

LOSS PREVENTION

Jersey Shopwatch Committee

UNDERSTANDING THE LAW

It is important to know where you and your staff stand in relation to shoplifters and your powers under the law.

The Attorney General has issued the following guidelines:

1) The only power which rests in a private citizen is a power to detain an offender until he can be handed over to the Police. There is a positive duty on the citizen exercising the power of detention, to contact the Police at the earliest opportunity, in order to effect a transfer. He has no right to detain an offender for longer than is necessary to achieve this objective. Thereafter, it is for the Police to decide whether to arrest the offender.

2) The power of detention only arises where the offence is committed in the presence of the private citizen concerned. I am not willing to see private citizens exercising a power of detention on reasonable suspicion of an offence having been committed at some other time, unless or until the Royal Court decides otherwise. (You **must** see the offence taking place)

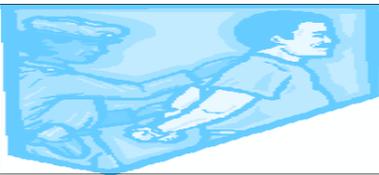
3) The power of detention may only be exercised in respect of serious offences. As a matter of policy, I advise that the power should only be exercised in respect of offences where the maximum sentence is 12 months imprisonment or more.

N.B Store detectives to follow best practice such as informing suspect as to why they are being detained & to caution suspect.

"You are not obliged to say anything unless you wish to do so, but what you say may be put into writing and given in evidence."

Reply to caution to be noted & **must** be recorded as soon as practicable.

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IN SIMPLE TERMS?

By detaining somebody you are effectively keeping them from their liberty. *It is essential the Police are called at the earliest opportunity, If not you may leave yourself open to a charge of unlawful imprisonment, or perhaps being sued at a later date.*

The Police will only charge the thief if satisfied with the evidence you give to them of the event so make sure to keep a record of all relevant information to hand.

Whenever you can, make a note of anything relevant the thief may say to you.

Evidence is the means by which you establish the facts.

When detaining someone you must advise the suspect of the following four points:

- A) who you are?**
- B) where you are from?**
- C) confirm that they are being detained.**
- D) why they are being detained?**



D ON'T
E NTERTAIN
T HEFT
E NCOURAGE
R EDUCTION

Evidence is given in three ways:

- A) Real evidence: actual goods stolen or item used to steal**
- B) Orally: as an eye witness account**
- C) Recorded evidence: CCTV, till roll, price tags**

For a successful prosecution the evidence you give must prove beyond reasonable doubt that the suspect is guilty of the theft they are accused of.

For a prosecution to take place under Common Law, you must have two pieces of evidence which support each other as fact.

What should I say when detaining someone?

An example of this would be:-

“Excuse me, I work for would you please return to the shop with with me as I believe you have items items in your possession for which you have not paid for”

What if they resist?

You are only allowed to use the Minimum amount of force to detain a person. The best advice is if they resist let them go—it's not worth risking your personal safety

Don't forget, depending on where your shop is situated, the Police may have a CCTV camera in the street outside your premises.

Where to detain someone?

The best place to get a conviction is to stop a thief as they have left your premises – i.e. just outside the door.

Power of Search

Only the Police have the power of search.

Do Not search someone physically, you leave yourself open to the charge of assault.

However you can request the suspect to empty their bags or pockets onto the table, **but be extremely cautious in doing this as this is an occasion when a weapon can be produced from either pocket or bag.**

If they refuse you may inform them that the

police can take action to search them.

You may also prevent or deter theft by barring "would be" thieves from your premises "as in Shopwatch or Pubwatch."

Your shop is private property and you have the right to bar anyone you do not wish to serve, i.e. known thieves, drunks or people causing fear or alarm to staff or other customers.



Who ?

Who steals from you?

Professional thieves, though of lesser numbers, steal far greater volume and value of goods, than other thieves, so look out for them.

These 20% or so of thieves steal 80% of the goods stolen from your store.

There is no such thing as a stereotype shop thief.

Not everyone that comes into your store is a welcome visitor. Anyone can be a shoplifter and from any age.

Do not assume anything and never judge a person by their looks.

Remember:

It is not a thief's appearance that gives him/her away but what they actually do.

This is where your awareness of body language comes into play.



Body Language

"All shop thieves want to appear normal", but they subconsciously give away tell-tale signs particularly their eye, head and hand movements.

1. Suspicious body language is what sharp-eyed shop staff should look for...
Most normal customers look at the merchandise they are about to buy not the staff who are serving them unless they actually want help.
2. Yawning and jerky body movements are two forms of tension release a thief displays.
3. Your suspect avoiding eye contact but using mirrors to see what you are doing is another give away.
4. A suspect who holds a garment higher than a normal customer would to inspect it and using it as a cover to look around.

"Watch people watching you watching them"



"Note the tension a thief is exhibiting"

5. Another variation is the "look at me I'm normal" when a thief stands over a fixture trying to make up their mind and exaggerating their stance.
6. Be careful of suspects who are exhibiting the same characteristics as a drug user. Pale and thin, staring eyes, nervous and easily spooked. Drug users are often dangerous and unstable. Users require anything up to £500 of goods a day to feed their habit so treat them as if anything could happen, as they are your worst enemy.

Where ?

Where do shop thieves steal from?

Thieves steal from all shops but particularly those that appear easy touches. Self selection type shops or those that have staff that are indifferent or poor at offering service.

Shop thieves need seclusion and privacy to steal, e.g. when you are not looking or you are distracted.



As you can see you may be vulnerable anywhere although some areas are easier to steal from than others.

Look out for the following vulnerable areas in your own department:

- 1) Behind pillars
- 2) Banks of fixtures that are close together
- 3) Behind an in-house display
- 4) At the back of a shop that is dimly lit
- 5) At changing rooms
- 6) At the back of a shop that is not staffed
- 7) Near fitting rooms that are not staffed
- 8) Behind till points where staff are looking the other way
- 9) Beside stairwells or lifts
- 10) At the end of a corridor or aisle in a supermarket
- 11) Areas with particularly high grids or shelving

When are we most vulnerable?

Most thieves dislike quiet shops where they become the centre of attention. The exception here is when the shops themselves are poorly staffed with staff preoccupied doing other things.

Your shop is particularly vulnerable when you are under work pressure to serve customers or put stock out.

This is the time you should be specially vigilant of thieves at work.

Other times to be careful include the start and end of a day, shift changes, stock takes and during store deliveries.

Thieves will often watch your shop to determine when it is easiest to steal from you. The key thing to remember about how thieves steal from you is the speed and slight of hand they employ to do so and how they distract you from seeing their theft.



"Within a blink of an eye and you can be stolen from".

What & How do thieves steal?

A professional thief will steal anything which is of value and easily sold. Whereas the majority of thieves steal anything that they can make use of. Be aware of the following actions thieves use to steal from your store!

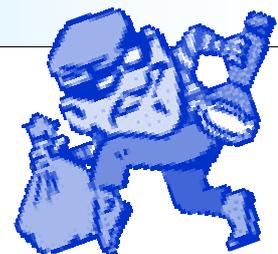
1. People wearing jackets with an elasticised waist and cuffs zipped at the bottom but open at the top to put items in.
2. Putting dearer goods in cheaper goods' boxes, e.g. electrical goods such as irons or hairdryers, pots or giftware.
3. Thieves putting on new shoes, kicking their old ones under a fixture and walking out, after sending a sales assistant off the floor.
4. A person putting their jacket over a fixture to lift items away.

5. Items being put up the skirt of a female thief and the person walking out with them. Commonly called "crutching"
6. Thieves putting jewellery on and walking out with it.

8. Dropping small concealable items into either an open glove or hat, motor cycle helmet.
9. A thief luring staff away from their area by asking for help while another customer comes in to steal from that area.

It is important to be alert and aware of the ploys thieves use to steal and the body language and behaviour they use to commit the act.

7. Thieves "palming" small items such as cosmetics and toiletries.



Awareness and Vigilance

The real secret to reducing your losses is down to how highly trained, visible, alert and motivated your management and staff are.

Thieves hate management and staff being around as they know they have a higher likelihood of being spotted and arrested.

Be careful that managers and staff do not become complacent when surrounded by a number of theft prevention aids as this has dire consequences as far as their effectiveness is concerned.

The equipment is only as good as the staff who look after it.

There is no substitute for awareness and vigilance.



Call Security or Police if necessary.

Service is Security

Legendary customer service means working closely with your customers and being aware and attentive to their needs.

Your presence will discourage potential thieves and a shop with a reputation for service and visible management and staff soon gets by passed by the professional thief.

The following actions will increase your staff visibility, alertness and theft deterrent ability.

Never leave the floor or till unattended without ensuring that someone is keeping an eye on it.

Make sure that a member of staff is covering the front of the store at all times.

Half the battle in combating theft is knowing how and when it might happen and taking preventative measures.



Good Security is your responsibility too.

- Make sure your staff double check prices if they are suspicious of marked down items or wrongly marked items.
- All staff out to use the locker facilities that have been allocated to you, so that you do not have to bring their bags, valuables and money onto the shop floor. If you have a valuable item this can be held at the bank for safe keeping.
- Use a clockface and a code name to warn other staff and management of suspicious behaviour.

Theft Deterrent Action

Making eye contact with your suspect is a sure way to discourage a potential thief. You cannot always put your finger on a reason why you are uncomfortable with a particular person but trust your instinct and follow it up.

1) Let them know that you know they are there. Approach the suspect and offer assistance to help them buy. This is one of the most powerful deterrent actions you can take. A thief will often show signs of discomfort and desire to get away from you as quickly as possible.

2) Get staff to pick up a telephone in view of their suspect and making it obvious they are looking in his/her general direction as they are talking into the phone.

3) Position a member of staff near the exit looking at the suspect as they walk towards them will cause a thief to look for another exit or dump the goods.

Bluffing a suspect into "dumping" can help avoid getting into an arrest situation, especially if you are not sure a theft has taken place. It is also a much more practical course of action if you have insufficient staff available to cope with an arrest.

Continuous Observation

If you see a thief you should observe their behaviour and actions while trying to alert another member of staff or management as discreetly as possible.

If the thief has seen you they may dump or put back the stolen items. If you take your eyes off them even for an instant this could lead to you arresting them without the evidence needed to get a conviction.

For this reason "**continuous observation**" is vital if you intend to detain someone.

In an emergency always call the police on 112 or 999



Understanding what to do and carrying it out in practice are two different things.

STORE POLICY.

We expect all staff to keep a look out for any potential thief, if one is suspected then inform another member of staff for them to contact a member of management.

A phone call to one of the security team should also take place where time allows

Remember that the store has a camera system and so making an accurate description will allow security to look back and find them. All incidents need to be logged—even if you just suspect someone fill out the personal descriptive form so this can be passed to the Police for intelligence purposes.

Dealing With Theft In Practice

Although the first and most important point regarding theft is to stop it happening in the first place through team vigilance and customer service, it will from time to time still happen. So what exactly should you do if you see a theft take place?

Given the ratio of staff to management in most shops, it is more likely a member of staff will spot a potential thief before their manager. The manager therefore, has the responsibility to ensure their staff are trained in theft prevention and detection techniques.

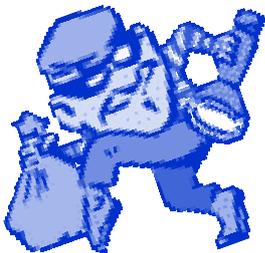
Always consider your circumstances when contemplating an arrest.

Do you have sufficient evidence to ensure a lawful arrest?
Have you sufficient staff in the store to help make an arrest peacefully and quietly?



50% of violent responses from a thief happen at the time of arrest

Understanding what to do and carrying it out in practice are two different things.



If a thief is determined to steal and offer violence, can you effectively detain someone with minimum harm to yourself or fellow staff?

(Remember we do not want any member of staff to take any unnecessary risks)

Only if the answer is yes to all these questions should you consider detaining someone.

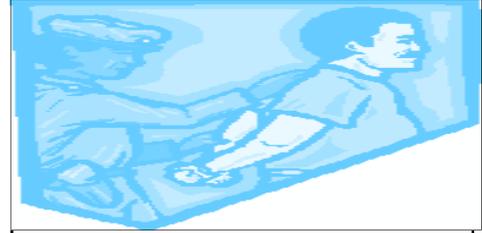
However, do so very carefully and always try to detain with at least two people present "one to one" detention situations leave you vulnerable and open to the risk of a violent response.

If at all unsure take a detailed description of what the thief looks like and call the police. Use the Personal descriptive form to record all details

Defusing Difficult Situations

Watch out and prepare yourself for the following Situations:

- A thief trying to throw a punch or kick you on the shins or where it hurts.
- A thief makes a break for it as soon as they see you approaching them.
- A thief not offering violence to get away at first but suddenly struggling to get free while being escorted back into the shop.



Watch out for the following:

Acceptance of an offer of payment for goods that an arrested person may make. Continue to carry through the record it whether or not you call the police.



No one wants an injured or dead hero on his or her hands.

Remaining calm and in control is key in defusing a confrontational situation with a shoplifter. Your attitude, demeanour, posture and positioning can all be used to de-escalate the situation. Think about your body language at all times.

It must be re-emphasised that you should never put yourself in a position of danger— if a shoplifter wants to run then let them.

NEVER RISK LIFE OR LIMB - IT IS NOT WORTH IT!

Things to Watch for When Arresting

Thieves may deliberately struggle in order to throw away items they have stolen. Watch out for this, as it is a favourite way of getting rid of evidence you can use against them.

Watch a thief's hands all the time, as without their use it is hard to "dump anything without you knowing". One way of doing this is to ensure there is someone behind and to the side of the thief.



Ensure one of the staff is the same sex as the shop thief.

If you take someone to the toilet you may be putting yourself at risk and allowing them an opportunity to dump goods. Refuse or discourage this request until the police arrive unless you are 100% confident that you have sufficient staff to deal with it.

Remember the rules

Watch for ploys thieves use to try and compromise you and get away such as a female thief shouting rape if left alone with a male member of staff while ripping or taking their clothes off!

Fortunately allegations of indecency and assault seldom happen. However, it does not mean that they could not.

One to one situations be they male/male or female/female also invite assault and an attempt to get away.

The rule is never to have less than two people in your holding area at any given time. Ensure one of them is always the same sex as the shop thief.

Watch a thief's hands all the time, as without their use it is hard to "dump anything without you knowing".

Procedure in Shop "Holding Area"

Bring shop thieves back to a secure area away from the general public. Repeat to them why they have been detained and ask them to produce the stolen goods if they are not already evident. E.g. "I am the store manager and I have arrested you because I believe you have goods in your possession that you haven't paid for. Would you please empty your bags and pockets on the table in front of you?"

Be extremely cautious in doing this as this is an occasion when a weapon can be produced from either pocket or bag.

Remember the thief must do this voluntarily; you are not allowed to search them.

Should you be faced with a thief who does not voluntarily reveal goods in their possession you should make it clear to them that you intend to call the police who have the power to physically search them and their property. Then ask them again to reveal the goods.

Policy

If they persist you should decide to call the police. If however goods are revealed and you are certain a theft has taken place, there are three ways of dealing with the thief

You should call the Police on all occasions unless your store policy states otherwise. (make sure you have read and understood the store security policy).



Many thieves plead that it is their first time when caught so do not be taken in by this.

Calling the Police

When the police arrive in response to your call for assistance with a shop thief they will ask you to repeat the circumstances of the arrest in the "presence and hearing of the thief" and themselves. In front of the police, you should repeat the allegation and describe exactly what happened, when, where, how and what was said. The police will decide whether there is sufficient evidence to arrest and caution the thieves themselves using the same or similar words to you.

Call the police using the number 612612—for non-violent arrests, or 112 or 999 for violent cases.

Statement

Make notes as soon as possible after the arrest of exactly what happened in your store incident book (or hand pocket book if you are a store detective) as you will be required to make a statement to the police based on these notes.

The importance of giving a complete and accurate statement of what happened cannot be underestimated as it is the basis on which a decision to prosecute is taken. You may also be prosecuted for giving false, inaccurate or untruthful evidence.

What you saw, did and said, what the thief did and said, the time date and place of the theft and detention, what was taken, its value and how it was stolen any witnesses involved, how you will describe or recognise the thief for recognition or court purposes.

Your statement should "be written in the first person with you saying - I saw, I did, I was. It should be paragraphed at the end of each section and not have any blank spaces or lines between words." Any corrections you decide to make should be changed with single lines through the incorrect words and your initials beside them.

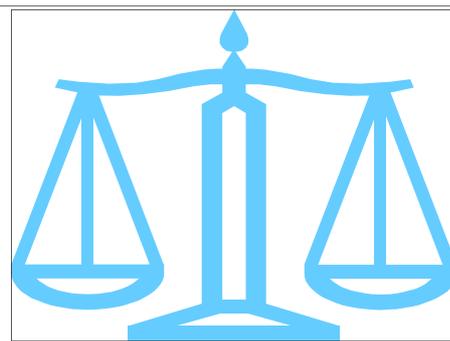
Witnesses should state their own name, title, age and company, not private address.

What happens if I make a mistake?

If you mistakenly stop a person and have made a genuine mistake, you should apologise immediately for the error and release them.

Admitting and apologising for a genuine error never makes a situation worse.

Make a note of the incident including all witnesses and the person's name and address in the theft incident book so that if there is any comeback and experience shows it does not occur often, you have a clear record to refer to.



Half the battle in combating theft is knowing how and when it might happen and taking preventative measures.

Final summary

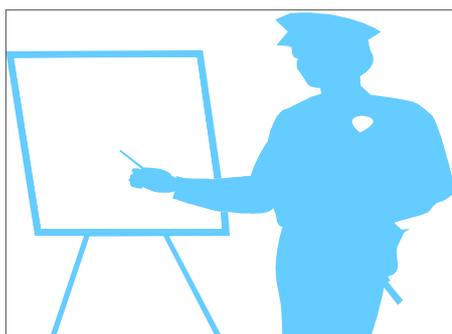
In final summary, preventing, deterring and dealing with customer theft is not just about concentrating on one particular measure, but on understanding, co-ordinating and using a combination of them all.

Visible, motivated security conscious management and staff are key.

Combine these with carefully controlled security products and a layout which has theft "designed out" will all help to **reduce the theft volume in your shop.**

'Opportunity Makes the Thief'

All help to reduce the theft volume in your shop.



Thank you...