

# Private Investigator Test Preparation Guide



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## Introduction

This test preparation guide is designed to assist private investigators in preparing for the ministry's mandatory test. The guide will outline key areas that private investigators should be familiar with to ensure they perform their duties in accordance with the *Private Security and Investigative Services Act, 2005* (PSISA) and its regulations.

The subjects covered align with the ministry's Training Syllabus for Private Investigators. Although the guide is meant to assist candidates in preparing for and writing the test, it does not constitute a training manual, and is not a substitute for an in-person training course.

At the end of each section of this test preparation guide, you will find links to external resources that may be of further assistance to you. Many of these will bring you to various laws and regulations; it is recommended that you have an overall understanding of these and how they relate to key topics covered in the test.

Other links will bring you to existing training materials available to the public. While these materials may contain valuable information, please keep in mind that they were not specifically designed for Ontario's security guard and private investigator training and testing program.

### About the Test

The ministry's tests were developed by subject matter experts (SMEs) in the private security and investigative industry who worked with the ministry's test development consultant, CASTLE Worldwide Inc. The SMEs developed the test questions using a protocol of writing and review that conforms to the best practices of psychological and test development standards. They comprehensively reviewed and validated each question for appropriateness of the answers and correct answer keys. A panel of SMEs also reviewed and tested the questions and participated in setting the cut scores (pass marks) for the tests.

The private investigator test is in a written, 60 question, multiple choice format. Test appointments are 2 hours in duration, 75 minutes of which is the allotted test completion time.

The licence test fee is \$60 plus 13% HST for a total of \$67.80.

Test results will be made available within five business days of completion of the test. The cut score for the private investigator test is 77%.

All tests must be booked in advance either online, or through a call centre agent.

## Eligibility Rule

You may only register and complete an examination if you hold a currently valid individual Ontario private investigator licence, or if you have completed mandatory training that meets the ministry's requirements.

Candidates who are not licensed by Private Security and Investigative Services Branch must complete ministry prescribed basic training before they become eligible to register for and complete an examination.

If you are already licensed, you may only take the test for which you are licensed, or for which you have taken a ministry approved training course. It is important to take the test well in advance of your licence expiry to ensure there is adequate time to process the reissued licence.

## Contact Us

For information on the ministry's Training and Testing Regulation, on the topics covered in the training syllabi and the tests, you must contact the Private Security and Investigative Services Branch:

**Phone:** 416-212-1650 or toll-free at 1-866-767-7454

**E-mail:** [PSIS.PrivateSecurity@ontario.ca](mailto:PSIS.PrivateSecurity@ontario.ca)

**Website:** [www.ontario.ca/private-security](http://www.ontario.ca/private-security)

To book a test, and for any information regarding test scheduling and payment, you must contact the ministry's test delivery agent, Serco DES Inc.:

**Phone:** 1-866-248-2555

**E-mail:** [sgt@serco-des.ca](mailto:sgt@serco-des.ca)

**Website:** [www.ontariosecuritytesting.com](http://www.ontariosecuritytesting.com)

## Section 1 - Introduction to The Private Investigation Industry

The *Private Security and Investigative Services Act, 2005* (PSISA) regulates the investigative services and private security industry. The PSISA was proclaimed into force on August 23, 2007 to help professionalize the industry, increase public safety and ensure practitioners receive proper training and are qualified to provide private investigator services. The PSISA and its regulations govern the way the private security and investigation industry operates in Ontario.

The Training and Testing Regulation made under the PSISA came into force on April 15, 2010. All private investigators must fulfill the mandatory requirements of the Training and Testing Regulation in order to be eligible to apply for a licence.

### Who needs a private investigator licence?

Individuals are required to have a private investigator licence if they perform work, for remuneration, that consists primarily of conducting investigations to provide information on the character, actions, business, occupation, or whereabouts of a person. Under the PSISA, loss prevention specialists are considered to be security guards and do not require a private investigator licence.

### References/Resources

Private Security and Investigative Services Branch website:  
[www.ontario.ca/private-security](http://www.ontario.ca/private-security)

Training Syllabus for Private Investigators (applicable to all sections of the Test Preparation Guide):  
[http://www.mcscs.jus.gov.on.ca/english/PSIS/Training/PrivateInvestigatorSyllabus/PSIS\\_PI\\_syllabus.html](http://www.mcscs.jus.gov.on.ca/english/PSIS/Training/PrivateInvestigatorSyllabus/PSIS_PI_syllabus.html)

## Section 2 - The *Private Security & Investigative Services Act, 2005* (PSISA)

### Section Overview

Private investigators must be familiar with the PSISA to ensure they follow the regulations and prohibitions, including the Code of Conduct.

Here are some of the key points that affect individual licensees directly.

### Licensing Requirements(subsection 10(1) of the PSISA)

In order to be eligible for a private investigator licence, all individuals must:

- Have completed the required training and testing.
- Be at least 18 years old.
- Possess a clean criminal record, according to the Clean Criminal Record Regulation (note: not all criminal charges or convictions will prevent a person from obtaining a private investigator licence. See below for more information on the Clean Criminal Record Regulation).
- Be legally entitled to work in Canada.

People who apply for a private investigator licence will be required to show proof that they meet all of these requirements. If they are not eligible for a private investigator licence, their application will not be processed. For more information about the identification requirements consult the ministry website.

### General Rules and Standards of Practice

These are some of the rules that private investigators must be mindful of during their day-to-day activities. They can be found between sections 34 and 40 of the PSISA.

- Private investigators must always carry their licence with them when they are working. They must also identify themselves as private investigators, and show their licence, if a member of the public asks them to do so. However, these requirements only apply to people **holding themselves out** as private investigators. This means that individuals performing an undercover investigation are not required to carry or show their licence (particularly if it would endanger them or jeopardize the investigation).
- Private investigators are prohibited from carrying any symbol of authority, other than their licence (for example, a metal badge is prohibited).
- Private investigators are prohibited from holding themselves out as police officers, or performing police-related duties. For this reason, they are also

prohibited from using the following words when referring to their work as private investigators:

- Detective or Private Detective.
- Law Enforcement.
- Police.
- Officer.

## **Regulations**

In addition to the PSISA, there are several regulations which govern private investigators. Many of these regulations apply strictly to employers. However, individual licensees should be familiar with the regulations, particularly those that affect them directly:

### Code of Conduct

This regulation defines what kind of behavior is appropriate or inappropriate for private investigators to display while they are working. Private investigators will find that respecting the Code of Conduct is, in most cases, a matter of common sense – private investigators are expected to treat members of the public in a respectful and professional manner. For instance, private investigators must:

- Act with honesty and integrity.
- Comply with all federal, provincial and municipal laws.
- Treat all persons equally (without discrimination).
- Avoid using profanity or abusive language.
- Avoid using excessive force.
- Not be under the influence of alcohol or drugs while working.

### Eligibility to Hold a Licence – Clean Criminal Record

This regulation lists a series of criminal offences which are prescribed under the PSISA. Persons who have been convicted of one of these offences and have not received a pardon are not eligible for a private investigator licence, and any application they submit cannot be processed.

Persons who have been convicted of or charged with an offence that does not appear in this regulation may be eligible for a licence. The Private Security and Investigative Services Branch (PSISB) will need to review their file to determine if any restrictions should apply. The applicant may be given an opportunity to be heard in order to discuss their case.

## **Public Complaints**

Members of the public may file a public complaint against any licensed individual or licensed company if they feel that a violation of the PSISA or its regulations has been committed.

Public complaints can lead to facilitation. As well, the PSISB may investigate the matter and as a result, charges may be laid against the licensee, a warning may be issued, or the licence may be revoked.

### **Penalties for Contravening the Act**

Individuals found guilty of an offence under the PSISA could face a fine of up to \$25,000, imprisonment for up to one year, or both. As such, it is crucial that private investigators comply with all aspects of the PSISA and its regulations to avoid the possibility of being named in a complaint or facing charges.

### **References/Resources**

The PSISA and its regulations are available through the PSISB website at:  
[http://www.mcscs.jus.gov.on.ca/english/PSIS/ActRegulations/PSIS\\_Act.html](http://www.mcscs.jus.gov.on.ca/english/PSIS/ActRegulations/PSIS_Act.html)



## Section 3 - Provincial And Federal Statutes

### Section Overview

Private investigators should have a basic understanding of the various statutes that apply to their field in Ontario, and should be familiar with criminal, civil, case and common law.

### Privacy Laws

Private investigators frequently deal with the collection, storage, dissemination and destruction of highly sensitive information. They should be familiar with the procedures and regulations with respect to accessing and managing this kind of information, and should learn how to obtain government information according to the freedom of information laws that apply to the different levels of government. Private investigators working for organizations are also limited in terms of what third party personal information they can collect, use and disclose.

#### Personal Information Protection and Electronic Documents Act (PIPEDA)

PIPEDA is a federal statute, which sets out rules that govern the collection, use and disclosure of personal information by organizations engaged in commercial activities. A licensed business entity engaging in an activity regulated by the PSISA is likely subject to PIPEDA.

PIPEDA is a consent based statute. This means that licensed business entities are limited in what third party personal information they can collect, use and disclose when they do not have the consent of the person to whom the personal information belongs.

For example, many of the items included in a credit report are considered personal information and are protected by privacy laws. Therefore a credit check can be conducted with the consent of the subject.

Despite the foregoing, there are circumstances in which consent is not required for the collection, use and disclosure of personal information. For example, Regulation SOR/2001-7, enacted pursuant to PIPEDA, lists publicly available records, such as some judicial records, which are not subject to the restrictions on the collection, use and disclosure of personal information, as set out in the Act.

Also, according to Regulation SOR/2001-6, licensed business entities may receive or disclose personal information without the knowledge or consent of the individual to whom it belongs for the purpose of investigating the breach of an agreement or the contravention of a law if they are a corporation or other body:

- (i) that is licensed by a province to engage in the business of providing private investigators or detectives and that has a privacy code that is compliant with the Canadian Standards Association Standard CAN/CSA-Q830-96, Model Code for the Protection of Personal Information, as amended from time to time; and,
- (ii) that is a member in good standing of a professional association that represents the interests of private investigators or detectives and that has such a code.

#### Freedom of Information and Protection of Privacy Act (FIPPA)

FIPPA governs access to records that are in the custody or under the control of the provincial government, designated agencies, colleges of applied arts and technology, and universities. The scope of this Act will be extended on January 1, 2012, to cover hospitals.

#### Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

MFIPPA is similar in purpose to FIPPA, except that it governs records that are in the custody or under the control of municipalities and some related institutions.

Private investigators should know about filing access requests for records that are subject to the above-noted Acts. Also, private investigators working for institutions that are subject to FIPPA or MFIPPA may be governed by one of these Acts, and may be limited in terms of what personal information they can collect, use or disclose.

#### Industry Standards Regarding Protection of Privacy

Private investigators should be mindful of privacy laws such as the ones described above when performing their work. Commonly, private investigators may be required to observe a subject's daily activities, and should therefore be careful not to break any privacy laws.

For example, anyone who is in a public place does not have a reasonable expectation of privacy, and their actions may be photographed or documented on video. However, a person in their home has a reasonable expectation of privacy and an investigator should not go onto their property in order to peer into their windows to observe them. In this situation, the best practice would be to observe the subject from the street, or other public property or thoroughfare. On the other hand, privacy becomes more of an issue if the subject is in their bathroom, for example, as opposed to their living room. Private investigators should exercise their judgment to determine when privacy becomes an issue, such as when the subject is at a gravesite, or participating in a religious observance, or when minors may be present.

If an investigator plants a wireless camera to transmit a scene to another location, the investigator should consider things such as whether or not the signal is encrypted, and

whether the signal could be intercepted by an unintended source. This is another example where attention should be paid to PIPEDA and other privacy laws.

When videotaping, an investigator must remember that the integrity of the tape is paramount for court purposes; the original should not be altered in any way. There are restrictions in the *Criminal Code* about recording private conversations (see section 184 of the *Criminal Code*), so the best practice is to record without audio.

Privacy concerns can also arise as a result of GPS tracking - GPS devices should only be placed on a vehicle to track its location with the permission of the owner of the vehicle. For example, if an employee is driving a company vehicle and the client is the owner of that company, the client may give written permission to the investigator to place a GPS device on the vehicle.

### ***Ontario Evidence Act and Canada Evidence Act***

Private investigators may be called upon to present evidence in court, and should therefore be familiar with the relevant sections of the *Ontario Evidence Act* and the *Canada Evidence Act*. Also, they should also know the importance of documenting and preserving evidence and understand evidentiary concerns (e.g. acquiring pertinent information or when to stop an investigation).

### **Types of Evidence**

**Direct Evidence:** Direct evidence is the testimony of a person with respect to something that person witnessed directly. For example, when someone witnesses an assault and gives testimony that it was the accused who struck the victim, that is direct evidence. Of the different types of evidence which may be presented at a trial, direct evidence provided by a witness testifying is preferred. Various factors can affect the reliability of direct evidence including the ability of the witness to perceive what he/she is testifying about, the witness' ability to recall the event and the witness' ability to express and to describe what was observed.

**Circumstantial Evidence:** This is evidence from which a fact can be inferred, but doesn't stem from something that was witnessed directly. For example, the evidence of a witness who saw the accused stab the victim is direct evidence, while evidence that the accused owns the same kind of knife as the one used in the stabbing, the same type of gloves as the ones found beside the victim, and was seen in the vicinity shortly before the stabbing, is circumstantial evidence. To be reliable and useful, the circumstantial evidence must be sufficiently connected to a relevant fact to assist in either proving or disproving that fact.

**Hearsay Evidence:** Where a witness presents a statement that was made to them by another person, who is not present at the trial. For example, if a witness gave evidence that at work on Tuesday, Mr. Jones told her he saw the accused hit the victim, then the statement of Mr. Jones is hearsay. Hearsay evidence may be of questionable reliability

because the person who made the original statement is not present to be questioned. That person's credibility and honesty cannot be tested and the truth of the statement cannot be assessed. Generally, hearsay evidence is not permitted if the witness could be summoned to attest to the observation of events. The admissibility of a statement based on hearsay could be challenged.

**Admissions:** Voluntary admissions made by an accused and reported by another witness fall outside the hearsay rule and may be admissible.

**Documentary (Demonstrative/Illustrative) Evidence:** Documentary evidence is traditionally defined as "any written thing capable of being made evidence no matter on what material it may be inscribed". This may include documents, books, cards, photographs, sound recordings, films, videotapes, microfiche, computer records, and other information recorded or stored by means of any device.

To determine the reliability of documentary evidence there are a number of factors related to the nature and quality of the document that should be considered. For example, a video recording maybe unclear in sound or in image, handwriting may be illegible or the condition of a document may make the contents impossible to accurately decipher. If the document is a videotape or picture, the court will want to be satisfied that it has not been tampered with or the images altered, and that what is shown is a true depiction of what the document is supposed to be showing. If the document is a paper document, it is important that all the information be readable or visible, and if it is a paper copy of the original, that the contents have not been altered.

For example, an investigator may be asked to conduct surveillance in a civil matter, where there is a dispute between neighbours over a property line. The investigator may be required to obtain photographs of the properties in question. In such civil proceedings, the investigator would be required to mark the illustrative evidence and log it into a report for future court hearings. Please note that illustrative evidence can also be known under different names (e.g. demonstrative or documentary evidence).

An investigator may also be called to the scene of an accident in a preliminary investigation at a client's premises. The accident victim may have already been taken to the hospital by the time the investigator arrives, but there could be debris on the floor near the scene of the accident. The investigator would be required to obtain photographs of each area of debris for evidence purposes.

**Real Evidence:** Real (physical) evidence refers to things presented to a court. Real evidence can include material objects, such as a weapon or item of clothing, and demonstrations or experiments conducted for the benefit of the court. As with other forms of evidence, the reliability of real evidence has to be assessed. Normally, this arises in relation to the identity of the object. To ensure the object presented as evidence is the same object related to the alleged offence, a witness would ordinarily be called to introduce the object, and to give evidence about where the object was found, how it was found, and where it has been kept since it was found. The need to establish

the identity of the object is especially important if the object is somehow linked to the accused or to the commission of the offence.

For example, a private investigator may pick up a discarded item that has potential evidentiary value if it was seized in a public area such as a mall or plaza. There are no criminal or provincial laws contravened in this situation. Municipal by-laws are applicable when it pertains to a subject's garbage that is located on the curb or on city property. Investigator should conduct the appropriate research to ensure that they are not in contravention of any federal, provincial or municipal laws if the subject's garbage is retrieved from the curb or city property.

**Trace evidence:** Sometimes physical evidence is very small or even invisible to the untrained eye. This type of evidence is called trace evidence. It includes things like fingerprints or footprints in and around the area where a crime took place. It could also include very small physical objects like a hair or fibre from a piece of clothing. This type of evidence must be collected or photographed by experts.

**Opinion Evidence:** Unlike evidence involving the personal knowledge of a witness or particular facts, opinion evidence is evidence of what a witness thinks, believes or infers regarding the facts in dispute. The opinion must be based on facts that have been received into evidence. The opinion should come from an expert witness who can provide an educated/professional opinion on the evidence being presented.

**Unsworn Evidence:** Each witness called to give evidence at a trial, must do so under oath or solemn affirmation. In the event that a witness does not appear to understand the nature of an oath or a solemn affirmation, due to their age or apparent mental incapacity, the Crown should be consulted.

## **Additional Legislation**

### *Trespass to Property Act*

This Ontario law allows occupiers of private premises to determine who is or isn't allowed on these premises. An occupier may also designate individuals who are authorized to act on the occupier's behalf when it comes to allowing individuals on their premises. Private investigators should be familiar with this legislation and how it may impact their work.

According to subsection 2(1) of the Act, a person may be found guilty of a trespass offence if:

- They enter a location where entry is prohibited.
- They engage in an activity that is forbidden on the premises.
- They refuse to leave when asked to do so by the occupier or an authorized person.

If entry is prohibited or restricted, notice must be given to the individual, either verbally, in writing, or with the aid of signs or markings.

Persons in violation of section 2 of the Act may be arrested without a warrant. A person who arrests someone under the authority of the *Trespass to Property Act* must contact the police as soon as possible and deliver the individual to a police officer.

Private investigators may also want to familiarize themselves with the following legislation:

- *Employment Standards Act, 2000*
- *Labour Relations Act, 1995*
- *Liquor Licence Act*
- *Provincial Offences Act*
- *Residential Tenancies Act, 2006*

## References/Resources

*Personal Information Protection and Electronic Documents Act:*

<http://laws.justice.gc.ca/en/P-8.6/>

Regulations Specifying Investigative Bodies (SOR/2001-6):

[http://laws.justice.gc.ca/eng/SOR-2001-6/page-1.html#anchorbo-ga:s\\_1](http://laws.justice.gc.ca/eng/SOR-2001-6/page-1.html#anchorbo-ga:s_1)

Regulations Specifying Publicly Available Information (SOR/2001-7):

<http://laws.justice.gc.ca/eng/SOR-2001-7/page-1.html>

*Freedom of Information and Protection of Privacy Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90f31\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f31_e.htm)

*Municipal Freedom of Information and Protection of Privacy Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90m56\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m56_e.htm)

*Ontario Evidence Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90e23\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e23_e.htm)

*Canada Evidence Act:*

<http://laws.justice.gc.ca/en/C-5/>

*Criminal Code (Canada):*

<http://laws.justice.gc.ca/eng/C-46/index.html>

*Employment Standards Act, 2000:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_00e41\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_00e41_e.htm)

*Labour Relations Act, 1995:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_95l01\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_95l01_e.htm)

*Liquor Licence Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90l19\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90l19_e.htm)

*Provincial Offences Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90p33\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90p33_e.htm)

*Residential Tenancies Act, 2006:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_06r17\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_06r17_e.htm)

*Trespass to Property Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90t21\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90t21_e.htm)

Saskatchewan Justice – Corrections, Public Safety and Policing: Private Investigator and Security Guard Training Manual (2012)

<http://www.qp.gov.sk.ca/documents/forms/privateinvestigators/pisg-manual-12.pdf>

- Chapter 7 – Note Taking, Reports and Evidence

## Section 4 - Criminal And Civil Law

### Section Overview

Private investigators are expected to work in accordance with a wide range of criminal and civil legislative and procedural requirements while balancing their own organizational requirements. They should be familiar with the key legal and procedural principles of criminal and civil law as it applies to private investigation.

### ***Criminal Code of Canada (Powers of Arrest and Criminal Offences)***

Private investigators have neither police nor peace officer powers. They have the same powers as any member of the public under the *Criminal Code*. Specifically, section 494 of the *Criminal Code* describes when it is appropriate for a member of the public to make an arrest.

Any person can make a citizen's arrest without warrant if they witness an indictable offence being committed. As such, private investigators should have an understanding of the distinction between an indictable offence and a summary offence. Typically, indictable offences are more serious; a lot of the offences that private investigators normally encounter are indictable.

Once an arrest has been performed, the private investigator must deliver the individual to a peace officer as soon as possible.

Where a private investigator is required or authorized by law to do anything in the administration or enforcement of the law, section 25 of the *Criminal Code* is applicable. In these circumstances, section 25 allows a private investigator (like all members of the public) to use as much force as is necessary as long as they act on reasonable grounds. However, section 26 states that individuals who use force are also criminally responsible for any excess of force in these circumstances.

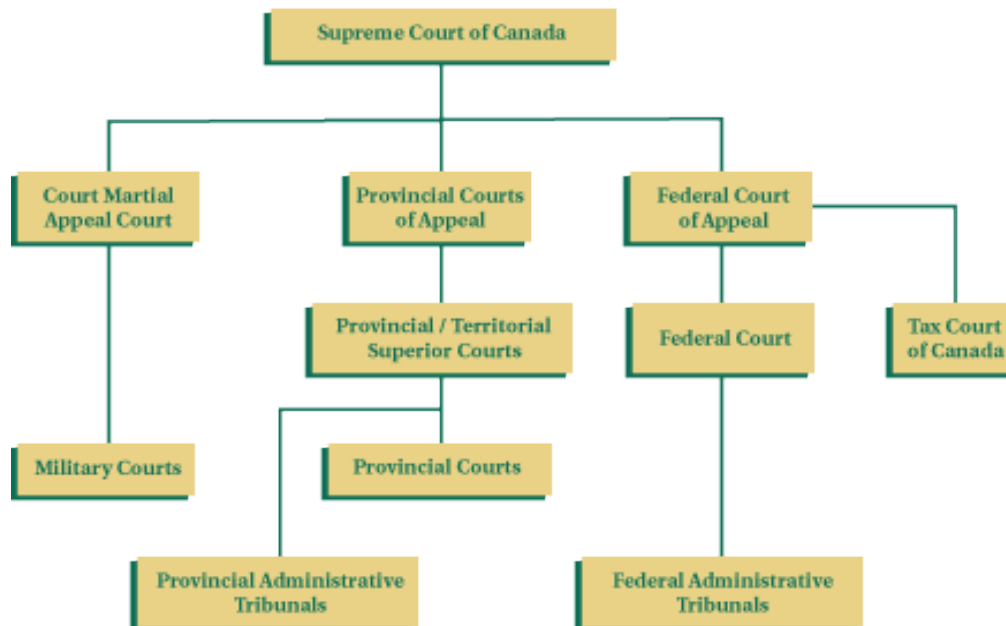
Similarly, section 27 of the *Criminal Code* authorizes individuals to use as much force as necessary to prevent the commission of an offence for which the perpetrator could be arrested without a warrant, and which could cause serious injury to a person or damage to property.

### **Canadian Criminal Court System**

Private investigators should have the skills and knowledge required to present evidence in a judicial environment. Private investigators may be required to prepare for legal proceedings, present evidence and follow up on the outcomes. Every investigation should be conducted as if the case could potentially go to trial and procedural and administrative requirements should be completed with the utmost care.



# Outline of Canada's Court System



During a criminal trial, the Crown Attorney would need to prove beyond a reasonable doubt that the accused has committed the offence.

On the other hand, the burden of proof in a civil matter is less than in a criminal matter. In such situations, the obligation is for the plaintiff to prove the accused is guilty on the balance of probabilities.

## Intimidation

Private investigators may be put in situations where intimidation, as defined by the *Criminal Code* of Canada, occurs. They must be able to recognize when intimidation is being used against them and how they can become involved in intimidation and/or stalking when conducting surveillance.

The offence of Intimidation is defined in section 423 of the *Criminal Code*.

Similarly, private investigators should familiarize themselves with sections of the *Criminal Code* pertaining to commonly encountered offences such as Kidnapping (section 279), Theft (section 322), False Pretence (section 361) or Fraud (section 380).

## References/Resources

*Criminal Code* (Canada):

<http://laws.justice.gc.ca/en/C-46/>

Department of Justice Canada:

<http://www.justice.gc.ca/eng/dept-min/pub/ccs-ajc/page3.html>

## Section 5 - Investigative Techniques

### Section Overview

Private investigators should have a thorough knowledge of research techniques, surveillance techniques, interviewing techniques, industry specific equipment and how to collect and preserve evidence. It is also imperative that private investigators understand how to take proper and complete notes. **This section represents generally accepted practices throughout the private investigation industry.**

#### Important Note:

In this section a number of activities are discussed which are generally accepted as good practices for someone working as a private investigator. Practices may vary from one private investigation company to the next so in addition to understanding the requirements of the legislation and regulations it is important the private investigator is also familiar with the policies of their employer and not to rely solely on subjects covered in this guide or the Ministry Syllabus.

### ***Ontario Evidence Act and Canada Evidence Act - Evidence Handling Techniques***

Private investigators may come across evidence that may be used in court, and should know how to collect and preserve evidence while preventing the evidence from becoming contaminated. They should also know how to present admissible evidence in court. The six core steps for containing evidence are **collect, secure, preserve, identify, ensure continuity, and log.**

#### Care and Control of Evidence

All evidence should be treated as though it could potentially be used in a trial. When physical evidence is presented at a trial, a chain of custody of the uninterrupted control of evidence must be clearly shown; the evidence must be properly identified and must be relevant to the case before the court. If the private investigator must collect the evidence, the bag in which it is contained should be marked with the private investigator's initials and the time and date when gathered. It is important to limit the number of individuals who handle the evidence to the smallest number possible and properly document each transfer in order to maintain the chain of custody.

These practices also apply to evidence that is not physical in nature. For example, if an electronic communication is intercepted by an investigator (with the consent of one of the parties involved), and is then saved on a USB drive, the drive should be treated as evidence, and should be stored in a secure location.

#### **Basic Locator Techniques**

Basic locator techniques and pre-investigation are the basis for all investigations. For example, it would not be possible to conduct surveillance without knowledge of the subject's address.

This type of investigation has the potential to require an investigator to access and analyse a substantial amount of information. Therefore, it has the potential to pose the most concern to the individual being investigated and/or members of the general public. For this reason, basic locating and pre-investigative work should be conducted in the most thorough and responsible fashion possible.

Before beginning an investigation of this nature it is essential that the investigator take the time to properly identify with the client a justifiable mandate for conducting the investigation. Questions that should be asked include (but are not limited to): "What is the specific information/service being requested?"; "For what purpose does the client require this information?"; "Is the request for information justified, or would it be considered 'frivolous'?"; "Is obtaining this information lawful according to federal, provincial or municipal laws (e.g. PIPEDA)?"

The investigator should always keep detailed documentation referencing the reason for the investigation. In some cases, investigation into the claims and background of the client would be a necessary and responsible approach.

Once a case is accepted and a justifiable mandate has been identified, it is the investigator's responsibility to conduct initial searches to double-check the accuracy of the information supplied.

An investigator may be asked to locate a person. For example, this could be for the service of legal documents, or because the person has gone missing. When initial searches of maps are completed with the subject's address not identified, a simple postal code search may provide an accurate address or vicinity of the residence.

In many cases, the information provided for these files can considerably out of date and public searches are often required to locate the individual. In cases where all previous address and contact information is no longer valid, it may be necessary to conduct an extensive background search. The investigator can make use of public databases and Internet sources in an attempt to locate the subject. Searches at the public library may also assist in confirmation of the outdated contact information and provide other resources to search. If none of these searches yields results, the investigator as a last resort may place an advertisement in the local newspaper with the last known address in hopes of finding the missing person or others that may have kept in touch with the person.

To keep the search as non-intrusive as possible, it is preferable for the investigator to avoid overt investigative techniques. Internet searches on the subject's address or employment record may offer insight in an insurance surveillance, but an investigator

should not, without lawful authority, attempt to obtain documents such as credit records, income tax or bank records.

## **Research Techniques**

Private investigators must be capable of conducting research to assist their investigations, and should be familiar with fundamental research techniques including how to conduct a full background/due diligence check and how to cross reference. They should also know how to use available sources of information and research tools.

**The Internet** contains a vast wealth of information in online databases with records updated regularly. These online tools enable investigators to conduct searches utilizing the subject's name that may provide business and personal profiles. They may also provide confirmation of residential address and telephone number. General information with regard to activities, likes, dislikes etc. may also be found. The validity of this information is only as reliable as those who have entered it. Thus if the subject has an online profile, he or she is likely the source of the information and the accuracy of the information must be determined.

**Public libraries** stock many useful publications and directories including telephone books, business indexes, trade magazines and yearbooks. **Criss-cross directories** of cross-referenced telephone numbers can also be found at a library, with telephone numbers listed in numerical order and associated with the subscriber's name. These sources of information can be particularly useful in cases where the available information is out-of-date. Newer information can be found through online databases that are updated more frequently.

Public libraries also have old newspaper stories, public notices and advertisements which may contain information on crimes and accidents, notices of bankruptcy, marriage, engagement and birth as well as obituaries, memorials and probate notices. Most libraries keep back issues of newspapers either on microfiche or CD-ROM.

**A Personal Property Security Registration (PPSR) search** may identify a lien associated with subject. This may also be linked to a business or collateral that is shown as a security for payment of a debt. A lien may be placed on that property by the secured party and registered with the PPSR. These searches are available to the public.

**Bankruptcy records, divorce records, land registry databases and corporate searches** may also provide insight when conducting background inquiries. Civil, Small Claims and Family Court files searched geographically may also be of use. The focus for all searches should be identified in the investigator's instructions and relative to the purpose of the investigation. This will enable the investigator to only conduct the searches deemed necessary to complete the assignment.

## Principles of Surveillance and Other Private Investigator Functions

The purpose of covert surveillance is to observe persons, places or things without being detected, and to observe the subject in their natural and true state. Usually surveillance results in documenting the subject's activities by capturing them on video or photographs, which are considered to be illustrative evidence.

### Purpose of Surveillance

The purpose of surveillance may be but is not limited to the following:

- To locate persons by observing the places they frequent or their associates.
- To obtain information about someone's activities or the status of their health.
- To locate hidden/stolen property.
- To prevent the commission of an act or to apprehend a subject in the commission of an act.
- To obtain information prior to conducting an interview.
- To obtain evidence for use in court.

### Preparation

Typically, the following details should be obtained about the subject before beginning the surveillance:

- Name
- Date of birth
- Address
- Phone numbers
- Employment information
- Places frequented
- The purpose of the surveillance

Other pertinent information will depend on the needs of a particular surveillance. Should an investigator find that any of this information is missing, they should consult the file to locate it or contact their office to confirm if the information is known and may have been overlooked.

A private investigator should not try to access restricted information such as bank records, tax information or credit information, without a signed release and without lawful authority.

Generally speaking, private investigators must comply with all federal, provincial and municipal laws when conducting surveillance. For example, a private investigator who is following a subject in their vehicle should abide by the *Highway Traffic Act* at all times, even if the subject commits a violation (such as speeding or running a red light).

If the investigator is aware that the subject is represented by a lawyer, general practice is for the investigator to avoid having any verbal contact or interaction with the subject.

Equipment (the following is standard equipment, but may vary from one assignment to the next)

- Suitable vehicle, i.e. SUV, van, nondescript vehicle of muted colours
- Camera – video, covert, equipped with night-shot capability
- Still camera with a zoom lens
- Note pads
- Pens
- Binoculars
- Duffle bag with change of clothing, including gym clothes, bathing suit, business attire, work clothes, etc.
- Money
- Two-way radio
- A digital tape recorder for note taking
- Any other props that may assist an investigator in blending into their surroundings.

### Detection of Surveillance

Investigators should be aware of their surroundings and also of the actions of the persons under surveillance for any signs that the surveillance may be compromised. There is a delicate balance between an investigator's "paranoia" and actual reasons to believe the surveillance may have been detected.

Private investigators most commonly work alone on most surveillance cases, however in some cases two or more investigators may be assigned to work together. Reasons for this may include the subject's aggressive driving nature, multiple points of exit from a given location, or the subject's ability to run counter surveillance.

Investigators conducting surveillance alone should try to keep a constant eye on the subject whenever possible.

When working in a surveillance team, it is important to stay in constant communication with other team members, so that all investigators are aware of the subject's actions and location.

Team surveillance allows for a variety of surveillance techniques to be employed including the caravan method, leapfrogging, and parallel coverage.

### Interview Techniques

A private investigator may be called upon to perform interviews and take witness statements. Some good sources for information include former spouses, relatives, neighbours, business competitors, employees, employers, business associates, landlords, etc.

Investigators may be hired to interview witnesses, caregivers, service providers, employers and neighbours. The key to a successful interview is to know the purpose for the interview.

When conducting an interview, private investigators should keep the following common practices in mind:

1. Be prepared. Review the information you have already obtained and determine what kind of information you want to gather. Prepare questions; bring a notebook, pens, an audio recorder, adequate audio tapes and new batteries to record the entire interview. It is important to remember never to record a conversation without the knowledge and consent of one of the parties involved in the communication. It is a criminal offence to monitor or record the conversation of two people, if you are not a party to the conversation, when consent has not been provided.
2. When appropriate, and a witness is expected to be cooperative, an appointment should be made, but under some circumstances, a "cold call" may be advisable. Be professional and courteous. State your business truthfully without revealing any confidential information.
3. When you begin the interview, greet your subject cordially. Identify yourself and show your private investigator licence. Your approach may be formal or informal, depending on the person you are interviewing.
4. Once the individual has started to talk, do not interrupt them. Take notes, but don't be too obvious. Control your emotions, and never react.
5. Take your time ending the interview. When it is apparent that the interview is over, be courteous and close the conversation. An expression of courtesy creates a favorable impression and ensures future cooperation.
6. Immediately after an interview, always write your investigative report. In this report, you should include all pertinent information.

### Statements

The key purpose of taking a statement from a witness is to ensure an accurate record of the recollection of an event exists.

Statement protocols vary from company to company, dependent upon the policy in place. General good practice is for statements to include the following:



- Full name of the witness, date of birth, identification
- Employment of the witness and contact information
- Address of the witness, location of statement
- Date of interview
- Time commenced and concluded
- Name of private investigator and company who took the statement
- An introduction paragraph including day's events and observations
- Verbatim (word for word) transcription of the witness' recollection of the events
- Closing paragraph that ends the statement.

For example, the closing statement can read:

"I, (witness name), have read the above six-page statement and find it to be accurate to the best of my recollection. I have been advised that I could omit, delete or change any part of the statement prior to signing it."

As this example indicates, the private investigator should give the witness the opportunity to review the statement and ask for changes to be made before they agree to sign it. If a change is requested, a line should be drawn through the item being removed, with the initials of both the witness and the private investigator at the beginning of the correction and the end.

Furthermore, each page should be initialed or signed, to confirm that no further information was added. On the final page of a statement, after the signatures, common practice would be to draw an "x" through the remainder of the page to indicate that there is no further information on this page.

When giving a statement, the witness may drift from subject to subject without following a specific structure. The investigator may wish to prepare a questionnaire that will keep the witness on track during the interview, which ultimately will be conveyed in the statement.

It should also be recorded in the handwritten or typed statement that the witness gave the information of their own free will.

If the statement being taken can be considered a confession, it is important that no form of threat or promise of immunity be made. Confessions that are coerced will be challenged and found inadmissible.

Investigators should bear in mind that the lawyers are afforded the right to cross-examine each witness during a trial to test whether or not the witness is telling the truth; it is therefore important that statements reflect the truth.

In a situation where an investigator is taking a statement of a youth under the age of 18, industry practice is for the investigator to contact the parents or legal guardians to

obtain permission to conduct the interview. The investigator should allow the parents to be present during such interviews.

When assessing a witness statement, the most important factor to document is the value, credibility and honesty of the information provided. According to the Ibrahim Rule, for a statement to be admissible, it must be taken under oath and clear of duress.

## **Report Writing**

Private investigators regularly complete written reports of occurrences, duties performed and comprehensive descriptions of their tasks/observances. They need to create reports that are objective and standardized. They should be familiar with the different types of situational reports (e.g. legal or insurance) as well as basic report writing protocols such as: date, time, location, actions/behaviours, description of individuals, observations, time of completion, etc. In addition, they should be aware of the legal implications of reports (e.g. for auditing or evidence purposes).

Investigators should make sure notes and observations are recorded as soon as possible. A digital recorder may assist in retaining information until the notes can be made, but the recorder should not solely be relied on as batteries drain and malfunctions may occur.

Upon reviewing his or her notes, if an investigator should realize that a critical piece of information has been omitted, the investigator should enter it at the time of their recollection. If there is an error discovered in the notes, the investigator should draw a line through it and initial the error.

Final reports should be made from the personal notes and any video taken should be reviewed to ensure the accuracy of the day's events.

Standard surveillance reports should always include identifying information at the beginning of each report as follows:

- Subject's name
- File number
- Date and time
- Other key information as per company policy, such as weather conditions, description of video equipment, description of the neighbourhood where the surveillance was conducted, etc.

## **Reports as Evidence**

Private investigators may receive a subpoena and be called upon to testify in court in relation to a case they dealt with, and may therefore be asked to recall specific details about the case, so it is imperative for the investigator to keep thorough and accurate notes. When on the witness stand, the private investigator may, with the court's

permission, be permitted to refer to his or her notes. However, the notes should serve as a memory aid only: if the notes are clear, they will help the private investigator recall details about a situation, but the investigator should not have to read directly from the notes. As such, prior to appearing in court, the investigator should carefully review all notes and try to remember as many details about the situation as possible.

## **Undercover Operations**

Generally the undercover operation is the last resort after all other investigative techniques have been exhausted or are not applicable. Other techniques may include assessments, interviews, interrogations, surveillance and camera installations.

Typically, private investigators will go undercover when they are required to investigate workplace-related issues. For example, a client may ask the investigator to pose as an employee in order to investigate possible theft being committed by another employee.

The undercover operator should be briefed on:

- The environment
- Who the supervisors are
- Who the suspects are if known
- What infractions they are looking for
- What will be expected of them as a legitimate employee
- Where suspects may congregate within the workplace and outside

A private investigator should be confident after reviewing the background material provided on the organization that he or she will fit in. For example, if the company employs primarily individuals of a certain ethnic background or who speak a certain language, the investigator should be selected based on how well he or she would fit in this environment.

According to the Canada Revenue Agency, a fake name should not be used on a resume.

Supervisors normally manage the undercover operator to ensure their safety, to be debriefed in person at the end of each shift, to receive any evidence seized, to ensure reports are accurate, to watch for any signs of “burn out” on the part of the operator, and to liaise with the client.

A client may target specific infractions for the operator to observe and collect evidence of, however the operator may observe infractions the client is not aware of, and should therefore observe and report on all possible infractions or criminal acts observed, company policies that are breached or health and safety infractions.

As previously explained, the undercover operator must not record any conversations they are not directly a party to.

Camera installation may be required in areas of high risk. These cameras should not be placed in any washroom area where people have a reasonable expectation of privacy.

Undercover operators should avoid being seen with targets in public places by people who know the true identity of the operator.

Undercover operators must maintain their credibility for court purposes and not jeopardize an investigation through any conduct which will bring their credibility in question, even if such conduct would assist them in gaining the trust of targets or in establishing their undercover persona. Examples of this are taking drugs or drinking alcohol. Investigators should not approach employees and offer them money to steal something.

Generally speaking, the undercover operator should not encourage, demand or assist in any contravention of any law, policy, or company rule, or enlist others to do so. The undercover operator may accept the client's stolen property but should as a general rule not take part in any theft. However, in some cases the client may choose to authorize the private investigator to participate in the theft if this tactic is deemed appropriate. The stolen merchandise may be used at a later date for evidence in the investigation.

Typically, it is the client's responsibility to determine if the police are to be informed.

The police will lay any charges they see fit with the evidence supplied to the client.

### Monitoring of Email

According to established Canadian practice, the monitoring of employees' email without notification to the employee is acceptable if it is monitored on the company's server or network, as these are the company's properties.

However, the practice may also be for employees to sign a release acknowledging that their computer activities may be monitored, whether the programs to do so are installed on the server or on individual computers that are connected to a company network.

If the investigator finds that an employee has been misusing a company computer, or using it to conduct illegal activities, the best way to protect the evidence is to isolate the unit and make sure no one else uses it.

On the other hand, if the employee is committing a violation through their personal/home computer (e.g. storing the company's intellectual property on a personal computer), it is best to simply have the client notify their counsel.

## **Rules of Civil Procedure and Document Service**

Generally speaking, any individual can serve documents. For this purpose, there is no requirement to be licensed as a private investigator. However, private investigators are often called upon by law firms, companies or individual citizens to assist with the service of documents. This may occur as part of an investigation where the intention is to locate the residence of individuals or subjects. Therefore, private investigators should be familiar with the Rules of Civil Procedure.

Civil law involves legal issues between private citizens or businesses. Ontario's Rules of Civil Procedure set out the rules for service of documents that may be utilized by the courts, and the manner in which cases proceed through the civil courts.

A private investigator may deal with civil matters that involve the Superior Court of Justice, small claims and family courts.

Criminal matters are dealt with in criminal courts and are not subject to the Rules of Civil Procedure.

Generally, there are two sides to a civil matter. The person or entity initiating an action is known as the plaintiff and the person or entity being sued is the defendant. Other entities which could become part of the action, usually named by the defendant, are known as third parties.

The Rules of Civil Procedure have disclosure requirements that require one party to disclose their relevant documents to the other party. Documents involved in civil proceedings include Statements of Claim, Petitions for Divorce or Motions Brought before the Court. An Affidavit of Service is completed when these documents are served; it proves that a document has been delivered to the individual or entity named.

Another example of a document which a private investigator is often retained to serve is a Summons to Witness along with Conduct Money. This document could be issued by either party to compel an individual to appear in court to testify. If a witness is found to be absent, reluctant or evading, the private investigator may be required to make further attempts of service to the witness at various times throughout the day, as a summons has to be served on the witness personally.

The Rules of Civil Procedure set out the standards for service of documents. A private investigator should follow these rules accordingly. It is usually the responsibility of the private investigator to ensure that the proper method of service is followed and that the correct Affidavit of Service is used under the Rules of Civil Procedure, or as required under some other act. Often the client or client's lawyer will instruct the private investigator fully as to the expectations for service and the completion of the Affidavit of Service.

A document must be served in the manner prescribed by the Rules of Civil Procedure. Unless an application for substituted service is completed, the document must be served personally upon the individual named where the rules require personal service. Service is affected once the person serving the document hands it to the person named, whether or not they actually accept the document. In a situation where the named party on the document refuses to open the door, the best action for the private investigator is to contact the client and advise of the situation. The lawyer or client will then make the necessary applications for substituted service.

It is crucial to identify clearly the person that is being served, both at the time of service and by affirming it in the Affidavit. Most often this is done verbally by having the person identify themselves by name. In some instances, such as when a Petition for Divorce must be served, the lawyer may request that the respondent provide a signature affirming the receipt of the documents. In this case, personal service is applicable and the private investigator must attempt to have the named party sign for the documents. In some instances, the investigator may need to have the named party show identification. The full instructions for such service of documents are often supplied directly by the client or their lawyer.

There are also times when a person may be uncooperative and try to avoid service. If this is the case, other methods for identifying the person may be utilized, such as asking coworkers, neighbours or other reliable sources that can be consulted to confirm the person's identity.

When a document is served, all applicable laws must be complied with. There is no justification for committing a criminal offence. For example, when serving a document to an individual in an apartment building where the investigator must gain access into the building, the investigator must comply with the *Trespass to Property Act*.

When a private investigator has completed serving a document on the named party, an Affidavit of Service must be sworn in the presence of a lawyer or commissioner of oaths.

It is important to note the "swearing" of an Affidavit must be done by the private investigator that served the documents. Any errors discovered before swearing to the accuracy must be corrected. When an error has been discovered before swearing an Affidavit, the investigator is required to inform the commissioner or person taking the oath, make the necessary correction, initial the changes and then swear the Affidavit is accurate.

## **References/Resources**

*Ontario Evidence Act:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90e23\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e23_e.htm)

*Canada Evidence Act:*  
<http://laws.justice.gc.ca/en/C-5/>

Rules of Civil Procedure:  
[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_900194\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900194_e.htm)

Saskatchewan Justice – Corrections, Public Safety and Policing: Private Investigator and Security Guard Training Manual (2012)  
<http://www.qp.gov.sk.ca/documents/forms/privateinvestigators/pisg-manual-12.pdf>

- Chapter 7 – Note Taking, Reports and Evidence

## Section 6: Principles Of Ethical Reasoning/Decision-Making

Private investigators are required to make quick decisions in a variety of situations and must utilize good judgment. They need to recognize and appropriately handle ethical dilemmas relating to diversity, cultural differences and contemporary social problems, as well as be familiar with the PSISA Code of Conduct and the concept of duty of care.

Private investigators should have an understanding of the different types of prejudice that exist as a result of differences between people, including (but not limited to):

- Ethnic background
- Education
- Religion
- Gender
- Sexual orientation
- Physical or mental disabilities

Legally, private investigators must comply with the Code of Conduct Regulation under the PSISA as well as the *Ontario Human Rights Code* (OHRC), and are therefore obliged to treat all persons equally and without discrimination.

The OHRC is a provincial law that gives everybody equal rights and opportunities without discrimination.

Skills and concepts that private investigators should know how to apply include:

- Recognizing differences between relevant/irrelevant facts and details
- Making sound and defensible decisions supported by facts and research
- Making appropriate judgments suited to the time-frame, risks and facts of the case and potential hazards/dangers in the situation.
- Prioritizing situations/decisions/tasks
- Drawing on legislation and laws to make decisions
- Preparing next logical steps required for a task/job
- Determining who should/should not have access to sensitive or confidential information/locations/people (PIPEDA)
- Recognizing ethical dilemmas.

### References/Resources

Saskatchewan Justice – Corrections, Public Safety and Policing: Private Investigator and Security Guard Training Manual (2012)

<http://www.qp.gov.sk.ca/documents/forms/privateinvestigators/pisg-manual-12.pdf>

- Chapter 3 – Conduct of Security: Professionalism and Public Relations

Code of Conduct Regulation under the PSISA:



[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_070363\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_070363_e.htm)

*Ontario Human Rights Code:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h19\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm)

## Section 7 - Key Principles Of Communication And Interaction

### Section Overview

Private investigators encounter a wide range of situations and are required to act professionally under all circumstances. Effective communication is an essential skill for private investigators in order to adapt to different scenarios and diffuse situations when required.

### Communication Skills

There are many different mediums for communication, including writing (reports, company policies), in-person, by phone, by email, through two-way radios, and by video recording.

Private investigators must be able to communicate with a wide array of individuals both orally and in writing to obtain information. Information provided by a private investigator, presented orally or in writing, should always be clear and concise, and use appropriate language. Information should be conveyed accurately and without personal bias or opinion.

Some general rules applicable to all communications are:

- Be brief
- Be explicit
- Be concise
- Make sure you are understood
- Do not be antagonistic

### Tactical Communication

It is important to adjust a communication style to accommodate a situation or an audience. Private investigators should be able to adjust their behaviour and demeanour accordingly. Communicating tactically, for example, ensures that private investigators can be assertive without being confrontational.

In any situation, it is important to communicate in a clear and concise manner. The tone, volume, and cadence with which a message is presented can have a significant outcome in how it is received by its audience. Tone, volume, and cadence are especially important when dealing with people over the telephone where nonverbal cues are not available to help them interpret your reaction to the situation.

### Interpersonal Skills

Though private investigators may sometimes work in isolation, they must always interact with others, whether it is their employers, peers, clients, or the public. Being courteous and professional are always essential and help to establish rapport and build trusting relationships.

### **References/Resources**

Saskatchewan Justice – Corrections, Public Safety and Policing: Private Investigator and Security Guard Training Manual (2012)

<http://www.qp.gov.sk.ca/documents/forms/privateinvestigators/pisg-manual-12.pdf>

- Chapter 3 – Conduct of Security: Professionalism and Public Relations

## Section 8 - Self-Management Skills

### Section Overview

Private investigators should have the skills and knowledge required to work individually and as part of a team. They should be able to assess their own roles and responsibilities within a larger team framework, use acquired interpersonal skills to build positive relationships and comply with legislative and procedural requirements to complete tasks within designated timeframes.

### Acting under Stress

Private investigators can encounter high-stress situations and must maintain their professional composure. They should know how to properly react if exposed when conducting surveillance, how to control situations by asking questions, when one should identify oneself, and how to manage stress when dealing with isolation, driving and fatigue.

### Time Management

Private investigators may often work under stringent timelines, and should understand how to prioritize multiple tasks at once, and how to properly manage cases, time, different types of reports and dealing with shift work.

### Working Independently and in a Team

Private investigators may be assigned to situations where they need to work in isolation or within a team. They need to be able to work under a variety of circumstances and be able to understand the different working styles of colleagues (e.g. a two person surveillance, inter-agency cooperation).

### Adaptability

Private investigators can encounter a multitude of situations and must adjust to changes quickly while maintaining their composure. They should know how to prepare for a variety of situations and how to adjust to work environments and demands (e.g. sitting for long periods, in stairwells, confined environments, etc.).

## Test Preparation Tips

### Test Anxiety

Some candidates express concern that they may not do well on the ministry's basic private investigator test because they have not written one before, have written few multiple-choice exams of any sort, or have not written any tests recently.

Test anxiety is an uneasiness or apprehension experienced before, during, or after a test because of concern, worry, or fear. Anxiety can be experienced either as worry or through physiological signs (e.g., rapid heart rate, sweating, shaky hands) or both. Almost everyone experiences some anxiety. It is important to know that you do not have to eliminate it entirely. Your goal should be to reduce test anxiety to a manageable level, so that you can focus on the task at hand.

Below are three general strategies for managing stress in our lives.

#### 1. *Build a Support Network*

Social support has been shown to reduce people's stress levels. There is a lot of research to suggest that social support buffers the effect of stressors, which increases people's overall well-being (Viswesvaran, Sanchez & Fisher, 1999) but, an over reliance on this support at the expense of problem-focused strategies, such as actual studying, can impair test performance.

Your personal support network of family and friends are important to consider as you plan study strategies (e.g., managing schedules; creating distraction free time and space for study) as well as for emotional support.

Your professional network includes relations with your supervisor, mentors within the organization, colleagues, your work team as well as previous colleagues and organizational support services such as the training unit. Tap into those individuals whose area of expertise relates to your specific areas of study.

Create opportunities for both formal and informal learning, whether it's a study session offered by your service, a scheduled debriefing with a supervisor, or informal gatherings with other members preparing for exams. Sometimes just asking a question or explaining a problem to others can bring a solution into focus or provide the clarity you are looking for.

Although emotional support may be helpful, it is vital to focus on "problem-oriented" support when preparing for tests.

## 2. *Rest and relaxation*

Preparing to write a test requires considerable commitment, in particular with respect to time. A sustained level of hard work over a long period of time without relief can cause ill health and burnout. If we are short of sleep then our concentration, effectiveness and energy levels decline. Strive for balance!

When we are stressed and anxious we often find that thoughts keep running through our head making it difficult to get to sleep or stay asleep. If this is the case, ensure that you stop doing mentally demanding work several hours before going to bed – give your brain time to calm down before you try to sleep. Try reading a calming, undemanding book to tire your eyes and take your mind off the things that are worrying you. Should you find that your sleep is distracted by important thoughts or questions, write them down in a notebook (to be reviewed later) – get them on paper and put them out of your mind until it is time to deal with them!

## 3. *Exercise*

Doing frequent effective exercise is one of the best stress reduction techniques. There is evidence to support that physically fit people have less extreme physiological responses when under pressure than people who are not (B. Probert, 2003). Exercise not only improves your health and reduces stress caused by unfitness; it also relaxes muscles and helps you sleep. If you have a workout routine, do your best to maintain it. If you do not have a workout routine, consider starting one!

## **Study Tips**

### Identify Study Goals

Preparation for a test can be a significant task, but one that is much more manageable with an organized approach.

- Setting short and long term goals can help keep you on track and have been proven to improve results when specific and challenging (yet realistic) goals have been chosen.
- Try to set both a long term goal, one aimed at overall achievement, as well as short term goals which apply to daily / weekly / monthly objectives. This will help motivate as well as provide the smaller steps necessary to achieve the desired results.
- Break down your approach by topic (report writing, Canadian Legal System, *Private Security and Investigative Services Act, 2005*, surveillance, etc.).

- Set specific goals (i.e. I will read and understand topic x on Thursday from 1700 to 1900 hours).

### Schedule Study Sessions

- Set aside specific times in order to study. Set yourself deadlines and stick to them in order to avoid last minute cramming.

### Organize Study Material

- Keeping all study resources, texts, and supplies in one place will help you to maximize your study time.
- Maintaining a 'study kit' with the materials to be used will ensure that you are not searching for necessities when the time to study comes.

### Choose a Good Study Place

- Choose a space that fits with your schedule and plan and that will be available to you whenever required.
- A space with sufficient room to work, free from distraction and interruption is ideal.
- Make sure you have good lighting, a comfortable chair, and agreeable temperature. When you have selected a good space, try to conduct all your studying there.

### Take Good Notes

- Write clearly and legibly.
- Make summaries.
- Creating or using abbreviations and acronyms can aid you in recalling material, especially lists and processes.
- Keep separate points on separate lines and leave a wide margin in your notes for later questions and notations to yourself for follow-up research.

### Review Regularly

An effective part of any study plan is to set aside time for review.

- Try to review your study materials on a regular basis, in order to keep the information fresh in your mind.

- Discuss the topics and content with others preparing to take the test or who have already taken the test. Being able to discuss the material with others is often a good benchmark of understanding and will make you feel more at ease when it is time to write the test.
- Try to relate what is being learned to actual job experiences and visualize how the information may help you in the future in your work.

### Reward Yourself

Preparing for a test takes focus and commitment. At times it will be a challenge, so reward yourself when you feel you have accomplished one of your major tasks.

## **Writing the Test**

### Getting Ready to Write

#### **Be ready**

- Be sure to use all available strategies to help you succeed – visualization, logic, talking to yourself.
- Dress in layers so that you may remove or put on a layer according to comfort in the test location.

#### **Be rested**

- Give yourself a good rest buffer before the test. Make sure to get enough sleep.
- Try to do something to clear your mind so that you will be focused and able to concentrate fully on the test day.

#### **Be fed**

- Eat well before the test. Avoid fasting or taking stimulants you are not accustomed to (coffee, soft drinks, chocolate).

#### **Be positive**

- Approach the test with confidence.
- Stay away from others before the test, particularly those that may not have prepared properly. Anxiety can be contagious and you will do better focusing on what you know rather than what you do not.

#### **Be on time**

- Arriving early will help to alleviate any anxiety. Select a seat where you will feel comfortable (good lighting and minimal distraction).

### During the Test



**Be calm**

- It is natural to be a bit nervous or stressed. You can channel this into positive energy.
- Try to take a couple of short mental breaks during the test. It is good to clear your head for a second and focus your eyes on a distant spot in order to refresh.
- If you find yourself experiencing a lot of anxiety close your eyes and take deep breaths.
- Small stretching exercises can also help – shoulder shrugs, leg stretches, neck rolls, etc).

**Be systematic**

- Before you begin the test, take a short glance through its entire contents.
- Try to budget your time, try to approximate how much time you should spend on each question.
- Read the instructions carefully.
- Answer questions you readily know the answer to.
- Do not struggle over questions that seem difficult – circle them and come back to them afterwards. Sometimes you will find that an answer will occur to you simply from being more relaxed after having successfully answered other questions.

**Be focused**

- Read the test question carefully, two or more times if required.
- Circle and underline important words or points.
- Eliminating obviously wrong answers can help you to focus on the correct one.

**Be logical**

- Change your answer only if you have a good reason for doing so.
- Do not be distracted by other individuals leaving the test before you – there are no prizes for finishing first. Use the time you are given.
- Do not expect to know everything on the test – you are likely to see some items that you are not prepared for.
- Leave yourself some time to review your work before leaving the test.

**After the Test**

- A good strategy is to make notes of any questions and areas that caused difficulty and to research them at a later time.
- Now that you've completed the test, it's a good idea to do something to reward yourself and to relax after all your hard work!

## Summary/Conclusion

Given your work and life commitments, preparing to write the ministry's basic private investigator test is a huge endeavour. We hope that the variety of test preparation tips and strategies detailed in this guide assist you in accomplishing this undertaking, while minimizing test stress.

As many candidates have expressed, preparing and writing a test is a learning experience unto itself. We hope that the process of preparing for your basic security guard test serves you well.

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