

# Manitoba Justice Private Investigators and Security Guards Information Note

April 18, 2013

## **Bill C-26 and *The Citizen's Arrest and Self-defence Act***

- **Manitoba Security Guard Training Program**

Unit 3 (You and the Law) of the current Manitoba Security Guard Training Program (MSGTP) curriculum addresses citizen's powers of arrest and legal powers available to security guards in situations of trespassing and vandalism. This training unit will be amended to reflect changes to the Criminal Code.

Until the amended manual is made available, the information contained in this notice should be incorporated and considered by approved trainers during their delivery of the MSGTP.

- **Bill C – 26**

On March 11, 2013, *The Citizen's Arrest and Self-defence Act* (Bill C-26) came into force in Canada. The Summary for this legislation states:

**“This enactment amends the *Criminal Code* to enable a person who owns or has lawful possession of property, or persons authorized by them, to arrest within a reasonable time a person whom they find committing a criminal offence on or in relation to that property. It also amends the *Criminal Code* to simplify the provisions relating to the defences of property and persons.”**

The amendments pertaining to arrest for criminal offences committed on or in relation to property may have implications for security guards responsible for guarding or patrolling property.

The content of *The Citizen's Arrest and Self-defence Act* can be found at the following link to the Parliament of Canada Web Site:

<http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=5697359&File=4>

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- **Important Considerations**

It should always be borne in mind that any arrest, attempted arrest or use of force may expose both security guards and their employers to criminal and/or civil liability. In addition, licensees should always remain mindful of their own safety and the safety of those around them. Usually, the best course of action is to involve the police.

- **Shoptheft Protocol Program**

The Winnipeg Police Service's *Shoptheft Protocol Program* is a resource aimed at providing businesses and their employees with training and a knowledge base for addressing property related crime.

The *Shoptheft Protocol Program* also allows security guards working in loss prevention to release individuals apprehended for theft after reporting to a police sergeant and completing the appropriate forms.

To obtain more details on the program and related training, please contact Constable Deugan Sanderson by phone or e-mail:

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