



INFORMATION SHEET – SURVEILLANCE OPERATIONS

When clients consider using private investigators, they naturally have questions they want answered and typically they are: What will it cost? Will they know they are being followed? Will you get caught? Will you get photographs? Will I get a report? We will answer these questions below and hopefully give you an understanding of what is required to successfully conduct surveillance. The way to make surveillance work is to have an honest discussion between the investigator and the client to agree a cost effective and successful operation by directing the appropriate resources at a time when a high likelihood of wrongdoing by the subject exists.

What will it cost?

Potential clients often ask questions like “What costs are involved to catch our employee” or “How much will it cost to catch my cheating husband?” The answer of course depends on the circumstances of the investigation being carried out so no one answer will ever exist to the question posed. The way to approach the investigation is to brief our experienced and specialist team with circumstances and allow them to guide you on the best deployment to successfully get the evidence you seek. We will try to recommend the most efficient way to achieve the goal in the most cost-effective manner.

We will also recommend the resources required to achieve the goal while remaining covert and keeping control of the constantly changing situation. In most cases we will recommend more than one investigator in order to achieve this goal. People often think of surveillance being conducted by a sole investigator who follows the subject of surveillance over a long period from place to place without being seen. This is not likely to prove successful for a number of practical reasons and this notion that this is at all possible probably comes from how such matters are portrayed in the movies and on TV. Our agents are professionally trained to conduct operations using techniques that are beyond those perceived by the movie makers.

The cost is per investigator so of course using two investigators, instead of one doubles the cost. In some static surveillance situations, we will recommend a single investigator but in mobile surveillance situations we will recommend two investigators in order to maintain control of the subject and remain covert. Costs are contained on our website at the following link: <https://dion-international.com/private-investigator-costs/> The rates are subject to a minimum call out of 4 hours. Fees are payable in advance. Fees are subject to VAT at 20%.

Will they know they are being followed?

If we thought this would be the case, we truly wouldn't embark on the surveillance. It is the intention that we remain covert at all times and if we are granted the resources, we recommend we will achieve this. Some clients ask, Will you be seen? The answer is that we are not invisible and will be seen, the secret is that we will be seen but we are not noticed. If we did for example undertake a mobile surveillance over a long period of time with a single investigator who will by virtue of what you are asking them to do, puts them constantly in the view of the subject's suspicion will fall upon them and they will in all likelihood and they will struggle to remain covert and get the required evidence.

Will you get photographs? - Will I get a report?

We will take images when prudent to do so utilising overt and covert camcorders and know when to get the evidentially crucial footage. We constantly work on a balance making decisions on what risks to take that are acceptable to remain covert and to get the photographic evidence clients seek. We are very good at this and when granted the appropriate resources we often surpass the expectations of the clients. We have specialist equipment to help us gather and record the evidence. We will produce a report which will incorporate images collected on the surveillance.

It is a fact that when we are granted the recommended resources, we produce outstanding results. We understand that often clients have often a restricted budget, so we require to tailor the resources to be most efficient over a short period of time.

IMPORTANT - TERMS AND CONDITIONS – READ CAREFULLY

Legal Surveillance.

We as a company must operate within the law at all times. If we undertake a surveillance, it is to establish evidence on behalf of clients in pursuance of the matter we have undertaken to investigate, and the aims and objects agreed upon.

In 2010 laws were introduced to prevent stalking as a need was identified that some individuals used certain means to alarm victims by persistently following or watching them or otherwise pestering them with unwanted attention. To protect victims, offences were created criminalising this conduct which is either is intended to cause fear and alarm or can be reasonably judged to be likely to cause such fear and alarm. The intention of the legislation is to protect the vulnerable from those who intend to alarm them or conduct unwanted obsessive behaviour towards them this is often ex partners or persons who have an unwholesome and unwanted pursuance of the persons they stalk.

We are not criminals who seek, by virtue of what we do, to alarm or terrorise a victim. We are professional investigators who seek to evidence the alleged wrongdoing of the persons under surveillance. This for a legitimate purpose. Although the legislation is clearly intended to prevent the acts of criminals who seek to cause mental or perhaps physical harm the wording of it can be interpreted in a broad sense to include acts that may be conducted without criminal intent.

We must conduct surveillance in such a way we negate causing fear or alarm to the person under surveillance or any other person.

We do this by using sufficient resources so as to mitigate the risk of being noticed and by using techniques as used for example by the police who follow a national surveillance model standard. We ensure that our investigators train to the required standard. Put in simple terms investigators are not invisible they will be seen but they endeavour not to be noticed.

Bearing in mind the forgoing legislation we seek to ensure that we are not acting on behalf of someone who seeks to break such laws, so we have a duty to establish that this is not the case and that the purpose of surveillance is not intended at any time to cause fear or alarm to the subject of surveillance or others. We must also ensure that if we produce evidence in a report that the report is not used as a tool to cause fear or alarm.

Further information on stalking can be found at the following links:

The legislation The Criminal Justice and Licensing (Scotland) Act Section 39

<https://www.legislation.gov.uk/asp/2010/13/section/39>

Advice by the Police

<http://www.scotland.police.uk/keep-safe/personal-safety/stalking>

Regulation of Investigatory Powers (Scotland) Act 2000 and Licensing.

Please note that surveillance conducted by PUBLIC BODIES is regulated by the Regulation of Investigatory Powers (Scotland) Act 2000 the public bodies that this regulates are defined by the act, they include the Police, Government Departments, Local Authorities and Health Boards. As we are not one of the defined public bodies we are not regulated by the act UNLESS we are working on behalf of such an authority and duly authorised by them. We do however operate within the spirit of the legislation although as explained we are not regulated by it. No similar legislation is in place to regulate private investigation and the government have no licensing of private investigators in the UK.

RISK ASSESSMENT AND CLIENT UNDERTAKINGS

We must take all diligent steps to ensure that we are not being asked to illegally stalk people on behalf of those who seek to breach the stalking legislation. We thus must ask potential clients to answer the following questions and make the following undertakings.

We require that clients advise us of the following to enable us to fulfil our duty of care to operate within the current legislation. We require that you take the undertakings below in order that we can be assured that we are operating under legitimate circumstances.

Has the person to be placed under surveillance either by the client or others on the client's behalf?

Has the subject been observed before or been made aware of previous surveillance?

Has the subject been made aware of the suspicions of the wrongdoing they are suspected of?

Would the subject of surveillance have any other reason to suspect surveillance by others, for example a law enforcement or other agency?

Do any other circumstances prevail that may make the client surveillance aware?

YOU MUST UNDERTAKE TO NOTIFY US OF ANY CIRCUMSTANCES THAT MAY INFER THE SUBJECT IS LIKELY TO BE SURVEILLANCE AWARE.

YOU MUST UNDERTAKE TO ADVISE US THAT THE INTENTION OF THE SURVEILLANCE IS NOT INTENDED TO CAUSE FEAR OR ALARM.

YOU MUST UNDERTAKE THAT NO LEGAL ACTION IS PENDING AGAINST YOU INVOLVING ABUSE OF THE SUBJECT AND THAT NO BAIL OR OTHER RESTRICTIVE CONDITIONS ARE OR HAVE PREVIOUSLY BEEN IN PLACE.

WE CANNOT GIVE LEGAL ADVICE AND SUGGEST THAT YOU ACQUIRE SUCH ADVICE IF IN ANY DOUBT.

OTHER TERMS AND CONDITIONS

Confidentiality.

We will only disclose information as instructed and will only keep information as per our privacy policy.

What we will do.

We will conduct the agreed surveillance for the period agreed. We reserve the right to curtail the surveillance entirely at the discretion of the investigator in charge on the ground should we judge that a compromise is likely to occur. We will recommend resources required to minimise the possibility of compromise by the subject or third parties and having considered the circumstances we may impose a minimum required deployment.

What you will get.

We will report to you on our findings if evidential images are required and obtained these will be included.

What we won't do.

We will not give live updates during the surveillance although we may seek to revise instructions in the course of the deployment as matters develop. During deployments any communication you have with the subject that is likely to affect their actions or movements should be notified to us. We recommend that you do not interrogate the subject during deployments or make them aware of any developments you have been advised of.

Cost and Payment

Fees at the agreed and published rates will be paid for the agreed resources and period of surveillance. These fees must be paid in advance. If an extension to surveillance is instructed the client will be responsible for these fees on a pro rata time in line basis. You will be responsible for any incidental expenses incurred at cost (public transport costs, parking charges and other outlays essential to conducting the surveillance)

We reserve the right terminate operations if any terms and conditions are reasonably judged to have been breached.

BY MAKING PAYMENT YOU AGREE TO THESE TERMS, CONDITIONS AND UNDERTAKINGS. YOU WILL ALSO BE RESPONSIBLE SHOULD ANY ADDITIONAL HOURS OR EXPENSES BE INCURRED AS PART OF AN EXTENSION TO THE SURVEILLANCE AS INSTRUCTED BY YOU. HOURS CHARGED AT OUR PUBLISHED RATES AND EXPENSES CHARGED AT COST.