

A Study on Introduction to Private Investigation System and Direction Through Predicting Demand

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Abstract

In Korea, private investigation business had been called as Heungsineop but it changed to messenger center from 1970s. Foreign private investigation agencies have started to run business as crisis management agency, consulting agency after Korea joined OECD in 1996. foreign private investigation agencies are still growing illegally by using similar names to private investigation business and today, these are covered doing illegal acting like shadowing, phone-tapping, even contract through media sources. Today, according to statistical data by the National Police Agency late 2012, messenger agencies are around 1574 in domestic and 939 of those are in the metropolitan area. Illegal types are uncovered as investigating personal life 27(68%), personal information offering 7(18%), location tracing 5(12%), illegal claim collection 1(2%) plus, clients for these company are uncovered as housewife 196(34%), company employee 152(27%), independent businessman 78(14%), profession 35(6%). Correctly present situation and dispersion of domestic private investigation businesses like security company because private investigation system has not been enacted in domestic, until now. Thus, this study try to analyze demand of private investigation for a proposal in legislation process which is pending in 19th assembly like Yun Jae-Ok's 「All Amendments Private Security Act」 and Song Young-Geun's 「Private Investigation Act」 so we expect to that private investigation system is introduced to Korea as soon as possible.

Key words: private security, police, private investigation, police demand, demand analysis.

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I . Introduction

Recently, according to information age, private security system has been introduced since 1970s as police's partner to meet various public order demands and then the demands have risen consistently.

In advanced country cases, already private investigation has become generalization as important area of private security but until now in domestic, private investigation has not been passed in assembly(Jo, 2012: 2).

That's why recently, use of terms like detective, private investigator and also investigation about a specific person and trace have been prohibited in 「Use and Protection of Credit Information Act」.

Nonetheless, in reality, many of similar private investigation companies have conducted private investigation duty from old times. Specially, many of foreign private investigation companies have conducted private investigation duty, which is only company-related, as consulting company since Korea joined OECD in 1996.

Today, domestic messenger agency's illegal activities are going beyond bound so it is becoming a serious social problem as people's harm. Plus, that's scale of damage appeared through mass media. in damage cases to people by domestic messenger agency's illegal activities, those are shadowing, phone-tapping, and contract and also messenger agencies are given up to several hundred million won. furthermore, messenger agencies give clients false information or if they receive refund claim, they threaten(Jo & Kim, 2013a: 182).

Despite Private Investigation System's social necessity and private investigation business already conducted by similar Private Investigation companies, Private Investigation's formal introduction has been foundered every time because of a lawyers' association which concerns reduction of business field, resistance of interest group and government organization's opposition to setting up the competent authority. However, what's somewhat fortunate is that atmosphere for adopting private investigation is formed generally in our society through discussion for past 10 years for legislation(Lee & Jo, 2011: 268).

Thus, effort to make a law of Private Investigation has been tried consistently since congressman Ha Soon Bong moved to enact 「Certified Private Investigation Act」 in 1999, in assembly and now, congressman Yun Jae-Ok's 「 All Amendments Private Security Act」 and congressman Song Young Geun's 「Act on private investigation business」 are pending in assembly.

It is very important to check Private Investigation's needs previously to Private Investigation's legislation but the present, the needs can't be checked because private investigation is still not enacted unlike Private Security and also the present, It depends on statistics of a clampdown of the National Police Agency and estimated figures of individual researchers so this study is trying to predict domestic private investigation business' needs and then divided materials which is given by open-ended questions were discussed in divided demanding forecasting part and non-demanding forecasting part given by NVivo 8.

II. Theoretical background

1. Significance of Private Investigation

A meaning of Private Investigation depends on researchers. For example, Son(2011) defined Private Investigation as a business which provide needed materials and information after it is gathered and analyzed through investigation activity in legitimate business range by receiving compensation from clients. Jung(2008) defined Private Investigation as a thing which individual and company investigate requested event from others as private position. Hwang, *et al.*(2005) defined Private Investigation as an occupation which is investigating and probing something in like filed with government's investigation and probing business as private position by receiving compensation from others. according to the above passage, the Private Investigation can be defined that investigating fact relevance and providing related information after it is gathered and analyzed to a client in private area by receiving compensation as far contract(Jo, *et al.*, 2012: 252).

Recently, according to Jo, *et al.*(2014), Private Investigation is that individual and company do business like gathering information and checking fact relevance on uncovered parts of public power of civil and criminal incident in existing law range as a specific person's request and also in domestic, similar private investigation company which is messenger agency, conducting private investigation business instead of private investigation company because the present, private investigation system is not passed in assembly until now and also those companies increase steadily. He commented. That's why police has their own business like investigation, traffic, intelligence and crime prevention and a field of Private Security is limited in Facility Security, Escort Security, Protection of a Person, Machine Security, Special Security as 「Private Security Act」 so they can't have covered public's needs.

2. Current state of Private Investigation

Correct statistical data can't be confirmed because of a insufficient legal basis of companies related Private Investigation in domestic but It is known for conducting illegally by private detective agency, messenger agency and private security company. Experts who participated in this study's advisory committee unveiled that domestic companies which conduct private investigation business have reached 70% of registered domestic private security companies. on December, 31, 2010, private security industry has 3,270 of companies and 146,000 of workers. Therefore, illegal private investigation company, which is conducting private investigation business, numbers can be predicted that reach approximately 2,200 companies and also can be predicted that company's workers reach approximately 100,000(Jo, *et al.*, 2012: 252-253).

A scale of domestic messenger agency was conformed that was 2,650 companies in the whole country through domestic portal sites, like Naver, Paran.com, Lets114 and regionally, can predicted Seoul has 550, Gyeonggi has 580 and also each other region has from tens to hundreds(Jung, 2008: 37-38).

Private investigation company's illegal acting has been overrun because people and companies are having damage by a crime and incident but investigative agency can't be dealing with every incident because of limited labor force and budget, criminal specialization and diversification, specially criminal nature(Jeon, 2006: 37).

According to Jo, *et al.*(2013b), correct statistics of private investigation company can't be conformed in domestic but it is generally known that messenger agency and private security company have conducted private investigation business illegally. The <table 1> is arranged table on qualification of a private investigator in major advanced countries.

<Table 1> Qualification of a private investigator in major advanced countries

Country	Contents
US	-It depends on state but generally every citizenship holder is needed to take examination and having work experiences in investigation and work experiences of more than three years as assistant investigator.
France	-It need to have no criminal record and foreigners can get license. -If a foreigner want to do business in France, the foreigner have to receive add from France license holder.
Germany	-It have to have no criminal record and license holders which is from corporation can act after education more than 6months on theory, working, law and legal science in corporation. -Acquired license is conformed in country and a license holder has a quasi jurisdiction.
Australia	-It have to have no criminal record. -If applicants reach to certain level, the applicants can apply for license examination which is conducted by government after education in a private agency.
UK	-If someone has National Vocational Qualification in private investigation from the country, can run business freely.

III. Study Method

1. Non-quantitative Data Analysis

Recently cosmopolitanly, study method using computer software has been growing as method of study and analysis. Up-sizing that's role is helpful to researcher as software which help record, management and analysis of materials so cases of using Non-quantitative Data Analysis are increased but in domestic, it is not introduced properly. Specially, various discussion on qualitative research's using of software have become operative in social science since 1990s(Bryman & Burgess, 1994: Bull, 1992: Burroughs-Lange & Lange, 1993: Coffey & Atkinson, 1996: Coffey, *et al.*, 1996:Dey, 1993: Glesne & Peshkin, 1992: Hesse-Biber, 1995: Lee & Fielding, 1991: Mason, 1996: Miles & Huberman, 1994: Miles & Weitzman, 1996: Richards, 1994: Silverman, 1993: Wiley, *et al.*, 1996: Kim & Kim, 2008: 2).

According to Hesse-Biber & Crofts(2007), if qualitative researcher who is using software can receive help from a manual or a computer in process of categorization and interpretation, working to decreasing quantity of materials can be easier and also they assessed that current situation which qualitative research using software programs is widely utilized in the whole social science like pedagogy, sociology, nursing science, anthropology, criminology, political science and business

administration, give revolution management and analysis of qualitative materials then ever.

2. Reliability and Validity

Ely(1991) commented that using terms of quantitative research makes confusing work and also commented it doesn't fit qualitative study activity. Lincoln & Guba(1985) used alternative term to adhere to naturalistic study. They contended using of terms from Internal-validity, External validity, Reliability and Objectivity to Credibility, Authenticity, Transferability, Dependability and Confirmability to secure Trustworthiness of Study and also suggest various technique establish continuous participation in site and credibility for operationalization of terms(Jo, *et al.*, 2011: 281).

This study conduct a pilot study to construct validity like Jo, *et al.*(2012)'s study in advance entering main interview through literature study and then a made guidebook through a pilot study is divided as current state of private investigation, increasing acceptance, a problem point in accordance with increasing acceptance and then its are used in process of main interview. We selected through advisory committee consist of members as professor specializing in related field with private investigation and workers in private investigation in research plan to secure reliability and participants conformed a result of the study after finish this study to increase a reliability on a result of the study. This study use semi-structured questionnaire so we success complementing advantages and disadvantages of non-structured interview technique and structured interview technique.

3. Objects of research

The present, private investigators have no clear criterion so we can't have specific criterion so police officers who have high correlation have been selected as Secondary research participants. Amount of participants in this study are 57 and <Table 2> is their age, career, education, sex.

<Table 2> Composition of Participants in the Research

	Find Children Task Force	Woman Youth Team	Life in order team	Traffic accident investigation team	Investigation officer
The Number of Persons	13	11	12	10	11
Age	31-55	33-44	30-48	38-39	30-53
Career	5-17	5-14	5-12	5-13	5-19
Education Level	a Bachelor's Degree	a Bachelor's Degree-a Master's Degree	a High-School Graduate-a Bachelor's Degree	a Bachelor's Degree	a High-School Graduate-a Bachelor's Degree
Rank	Senior Police Officer-Senior Inspector	Senior Police Officer-Inspector or	Senior Police Officer-Senior Inspector	Assistant Inspector-Senior Inspector	Senior Police Officer-Senior Inspector
Sex (man/woman)	12/1	6/5	9/3	10/0	11/0

Average age of participants in this study are around 40 and average work experiences are 10 years so we take a decision that participants have professionalism in Private Investigation. Plus rank are various from Senior police Officer to Senior Inspector and average education level uncovers over than a bachelor's degree. Finally, sex of participants in study are 48(84.2%) of men and 9(15.7%) of women.

IV. Result of Analysis

Nine concepts of demands for Private Investigation are drawn from data through already commented process in advance. Next <Table 3> is final results which are drawn and classified categories though analysis.

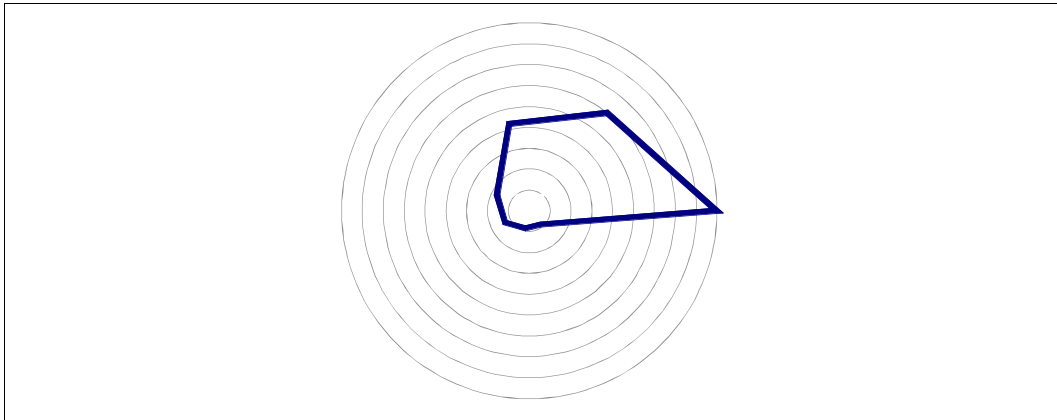
<Table 3> Frequency of coding as task of security organization

Superordinate category	Subcategory	Concepts	Number of Coding	Frequency(%)
Demand for Private Investigation	Unpredictable Demand	2	44	55.0%
	Predictable Demand	7	36	44.0%

1. Predictable Demands for Private Investigation

Next <Table 4> is predicting cause of increasing demands for Private Investigation.

<Table 4> Cause of increasing demands for Private Investigation



Predictability of cause of increasing demands for Private Investigation are categorized as limitation of public order 21(37.5%), increase of diversified form 14(25.0%), social diversification 10(17.8%), illegal aspect of Private Investigation 4(7.1%), expedient aspect of Private Investigation 3(5.3%), investment method by public 2(3.5%), occupation of retired police officers 2(3.5%).

Below lower level nodes are predictability of cause of increasing demands and also occupied as cause of increasing demands for Private Investigation of participants' whole opinion for limitation of national public order.

- demands for Private Investigation, which are like messenger agency, are getting higher because of proliferation of crimes and insufficient human resources of investigation organization(P-36).

- I guess, government organizations have insufficient budget and human resources as society has become various more rapidly So Private Investigation appears to public as alternative. Demands for Private Investigation can grow consistently(O-28).

Participants commented that limitation of national public order occupy highest proportion as cause of increasing demands for Private Investigation because society is becoming more complicated, increasing crime incident so national public order is not satisfactory to the public. The next are diversified aspects of increasing form of private investigation companies as cause of

increasing demands for Private Investigation and below lower level nodes are typical lower level nodes of participants' whole opinion.

- in domestic, private investigation companies can be classified as messenger agency, private detective agency, foreign private investigation companies which entered after opening private investigation market, a corporate formed freestyle investigator, companies which has related-private investigation experience and companies which simply aim for earning and demands for private investigation are getting growing so companies increase proportionately. That's true(N-40).

Participants commented that diversified aspects of increasing form of private investigation companies occupy high proportion as cause of increasing demands for Private Investigation because Korea has no legal basis so variously formed private investigation companies which aim for client's needs spill. The next is our society's diversification as cause of increasing demands for Private Investigation. Next presented lower level node is relatively well expressed node of participants's whole opinion.

- a demand for Private Investigation can't unveil statistically in accordance with social change to more complicated and varied but, I think, private investigation businesses are growing and will be growing more than the past regardless of illegality or legality because in the future society, private investigator will provide clients checked information and drawback to satisfy clients' needs(J-8).

Participants commented that our society's diversification occupy high proportion as cause of increasing demands for Private Investigation because the persons directly involved have much of conflict and Private Investigation companies increase to satisfy involved person's needs. The Next is our society's aspect of illegality as cause of increasing demands for Private Investigation and presented lower level node is relatively well expressed node of participants' whole opinion.

- I think, similar private investigation companies which are generally called private detective investigation agency have no meaning as private investigation company and running business is primarily impossible to check other person's background though lawful procedure. So I guess. The demands for private investigation are getting high as aspect of illegality(I-2).

Participants commented that illegal aspect of private investigation occupy high proportion as cause of increasing demands for Private Investigation and companies which are similar private investigation illegally check others' background because the present, Korea has no legal basis clearly in Private Investigation so demands for similar private investigation companies increase. The next is expedient aspect of our society as cause of increasing demands for Private Investigation and presented lower level node is relatively well expressed node of participants' whole opinion.

- In case of Korea, already messenger agency, private detective agency, Private Investigation and credit investigation professions have done legal activity under favor of expedient for a long time and it can be done as expediently. A demand for Private Investigation gradually has been increased like claim-obligation relationship, a problem of a relation between the sexes(U-4).

Participants commented that expedient aspect of private investigation occupy high proportion as cause of increasing demands for Private Investigation. That's why private investigation business can be run in expedient, in Korea so the demand for Private Investigation is growing. The next is investment method of private investigation companies as cause of increasing demands for Private Investigation and presented lower level node is relatively well expressed node of participants' whole opinion.

- I guess, the demand is growing consistently because investments are growing as private investment method and investors want to increase effectiveness in public business and also want to apply creative proposal, business management and effectiveness in private(Y-23).

Participants commented that investment method in Private Investigation occupy high proportion as cause of increasing demands for Private Investigation. That's why most of private investigation companies are established based on effectiveness in private investment method so needs of private investigation are growing. The next is occupation of retired polices as cause of increasing demands for Private Investigation and presented lower level node is typical node of participants's whole opinion.

- The present, in Korea, we are knowing that private investigators are doing business illegally but private investigators are mostly retired polices and underwriters. In the future, demands for private investigation system will be growing related to creating new occupation in case of retired

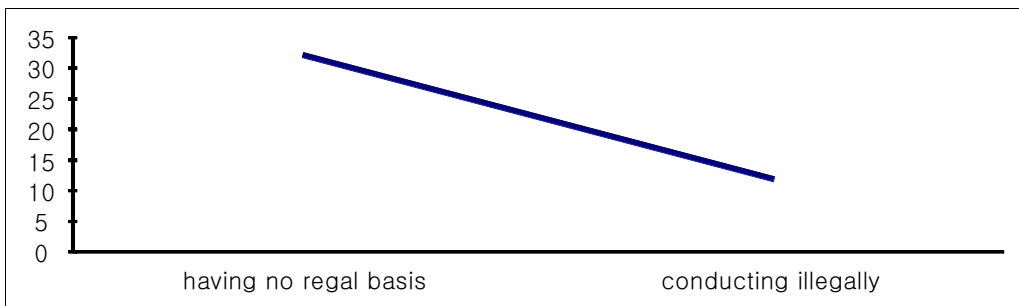
police officers(N=4).

Participants commented that creating new occupation for retired police officers occupy high proportion as cause of increasing demand for Private Investigation. That's why private investigators are mostly made up retired police officers. Accordingly, for their new occupation, if demands of private investigation are growing, private investigation market is growing.

2. Unpredictable Demand for Private Investigation

Next <Table 5> is a table which is coded nodes' frequency as unpredictable cause of increasing demand for Private Investigation.

<Table 5> Unpredictable demand for Private Investigation



Unpredictability of cause of increasing demand for Private Investigation is categorized as having no regal basis 32(72.2%), conducting illegally 12(27.2%). Next are having no regal basis as unpredictability of cause of increasing demand for Private Investigation and lower level nodes are typical lower level nodes of participants' whole opinion.

- For a long time, the private investigation business which is like private detector, private detective agency and messenger agency, has no regal basis so the demand has a lot of difficulty to be predicted. that's reality(Z-9).

- private detective agency and messenger agency are conducting private investigation business and also have no regal basis to manage so any organization has difficulty to exactly predict people's needs and have statistics(M-22).

Participants commented that Korea have no regal basis to manage to private investigation companies so we can't predict cause of increasing demand. The next is conducting illegally as unpredictable cause of increasing demand for private investigation and presented lower level node is relatively well expressed node of participants's whole opinion.

- Because of a lot of messenger agencies which are conducting private investigation business illegally, the demand can't be determined. Korea private investigation market is until not opened unlike foreign countries so we have difficulty to predict an exact demand because private investigation contract is achieved by meeting between only a client and an investigator(K-32).

Participants commented unpredictable cause of increasing demand for Private Investigation and also they commented to predict to an exact demand for private investigation is impossible because of illegally conducting private investigation business.

V. A Proposal and Conclusion

Jung(2008) make conduct a study on predicting a demand for Private Investigation. According to that study, the present, specific contents of private investigation's illegal acting is having difficulty to be checked before uncovered by government investigation organization because private investigation business is conducted illegally so in this study, predicting the demand for Private Investigation is divided as possibility and impossibility.

In this study, what we can predict are categorized as limitation of public order 21(37.5%), increase of diversified form 14(25.0%), social diversification 10(17.8%), illegal aspect of Private Investigation 4(7.1%), expedient aspect of Private Investigation 3(5.3%), investment method by public 2(3.5%), occupation of retired police officers 2(3.5%) and what we can't predict are categorized as having no regal basis 32(72.2%), conducting illegally 12(27.2%).

Limitation of a public power occupy highest proportion on the increasing demand for private investigation and also profitability of company which is conducting investigation business can't be determined and participants said that preparing regal basis is urgent to secure professionalism of the private investigation company. Participants contended that private investigation business is to be specialized. Today, police force has limitation like a labor shortage, equipment and time because they have their own business like investigation, traffic, intelligence, public order and also police

has difficulty to intervene individual's problem deeply so private investigation seems like primarily dealing with a part of private investigation businesses. Adopting private investigation system seems to be needed to solve a problem like that expense of contract can't determined in this study, for fair transaction.

This study conduct depth interview questingly on selected police officers who are having interrelated with Private Investigation as study participants to conduct a study on a demand for domestic private investigation.

In Korea, although private investigation business has conducted overtly and had social necessity, adopting private investigation system was founderd all the time because of a lawyers' association which concerns reduction of business field, resistance of interest group and opposition of government organizations to setting up the competent authority.

However, what's somewhat fortunate is that atmosphere for adopting Private Investigation is formed generally in our society through discussion for past 10 years to legislate.

Recently, adopting private investigation system has been contended by parts of society which demand various public order services, like private investigation industry, academia, insurance companies, corporations.

Private investigation system seems indisputable to has ability for doing a role as filling up a lack of police activity. Therefore, we have to prepare adopting private investigation system now by preventing a side effect which private investigation system can generate problems to our society through analyzing and preparing problems.

Currently, Korea started to open law market in phases as FTA between Korea and EU but until now, opening private investigation market which has no regal basis can seem highly serious. That's why. The private investigation market which has outstanding human resources in security is to be not occupied by foreign private investigation companies by adopting private investigation system so it is delayed because of concerning invasion of privacy and personal information. therefore, preparing regal basis of private investigation system is vitally needed.

Additionally, academia have to take academia's own role by studying consistently a state of invasion of privacy and personal information against foreign countries, which have private investigation system, and also academia have to plan for reaction against a state of invasion of privacy and personal information. Finally, if university and educational institution educate a study on the government certification related-private investigation and then the government qualifies for private investigator, it can be a good system then ever. If private investigation certification system becomes like that, Korea private investigator can be a kind of a specialized job.

This study can have significance as we conducted an empirical study on a demand of Korea Private Investigation by using depth interview technique of a qualitative research method. Additionally, we have hope that legislated private investigation business will be studied in a follow-up study, in the foreseeable future.

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