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February 2020

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**What Automated
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Can't Do.**

by Steven Brownstein

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name. This index
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James Smith but
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would you do?

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British DBS Record System Fails FCRA

Legal rights campaign groups have described as a “disgrace” the government’s delay in reforming the criminal record checks system.

People with minor convictions and cautions must still disclose their criminal records to some prospective employers, a year after the Home Office lost a legal challenge over the system.

In the supreme court ruling on 30 January 2019, Lord Sumption said the Disclosure and Barring Service (DBS) rules were disproportionate because they required disclosure for multiple offences, even if they were minor, and failed to distinguish between warnings or reprimands given to juveniles and convictions.

The government has yet to make alterations to the system. Sam Grant, the policy and campaigns manager at Liberty, said: "It is a disgrace that after years of failed wrangling in the courts, the government continues to drag its feet and refuses to fix a clearly broken system."

“A blunt bureaucratic system continues to subject people to unfair treatment for mistakes they made long ago. If you make a few mistakes, you should be able to move on without it tarnishing you for the rest of your life.”

Three of four appeals by the Home Office were rejected over the issue of whether people found guilty of lesser offences or given cautions needed to disclose them when seeking employment involving contact with children or vulnerable adults.

The criminal record checks system requires past offences to be revealed in circumstances where the conviction or caution is serious, where it is current and not deemed to have been spent under the 1974 Rehabilitation of Offenders

Act, where it resulted in a custodial sentence or where someone has more than one conviction.

“P”, one of the applicants who originally brought the claims against the Home Office, was convicted of two minor offences – for stealing a 99p book and then failing to turn up to her hearing at a magistrates court – while suffering from an undiagnosed mental illness in 1999.

She said: “I am still waiting for the government to change a law that has been declared unlawful, simply so I can work in my chosen occupation. The victory last year feels hollow when I am still unable to apply for jobs without having to reveal personal and highly sensitive information that is wholly irrelevant to my ability to do the job.

“This is not just about me. There are thousands of people affected by this unjust inaction by the government, who now desperately want to get on with their lives and deserve to. The government has effectively ignored us, as well as its obligations.”

A government spokesperson said: "We continue to consider the supreme court judgment and wider recommendations around changes to criminal record disclosure. Public safety is our first priority and the system needs to protect the public, while also giving offenders a chance to rehabilitate

Probably Not but... A New Rule Could Alter Who Can Access Colorado Court Records

In a closed-door meeting, a Colorado judicial branch committee is expected to consider a long-awaited new rule on the suppression and sealing of criminal court records.

A draft posted online indicates that the 14-member Rules of Criminal Procedure Committee hasn't yet

settled on how weighty an interest must be to justify keeping a court record from public view or allowing the public to see only a redacted copy. The draft gives committee members four options: Should the interest be “compelling,” “significant,” “substantial” or “overriding”?

The draft rule does say, however, that a court order to limit public access should explain how making court records inaccessible would serve another interest, e.g., a defendant's right to a fair trial. The court order also would have to find that no less restrictive means are available and conclude that the identified interest outweighs the public interest.

Two concerning aspects of the draft rule: A motion to restrict public access to court records and any subsequent hearing on the matter both would automatically be closed to the public.

For several years, the Colorado Freedom of Information Coalition has urged the judicial branch to adopt a uniform standard for restricting access to criminal court records, proposing a rule modeled after one endorsed by the American Bar Association. A clear rule is needed, CFOIC has argued, because each trial court judge now must determine the legal standard to apply whenever there's a dispute over limiting the public's right to inspect court records.

to gain if, at the outset, everyone understands the rule of law that guides the outcome,” CFOIC president Steve Zansberg wrote in a 2016 column.

Suppressed court records are available only to the court, parties in the case and the attorneys of record. Anyone else seeking access must obtain a court order.

Although the lack of a uniform standard has been an issue for a long time, stories in The Denver Post helped push the judicial branch to act. In his “Shrouded Justice” series in 2018, The Post’s David Migoya revealed that more than 6,000 Colorado court cases, many of them involving violent felonies, were hidden from public view because of judges’ orders to suppress them. In many of those cases, there was no ruling available to the public to explain why the court file was inaccessible to the public. Many of the cases were not even listed on publicly available dockets.

Also, in a case decided by the Colorado Supreme Court, The Colorado Independent argued that a district court judge did not sufficiently explain why he sealed records alleging misconduct in the prosecution of a death row inmate; the judge cited only “countervailing considerations.”

The Rules of Criminal Procedure Committee includes judges, prosecutors and defense attorneys. If it

votes to recommend a new rule, the proposal will be presented to the Colorado Supreme Court. Chief Justice Nathan Coats has indicated a public hearing is likely before a rule is formally adopted.

Meanwhile, a bill is expected to be introduced in the state Legislature this session that would track the parameters of the American Bar Association guidelines, which require a judicial finding of a “compelling” state interest to justify denying public access to judicial records and an additional finding that no reasonably available alternative means exist to protect that interest.

Maybe Uber Can Get It Right...

But FCRA violations loom

Uber is partnered with safety data provider Appriss to conduct the checks.

Appriss collects the data (Arrest, Incarcerations, etc.) in real time and then notifies Uber if a driver has a new criminal offense,

Uber then decides whether it wants to suspend the driver based on that data.

'Ultimately what we're looking for...is a way to get the same kind of info as in a background check, but get it in a real-time manner,' Uber vice president of safety and insurance Gus Fuldner said.

“The justice system stands and defense attorneys. If it

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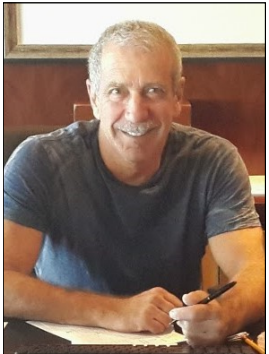


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**Meet Steven Brownstein
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First Advantage Finds Over 7500 Fake Background Check Companies In India.

At least that many are providing fake documents!

The Uber rape case in New Delhi has revealed the murky underbelly of slapdash background checks in India.

Uber is not alone. In a growing economy like India, companies are often seen in a mad rush to hire in the hundreds. Tight timelines for hiring and cost-consciousness often tempt recruiters to go easy on checks and verification.

And it is not hard to get fake documents in the country. There are close to 7500 companies in India, which operate just for providing fake employment and educational certificates, according to a report by First Advantage, a background screening company.

The company that discovered this startling number was First Advantage during the process of an education verification on prospective hires audit that it conducted for its clients. Among the discrepancies found, anomalies related to employment, address and education antecedents were at 60.4%, 15.9% and 6.0%

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respectively.

Despite the growth in the number of screening agencies, most companies are yet to give pre-employment background checks the importance it deserves.

Perhaps it is time that companies go the extra mile and conduct thorough background checks on prospective background screeners.

Employee Background Screening Fraud Becoming Serious In India

Rahul Belwalkar is an HR expert and his core competencies include employee background screening, partner due diligence, pre and post underwriting risk management, insurance claims investigations, client servicing, and back-office operations. He talks to The Week (An India magazine) about the seriousness of the situation, the kind of frauds in this space and what needs to be done to have proper background checks or verification of candidates.

How serious is the situation of background screening in India today?

Background screening in India is becoming an extremely serious process. Cases of employee fraud and misrepresentation of resume or employment data have been plaguing the recruitment process for years.

Have you come across any frauds related to background screening?

Frauds are usually from candidates who submit fake credentials. However, we recently came across a company in Hyderabad that was providing fake employment certificates. It was was a legitimate company that had a separate set of operations. This came to light only because the company where a candidate was about to join asked for a

relevant salary slip and subsequent tax records, which were non-existent.

Fake Or Real?

The (Shtick))

-Helloverify Is Bringing Instant Background Checks To India’s Burgeoning Gig Economy

-Helloverify uses machine learning and AI to accelerate the traditional screening process

-Started in 2018, the company claims to have done 5 Mn background checks for 110 clients

The (Spiel)

The rise of digital platforms such as Uber, Ola, Zomato, Swiggy and a slew of consumer-facing internet businesses has transformed the way people work, socialise and generate profits. Platform or gig economy has made it possible for customers to access services without actually having to ever interact with the aggregator — in an ideal scenario.

Naturally, the gig economy presents more risks for employers as typically these transient workers do not have robust documentation for background checks and screening. So while gig economy is a real employment opportunity for many unskilled workers, there is a lot of friction in hiring. Questions center around the trust-worthiness of both service providers and customers. This risk is intensified with recurring instances of crimes in delivery operations thanks to weak background checks.

In order to mitigate these risks, gig economy companies rely on AI-powered background checks and as with most innovation for gig economy, startups are at the forefront here too.

“The biggest challenge everyone was facing in background checks was that there was an information depository available on individuals in terms of making hiring decisions, initial-

ly, and large companies had huge workforce of 30K-40K employees where onboarding was very expensive for them to just keep them line till the time they don’t get background checks done,” said Varun Mirchandani, cofounder of Helloverify.

Noida-based SaaS startup Hello Verify’s software allows them to verify thousands of people in minutes instead of days or weeks. The startup allows enterprises to rapidly hire at scale with ease, through its machine learning and AI technology platform which increases the speed of background screening, catches more bad actors, and thus ensures a more accurate offering as compared to the traditional ways of background checks.

Think It Can't Happen Here?

Written By ESR News Blog Editor Thomas Ahearn

US Government Accuses Security Contractor of Faking 665000 Completed Background Checks

The U.S. Justice Department has accused a private security company contracted to provide background investigations to the federal government of faking at least 665,000 completed background checks while receiving nearly \$12 million in bonus payments from 2008 to 2010, according to a report from CNN available at <http://www.cnn.com/2014/01/23/justice/us-background-check-fraud/index.html>.

CNN reports U.S. Investigations Services (USIS) is

charged with counts of false or fraudulent claims, false statements, and breach of contract. Other filings remain sealed. Prosecutors allege in a complaint USIS used a computer program to “flush” or “dump” about 40 percent of the background checks conducted during that time and completed them without a quality review required by the government contract.

The Background Investigator Creates a New Press Release section on its Home Page

The Background Investigator is now accepting your press releases for free publication on their Home Page.

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CANADA DAILY



Criminal Requests PROVINCIAL COURT SEARCHES

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COVER PHOTOGRAPHER:
Steven Brownstein

PURPOSE: “Dedicated to pre-employment screenings everywhere”

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The Background Investigator Goes To Taipei (Taiwan)

In a continuing series, The Background Investigator, is sending its researchers to various countries around the world to explore the justice systems and bring back to you their findings. This month Steven Brownstein visited Taipei, Taiwan. Here is his report:

Understanding Taipei

I arrived in Taipei with list of searches from Straightline International. My goal was to obtain a court search result from the Taipei District Court.

First a little background about district courts in Taiwan:

District Courts have jurisdiction over ordinary or summary civil and criminal cases as well as civil small claim cases as courts of the first instance.

So I knew this was the right court.

There are two enclosed areas on the first floor of the District Court that have counters to serve the public.

The one furthest from the main entrance is the civil division. individuals have access to this area to file claims, make payments, and access other services needed for civil work.

The area closest to the door is a registrar of sorts. Their task is basically filing and receiving motions and documents for current cases, as well as recording all new cases into the court's database.

It is in this area that record checks can be completed.

English is a far cry from being a 'second language' at this court. It would pay to have an interpreter present to expedite matters.

Name checks are difficult to perform from several standpoints. First, the commonality of names makes the task daunting; there are numerous name matches. but secondly, because there is a much simpler awy.

Records are matched to an individual by their unique tawianese ID number (10 digits - one letter followed

by 9 numbers). It is with this indentifier that all records of any cases can be brought up. The clerks in this office were happy to help me and I ran the names without incident.

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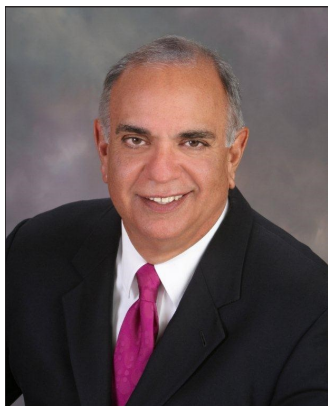
Civil from 114

"We take criminal records seriously"



Les Rosen's Corner

A monthly column
By Lester Rosen,
Attorney at Law



FCRA Lawsuits Will Still Target Employers and Background Check Firms Despite Spokeo Ruling in 2020

written By Thomas Ahearn



Employers and background check firms will continue to be targeted by class action lawsuits that claim alleged violations of the federal Fair Credit Reporting Act (FCRA) in 2020 despite the Supreme Court ruling in Spokeo v. Robins that led some cases to be dismissed, according to the “ESR Top Ten Background Check Trends” for 2020 compiled by leading global background check firm Employment Screening Resources® (ESR).

An examination of 146 successful FCRA class action lawsuits compiled by a national policy resource center found that employers have paid out \$174 million over the past decade to settle litigation claiming they violated the FCRA. The background check firms providing background check reports about job applicants to employers have paid out another \$152 mil-

lion when sued directly under the FCRA.

Class action lawsuits that claim violations of the FCRA – sometimes even mere technical violations of the statute – can indeed be costly to employers. In 2018 and 2019 alone, 7-Eleven paid \$1.9 million, Delta Air Lines paid \$2.3 million, Omnicare paid \$1.3 million, a subsidiary of PepsiCo paid \$1.2 million, and Frito-Lay Inc. paid \$2.4 million to settle class action lawsuits over alleged violations of the FCRA.

Consumer reporting agencies (CRAs) – another name for background check providers – also lose money in FCRA lawsuits. In November of 2019, the Consumer Financial Protection Bureau (CFPB) – a government agency that enforces the FCRA – required a CRA to pay \$8.5 million to resolve an FCRA lawsuit, while a federal judge in Florida approved a \$3.6 million settlement in an FCRA class action lawsuit filed against another CRA.

However, some FCRA class action lawsuits were dismissed or decertified under the May 2016 Supreme Court ruling in Spokeo v. Robins – where a man filed a lawsuit when “a people search website” gave inaccurate information about him – that found consumers must prove “an injury in fact” in lawsuits for alleged “bare” violations of federal statutes to establish standing under Article III of the United States Constitution.

In September 2019, a District Court in Virginia dismissed an FCRA class action lawsuit against a CRA citing the Spokeo ruling that a plaintiff must have “an injury in fact.” In October 2019, a California federal judge decertified a class of 6.5 million applicants in an FCRA class action lawsuit filed against Walmart, finding the plaintiffs did not suffer an injury sufficient enough as required under Spokeo v. Robins.

“In no way did the Su-

preme Court decision in the Spokeo case mean employers could relax obligations for, or ignore the technicalities of, the FCRA,” explained Attorney Lester Rosen, founder and chief executive officer (CEO) of Employment Screening Resources® (ESR). “Employers will always need to ensure compliance with their FCRA obligations and work with a background check provider that understands the FCRA inside and out.”

Civil Proceedings in Ontario

The Superior Court of Justice hears all civil proceedings in Ontario, including commercial matters, personal injury, bankruptcy and insolvency cases, and litigation involving wills and estates.

A distinct branch of the Superior Court called the Small Claims Court hears civil matters for under \$25,000.

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ANALYTICS

With Great Data Comes Great Responsibility, Experts Say

At the Public Sector CIO Academy, experts from the public and private sectors provided insight into what IT leaders need to think about when considering data collection and sharing aimed at benefiting residents' lives.

If governments are going to collect data on citizens, they need to understand the responsibilities that lie therein. That was the overarching message during a data privacy discussion at the 2020 Public Sector CIO Academy Thursday in Sacramento, Calif.

Panelists from a range of backgrounds shared their experiences of how and when data should be stored or shared. Michael Wilkening, special adviser on innovation and digital services to California Gov. Gavin Newsom, said that IT leaders should view the data collected from various services as their duty to protect, and in the case of sensitive data, something to be shared only when justifiable.

“As we’re starting to use that data, what are the implications there? Are you gathering information for enrollment purposes or administrative purposes?” Wilkening asked the audience. “I’m not seeing us crossing the lines and using the data in ways that we shouldn’t.”

Wilkening pioneered an open data portal while secretary of the Health and Human Services Agency. He did this to better understand how various programs, like CalFresh, impacted residents and whether people used more than one program or could benefit from multiple enrollments. Prior to a singular repository for querying, the data lived in disparate systems that couldn’t identify these commonalities.

“The data is not our data. It belongs to the people,”

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Other Canada costs		
Civil from 20		
"We take criminal records seriously"		

Wilkening said. “We’re stewards of data, but we don’t actually own the data.”

He said CIOs must ask themselves these hard, gray-area questions when they consider using residents' information to monitor program effectiveness. As more and more information is collected, it becomes more difficult to keep certain citizens anonymous.

The easiest solution, of course, is to not collect data at all, but that isn’t feasible in the modern era, said Scott Christman, the former CIO and deputy director of information technology ser-

vices for the Office of Statewide Health Planning and Development.

“There’s this idea of not collecting data for the sake of collecting data,” Christman said. “It’s similar to the blue-sky [thinking] problem of, ‘If I just had all this data, I could do great things.’ ... The why needs to be there represented by strong use cases and purposes.”

There aren't yet universal guidelines for data collection or sharing, except where it comes to health-care records are concerned. But even in cases of medical records, the willingness

to transmit data from a primary care physician to a specialist varies, he said.

If an IT leader is to change how their organization views data, they must relentlessly advocate for its use and provide specific cases, like within the Health and Human Services Agency, where it improved residents lives.

“The use of this data, in this case we’re talking about sensitive data, the rationale is we’re trying to advance the organization,” he said. “I think it’s critically important and that can’t be communicated enough to teams that are working on these types of projects.”


While a moral high ground for data collection and sharing didn’t immediately emerge, a potential path for dissipating people’s privacy concerns may have. Panelist Chris Neff, the vice president of marketing and research at NIC Inc., said governments could adopt an opt-in approach.

People are already comfortable with sharing their information on social media platforms, Neff said. If they understand how their data will be used and that there will be a tangible benefit to sharing it, they may more willingly provide it, he argued.

written by Patrick Groves, a staff writer for Government Technology.

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FBI Has Your Sealed Record and It Can Be Used Against You

Read what Massachusetts has to say about it

Tens of thousands of people have sealed criminal records under a 2-year-old state law that allows them to wipe clean some prior arrests and convictions, but the records are still turning up in federal background checks widely used by schools, banks, hospitals and casinos.

The 2018 law, part of a criminal justice bill signed by Gov. Charlie Baker, shortened the waiting period for people found guilty of misdemeanors to ask that a case be sealed from five years to three. It shortened the waiting time for felons from 10 years to seven. The law also allows sealing of juvenile records and expands the list of offenses eligible to be scrubbed.

Under the law, the state is required to notify the Federal Bureau of Investigation, which tracks state arrests and convictions, when records are sealed. But two years after the reforms went into effect, that still hasn't happened, according to state and federal officials and private attorneys who work on clemency issues.

Felix Browne, a spokesman for the Executive Office of Public Safety and Security, said there isn't a process for the FBI to accept criminal records sealed by the state.

A spokeswoman for the FBI's Criminal Justice Information Service declined to say what is causing the delay or when the process might get underway, but said the agency is "working with the state to facilitate the sealing of records at the state's request."

"The FBI will process requests for sealings or expungements as directed by the state of Massachusetts," the agency said in a statement.

Attorneys who work with clients trying to seal their records say the process is stalled and they can't get answers.

"This has been going on for a very long time," said Phillip Arnel, a Westwood attorney. "I have a lot of clients who are extremely frustrated because they can't understand why their FBI records can't be sealed.

"The state and FBI have been very close-mouthed about it," he added. "They keep saying they're working on specifications for processing records, but they've been extremely vague."

When someone is arrested by state or local police, their fingerprints and information are sent to the FBI for review. The agency creates a federal record of the charges.

The FBI generally doesn't update those records, however, so they show up even if someone is found not guilty, if the charges are dismissed or if the records are sealed.

Sen. William Brownsberger, D-Belmont, who helped write the 2018 law, said lawmakers and criminal justice reform advocates wanted to ensure records sealed by the state wouldn't turn up in the FBI background checks popular in the education, finance and health care fields.

"We kept getting complaints from folks that sealing doesn't work," said Brownsberger, a criminal defense attorney. "No matter what happens to the state record, the FBI record lives on."

Brownsberger said he has asked about the delay in implementing the 2018 law and was told the state and FBI are working on a new computer system designed to transfer sealed records to the FBI. He wasn't sure when it would be running but said "a lot of people are waiting for this thing to get going."

A major issue is that the state and federal govern-

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"We take criminal records seriously"

ments handle sealings differently, he said. The FBI seals a person's entire criminal record, while the state seals just individual charges.

Massachusetts is known for being particularly unforgiving when it comes to allowing people to get out from under the shadow of a conviction.

Criminal records can haunt people long past their punishment, criminal justice advocates say, preventing them from getting jobs or housing, or from getting into college.

The overhaul approved by the Legislature and Baker in 2018 was meant to help people get on with their lives. It allows for an individual's criminal record to be wiped clean provided the offense occurred before their 21st birthday and they stayed out of trouble.

Major convictions — such as for murder, felony assault, drunken driving, domestic battery, rape and other sexual offenses — cannot be sealed.



The changes, which took effect in October 2018, prompted a surge in requests to seal records, with state officials processing an average of 7,000 per month.

The new law also allows juvenile records and some adult crimes to be permanently removed from a person's criminal record through a process known as expungement. Unlike sealing a criminal record, which can still be viewed by law enforcement, expungement permanently erases charges from someone's official record.

Browne said the state has "finalized" 133 expungements since it began putting

through requests in July. Those records have been forwarded to the FBI for consideration.

The FBI also allows people to make direct requests to seal records, but criminal justice reform advocates say the process is costly and cumbersome. "It's a bureaucratic nightmare," said Margaret Love, executive director of the Washington D.C.-based Collateral Consequences Resource Center. "They don't make it easy for people."

More Fake India News

Fake Clearance Certificates in Our Industry

I received a sample of a NBI (Philippines) clearance certificate from an India company that offers Philippines criminal records to the pre-employment screening industry.

I brought it to the Manila Courthouse where it was deemed a fake.

**In Thailand,
Drug Cases Top
Last Year's
Court Records**

Almost 2 million legal cases were filed in the courts last year, with drug-related cases topping the list of court proceedings compiled by the Office of the Courts of Justice (COJ).

According to a report released by COJ yesterday, a total of 1,963,771 cases were filed in the courts in 2019 -- an increase of 6,206 cases on the previous year's figures.

Of the total, 1,305,658 or 66% were civil cases, while 658,113 or 34% were criminal cases, the report showed.

Cases involving drug sales or use stood at the top of the list with a total of 363,125 cases, followed by personal loans (293,899), traffic violations (213,888), credit cards (168,347) and financial loans (134,420 cases).

"Our statistics reflect that drugs and economic hardship are still big problems," COJ secretary-general Sarawut Benjakul said.

Despite the rise in case-load, Mr Sarawut said the government has improved the way it pushes cases through the justice system, with a total of 1,693,587 cases, or 85% of all cases filed last year, brought to a conclusion in courts last year.

He said the courts are applying new technology -- including a new e-notice, which allows lawyers to file complaints in civil cases without having to physically go to court, and an e-filing system, which allows people to view court announcements about cases and file documents online on the courts' new website.

This is intended to help them manage cases and improve citizens' access to the justice system at a lower cost, observers say.

Mr Sarawut said the e-

filing and e-notice system make the process of filing straightforward civil cases "simple, convenient and paperless", which can only be good for the public.

"The new systems drastically reduce the time needed and procedures required [to file a case] and help the courts save up over 100 million baht last year," he said.

According to the COJ, 99.97% of cases filed in Courts of First Instance last year were brought to a conclusion within two years, while 98.64% of cases were brought to an end within six months.

Meanwhile, 86.41% of cases filed in the Supreme Court in 2019 were closed within the period of one year.

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Others	76

Courts Served

The Courts of First Instance are found within the Courts of Justice which comprises criminal and civil jurisdiction and can be known as City, Provincial, or Kwaeng Courts. The Courts are computerized so cases are easily found.

TAT is 2-4 days for Bangkok and 2-6 days for most jurisdictions

Other Thailand costs

Civil from 114

"We take criminal records seriously"



.Colorado
Changing Public
Access Rules

A Colorado judicial branch committee wants to make it harder for you to access criminal court records.

A Rules of Criminal Procedure Committee met in mid-January to discuss a draft rule that would change how and when courts are allowed to suppress and seal criminal court records.

Maine Trying To
Go Digital

Maine has yet to introduce an electronic system to manage case filings.

Early planning to roll out an e-filing and case management system dates to 2004-2005.

After a decade of consideration, Maine hired Tyler Technologies in 2016 to implement a system used in 30 other states.

The 10-year contract with

Tyler Technologies for its case management and e-filing system called Odyssey will cost Maine \$16.8 million and is scheduled to be fully installed by 2022.

Until Odyssey provides usable information, those focused on trying to answer critical questions about the health of Maine’s judicial system will remain frustrated.

Maine’s current case management software system — the Maine Justice Information System (MEJIS) — is 23 years old and has not had significant upgrades since its 1997 installation. It relies on thousands of paper records filed in courthouses across Maine’s 16 counties.

Amy Quinlan, director of court communications for the state, said the current system wasn’t designed to meet today’s technology and data intelligence needs.

“(MEJIS) was designed to support the paper record and associated processes,” Quinlan said. “It was never designed to accommodate electronic filing and the digital record with all its

access benefits.”

PUBLIC ACCESS TO
RECORDS

The Maine Judicial Branch created a task force in 2017 to focus on the transparency and privacy of court records, and what information would be available as the courts finally entered the digital age.

Saufley said some cases, such as child protective cases or juvenile misdemeanors, will be kept confidential and not posted online. Saufley and members of the judicial system are working on guidelines to determine what documents will be available.

“It’s always a question of balance. To try to balance transparency and public trust with the need to protect people — who have to come to court — from having their private pain just sort of splashed all over the internet,” she said.

Ed Folsom, a criminal defense attorney in Biddeford, is concerned about the potential lack of privacy for his clients.

Melissa Flavin

McHenry County, Illinois

Quickfacts

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Cell 815-236-8874

Email: MyIllinoisSearcher@comcast.net

“I would like to see (clients) be able to get out from some of these clouds that hang over their lives,” Folsom said. “The more that is out there for people to see, the more difficult it is for you to ever overcome this stuff.”

Saufley said that 70 to 75 percent of records will be available remotely, including criminal and civil records. Some cases still will only be viewable at the courthouse because of privacy concerns.

“Domestic violence is actually controlled by the federal laws. We can’t put those online. With regard to whether it’s a divorce or a family matter case, some of the filings, you just can’t imagine the harm it would do for those to be accessible online,” Saufley said.

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Courts Served

Provincial Court - In Bangkok, Courts of first instance handling criminal cases depends on a district where an offence has been committed, alleged or believed to have been committed, or where an accused resides or is arrested or where an inquiry official conducts an inquiry.

Municipal Courts - (Kwaeng) Criminal cases fallen in the jurisdiction must deal with the criminal offence punishable with a maximum of three years imprisonment, or fine not exceeding 60,000 baht or both. The primary function of Municipal Courts is to dispose of small cases quickly.

TAT is 2-4 DAYS

Other Bangkok costs

Civil from 114

"We take criminal records seriously"

STRAIGHT

LINE

Criminals Have 'Smaller BRAINS':

Scientists claim the 'handicap' which can be spotted in early childhood may explain why life-long offenders lie, steal and are violent

- Brain scans of almost 7,000 people were analysed. A third had committed crime
- People with a lifetime of convictions behind them had smaller brains
- However, those who had caused trouble as youngsters did not
- This suggests they can be prevented from committing crime or reformed
- Experts said the findings are a 'valuable' insight into what drives crime.

Hardened criminals have an abnormal brain structure and display aggressive behaviour from early childhood, a major study suggests.

Brain scans of almost 7,000 people aged 45 were analysed - a third had a history of antisocial behaviour ranging from physical fighting to truancy.

People with a lifetime of convictions behind them had structurally smaller and thinner brains, some of which were in areas responsible for behaviour and emotion control.

Researchers also looked at their criminal records and questioned their teachers and nursery staff, identifying a group of 80 adults with a ‘persistent’ history of antisocial behaviour and physical violence, ranging from biting other children in nursery to domestic violence as an adult.

Those who had only caused trouble as adolescents did not have significant brain differences compared to the general population, however.

Experts said the findings are a 'valuable' insight into what drives crime and how to prevent it happening.

The study led by Universi-

ty College London and published in The Lancet used data from a cohort of 672 people from New Zealand.

The participants' level of antisocial behaviour had been measured every two years from the age of seven to 26 using self-reporting and reports from parents, carers and teachers.

The participants were followed through adulthood, and 80 had what the researchers call 'life-course-persistent' antisocial behaviour. They had been convicted five times between the age of 26 and 28.

A total of 151 had adolescent-only antisocial behaviour, and 441 had no history of persistent antisocial behaviour.

The researchers took MRI brain scans of participants at the age of 45 and compared the cortical surface area and cortical thickness of 360 different regions of the cortex.

On average, across the entire brain, those who were antisocial into adulthood had a smaller surface area in 282 of 360 brain regions than people who had no history of antisocial behaviour.

They also had thinner cortex in 11 of 360 regions. The areas effected have been previously linked to antisocial behaviour through their involvement in regulation of emotions, motivation and goal-driving behaviour.

Co-author Dr Terrie Moffitt said: 'I think what we've seen with these data is they are actually operating under some handicap at the level of the brain, so I think for me, this changes my conception of the "life course persistent" antisocial individuals now, to thinking of someone who is living life with some level of disability, and coping with that as part of their lifestyle.'

The authors say the study provides the first robust evidence to suggest that underlying brain differences are linked to antiso-

cial behaviour.

Study lead author Dr Christina Carlisi said those who commit crimes their whole life could benefit from 'more support throughout their lives'.

She said: 'Our findings support the idea that, for the small proportion of individuals with life-course-persistent antisocial behaviour, there may be differences in their brain structure that make it difficult for them to develop social skills that prevent them from engaging in antisocial behaviour.'

Widespread differences in brain structure were not found for the adolescence-limited group compared with either the general population or the life-long antisocial group.

The researchers said these findings have implications for the way the criminal justice system treats juvenile offenders.

They said the majority of adolescent offenders have a short brush with crime but do not continue displaying antisocial behaviours into adulthood. This makes them 'really good candidates to reform and rehabilitate'.

Dr Carlisi said: 'Most people who exhibit antisocial behaviour primarily do so only in adolescence, likely as a result of navigating socially difficult years, and these individuals do not display structural brain differences.

'It is also these individuals who are generally capable of reform and go on to become valuable members of society.'

Dr Moffitt said: 'Political approaches to juvenile offending often swing back and forth between punitive measures and approaches that give young offenders room to reform.

'Our findings support the need for different approaches for different offenders.'

Dr Moffitt cautioned

against brain imaging as a screening tool to identify people who may become life-long criminals.

This is because the understanding of brain structure differences are not robust enough to be applied on an individual level.

As well as this, the team acknowledged the MRI scans were taken at the age of 45, therefore it is not clear if the structural brain differences were a cause of antisocial behaviour, or a result of a troubled life associated with crime.

Those who commit life-long crimes may have smaller brains because they do drugs, smoke, suffer poor mental health or have a lower IQ - more research is needed to find this out.

Co-author Professor Essi Viding said: 'It is unclear whether these brain differences are inherited and precede antisocial behaviour, or whether they are the result of a lifetime of confounding risk factors (eg, substance abuse, low IQ, and mental health problems) and are therefore a consequence of a persistently antisocial lifestyle.'

Speaking at a Science Media Centre conference, academics who were not involved in the study welcomed the findings - the largest to compare brains in people with varying criminal tendencies.

Professor Huw Williams, associate professor of Clinical Neuropsychology, University of Exeter, said the study is 'fascinating'.

He said: 'This is a valuable and insightful contribution to the debate on what drives crime.

'There is, clearly, a strong theme that the brain systems for controlling mood and behaviour is somewhat different in those who go on to offend beyond the adolescent period.

'This reinforces the need to help children and young people who have trouble "self-regulating" to get help at the earliest opportunity

to reduce risk of escalation of behaviour.

'Maybe in schools, to help manage behaviour that could lead to school exclusion.'

Kevin McConway, emeritus professor of applied statistics, The Open University, said: 'These research findings are consistent with the hypothesis that life-course-persistent antisocial behaviour arises as a result of abnormal brain development

'The study can't tell us from what age those brain differences were there, because the participants' brains were scanned only at age 45.

'One possibility is that the differences arose at some time long after early life. In that case they can't be the cause of life-long antisocial behaviour, because they happened after the anti-social behaviours began.

'Another possibility is that the differences were there right from a very early age for some reason, perhaps genetic.'

Cook County

**Civil Court
Cook County
Searches**

**Civil Court
Searches
Criminal**

EPIC Asks FTC to Regulate Use of AI in Employment Screenings

The Electronic Privacy Information Center (EPIC) — a public research center focusing on privacy issues and based in Washington, DC — has filed a petition with the Federal Trade Commission (FTC) to establish fair trade practices with regards to the commercial use of artificial intelligence (AI).

As Forbes reports, EPIC’s petition stems from a charge the organization made against AI-based pre-employment screening firm HireVue, claiming the company is flouting national and international standards of transparency, fairness and accountability.

Lead Counsel for EPIC, John Davidson, said that the petition “is the first formal effort to establish regulations for commercial AI use in the United States.”

The petition isn’t limited in scope to the use of AI in employment screening, but also includes its use for the ranking of tennis players, the evaluation of potential Airbnb guests, and the use of facial recognition for criminal justice purposes.

EPIC claims that the unregulated use of AI has caused harm to consumers that are becoming increasingly subjected to unprovable decision making in employment, credit, healthcare, housing and criminal justice.

In its petition, EPIC states that businesses “frequently fail to demonstrate that AI decision-making tools are accurate, reliable, or necessary—if businesses even disclose the existence of these tools to consumers in the first place.”

The target of EPIC’s petition, HireVue — a Utah-based company that uses on-line video interviews and video games that employ a proprietary algorithm to

analyse a candidate’s voice and appearance — has completed more than 1 million assessments for its more than 700 customers around the world, including among them one third of Fortune 100 companies.

In its petition, EPIC says that HireVue’s use of its algorithm as well as facial recognition and biometric data “constitute unfair and deceptive trade practices.”

EPIC argues that applicants that use HireVue’s services to seek employment have little choice but to submit to its screening practices if they want the job, and that the part of the assessment that requires the applicants to play a video game presents a format that is unfamiliar to older applicants.

HireVue says that it collects tens of thousands of data points and inputs them into its “predictive algorithms” to determine a candidate’s employability, though the company refuses to disclose its algorithm’s selection criteria and doesn’t tell unsuccessful applicants the reasons they were not selected.

SPECIAL The Body Shop Will Start Using “Open Hiring” Without Background Checks

Written By Thomas Ahearn

The Body Shop – will start using an “open hiring” process and hire the first applicants who apply for retail jobs without any interviews, drug tests, or background checks if they answer affirmatively to three yes-or-no questions, according to a report from Fast Company.

Fast Company reported that The Body Shop would become the first large retailer to embrace the open hiring approach starting in the summer of 2020. “When there’s an opening, nearly anyone who applies and meets the most basic

requirements will be able to get a job, on a first-come, first-served basis.”

Open hiring was used in a pilot program at The Body Shop’s distribution center in North Carolina at the end of 2019. “We’re not asking for your background check. We’re not asking for you to be drug screened,” Andrea Blieden, general manager of The Body Shop for the U.S., told Fast Company.

“And there’s only three questions to get a job,” Blieden continued. “It’s, ‘Are you authorized to work in the U.S.? Can you stand for up to eight hours? And can you lift over 50 pounds?’ If those three questions are answered, then we will give you a chance to come work in our distribution center.”

According to the report: “Monthly turnover in the distribution center dropped by 60%. In 2018, the Body Shop’s distribution center saw turnover rates of 38% in November and 43% in December. In 2019, after they began using open hiring, that decreased to 14% in November and 16% in December.”

As a result of the drop in turnover rates – and also “increases in productivity” – the practice of open hiring will be used by The Body Shop in “all of its retail stores this summer, where it employs around 800 people, and as many as 1,000 during the holidays,” Fast Company reported, adding that:

At the Body Shop, the money saved in recruiting, screening résumés, interviews, and background checks will be redirected into training, employee benefits, and programs to support new employees with challenges such as transportation issues that can make it difficult for employees to get to work on time.

Open hiring was pioneered by the Greyston Bakery in New York, and “the company sold 8 million pounds of brownies in 2019, making \$22 million. This year, Greyston

launched a nonprofit, the Center for Open Hiring, to help other businesses implement the same process,” Fast Company reported.

“While the well-meaning goals of the company are laudable, there are some foreseeable challenges and unintended consequences,” warned an article by Forbes about The Body Shop’s open hiring method, adding that “management should at least conduct some due diligence to ensure the safety of all employees.”

The Forbes article continued: “It is admirable to possess socially conscious values, but it could be detrimental to the company and open it up to serious legal liabilities and repercussions if it hires a person who does something harmful that a simple cursory background review could have avoided.”

Attorney Lester Rosen, founder and chief executive officer (CEO) of Employment Screening Resources® (ESR), will be watching this new trend. “With no criminal record checks or past employment verifications, open hiring will be an interesting experiment to follow. It may work for certain jobs, not so much for others,” he said.

Launch Of Website to Access SD Court Records Is Delayed

The launch of a website that will let South Dakotans view public court records from any computer has been delayed for more than a year due to privacy concerns.

The website originally planned to launch in late 2019 or early 2020 and would have allowed the public to view unsealed court documents for 10 cents per page from any computer at any time of the day. It's now estimated to go online in the summer of 2021, said Greg Sattizahn,

administrator of the South Dakota Unified Judicial System (UJS).

In the meantime, people who need or want to view and print state court records will only be able to access them on the computers at state courthouse that are typically open 8 a.m. to 5 p.m. from Monday through Friday. Federal court records can be viewed for a fee at any time through pacer.gov.

Sattizahn said the website launch is delayed because UJS is still trying to find a service that will redact sensitive information in otherwise public documents.

"We do not have a vendor that is able to deliver the required redaction solution that has been proven to work on a statewide level," he said.

Sattizahn pointed to North Dakota's trouble launching a similar system on Jan. 1.

The program was taken down six days later because documents included information that was supposed to be redacted such as social security numbers, birth dates, minor's names and financial account numbers, according to a Jan. 7 article in the Bismark Tribune. Photos of graphic crime scenes were also uploaded, according to a Jan. 5 opinion piece at inforum.com.

The people filing the documents are responsible for redacting such information, the state court administrator told the Tribune.

"We do not want to risk doing the same with our customers' data," Sattizahn said.

Sensitive information is sometimes redacted before documents are uploaded to the public computers in South Dakota.

Background
Check Fraud in
Manila

Why I do Manila searches
by myself.

I've been going to Manila
and doing court checks for
decades and as of now I
still haven't seen a Re-
searcher (that sells to pre-
employment screening
companies) that does real
background searches.

For example, the last 2
companies I tested failed
miserably. One sent me a
fraudulent clearance certifi-
cate and the other just
failed to get the simplest
search done at two courts in
the Metro area.

These were PBSASAPAC
members! But it is not
PBSAs' fault. PBSA is not
the police.

Other companies, includ-
ing USA based researchers
and resellers that say they
have a footprint in Manila
have been unable to get me
the easiest type of docu-
ment after bragging to me
how great they are!

Forget about NBI clear-
ance verifications. You can
do them for free yourself
online, but they only return
verifications that are cur-
rent.

The NBI does not sell
clearance certificates to 3rd
parties.

I used to get raw data
from the NBI but their re-
sults only led to more un-
necessary searches that
usually the NBI applicant
would do.

This is not a matter of
"vendor selection," a term
use loosely by NAPBS
members. It is a matter of
knowing what they're do-
ing.

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Clearance Section

CERTIFICATION

THIS IS TO CERTIFY that as per available record files in this Office as of May 18, 2018, there is **NO** criminal/civil case filed against **MIGUEL ANGEL A. C** of Parañaque City in the Regional Trial Court of Manila.

This certification is issued upon the request of STEVEN BROWNSTEIN of Straightline International Background Investigation for whatever legal purpose this may serve.

Manila, Philippines, June 27, 2018.




O. R. No. 5752307

By: **CLEMENTE M. CLEMENTE**
Assistant Clerk of Court

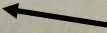
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How To Properly Write An Arabic Name In English

Arabs do not have a middle name.

They have a patrilineal name.

That is, name of person followed by name of person's father, followed by

name of person's grandfather.

Some also use a family name in the end.

When it's used in English documents, most of the time they take the name from the Arab passport.

Let's assume that someone has in his passport the following name: Ah-

med Hussein Abbas Al Tamimi.

In Arabic this means that the person is Ahmed, his father is Hussein, his grandfather is Abbas and his family is Tamim.

When it is copied into English documents (or other Western documents) they use his family name "Tamimi" (missing out the definite article) and his first name as Ahmed and his middle name as Hussein.

Hence, in English you can write it as: Tamimi, Ahmed Hussein.

Fake Records—Has CRP Technologies Cleaned Up Its Act?

Police bust a fake verification racket in Bangalore, Feb 12, 2014, DHNS:,

Vanaraj, 58, resident of Chennai, and H Asrani, 42, resident of Mumbai and director of CRP Technologies India Pvt Ltd, allegedly involved in fake police verification racket, were arrested by Central Crime Branch (CCB) police.

Following a complaint with RT Nagar police, the CCB launched a probe leading to busting the "racket spread across many

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Records Retrieval



states engaged by Mumbai-based company that had several multinational companies as its clients." CRP Technologies, involved in conducting background check of employees, "falsely" claimed quick and cost-effective criminal background verification with the help of police.

Many companies such as ICICI Bank, TCS, Wipro, Accenture, Infosys etc were its clients.

Investigations revealed that Vanaraj forged the seal and signature of many senior officers of Karnataka, Kerala, Andhra Pradesh and Tamil Nadu police and issued police clearance certificates with the full knowledge of CRP Technologies.

Georgia Sealing Records Update

Criminal records in Georgia stick to people longer than they do in most other states.

But a tight labor market and shifting attitudes in the state Legislature may be about to change that.

"These are hard-working folks. They just want to help support their families," said state Rep. Mandi Ballinger, R-Canton. This week, she plans to offer an amended bill that she said would give people an opportunity to move on after they've done their time.

Her legislation will allow more people to restrict access to their conviction or arrest records more quickly. It'll probably take showing a court something like three years of a clean record to seal a misdemeanor and five years for felonies.

When in doubt call
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Continues next page



This Appriss Thing, cont.

WRITTEN BY Heather Wargo

This is my take on this.

Basically, the government is giving Appriss the middle finger and a good doggie pat on the head.

Appriss Inc., will be another in a long line who has been played by our dear government, developed a program, only to have it stolen and used with no recourse.

I can't lie and say it isn't personally satisfying to see Appriss being treated... despicably...(like a patient) ... even though it underlines the treachery of our government in spades.

I will waste no more time reflecting on Appriss's potential loss here.

When you deal in deceit- you will have it dealt to you in the future.

When you get too greedy- it never works out.

Since the others in the game, Brandeis and Yale, have day jobs, it shouldn't hit them too hard.

Besides this site and a few other knowledgeable people, no one has said much about their connections to the PDMPs or the Opioid Crisis at all.

They haven't been connected in the public eye.

Furthermore, the Kentucky Compact will be a moot point if a national PDMP is created.

Bye bye to that huge money generator for all the states involved, and stakeholders- of which I am certain Appriss, Inc., is the biggest one.

Of course, the yearly reports that are required by the statute written in Kentucky law are no where to be found.

There is no public list of the members or stakeholders involved in the Ken-

tucky Prescription Monitoring Program Compact or any reports existing for review.

Finally.

Do we, as the patients who exist as members of the very lists involved in these databases, have a right to know who is viewing our protected, sensitive patient information?

What about informed consent?

Who asked us?

Is it right that our information is being traded to other states and stakeholders and profited off of — all without our informed consent?

Make no mistake- this has gone on for years. The Compact was created in 2012.

I wonder how much money has been made off this information in seven years already.

What will become of all the algorithm programs tailored to sell to all the states?

Does the average American understand what has happened in this power play around the Opioid Crisis?

The insurers have copycat algorithm programs now.

Appriss, Inc., has opened Pandora's box.

There are algorithm programs to tell your physician you need to lose weight, based on your BMI- a flawed system that has no clue of your bone density or muscle mass.

A bodybuilder will be flagged for obesity even with a body fat of 8%, if their weight to height ratio is too high.

There is NO INPUT mechanism on these programs.

This is what happens when you allow computers to practice medicine- and allow the companies to use

them without disclosing the fields they use for inputs.

Editor's Note: Appriss has since successfully integrated their PDMP with several States.

Are Hiring Algorithms Fair?

Time is money and, unfortunately for companies, hiring new employees takes significant time -- more than a month on average, research shows.

Hiring decisions are also rife with human bias, leading some organizations to hand off at least part of their employee searches to outside tech companies who screen applicants with machine learning algorithms. If humans have such a hard time finding the best fit for their companies, the thinking goes, maybe a machine can do it better and more efficiently.

But new research from a team of Computing and Information Science scholars at Cornell University raises questions about those algorithms and the tech companies who develop and use them: How unbiased is the automated screening process? How are the algorithms built? And by whom, toward what end, and with what data?

They found companies tend to favor obscurity over transparency in this emerging field, where lack of consensus on fundamental points -- formal definitions of "bias" and "fairness," for starters -- have enabled tech companies to define and address algorithmic bias on their own terms.

"I think we're starting to see a growing recognition among creators of algorithmic decision-making tools that they need to be particularly cognizant of how their tools impact people," said Manish Raghavan, a doctoral student in computer science and first author of "Mitigating Bias in Algorithmic Employment Screening: Evaluating Claims and Practices," to

be presented in January at the Association for Computing Machinery Conference on Fairness, Accountability and Transparency.

"Many of the vendors we encountered in our work acknowledge this (impact) and they're taking steps to address bias and discrimination," Raghavan said. "However, there's a notable lack of consensus or direction on exactly how this should be done."

The researchers scoured available public information to begin to understand these tools and what measures, if any, companies have in place to evaluate and mitigate algorithmic bias. Shielded by intellectual property laws, tech companies don't have to disclose any information about their algorithmic models for pre-employment screenings -- though some companies did choose to offer insight.

The researchers honed in on 19 vendors who specialize in algorithmic pre-employment screenings, which, they found, include questions, video interview analysis and games. They combed company websites, webinars and any available documents for insights into vendor claims and practices.

Very few vendors offer concrete information about how they validate their assessments or disclose specifics on how they mitigate algorithmic bias, researchers found.

"Plenty of vendors make no mention of efforts to combat bias, which is particularly worrying since either they're not thinking about it at all, or they're not being transparent about their practices," Raghavan said.

Even if they use such terms as "bias" and "fairness," these can be vague. A vendor can claim its assessment algorithm is "fair" without

revealing how the company defines fairness.

It's like "free-range" eggs, Raghavan said: There is a set of conditions under which eggs can be labeled free range, but our intuitive notion of free range may not line up with those conditions.

"In the same way, calling an algorithm 'fair' appeals to our intuitive understanding of the term while only accomplishing a much narrower result than we might hope for," he said.

The team hopes the paper will encourage transparency and conversation around what it means to act ethically in this domain of pre-employment assessments through machine learning.

Given the challenges, could it be that algorithms are just not up to the job of screening applicants? Not so fast, Raghavan said.

"We know from years of empirical evidence that humans suffer from a variety of biases when it comes to evaluating employment candidates," he said. "The real question is not whether algorithms can be made perfect; instead, the relevant comparison is whether they can improve over alternative methods, or in this case, the human status quo.

"Despite their many flaws," he said, "algorithms do have the potential to contribute to a more equitable society, and further work is needed to ensure that we can understand and mitigate the biases they bring."

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The Background Investigator Goes To Germany

As part of an ongoing series, The Background Investigator, sent an attorney to Germany to explore the availability of criminal records. The results of this first investigation appear below. Investigating Germany by Fred Frankel, Attorney at Law

It is well established that one may obtain a search in Germany by filling out the proper application and paying the appropriate fee to the (German Central Records Bureau). The difficulty in this process is that the (German Central Records Bureau) requires a Power of Attorney in both English and German. The Power of Attorney must be approved by the (German Central Records Bureau) and still the (German Central Records Bureau) may not release the information to a third party. This process is further found to be impractical due to the rising costs involved. The last price I was quoted was 11 English pound or around 17 dollars.

I recently made a trip to Munich Germany in an effort to gain access to criminal records.

I went to the Amstgericht and found that they do not have public access computers for criminal records.

Access to records at the courts is very limited and unless you are a party to the case or the attorney you are not granted access.

However, when I went to the office of the prosecutor and asked to have a name of a client searched I was provided with the results of the search.

Based upon the results if necessary I would be able to pull the file at the courts.

This process was similar at the Landsgericht although I found the clerk in the court more helpful when I provided my attorney card.

ney card.

Additionally, providing the clerk with a signed authorization is most helpful in getting them to perform the search.

Obtaining records from the Prosecutor's office for the entire State of Bavaria is the best method.

While the computer database holds the records for all of Bavaria the physical file will be at the Court in which the Case was heard (or at the local prosecutor's office).

This search, unlike the one obtained by the National Criminal Records in Bonn, is not National only State Wide.



Germany Prices by Straightline International

Germany	
Berlin	19.99
Hamburg	22.99
Munich	19.99
Cologne	29.99
Frankfurt	19.99
Essen	32.99
Stuttgart	29.99
Dortmund	32.99
Dusseldorf	29.99
Bremen	31.99
Landstuhl	29.99
Kaiserslautern	27.99
Others	68

Courts Served

Amtsgericht - cases heard are misdemeanors and it acts as the court of the first instance. Most cases are heard at this level.

Landegericht- -For searching serious crimes and civil actions

The standard search is at the Amtsgericht.

Please provide Postal Code in Germany to locate jurisdiction.

If an address without the postal code is submitted only the Landegericht will be searched when there is more than one Amtsgericht in that city.

A search of the Landegericht added to the Amtsgericht search add \$14.99

TAT is 1-5 days for most major metropolitan areas and surrounding vicinity.

Other Germany costs

Civil from 102

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Is Renting A Virtual Office Duping The Customer?

Recently it was found that a Canadian based company advertised a new business in the USA, but it turned out to be a virtual office. The new business' advertised phone number was for their Canadian physical location. Is this fraud or duping an unsuspecting public? Read on about these Virtual Office Companies and make up your own mind up.

Time to shut these dodgy offices for the dodgy dealers

by Patrick Collinson

It's the prestigious address that gives an air of authenticity...

It only costs a few hundred pounds to rent a "virtual office" that redirects mail and phone calls. What could be more respectable than, say, an office in Tower 42, still better known as the former Nat-West Tower and an icon of the London skyline?

One (person), though, had her suspicions. She decided to do a bit of her own investigating, and rang the number in Tower 42.

The office was managed by Regus, the self-styled "world's largest provider of flexible workspace". By doing her research, she found they had a mail forwarding facility and not a physical presence in the skyscraper. But the Regus person answering the phone gave her the impression that the company had a team of people occupying level seven of the tower.

(But she) persisted. Had there been other calls? Had there been complaints? She was again assured by Regus that there had not been "any sort of complaints".

But our caller was cruelly deceived. However, and

rather brilliantly, she had the sense to tape the conversation – and it has provided vital evidence for prosecution.

(Recently), Regus was found guilty at the City of London magistrates court and fined £11,000 plus £16,600 costs.

But Regus – which made an operating profit of £104.3m in 2014 – was lucky to get off so lightly.

It turns out that four months earlier, Regus had been contacted by the City of London Corporation's trading standards team, worried that their temporary tenant in Tower 42 had the hallmarks of a typical "boiler room" investment scam, involving the sale of worthless or nonexistent commodities like diamonds and wine, or "carbon credits".

There are rules about mail forwarding services (yes, I'm surprised they exist) and for once they are being enforced. Office providers are required by the London Local Authorities Act 2007 to hold detailed records on their client firms. Regus did not – and was found guilty of four breaches of the act.

Servcorp, another multinational provider of temporary offices, has been little better. In December last year the City of London police and trading standards offices called in at its "stunning skyscraper" Dashwood House, just minutes from Liverpool Street station in the heart of the City. They asked to inspect the records Servcorp held on clients, a significant number of whom were suspected of fraudulent activity.

The act required Servcorp to keep records open for inspection at all reasonable times. But it couldn't comply with the request for another two months – and, when it did, its records were inadequate. A fortnight ago it was ordered to pay £21,000 in fines and £11,500 in costs after pleading guilty to seven offences under the act. Of course, not every occu-

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pant of Servcorp's space in Dashwood House or Regus's offices in Tower 42 are crooks. But in both instances Servcorp and Regus were the enablers to fraudsters hoping to dupe the public with prestige office addresses. A quick search of the Financial Conduct Authority's database unearthed seven official warnings about dodgy firms in Dashwood House, and 14 in Tower 42. We can't say if every one of them were Regus or Servcorp clients, but it's not a happy record.

The City of London trading standards has said it will "not tolerate office providers which allow suspected boiler room operations to develop in their sites". In a statement, Regus said these were "isolated incidents" and "enhanced safeguards have been put in place to prevent any future repetition".

So, why would a foreign background check com-

pany put a new company in a virtual office?



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Australia Prices by Straightline International

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Melbourne	24.99
Perth	24.99
Brisbane	24.99
Cairns	24.99
Others	36

Courts Served

The Magistrates (Local) Court -is the primary search and is responsible for the vast majority of sentencing (around 90% of all people sentenced). Indictable offences (more serious offences), such as murder, rape, sexual offences involving children, and armed robbery must be determined and sentenced in a higher court (the District [County] or Supreme Court). Indictable offences triable summarily (less serious indictable offences), such as recklessly causing serious injury, burglary, robbery and theft of property worth less than \$100,000. are indictable offences that may be determined and sentenced in the Magistrates' Court, rather than in a higher court. As an option the District Court search is available for \$14.99 more when ordered with a Magistrate Court search.

TAT is 1-3 days for major metropolitan areas and surrounding vicinity.

Other Australia costs

Civil from 54

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England Courthouses

More Hits

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Sheffield	21.99
Bristol	29.99
Leicester	29.99
Oxford	19.99
Dover	29.99
Portsmouth	29.99
Hull	24.99
Others	32
Courts Served*	
Magistrates Courts - The courts of first instance. Most cases begin here. Mainly misdemeanor (Summary) cases are adjudicated here.	
Crown Courts - The court of jurisdiction for felonies (Indictables) are heard at this level.	
* The Magistrates Court is the standard search. For England searches a Postal Code is suggested. If an address without the postal code is submitted only the Crown Court will be searched when there is more than one Magistrates Court in that city. For the Crown Court search added to the Magistrates Court search add \$14	
**For London searches see separate sheet to see if your address is included.	
TAT is 1-3 days for major metropolitan areas and their surrounding vicinity.	
Other England costs	
Civil from 48	

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Westminster	19.99
Thames	19.99
Stratford	19.99
Wimbledon	19.99
Highbury Corner	19.99
Lavender Hill	19.99
Willesden	19.99
Others	32
Courts Served*	
Magistrates Courts - The courts of first instance. Most cases begin here. Mainly misdemeanor (Summary) cases are adjudicated here.	
* The Magistrates Court is the standard search. For a Crown Court search added to a Magistrates Court search add \$14 For accuracy a Postal Code is suggested.	
TAT is 1-3 days for major metropolitan areas and their surrounding vicinity.	
Other England costs	
Civil from 48	

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