of police operations, reduction of operational pressures on public security organisations, and crime prevention. Furthermore, Pişkin (2025) notes that coordination between public law enforcement agencies and private security organisations can help create greater flexibility when dealing with large-scale security challenges.

The legislation is also found to increase commitment and professional discipline through comprehensive entry requirements and investment systems for organisations. The combination of educational credentials, mandatory training programs, licensing and compulsory financial liability insurance all contribute towards ensuring the individual and organisational commitment needed for entry into the private security industry. These measures raise the cost of any malpractice and

hence make unethical practices less attractive. This finding lends support to the claim made by Silahtaroglu (2013) that compulsory financial liability insurance in the Turkish private security industry has been established not only to ensure the protection of people who are under risk but also for protecting public interests and social security institutions. Nevertheless, according to Silahtaroglu (2013), there are certain problems within the current insurance system related to differences between general insurance principles and mandatory aspects of the commercial legislation.

Moreover, the results show that the legislation promotes respect for the legality and involvement in legal activities because private security guards are allowed to perform only specific tasks. The exclusive nature of this process avoids the diversion of missions and the creation of alternative security arrangements which might pose a threat to the sovereign power of the state. Training programs, conducted on an on-going basis, also contribute to the development of legal awareness and morality among security guards. Furthermore, restrictions on uniform and identification of private security guards symbolically and effectively separate private security guards from soldiers and policemen. This finding is confirmed by Bell (1982) and Başbakkal et al. (2001), who state that uniforms symbolize the power and professionalism of institutions. At the same time, according to Balkin and Houlden (1983), uniforms act as a deterrent against crime and fear of criminal activity among the general population.

According to Rational Choice Theory, the results suggest that the private security legislation in Türkiye is characterised by a strong deterrent model which relies on cost-benefit analysis. Penalties that range from imprisonment, financial penalties, suspension of licences and blacklisting for all eternity serve to enhance the likelihood of deviant behaviour by increasing the costs and risks involved in such behaviour. It is, therefore, clear that the research supports the main postulates of Rational Choice Theory according to Becker (1968) and Cornish & Clarke (1986). According to these scholars, people will be less willing to indulge in deviant behaviour if the risks are greater than the benefits.

Furthermore, the findings indicate that the law eliminates the possibility of any abuse due to the precise delineation of the powers, jurisdictions, and limitations associated with private security guards. Powers of arrest and detention are restricted within the framework of the laws. It is reported by Akkaş & Akpınar (2024) and Akkaş & Doğan (2022) that the powers of private security guards related to arrest in Türkiye are higher than civilian powers based on Article 90/1 of the Code of Criminal Procedure. Based on their views, private security guards have been authorised to arrest individuals with arrest warrants or convictions, as long as the individuals are promptly handed over to law enforcement authorities.

The study also shows that legal accountability measures become more effective through limitations on the possession of firearms, mandatory registration measures, geographic and time limitations of powers, and identification measures. These measures help improve transparency and traceability and limit anonymity among private security agents. The likelihood of detecting any form of misconduct increases, thus creating an additional deterrent against the abuse of power. In line with Topal (2015), private security firms and personnel working in Türkiye fall under judicial and administrative control. As suggested by Topal (2015), accountability in this sector becomes more feasible when effective institutional structures are formed to ensure continuous supervision and control.

Despite the solid nature of the law in its conceptual form, some practical limitations have been found that make it less effective. One of the key issues that can be noted includes the weaknesses in regulation and supervision. Despite the fact that the law foresees both administrative

and judicial supervision, discrepancies between implementation and enforcement make the regulation less efficient. Moreover, the fast growth of the private security industry also poses challenges in terms of training, coordination, and the implementation of sanctions in case of any misconduct. This shows that the study confirms how the Private Security Law of No. 5188 in Turkey is a theoretical approach that offers a comprehensive structure for accountability and prevention of misconduct; however, for it to be effective, implementation is critical. The results confirm the relevance of both theories used to explain how the law achieves conformity and deterrence at once. Social control theory explains how affiliation with an institution, socialisation and integration with the state security system promote compliance, while rational choice theory explains how sanctions and restrictions prevent any form of misconduct.

In general, the findings of the study point to the fact that the regulation of the private security law in Türkiye is well-designed to meet the needs of balancing between the growing demand for private security services and the need for the government to exercise control over the use of force. However, the development of a mechanism of accountability to prevent possible violations in the growing private security sphere remains relevant.

Conclusion

The research evaluated the extent to which the Private Security Law No. 5188 of Türkiye and the regulations surrounding the law control unethical behaviour in private security enterprises. It was found that despite the efforts to regulate private security through Law No. 5188 to ensure the legality and safety of citizens, a lack of proper implementation has resulted in persistent unethical conduct in the sector. Through strong deterrent measures and opportunity reduction measures, including setting clear boundaries for powers, gun control measures, compulsory use of identifiers, and strict penalties from the courts and the state, abuse of power is discouraged.

In this regard, it becomes clear that the Private Security Law No. 5188 of Türkiye and its relevant regulations manage to combine the elements of both the rational choice theory and social control theory in regulating the private security industry. In this way, the legal framework increases attachments, commitments, and trust in the system as well as increases costs and reduces the opportunities for nonadherence, through such things as institutional control, compulsory training, exclusive functions, licenses, and punishment. Thus, the two-pronged strategy allows for ensuring the behaviour of private security guards is both rationally dissuaded and socially conditioned.

It should be emphasised that the conclusions made have very important practical implications. Indeed, they indicate that for the sake of ensuring institutional allegiance, legal responsibility and professionalism, the regulatory framework adopted in Türkiye concerning private security is characterised by a high degree of prevention and integration rather than merely being a repressive approach.

The study provides an insight into the subject of unethical behaviour in the private security services industry in Türkiye. Another contribution made is in showing that criminology theories of the past can serve as useful tools for analysing modern-day security laws in practice. Areas for future studies may include comparative models across other legal systems, examination of private security guards' views regarding their responsibilities and constraints, or investigation into possible implementation flaws in the regulation in relation to actual fieldwork. Such research will provide deeper insight into the effectiveness and adaptability of existing regulations to the new security realities.

Recommendations

- i. An independent regulatory and oversight agency should be constituted by the Turkish authorities that will have sole responsibility for the regulation of private security activities in the country. The agency should have statutory power to inspect, inquire into reported abuses, monitor the adherence to operational standards, and discipline any organisation and its personnel found to violate such standards. There must be an independent system for regulating the operations of private security firms.
- ii. A standardised training and certification program needs to be developed for all private security personnel in the country. This should be done through the Ministry of Interior in conjunction with the General Directorate of Security and educational institutions. The program should cover subjects including, but not limited to, human rights, ethics, conflict management, legal responsibilities, use of force, and community relations. There should also be a program of continuous professional development and regular recertification for security personnel.
- iii. It is important to introduce more stringent accountability measures that will guarantee the proper enforcement of Law No. 5188 and its implementation rules. It may be achieved through establishing public complaint systems, online monitoring tools, compulsory incident reporting systems, and severe sanctions for any cases of misconduct or infractions of operations. Effective enforcement of criminal and administrative sanctions would ensure that the problem of private security officers' abuse of their power is addressed.
- iv. The government should enhance the level of cooperation between private security bodies and law enforcement authorities through joint training sessions, communication systems, information sharing, and coordinating their operations. Development of further projects like KAAN will lead to greater efficiency of the communication process, coordination of actions, and effective response in case of emergencies and will emphasise the position of private security organisations as the subordinate partners in the Turkish public safety system.

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