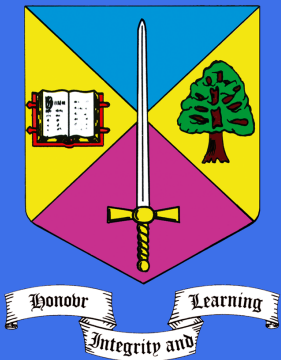




*The Institute sends its  
best wishes  
to all Members and their families  
for the festive season.  
We hope that you have a busy  
and prosperous 2017*

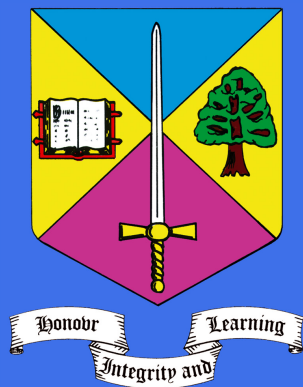


# The Professional Investigator

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Editor



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## Principal's Address



Once again I have to thank the Board of Governors for their unstinting work on behalf of the Institute. They all put a tremendous amount of their own time working on our behalf. We are all still working towards licencing although with all the other matters (Brexit etc.) that those in authority have to

deal with - it seems we are constantly being placed on the back burner.

David Palmer and Duncan Place are doing a magnificent job in respect of training, and I cannot thank them enough for their efforts and support. Once again Duncan is having to adjust the course content to keep pace with the current trends and software demands of the Internet.

### Recruitment

It is important that we all make efforts to recruit new members to the institute, and we have an initiative which we would like all members to adopt – see later.

### Regulation

Contrary to what the ABI have recently published, they are not the only organisation that is accredited. We in the institute have been accrediting investigators who are Members, which means they have passed the IQ Level 3 Award exam or an equivalent, are registered with the Data Protection office,

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have the necessary business insurances in place and of course do not have any criminal convictions to their name. I believe we were the first organisation to adopt this accreditation and only members who fulfil the criteria can have “Accredited Investigator” printed on their ID card. The ABI’s recent reference to them being a ‘regulatory body’ also does them no credit – unless and until the SIA decrees that it won’t licence the sector, no one body can claim ‘regulatory’ authority

### **Training**

The Board is constantly looking for additional courses that we can present for our members and we ask that you make suggestions for any training that you require. In addition to the Level 3 courses the Institute this year also ran a course under the direction of Neil Smith of OS-INTUK on gathering open source information. The course was thoroughly enjoyed by all who attended and we found it to be excellent value for money. If any members who are interested in a further course let our hard-working Secretary General know. Then, if sufficient numbers are interested to make the course viable, we will run one as soon as possible in the 2017.

All I have left to do now is to wish all our members and their families a very Happy Christmas and a Prosperous New Year.

**James Harrison-Griffiths FIPI**  
**Principal**

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for additional courses that we can  
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# AGM

The AGM took place as arranged, attended by a quorum of members, plus several guests. The following report is a brief overview of what was discussed, inclusive of agenda and tangential comments.

The first point to note is that Richard Bradshaw has retired from the Board on the 'natural rotation' basis, pleased to have retired from the investigation sector to focus on alternative businesses. The Board would like to thank him for his input, and the freedom with which he bought rounds at Board Meetings. Best wishes for the future.

## **New Board Member**

The space created by Richard has been filled by new Board Member Brian Collins, a former police officer whose speciality now is in the conduct of workplace investigations. Brian has kindly offered to utilise that knowledge for the benefit of the Institute, and in due course it is hoped that we can better detail what is proposed.

## **Treasurer's Report**

The Treasurer, Brian Walker, then briefed us on the financial status of the Institute. We are in a better financial position than we have been for some time, owed in no small part to the efforts of the Secretary General. That said, the Institute's income source has 'changed', in the sense that while our income used to be predominantly subscriptions based, supported by training income, we now find that most of our income is training-sourced while subscription income

**The sticking point of late has not necessarily been the SIA but Department for Business, Innovation and Skills which has an ideological opposition to further licensing and red tape**

is diminishing because of retirements and the reality that is the sector's business/market.

We then discussed licensing, and Richard Newman advised us that the sticking point of late has not necessarily been the SIA but BIS (Department for Business, Innovation and Skills) which has an ideological opposition to further licensing and red tape. (Of course, the size of the remaining sector is so small and is supportive of licensing in the main, but who are we to argue with our better?) Richard Cumming advised that the IPI will continue to accredit its members (those who have the 'official' Level 3 Award from IQ), and will, if necessary and in partnership with other associations, happily 'licence' the industry if the government does not.

The members then put forward some suggestions as to means of improving member benefits and

on international advertising, before addressing the amendments to the Articles, which were properly circulated and unanimously agreed by the quorum present. This means that in future the Principal and Deputy Principal need not be Fellows of the Institute, opening those roles to a broader talent base.

Finally, Byron Davies MP, former IPI member and private investigator, addressed us. He undertook to continue pressing the Home Secretary and others to pursue the licensing 'project' to some kind of conclusion, but we have to recognise that Brexit is focussing their minds – for example, we discovered that membership of Europol is dependent upon membership of the EU, and addressing the possibility of leaving Europol while remaining part of Interpol and so on, is causing headaches. He did invite us to pop in for a coffee, as well.

All in all, while the attendance was small despite the 'free' tickets, we had an enjoyable day culminating in a marvellous lunch.

# Secretary General's Notes

Once again, we have had a nice AGM, with the Board reporting progress in some areas more than others, and I will not reiterate what is said elsewhere.

I was disappointed, again, at the sparse attendance. This is the Membership's opportunity to hold the Board, and especially myself, to account for the year's work and I was sad so few availed themselves of that opportunity. It really is essential that, for the Institute to thrive an active Board, and you have that, is supported by an active Membership.

It would be easy, in the circumstances we have, to allow "drift" but, as any Mariner will tell you, drift is rarely a good thing. Leaving all else aside, there could, there won't, but it's theoretically possible, be a feeling that non-attendance equates to satisfaction with how things are run. This, in turn, could lead to complacency. The only reason it does not is that, in the Management team, there are longstanding and passionately committed Fellows and Members who are pushing forward this Institute with intent to improve the lot of us all and ensure we continue to punch well above our weight.

## Membership Fees

On the subject of weight, it has been sad to see that some Members, whilst continuing to avail themselves of the benefit of a Professional and



**There will be a discount for those paying by Standing Order and, as a further incentive, a discount for those paying within one month of getting the Invoice in 2017**

highly regarded qualification, have been slow payers of subscriptions. Sadly, some names have now had to be removed from the Computer, although we continue to have uptake from new Members. However, six months after the due date is, sadly, long enough to wait for payment (and a jolly sight longer than any other Professional body I've been in) and this course has had to be taken.

So going to be proactive in ensuring subscriptions are not a problem and so next year we are issuing Standing Order forms with the Invoices, in an effort to enable earlier payments. There will be a discount for those paying by Standing Order and, as a further incentive, a discount for those paying within one month of getting the Invoice in 2017. This really has to be seen as a reward for good and prompt payers.

On a happier note, CREDITSafe have approached us to see if a composite deal can be done to facilitate our Members. Some of you will already have the facility they offer on an individual basis. Those of you who are Sheriff Officers or High Court Enforcement Officers or Bailiffs, obviously but equally, those involved in status reports must need this capacity. If your Board can negotiate a deal, pass on the benefits of a discount, who is interested? E-mails, please, to the admin E Mail.

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I remain conscious of the work done by the Principal, who combines his training functions with day to day admin and projecting our organisation as our Public Relations front man. His background and training makes him ideal. Without the Deputy Principal's commitment to the online training, and his knowledge of the computer systems, I would be totally lost. In this context, our computer expert company, run by the excellent Duncan, is worth my weight, let alone his, in Gold. I am also grateful for the work and guidance of Brian WALKER as Treasurer. Also Richard CUMMING, who kindly attends the Security Commonwealth meetings, where the diplomatic tact he displays is great (I'd certainly fray my temper with some of it) and is supplemented by his quiet delivery of "Killer" questions which, frankly, hit home far more effectively than invective. Much to our credit.

Other Board members, with their support and willingness, help no end, too. I was sorry to see Richard BRADSHAW leave us; his support for us was always rock solid, his humour helped of course, especially with some of the ironies we face. He will not be forgotten.

The AGM welcomed Brian COLLINS. He is, as I write, innovating in designing a Course, very timely as a result of what the Deputy Principal will say as to BSI, and comes from a background of service in the Met, Merseyside, the RCS, NCS and latterly the NCA, where he tried his level best to stop the current disintegration of that failed, politically motivated experiment. He was a liaison Officer abroad, and, as

if he had spare time, also serves to this day in the Reserve Forces with an Army Commission in the important area of Cadet training. As a former ACF boy myself, I am aware of how much commitment and how dedicated such personnel are. Also, in today's world of internets, earrings, tattoos and mobile phones, discipline must be a problem and peer pressure not always helpful. (I accept that, when I was a cadet, long haired hippies passed me muttering "weird, man " at my short hair and polished boots, but they weren't peer pressure, just an example of what to avoid.) Cadet Forces do provide the backbone of the Armed Forces. People I knew got to Commissioned and Warranted Ranks, and had successful careers, often from an unpromising start. Overall, therefore, his arrival cheered my day, and reinforced the Board at exactly the moment we needed it.

I thank everyone who helps us, and will close by saying what an honour this job remains , how excellent the support is, and what a nice organisation this is to work for. I first became an Associate member in 1994, according to my big book here. (Yes, we have a big book !) and a Member in 1995. Every day, in its own way, has counted as a privilege.

Best wishes for the holiday season and very good wishes for 2017

**Simon Smith** FIPI MSyl(Dip) MIPSA AMIFM  
**Secretary-General**

Early in October the Deputy Principal was invited by the British Standards Institute to attend a meeting at Public Concern at Work in London.

PCaW is more commonly known as 'the Whistleblower' charity, and their main cause is the protection and support of people from the blacklisting and other sanctions that arise when they make their employers and (in extreme circumstances) the media and public aware of unacceptable practices and events in the workplace.

The purpose of our attendance was to brief the assembled parties on BSI 102000-2013, the Standard for the Provision of Investigative Services, because PCaW wanted to explore the need (or otherwise) for a standard for whistleblower investigations.

BSI and I had invited other BSI-setting, investigative and representative organisations to attend to support and explain the Standard, but unfortunately the short notice did not facilitate the attendance of any formal body other than the Institute.

It did not go well.

The organisations in attendance were all provided with a copy of BSI 102000 prior to the event, but it is this writer's view that they either did not understand it – or chose not to.

The parties I would describe as 'non-investigators', that is those whose primary function appeared to be inspection, education or management, considered

**I would go as far as to bluntly say that the attitude of some present was dismissive, even insulting about the effort of the professional investigators of all disciplines who created it**

the document to be wholly focused on the business of investigative provision, and for the private sector alone – even though the word 'private' is not (to my recollection) in the document, AND if you choose to see the document as a Code of Practice which includes but does not require a business approach, you would see that the content can be applied by any department, team or other entity – including individuals. In fact, that is arguably the SIS's view.

Even after a briefing where I stressed that the document was advisory and not prescriptive, and that it contained a comprehensive overview of the principles of investigation rather than a blow-by-blow code of what to do and how to do it, some of those present felt it lacked 'detail'. I suggested that such detail was the role of National Occupational Standards, which can be selected and adapted to fit any organisation's investigational need but which, if added in entirety to a British Standard would (a) make the book 2 feet thick and (b) very expensive



(as the cost is based on page count – about £4 a page based on BSI 102000). Of course, detail would have to take into account all the varying statutory powers, or lack of them, which influence the conduct of an investigation whereas 102000, as it stands, is principle-based and caters for any differing practices by not being prescriptive.

I would go as far as to bluntly say that the attitude of some present was dismissive, even insulting about the effort of the professional investigators of all disciplines who created it.

For example, some (non-investigators) disliked the use of the word suspect in the 'Interviewing Suspects' section because it was confrontational.

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Forgetting as they did so (a) that there was a separate section on interviewing witnesses and (b) for all the best will in the world, while some whistleblowing investigations are directed towards improving practices and no more (no suspects), some whistleblowing investigations will identify illegal or tort-actionable behaviour that will mean that suspects exist; suspects who will act dishonestly when interviewed and, incidentally, would have to be provided the rights of an accused regardless of how 'touchy-feely' the organisation would like things to be.

There also appeared to be an almost ideological bias present – the thought that a 'copper' could be objective and balanced in an investigation was almost dismissed as a matter of routine by some.

Which meant that four of the six professional investigators present who were ex-officers, should be commended for how remarkably patient they were. I made the point (pointedly), that the vast majority of organisations, governmental and otherwise, almost invariably looked for and hired ex-police (etc.) investigators precisely because they knew what to do and how to do it: not just because of their training but because of their years of experience in their application of that training.

In the end the meeting closed with a decision to put off a decision about whether to create a specific standard, to add an annexe to 102000 (opening the doors for a lot more), or to slightly amend 102000 to facilitate the more appropriate needs of the third

sector. I suggested that for the next meeting, those whose role was not management bring one of their investigators with them.

Unfortunately, the next communication from BSI indicated that the 'wholesale amendment' approach is being explored. The Deputy Principal is communicating with those who did the work in 2012 regarding what action may be necessary to avoid over-expansion of a document to a point at which it becomes a pseudo-NOS.

***This article is the opinion of the author and does not necessarily reflect any opinion of the Board of Governors, the Institute or its membership.***



## Christmas Quiz

How about a moment's diversion – name the telly'tecs. No prizes. . . .

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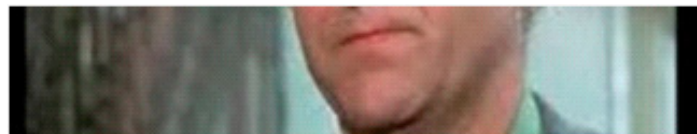
6



7



8



9



10



Answers later in the Journal.

## Support a Student

One suggestion put forward at the AGM was that we, as a professional Institute, ought to be supporting both the organisation and its future members by offering work, where appropriate, to our students. Simon Smith FIPI told how one student had been given work by a member who, after the job was completed, was very impressed by level of knowledge and ability of that student.

We would encourage members in private practice to seriously considering giving appropriate levels of work experience to IPI students, on a basis agreed between the member and that student, as a way of giving something to the industry and ensuring that future investigators are the best we can possibly make them.

So please – if you spot an opportunity to Support a Student, let us know and we'll see what we can do to facilitate some serious learning.

## Legal Updates – HRA, DPA, RIPA issues arising

There is a 9th Data Principle on the way! According to the Online Privacy Protection Bill currently going through the Parliamentary process, it is proposed that at the end of the current 8 Principles, a further Principle be added, with the appropriate explanation:

“H“(2)At the end of Part I of Schedule 1 (the data protection principles) insert—

9. Privacy notices detailing how personal data is collected, processed and used must be in a concise, transparent, intelligible and easily accessible form, using clear and plain language, in particular for any information addressed specifically to a child, so that any consent that they give in relation to the use of their data is properly informed.”

(3) At the end of Part 2 of Schedule 1 (interpretation of the principles in Part I) insert—

“The ninth principle;

In determining whether the objectives of the ninth principle have been met, regard is to be had to how prominently the personal data that is collected is on the website or mobile application is displayed. In determining for the purposes of the ninth principle whether privacy notices are concise, transparent, intelligible and easily accessible, using clear and plain language, regard is to be had to the method by which the data subject has signalled consent, in particular if the data subject is a child.”

It will be interesting to see how this is applied. If the Act is passed, the IPI manual will be updated accordingly.

Also in the pipeline is the Investigatory Powers Bill, much of which will only apply to those Members who have RIPA-style powers. That said, some sections may be of interest/concern to those of us involved in investigation on a more general level. The sections to note are:

Section 3 - Offence of unlawful interception

(1) A person commits an offence if—

(a) the person intentionally intercepts a communication in the course of its transmission by means of—

- (i) a public telecommunication system,
- (ii) a private telecommunication system, or
- (iii) a public postal service,

(b) the interception is carried out in the United Kingdom, and

(c) the person does not have lawful authority to carry out the interception.

continued ►

(2) But it is not an offence under subsection (1) for a person to intercept a communication in the course of its transmission by means of a private telecommunication system if the person—

(a) is a person with a right to control the operation or use of the system, or

(b) has the express or implied consent of such a person to carry out the interception.

### **Section 11 - Offence of unlawfully obtaining communications data**

(1) A relevant person who, without lawful authority, knowingly or recklessly obtains communications data from a telecommunications operator or a postal operator is guilty of an offence.

(2) In this section “relevant person” means a person who holds an office, rank or position with a relevant public authority (within the meaning of Part 3).

(3) Subsection (1) does not apply to a relevant person who shows that the person acted in the reasonable belief that the person had lawful authority to obtain the communications data.

The Wireless and Telegraphy Act has been amended to address any potential conflicts between this Act and the older one.

Investigators involved in lawful interception will undoubtedly be provided formal training on their particular roles and responsibilities in respect of this Bill's provisions, if enacted. Nevertheless, it may be prudent for all members to view the Bill/Act at the appropriate time. [The Bill is available in full here.](#)

## **Open Source Intelligence Course**

NEWS: The Institute intends to hold another OSINT Training Event in the first half of 2017 (March/April) and are seeking expressions of interest to ensure its viability. In the event that sufficient interest is expressed we will endeavour to locate the event in a location that is most convenient to all. We can guarantee that if you are new to social media investigation, you **WILL** gain something from a relatively small investment.

## SfS Updates

The Deputy Principal has emailed BSIA, the 'owners' of Skills for Security, regarding the National Occupational Standards for Investigation. The reason for the contact was because they appear to have disappeared from sight.

A fully updated copy has been provided from their 2014 review and is available from the Editor, although we hope that we can provide a direct link, or even add the documents to the IPI library, in due course,

## SIA Updates

No news, part from their trumpeting their diversity projects.

## Education & Training

On the simplest of counts the Institute's Distance Learning Course remains popular, and we have exceeded the 300 'registered' (paid) number of students. At the rate of 3-4 students a month this is bringing in quite a reasonable income which, as indicated in the SGM report, will help the Board to maintain representation and member services for the foreseeable future.

## Quiz Answers:

1. John McClane – Bruce Willis (although this pic was from Moonlighting)
2. David Suchet – Hercule Poirot
3. Margaret Rutherford – Miss Marple
4. Telly Savalas – Kojak
5. Trevor Eve – Eddie Shoestring
6. Lewis Collins – Bodie
7. Tom Selleck – Thomas Magnum
8. John Thaw – Jack Regan
9. Mark McManus – Taggart
10. Jeremy Brett – Sherlock Holmes

## Guest column - Frank China

It would be very hard to actually invent today's world, wouldn't it? But the question you must ask is, is it just a blip or something which has been a long time coming?

As a wise old philosopher I would support the latter view. It's not really as I opened in your last issue, "What a crazy world we're living in", but more at last the world, or more correctly, the people have woken up. Granted it seems that it has all brought a perceived nightmare with it on waking, but again it is a matter of asking oneself, has it really.

Trump was never the flavour of the month, but nor was Hillary, and for many nor was Brexit. But what has happened is that for the first time the 'management' just has to listen. A quiet rebellion; with 'Biederbek' being consigned to secret meetings behind closed doors and at least for the moment those doors not being allowed to open, even to be lodged ajar. It is now the turn of the people who are fed up with hollow promises, power being taken away from them, democracy being cast to the winds.

Strong words perhaps, but that is exactly what was happening and 'management' was simply feigning that deaf ear! It may not change, but undeniably the people have spoken and democratically elected those who have advocated change, will it just be more of the same or does



this new 'management' truly believe why they have been put there.

You can say all you want about Brexit and the instigators but was it to be better to lose ones identity and become part of a multinational undemocratic state, yes, undemocratic state. Equally, you can say all you want about Trump being the biggest 'cruck' on the planet and has milked the system to his benefit, but hasn't that been what almost every commercial organisation has done for ... 'years'. In both these situations you cannot deny that their new 'apparent' approaches have been brought about by the 'people', in massive numbers, not simply by the odd recount vote, but by truly massive numbers.

So dare I say, it is now up to them to deliver and the leaders in both these campaigns know that if they don't, the chances are they will be 'out on their ear'. That is democracy, something the West has maintained as the foundation of their way of life since  
continued ►

time in memoriam. So all these remoaners, all these who lost the race and want the race to be rerun, they need to stop and think, are they the voice of the people, the common concept, or the voice of what the people don't want.

Taking away all the bad language of the USA Presidential campaign, and the claims on both sides of the Brexit campaign, what are now both these newcomers saying!

Remarkably their messages are very similar. Both claim what they want is what the people want. Controlled immigration, why should individuals and families come to either the USA or Britain because they think the grass may be greener there. Please throw away all this persecution nonsense, neither party has said that truly displaced people, they will not help.

Both want their countries back, and why shouldn't they. They built their countries, made their names in the world and now simply want to rebuild their countries for the people who struggled to make their countries great and the envy of all those masses of people who want to come and benefit from their efforts. Both want the engines of their

countries to work for the people, a novel idea, not for the few in the driving seat who have taken so much that they find it difficult to share it with everyone.

No, this is not communism, it is simple democratic people power. If the new management doesn't deliver, a different 'management' can take over in a few years time. They need time and the people need time to see if they can actually make that difference.

All this is simple logic, the people have spoken, they have chosen. Can anyone really argue with that. It a bit like home territory, everyone is demanding that things change, how long has your industry been waiting for professionalism to be shown to happen and for investigators to be licensed, while doing all the right things yourselves to create a truly professional investigative world, things are still in the 'clouds'. The establishment cannot change things, maybe the 'new world' can!

**Frank**

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