

W.A.D. beyond GLOBAL

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■ **THE W.A.D. NCISS CONNECTION:
42 YEARS OF WORKING TOGETHER FOR
INVESTIGATION AND SECURITY SERVICES**

■ **DEPARTMENT OF JUSTICE OFFICE
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"A Global Alliance of Investigators and Security Professionals"

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Global vision, local focus In today's globalized, hi-tech, hyperconnected world can private eyes see the big picture and still get the details right?



Take a minute to consider the current, fast-paced, spur-of-the-moment evolution of reality. We might be excused for thinking: wait - what is this place? How did we get here? Catching up with the ever-accelerating developments in technology, communications, the digital ecosystem and, especially, globalization can be hard. More and more, it is on us to go the extra mile to adapt to an increasingly virtual, hyperconnected world.

As private investigation professionals, our customers now tend to be either multinational companies or individuals who travel around the globe and have homes and interests in several parts of the world, often keeping their contacts –and contracts – at a safe distance. A typical customer might be a Texas-born entrepreneur, who has started a Brasil operation and needs to look into, and secure evidence about, the suspected industrial infidelity of a certain team of employees of mixed Indian / German / Chinese nationalities, working out of the Lagos, Nigeria, branch with IT infrastructures in Romania.

All kinds of international investigation services have of course become the norm by now, their rise and rise caused not only by the unstoppable advances of technology, but also due to a market-driven demand in multi-jurisdictional operations. Needless to say, an actual and effective collaboration among colleagues can take place via the Internet - and does so more and more.

Indeed, today's private eyes need to keep a global vision. Matters regarding security, trade, financial misdealings, fraud and sabotage and many other crimes often show their full relevance only in the big picture, across the continents.

As a consequence, one might be forgiven for thinking that the value of the professionalism and experience of investigators who only operate on a national level is fading fast, quickly heading to its own vanishing point in the not-too-distant future.

Well, think again.

The brave new, digital, hi-tech, hyperconnected world of today is more regulated than ever at the local level. More than most areas of professional expertise, the private investigation sector is subject to a host of laws, norms, restrictions that are dramatically different from nation to nation, and this is reflected by countless differences at the procedural level.

If a multinational corp were to roll out a global anti-corruption initiative, it could never be automatically implemented across the board, because each and every national branch would have to deal with locally applicable legal requirements.

By contrast, private investigation activity is already, and increasingly, engaged not only with awareness of local norms, but with a far-reaching, deep knowledge of historical, political, institutional, socio-cultural, economic and legal aspects that is essential to manage complex investigations, gathering, analyzing and successfully producing evidence.

Here is a case in point: the availability of public records, and their definition itself, can vary wildly from nation to nation, depending on local laws.

Consider an example: the legal address of Italian citizens is verified by the authorities and easily and legally accessible by consulting a public register, as is their history of address changes. Obtaining the same information in other states (such as Greece or Spain) would require a complex and possibly expensive investigation.

In much the same way, in Italy a simple procedure officially and legally grants access to all vital information about the composition and properties of a company's capital, as well as all the personal data of its directors, affiliates, subsidiaries, etc; including even its history of changes.

The admissibility and interpretation of AV wiretap transcripts taken as evidence before court is another perfect example. The knowledge of language, code, lifestyle, traditions, habits, even nonverbal gestures can – and often do – make a difference, from determining the validity of a trial in judicial proceedings, to influencing its outcome. In other words, wiretap records need to be contextualized, and this can be done only by an investigator with extensive knowledge not only of the matter at hand, but also of the territory.

But the main problem, which has less to do with legal systems per se, and relates more to historical background, concerns the relationship between investigators and potential witnesses. Indeed, it has happened to all of us: given similar cases, we experience abysmal differences in witness attitude: while very cooperative and helpful in some nations, it remains overwhelmingly conspiratorial and elusive in others.

Ultimately, local diversity is strongly reflected on the operational level: while in some states certain operations are permitted or even mandated by the institutions to licensed private investigators, in others they are barred from performing them, as different Privacy and Data

Protection laws (not to mention company-, work-related, private sector laws and regulations) apply from nation to nation.

Thus, it might seem strange to some colleagues that in Italy investigative activity is legally permitted and its outcomes legally valid only provided they have been commissioned by a legally identified individual (typically, an ID or passport has to be photocopied in the process), while in many other states the contract between investigators and their clients is merely a commercial agreement.

This might look like a small detail, but it can make all the difference: because if the Italian private investigator gathers significant evidence without having been appointed as required by Italian law, such evidence will not stand before court, as the legal counterpart can easily have it rejected.

To sum it all up, the winning formula for private eyes today is to maintain a global vision, and see the big picture: but at the same time, to keep a sharp focus on local matters, using reliable local correspondents as a reading glass to get everything right, down to the last tiny devilish detail.

A global vision, involving the latest technologies, is needed to oversee better investigations in a boundless world, and a

very keen, knowingly local perspective is needed to perform crucial operations at the local level, navigating all the local peculiarities with an extra fail-safe.

Of course, no single investigative unit alone can provide the best service anywhere, at all times. Only a strong network can. And, though this might sound somewhat counterintuitive in our virtual and hyperconnected world, any network is only as strong as its regular face-to-face meetings. Just as an online dating service will only take one so far, personal meetings will eventually be necessary: trust has to be built, and common ground established, to be able to see eye to (private) eye and do business as a team.

Accept no substitutes (much less a Skype session, even with decent bandwidth) for a physical gathering where all involved can look directly into each other's eyes and establish true professional partnerships for years to come. In a good, constructive meeting investigations can be successfully planned, pieces of evidence made sense of, groundwork and procedures laid out, training and expert analysis sourced.

A global gathering of private eyes, international investigations, an excellent network of local operatives, personal meetings on a regular basis... Sound familiar? Actually, what are we talking about here? It can, and should, be W.A.D. we're talking about.



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