

Founded 1913



*Association of
British
Investigators*

295-297 Church Street
Blackpool
Lancashire FY1 3PJ



Kim Brudenell
Solicitor to the Leveson Inquiry
c/o Royal Courts of Justice
Strand
London
WC2A 2LL

08 September 2011

Dear Ms Brudenell,

Re: Leveson Inquiry

Please find enclosed my evidence as requested in the S.21(2) Notice dated 08 August 2011.

The enclosed bundle consists of the following:

1. Witness Statement
2. Exhibit (a) [Memorandum & Articles of Association]
3. Exhibit (b) [Code of Ethics & Professional Standards]
4. Exhibit (c) [Code of Ethics pre 2008 & pre 2005]
5. Exhibit (d) [Self Regulation Proposal*]

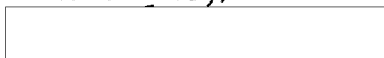
*The Proposal is work in progress. The latest version is exhibited.

I will be happy to provide any further assistance required. My direct contact details are:

Tony Imossi
Solicitors' Law Services
5th floor, 26-28 Great Portland Street, London W1W 8AS



Yours sincerely,



Tony Imossi
President
Association of British Investigators Limited



WITNESS STATEMENT OF ANTHONY IMOSSI

IN THE MATTER OF LEVESON INQUIRY INTO THE CULTURE, PRACTICES and

ETHICS OF THE PRESS

I, **ANTHONY IMOSSI** of 26-28 Great Portland Street, London W1W 8AS, President of The Association of British Investigators Limited (By Guarantee) for and on behalf of the Board of the said Association, **SAY AS FOLLOWS: -**

1. My primary occupation is professional investigation in the private sector trading as Solicitors' Law Services, a firm I founded in 1981 and located in Central London, specialising in corporate and internet fraud, theft, due diligence and litigation support. Prior to becoming a professional investigator I worked for 15 years in the legal profession as a litigation managing clerk. I am the founder and former Chairman of the UK industry-wide Investigators' Sector Group which from 2001 to 2008 spearheaded the input from the sector in the British Government consultation process on regulating the Investigation Sector. In 2004 I was appointed Secretary General to the European based umbrella body, Internationale Kommission der Detektiv-Verbande, which is currently working on its EU common minimum standard and good practice recommendations for investigations. I am the President of The Association of British Investigators, having initially served from 2000 to 2004 and subsequently continuously since April 2008 to the present date.
2. The Association of British Investigators Limited was incorporated on the 31st December 1970 to provide and maintain an organisation for Professional Investigators in the private sector, the activities for which were later defined in The Private Security Industry Act 2001 as:
4(1) ... to any surveillance, inquiries or investigations that are carried out for the purpose of:

(a) obtaining information about a particular person or about the activities or whereabouts of a particular person; or

(b) obtaining information about the circumstances in which or means by which property has been lost or damaged.

3. Annexed hereto and submitted as exhibit (a) is a copy of the Memorandum and Articles of The Association of British Investigators Limited.
4. The Association of British Investigators Limited began life in 1913 under the title "British Detectives Association". In 1946 following the cessation of hostilities in the Second World War a second association representing Private Investigators, then commonly described as Private Inquiry Agents or Private Detectives, was formed under the title The Association of British Detectives. In 1953 these two associations conjoined under the title The Association of British Detectives. In 1970 this association formed itself into the current body we have today, The Association of British Investigators Limited (By Guarantee).
5. Over the course of the past decade private investigation has, through the efforts of The Association of British Investigators, greatly improved in professionalism and self-regulation. These efforts have met with success although there remains more to be done. To escape the unfortunate negative reputation attached to the term "Private Investigator", The Association describes private investigators as investigators in the private sector as opposed to investigators in the public sector such as police officers and those employed by central and local government.
6. The Association is managed by a Governing Council of no less than seven or more than 10 full members, all of whom are elected by the membership at its Annual General Meeting. The Governing Council (Board) holds regular meetings, a minimum of four in each annual period to aid the good governance of the affairs of The Association.

7. The Governing Council (the Board) membership of which is voluntary, consists of a President, elected annually by Board Members, a Vice President and Treasurer elected by Board Members and various office or portfolio holders such as Disciplinary, Marketing, Compliance, Enforcement, Membership Selection etc. who are appointed by the President. The Association has the benefit of a full time salaried General Secretary and a part-time assistant, who work out of The Association's office in Blackpool.
8. Five regional branches, each with its own Chairman and officers meet on a quarterly basis. The meetings, which are each supported by local members, are used for (but not limited to) training purposes with topical investigative related presentations, up-dates on legal matters and a detailed presentation or report from the President or other Board Member touching on national and local investigation matters generally and which may affect The Association in particular.
9. The Association is non-profit organisation funded essentially by the membership annual subscription supplemented by the sale to its members and the general public of certain educational, investigative; legal and general information material. The finances of The Association are carefully managed so as to ensure a comfortable surplus of funds over requirements.
10. The strategic objective of The Association is to work toward the award of a Royal Charter, in order to become the Chartered Institute of Investigators.
11. The current membership of The Association is circa 500, which represents approximately 10% of investigators in the private sector, assuming the accuracy of the Security Industry Authority's revised estimate of 5,000 in total. This figure does not include bailiffs, loss-adjusters or in-house investigators employed in various sectors such as insurance, banking, telecommunications,

utilities, manufacturing and retail, all of whom conduct investigative activities in the private sector and of which there are probably at least another 5000 plus.

12. There has never been a requirement in the British Isles for the registration or licensing of investigators in the private sector. The total number of investigators practising in this sector is unknown, or at best, an unscientific guess. These guesses have ranged from 3,000 – 20,000.
13. The Association has lobbied Parliament, MP's and various governments of the day since the 1950's. The Association currently has no power to regulate investigators in the private sector but successfully regulates its own membership with the aid of its Bye-Laws and Code of Ethics. Copies of these documents together with up-dates are provided to each newly admitted member; are published in The Association's quarterly journal and distributed throughout The Association's regional branch meetings and via its members only e-mail forum and in the members exclusive section of The Association's website.
14. A copy of the current Bye-Laws, which incorporate in the opening paragraphs the post 2008 Code of Ethics & Professional Standards, is appended to the self regulation proposal annexed hereto [as exhibit (d)]. The current Code of Ethics & Professional Standards, together with the pre-2008 and the pre-2005 Code of Ethics, are annexed hereto as exhibits (b) and (c).
15. The Association's form of self-regulation is twofold. In the first instance it is performed in its membership criteria, all of which is stringently checked prior to granting membership. The criteria requirements are as follows:
 - (i) A credit check to ensure any applicant and applicant's business or businesses are clear of any monetary judgment or insolvency.
 - (ii) Any applicant is obliged to produce a Criminal Conviction Certificate (Basic Disclosure) which throughout membership must be no older than three years.

- (iii) Any applicant or applicant's business must be Notified as a Data Controller with the Information Commissioner's Office.
 - (iv) Any applicant must provide two professional referees from whom The Association takes up references.
 - (v) Any applicant is interviewed by an Association selection panel and assessed as to membership suitability.
 - (vi) Production of proof of identity and residence is mandatory at any interview.
 - (vii) All applicants are required to sit an examination based on The Association's Best Practice Guide which deals with pertinent laws on investigative activities, principally The Data Protection Act 1998.
 - (viii) Any applicant and (where applicable) applicant's business must hold a policy of Professional Indemnity Insurance (PII) at the minimum level of cover determined by the GC (currently £250,000).
 - (ix) Applicant details are circulated among the membership to afford existing members the opportunity to advise the panel beforehand of any reason, supported by evidence, why any applicant may be considered unsuitable for membership. Any such representations received are fully investigated by the Membership Selection Committee.
16. The second part of the self-regulation process is the enforcement, compliance and disciplinary procedures, which include:
- (i) A rolling audit to ensure members meet all the above on-going requirements, such as the Criminal Conviction Certificate being in-date, continual PII cover, ICO Notification is in-date, clear of monetary judgments and insolvency.
 - (ii) Random checks of members marketing material, (principally their web sites), to ensure services offered are within the restraints of Law, morally inoffensive, not misleading or displaying any unauthorised trade marks or suggestion of an affiliation with DVLA, The Law Societies, ICO or any other institution with whom The Association enjoys good relations.

(iii) A disciplinary process to deal with non-compliance or breaches of the Bye-Laws, which includes a members' right to be heard.

(iv) A disciplinary process to fully investigate any complaint received about a member, with the right to be heard before a disciplinary panel and the opportunity to appeal to the GC, at no cost, any decision reached by the panel.

17. Those matters set out at sub-paragraphs (4) – (6) on page 2 of the Notice served upon me under Section 21 (2) of the Inquiries Act 2005 are dealt with in the document annexed hereto as exhibit (d).

18. I believe the facts stated in this Witness Statement are true.

SIGNED by the said
ANTHONY IMOSI

This day of September 2011

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Anthony Imossi

(a)

WITNESS STATEMENT OF ANTHONY IMOSSI

IN THE MATTER OF LEVESON INQUIRY INTO THE CULTURE, PRACTICES and

ETHICS OF THE PRESS

This is the exhibit marked (a) referred to in the witness statement of

ANTHONY IMOSSI:

| | | |
|---------------------------|---|----------------|
| SIGNED by the said |) | |
| ANTHONY IMOSSI |) | |
| |) | |
| This |) | Anthony Imossi |
| day of September 2011 |) | |