

# The Constitution and Articles of Association of the British Polygraph Association

## Name of the Association

The Association shall be known as the 'British Polygraph Association' and all references to BPA are to be taken as referring to this Association.

## Abbreviations

AGM:	Annual General Meeting
APA:	American Polygraph Association
ASS:	Approved Scoring System
BLRC:	By-Law, Regulation and Legislative Committee
BoD:	Board of Directors (of the BPA)
BPA:	British Polygraph Association
DPA:	Data Protection Act
ECHR:	European Convention on Human Rights
G&EC:	Grievance and Ethics Committee
IPC:	Immediate Past Chairperson
MC:	Membership Committee
RIC:	Research and Instrumentation Committee
SoP:	Standards of Practice
VTT:	Validated Testing Technique
UK & ROI:	United Kingdom and the Republic of Ireland

## Definitions

The following definitions shall apply to this Constitution and Articles of Association:

**Accredited Polygraph School:** A polygraph training school recognised by the BPA and is accredited as a Polygraph School by the APA.

**Country:** An independent sovereign state which is a nonphysical juridical entity of the international legal system that is represented by one centralized government that has supreme independent authority over a geographic

area. International law defines sovereign states as having a permanent population, one government, and the capacity to enter into relations with other sovereign states. It is also normally understood to be a state which is neither dependent on nor subject to any other power or state.

**Polygraph Examiner:** A person who has attended an Accredited Polygraph School and successfully completed an approved course or formal instruction in the Detection of Deception using Psychophysical Detection of Deception techniques and is certified as an Approved, Certified or Qualified Polygraph Examiner by that school. Polygrapher and Polygraphy shall be construed accordingly.

**Active Polygrapher:** A person who is a Polygrapher and is employed as such full time or for the majority of their working time

**Polygraph Instrument:** An instrument capable of recording visually, permanently and simultaneously indications of:

- i. A person's cardiovascular pattern and changes therein;
- ii. A person's respiratory patterns and changes therein.
- iii. A person's electrodermal activity reflecting the conductance or resistance of a current by the epidermal tissue and changes therein.
- iv. An indication of the changes of a person's other psychophysical changes or bodily activity may also be recorded.

**Polygraph Test:** A Psychophysiological Detection of Deception test using a Polygraph Instrument and a Validated Testing Technique.

**Approved Scoring System:** A system of scoring Polygraph Charts that has been validated and accepted as valid by the APA

**Validated Testing Technique:** A polygraph testing technique which is approved by the APA and is reported on as an approved technique in the Meta Analytical Survey of Criterion Accuracy of Validated Polygraph Techniques (APA Committee Report on Validated Techniques Polygraph Magazine 2011 Vol. 40 Number 4) or when that technique is

approved by the APA at a later date and included in their list of approved polygraph testing techniques.

**'In Writing':**

An account of detail that may be stored or transmitted verbally, electronically or by surface mail whichever is the most appropriate medium for that account.

## **Declaration of Principles**

The purpose of the BPA is to ensure that its members operate in a professional and ethical manner in all aspects of their profession. Members of the BPA are pledged to maintain the spirit and ideals of the following stated Declaration of Principles. These principles are considered essential to continuing membership of the BPA.

- i. To promote and maintain high standards of professional practice and conduct amongst members; to ensure that polygraphy is seen to be an ethical and honourable profession.
- ii. To ensure the professional integrity and truthfulness of all material prepared for and that relates to any polygraph test, process or other related matter whether for private or public use.
- iii. To ensure that all members of the BPA adhere to the highest standards of ethical conduct, skill, knowledge and competence in the practice of polygraphy.
- iv. To add to the body of knowledge of scientific research into polygraph enhancing its standing as a scientific discipline.
- v. To assist as appropriate in the ongoing training of individuals engaging in or interested in entering the polygraph profession.

## **Code of Professional Standards**

Members of BPA are avowed to maintain the spirit and ideals of the following Code of Professional Standards and to consider them essential in their practice of polygraphy and their membership of the BPA.

- i. All members shall act primarily in the public interest when practicing polygraphy and shall neither act nor induce others to act in any way which may act unfavourably towards the practice of polygraphy, the public or the BPA.
- ii. All members shall observe the highest standards of honesty, accuracy and truthfulness and shall not disseminate any false or misleading information in relation to their profession of polygraphy.
- iii. All members of the BPA shall protect the confidences of every client and shall not reveal, divulge or otherwise disseminate any information to another without specific permission given in writing by the client. All examiners should be GDPR Registered to comply with legislation.

- iv. A member shall not represent conflicting or competing interests without giving full disclosure to those parties concerned.
- v. A member shall not knowingly solicit the contracted client of another member unless the client initiates the contact.
- vi. All members shall uphold this Code of Professional Standards, Declaration of Principles and the BPA By-Laws and Standards of Practice. They shall cooperate with other members in doing so and bring to the attention of any member of the BPA Board, the member concerned or any other relevant party if they have reason to believe that a member is engaging in unethical or unfair practices including any practice in violation of this code.
- vii. All Polygraph tests shall be ECHR Compliant.

## **Articles of Association**

### **Article I**

#### **BPA Objectives**

The Objectives of the BPA are to:

- i. To promote and advance the use of polygraphy as a profession in the UK & ROI.
- ii. To promote and maintain the professional high standards of all polygraph examiners in the UK & ROI.
- iii. To promote professional achievement and highlight the legal, responsible and ethical conduct of all BPA examiners as an example to the polygraph profession.
- iv. To unify all polygraph examiners in the UK & ROI within the professional standards of the BPA.
- v. To provide a platform in the UK for the promotion of scientific research and discussion into all aspects of polygraphy.
- vi. To publicise the name, professionalism and prestige of the BPA and its member examiners.
- vii. To interact with other international professional polygraph associations to enhance the profession in the UK & ROI.

### **Article II**

#### **Memberships**

All members of the BPA acknowledge and accept that membership of the BPA is a privilege and not a right. A condition of membership is that the member accepts all of the terms and conditions as laid out in the Constitution, Articles and By-Laws. Nothing in the BPA Constitution, Articles or By-Laws and Standards of Practice exonerates the member from complying with the National Laws, By Laws or other constitutionally required legal responsibilities of the country they are in at that time. Should there be a conflict between the two, then the National Laws, By-Laws and Standards of Practice or other constitutionally required legal responsibilities of that country shall always take precedence.

There are four classes of membership as follows:

Full Member

Associate member

Honorary Member

International Member

To qualify for any class of membership the applicant must meet a minimum level of requirement for that class and be at least 18 years of age.

### **Membership Requirements, Fees and Voting Rights**

Admission to any class of membership of the BPA shall be by recommendation to the General Membership by a Member of the Board of Directors of the BPA. Any member of the BPA may resign their membership (in writing) to the Secretary of the BPA at any time and without giving any reason for that resignation.

The following are the minimum requirements to be accepted into that class of membership.

#### **Full Member**

- i. Be a Certificated Graduate of an Accredited Polygraph School.
- ii. Is a person of good standing, free of any Criminal Conviction and not subject to any current legal or criminal proceedings in any Court of Law in the United Kingdom or the Republic of Ireland or any other country (subject to the conditions of the Rehabilitation of Offenders Act 1974). Any violation of this condition will be considered at the next AGM where the membership will be given an opportunity to vote on the candidate's admission to the BPA or on their continued membership. Full member's status in the BPA will be altered to Associate Member until that vote has taken place. There will be no refund of any fees or financial obligations paid to the BPA.
- iii. In employment as an Active Polygrapher.
- iv. Be of good standing in relation to their financial obligations to the BPA.
- v. They must be a citizen of a European Union country.
- vi. Full Members will have full voting rights on all issues voted upon by the BPA membership.
- vii. Full Members are eligible to hold, or to be nominated for any Office of the BPA.
- viii. A Full Member shall be personally responsible for all their own costs when attending any BPA meeting

#### **Associate member**

- i. A Member of BPA who is involved with polygraphy on a regular basis but does not or no longer administers polygraph examinations.
- ii. A person who is currently undergoing a Polygraph Examiners course at an Accredited Polygraph School (proof required) or a person who has booked and

- paid for a Polygraph Examiners course at an Accredited Polygraph School (proof required). Both these conditions will require, if that person wishes to remain a Member of the BPA, to upgrade their membership of the BPA to Full Member on successful completion of their polygraph training course.
- iii. Is a person of good standing, free of any Criminal Conviction and not subject to any current legal or criminal proceedings in any Court of Law in the United Kingdom or the Republic of Ireland or any other country (subject to the conditions of the Rehabilitation of Offenders Act 1974). Any violation of this condition will be considered at the next AGM where the General Membership will be given an opportunity to vote on the candidate's admission to the BPA or on their continued membership. That person's membership of the BPA will be suspended until that vote has taken place. There will be no refund of any fees or financial obligations paid to the BPA.
  - iv. They must be a citizen of a European Union country.
  - v. Be of good standing in relation to their financial obligations to the BPA.
  - vi. Associate Members will have voting rights in issues voted upon by the BPA but they will not be eligible to nominate or vote for Officers of the BPA.
  - vii. AN Associate Member shall be personally responsible for all their own costs when attending any BPA meeting.
  - viii. Associate Membership is open to those who are currently taking a Polygraph Examiners course at an Accredited Polygraph School or who have booked a Polygraph Examiners course at an Accredited Polygraph School shall last a maximum of three years from the date of Associate Membership being granted after which they will have to resign from the BPA in perpetuity or apply to hold a Full Membership.

### **International Member**

- i. A Member of the BPA who has completed a Polygraph Examiners course at an Accredited Polygraph School or a person who has a sincere interest in Polygraphy and is actively involved in furthering the interests of the profession.
- ii. They must hold no commercial interest in or otherwise be involved in Polygraph Testing in the UK. An International Member may be involved in the commercial sale or Research and Development of Polygraph Instruments either inside the UK & ROI or anywhere else in the world.
- iii. They must not be a citizen of a European Union country.
- iv. International Members shall have no voting rights on any issue voted upon in the BPA.
- v. An International Member shall be personally responsible for their own costs when attending any BPA meeting.

### **Honorary Member**

- i. Members of the BPA may submit to the Secretary of the BPA the name of a person who has, in their opinion, rendered distinguished service and support to the profession. Any nominations shall be considered at the AGM by the General Membership for their approval to bestow this honorary award. The nomination shall be considered approved by a simple majority of those voting members present.
- ii. An Honorary Member shall have no voting right on any issue voted upon by the BPA
- iii. An Honorary Member shall be personally responsible for all their own costs when attending any BPA meeting.

### **Annual Membership Fees**

- i. The annual fees to be paid by members will be voted upon by the General Membership at the Annual General Meeting.
- ii. The Secretary and Treasurer will present to the Membership their recommendations to the level of annual fees that is recommended to ensure a fully resourced and functioning Association.
- iii. The BPA is to be a not for profit Association.
- iv. Fees must be paid in a timely fashion and a fee of £30.00 will be additionally imposed to cover the time and money spent chasing the fee should a member fail to pay their annual fees within a specified time after due warning and in any case after being overdue for three calendar months from the date of request.
- v. Any member failing to pay their membership after nine months of the due date shall have their membership of the BPA suspended until such time as the owed dues are paid in full.
- vi. Honorary Members shall be exempt from paying an annual membership fee.

### **Voting Rights and Procedures**

- i. Voting rights of members are as given in Article 2.
- ii. All voting issues will have a proposer and a seconder.
- iii. All votes have the value of one vote.
- iv. No proxy voting or absentee voting is permitted or will be accepted at any BPA meeting where a vote is to be taken or any vote is called for.
- v. A simple majority of those voting members present will be considered sufficient to pass the motion being voted on.
- vi. How a member votes may remain secret at their wish, but the number of votes cast and distribution of votes will be given to any member of the BPA Membership requesting the figures to show an open and ethical procedure.
- vii. In the case of a tied vote, the Chair of the meeting will have an additional vote, in that case alone, to decide the result.

- viii. Voting may be held in the open by a show of hands or by secret ballot. In certain exceptional circumstances, it will be possible for the election of a new member of the Board of Directors or an Officer of the BPA to be elected by Email vote at the discretion of a simple majority of the remaining Board of Directors. Any Email vote will have an expiry date after which any vote cast will be discarded and not counted.

## **Article III**

### **Board of Directors, Officers and Committees of the BPA**

#### **Board of Directors**

The Board of Directors (BoD) is the overarching body with responsibility for the day to day running of the BPA. It shall consist of the elected post holders of the BPA and elected Officers of the BPA. If a post is vacant, then that place on the Board shall remain unfilled until it has an incumbent. The number of positions on the Board may change from time to time as the number of BPA Members fluctuates. There shall be two positions that must be filled at all times, The Secretary and the Treasurer. All members of the BoD shall be Full Members of the BPA.

#### **Members of the Board of Directors**

The following shall be the members of the Board of Directors of the BPA:

Chairperson (if available)

Immediate Past Chairperson (if available)

Secretary (essential)

Treasurer (essential)

Leaders of the Standing Committees if elected

A Member the BoD or an Officer of the BPA may be removed from their position only if a motion to remove is proposed and seconded and after due debate two thirds of the members vote in favour of the resolution. This vote may be held at an AGM or an Extraordinary General Meeting or by Email vote in extremis.

#### **Responsibilities of the Board of Directors**

- i. The BoD is responsible for the running and direction of the business of the BPA.
- ii. The BoD is responsible for the Objectives and Policies of the BPA and monitoring the progress of the BPA towards those goals. The BoD will publish those Objectives and Policies for information of the membership at least two months before the next Annual General Meeting.
- iii. The BoD is responsible for accounting for the BPA's activities to the relevant parties (the members).



- iv. The BoD must follow the Constitution, Articles of Association and By-Laws and Standards of Practice at all times, unless there is an acknowledgement and agreement by the Membership that the terms and conditions as laid out in the Constitution, Articles and By-Laws and Standards of Practices are at odds with what should be happening and vote to amend the regulation.
- v. The BoD has sole authority of applying any disciplinary actions against a member. It has the authority to give a private or public admonishment to the member or to suspend, revoke or terminate the membership of the BPA if they have been found to be guilty of any infringement of the Declaration of Principles, Code of Professional Standards or By-Laws and Standards of Practice of the BPA. Any decision to discipline a member of the BPA must be voted upon and agreed on by at least three quarters of the BoD. Any disciplinary decision must be recorded with the reason why that decision was made and why the sanction was applied. All cases will be reported to the General Membership at the next AGM.
- vi. The BoD will elect the Leaders of the Standing Committees.
- vii. The BoD shall receive no remuneration for fulfilling their role on the BPA BoD, only the thanks of the Members.

## **Duties of the BoD**

### **Chairperson**

- i. The Chairperson shall be elected for a period of one year commencing their duty and the end of the BPA AGM at which they are elected or for the period of time between two consecutive BPA Annual General Meetings, whichever comes first. They may be re-elected for a further term to a maximum of two years or until the next BPA AGM after re-election, whichever comes first.
- ii. The Chairperson is primarily responsible for the general supervision of the Affairs and administration on the BPA.
- iii. The Chairperson is responsible for the running of all elections to the Board of Directors or the Officers of the BPA except for their position. He may delegate the coordination and implementation of the elections but remain responsible for their conduct and execution.
- iv. The Chairperson is responsible for the authoritative statements of BPA Policy in all matters coming to their attention.
- v. The Chairperson is the public face of the BPA and responsible for the promotion and good name of the Association in the public domain.
- vi. The Chairperson shall represent the BPA at all official functions or delegate a suitable replacement in their place.
- vii. Any other duties that the Membership of the BPA vote for the Chairperson to be responsible for.

### **Immediate Past Chairperson (IPC)**

- i. The IPC will remain in post until the incumbent Chairperson takes over that role.

- ii. The IPC will be responsible for running the election of a new Chairperson.
- iii. The IPC is responsible for carrying out any duties that the incumbent Chairperson is unable to carry out.
- iv. The IPC will assume the duties of the Chairperson should the incumbent Chairperson be unable through ill health, resignation or any other reason to fulfil their duties. In such cases a new Chairperson will be voted for as soon as is reasonably possible.

#### Secretary of the BPA

- i. The Secretary is the lynchpin that keeps the BPA running in an orderly and smooth fashion.
- ii. The Secretary shall be elected for a period of two years commencing their duty at the end of the AGM at which they were elected. The Secretary and Treasurer will be elected in alternate years to ensure a continuity of process.
- iii. They are responsible for all entries into the proper books of resolutions, minutes and other proceedings of the BPA.
- iv. The Secretary shall produce and distribute minutes of all BPA meetings to the membership in a timely fashion and in any case within one month of the meeting being held. This distribution may be given as a link to the BPA website where the minutes are posted.
- v. The Secretary is responsible for all official correspondence relating to the BPA.
- vi. The Secretary shall keep a record of all members of the BPA and shall annually publish a membership list and their membership status. The Secretary shall also ensure that any member of the BPA who wishes to have their details and other information shown on the Association website is afforded that opportunity.
- vii. The Secretary shall perform any other duty which is reasonably expected to be performed by the Secretary of an Association.

#### Treasurer of the BPA

- i. The Treasurer is a responsible position and one that if not properly undertaken may cause the Association financial instability or to be dissolved.
- ii. The Treasurers primary responsibility is the correct accounting of all monies of the BPA.
- iii. The Treasurer is responsible for the collection of all annual membership fees or other monies owed to the BPA by its Members.
- iv. The Treasurer shall be elected for a period of two years commencing their duty at the end of the AGM at which they were elected. The Treasurer and Secretary will be elected in alternate years to ensure a continuity of process.
- v. The Treasurer will have the accounts of the BPA audited once a year by a qualified Auditor.
- vi. The Treasurer is responsible for all funds and securities of the Association and accounting for them to the Membership.

- vii. The Treasurer shall keep accurate, up to date and legible records of all the financial dealings of the BPA which shall be made available to any of the Membership upon request.
- viii. The Treasurer will keep accurate records of all receipts, disbursements and other financial dealings and pay all bills in a prompt and timely way without incurring any costs for the late payment of any bill.
- ix. The Treasurer is required to adhere to any regulation concerning the accounting of an Association that may be enacted.
- x. The Treasurer will present the latest set of audited accounts to the Membership as part of the BPA AGM; those audited accounts must be dated not more than three months prior to the date of the AGM. They will also give a financial health report to the Chairperson as and when requested and report without delay to the Chairperson if they foresee or suspect that there are any concerns about the BPA's financial situation.
- xi. The Treasurer will automatically be a part of any committee that has any financial implications to the BPA.

#### **Officers and Standing Committees of the BPA**

Officers of the BPA shall be the Current Chairperson and the members of the Standing Committees. The number of operational Committees may fluctuate as does the number of Members of the BPA. All Officers of the BPA and members of the Standing Committees shall be either Full or Associate Members of the BPA; the Chairperson must be a Full Member of the BPA. Honorary and International members may be asked to assist on any processes that are being considered by that committee as non-executive advisors. The Committees shall include, but not be limited to:

Membership Committee

By-Laws, Regulations and Legislative Committee

Research and Instrumentation Committee

#### **Responsibilities of the Standing Committees**



### Membership Committee

The Membership Committee (MC) is responsible for maintaining a uniformly high standard of BPA membership entry qualifications. They shall ensure that all applicants are eligible to hold the class of membership they are applying for and that there are no disqualifying reasons for that person not to be admitted as a member of the BPA. The MC is required to examine all Certificates that relate to the applicants application to join the BPA. The MC is responsible for the timely processing of all applications to the BPA and notifying the General Membership of each new applicants request to become a member of the BPA. Any Member shall in have the right to request a review of any application for Membership being granted as long as they notify the MC within ten days of being informed of the application, giving in writing the reason for their request. There are no required numbers of members of the MC.

### By-Law, Regulation and Legislative Committee

The By-Law, Regulation and Legislative Committee (BLRC) shall be responsible for reviewing, proposing and implementing any changes to the BPA's By-Law's and Regulations. The BLRC will circulate any proposed changes to any By-Law or Regulation at least 60 days before an AGM so that it can be considered by the Membership before any enactment. They are also responsible for representing the BPA's interests in any proposed legislation or amendments to any existing legislation that affects or has an impact upon the polygraph profession. It is recognised that some International Members of the BPA may not always be able to abide by legislation enacted in the UK or ROI or the Constitution, Articles of Association and By-Laws of the BPA. Consideration is given to them to derogate their responsibilities under strict rule of the UK and ROI legislation or BPA Constitution, Articles of Association or By-Laws as long as this derogation does not have the effect of bringing this Association or Polygraphy into disrepute.

### Nominations and Election of Officers

Officers of the BPA and Members of the Board shall be elected annually at the AGM with the exception of The Secretary and The Treasurer who will be elected on an alternating basis every two years. Any Full, Associate or International Member may nominate a candidate for any elected position or vote for any nominated candidate. A member may nominate themselves and may decline any request from another member to be nominated for an elected position.

### Voting procedures

- i. Any Full or Associate Member who has the right of abode or to work in the UK & ROI shall be eligible for Election to the BoD or as an Officer of the BPA with the exceptions as detailed in Article III.
- ii. Voting shall be by roll call of the Secretary who will act as Chairperson of all the BPA election processes and be responsible for calling them to order.
- iii. Proxy or absentee voting will not be recognised at any meeting of the BPA.
- iv. Where there is a single nomination to a post, there shall be a show of hands of those present to decide the vote with a simple majority carrying the motion.
- v. If there are multiple nominations to a post, the nomination will be carried by a simple majority or by the two members with the highest number of votes in the first ballot going into a second ballot with the simple majority vote deciding the winner. In these cases, the ballot will be by secret vote.
- vi. The Secretary will record the voting numbers in an appropriate written record for perusal by the membership at any time.

### Research and Instrumentation Committee

There will, when possible, be a Research and Instrumentation Committee (RIC). That Committee will be responsible for researching and presenting to the Membership any developments in Polygraph techniques, hardware and software which they the Membership

need or would like to be informed about to keep their professional knowledge current. The Committee will be responsible for evaluating and recommending which developments are worthy of further consideration by the members.

## **Article IV**

### **Parliamentary Authority**

- i. The Parliamentary Authority for the BPA shall be Roberts Rules of Order. For further information see [www.robertsrules.org](http://www.robertsrules.org).
- ii. The Order of Business for all BPA meetings shall be as follows:
  - a) Roll Call
  - b) Reading of the Minutes of the Previous Meeting
  - c) Vote on Acceptance of the Previous Minutes
  - d) Communications
  - e) Reports of the Officers and Committees
  - f) Unfinished Business
  - g) Disciplinary Hearings
  - h) New Business
  - i) Review of Accounts
  - j) Vote on acceptance of the Accounts
  - k) Miscellaneous
  - l) Any other business
  - m) Adjournment and date of next meeting

## **Article V**

### **Dues, Monies and Assessments**

- i. All members except Honorary Members shall pay a yearly membership fee to cover the expenses and running costs of the BPA; this fee will be set by the membership at the AGM with a simple majority of those present carrying the motion.
- ii. All new members after 1<sup>st</sup> September 2014 will be required to pay a onetime non-refundable processing fee whose level will be set by the Treasurer to cover the costs of adding their details to all the BPA's indices and Website.
- iii. The membership fee is an annual subscription which will become due on the 1<sup>st</sup> January of each year.
- iv. The BoD may exceptionally levy an additional fee for any reason but which may only be required to be paid after being voted on and carried by a simple majority of the total present voting members of the BPA.

## **Article VI**

### **BPA Publications and Website**

The BPA website will promote the work and ethos of the BPA and its members and give guidance and confidence to those members of the public who require the services of a member of the BPA.

- i. The BPA will maintain a website.
- ii. The website will contain, but is not limited to, the following pages of information:
  - i. A members page showing a list of all the current Members of the BPA detailing their name, nationality, a link to the individuals' websites and their contact details. It will be the responsibility of the individual members to inform the BPA of any change in their recorded details. The list will be split to show those who are UK & ROI members and those who are International members. The BPA will not be held responsible in any court or other jurisdiction for any missed business due to a lack of current information of the member.
  - ii. A home page promoting the BPA and its work in the UK & ROI with links to other relevant worldwide organisations that are.
  - iii. A page outlining the polygraph test process.
  - iv. A page outlining what the client should look for in an examiner and relevant questions to ask.
  - v. A page showing the current Constitution of the BPA.
  - vi. A page to contact the BPA.
  - vii. A page giving or linking to a BPA membership application form.
  - viii.
  - ix. A 'Frequently Asked Questions' page giving answers to questions that the public often ask about polygraphy and the test process
- iii. No member may advertise their business on the BPA website with the exception of having their details on the members' page.
- iv. The website will be maintained by a BoD approved and competent webmaster and the funds for the website will be paid for by the BPA.
- v. All content on the website will be regularly scrutinised to ensure it meets current standards of legality and decency and any member who posts any offensive or otherwise illegal or defamatory material will be immediately suspended from the BPA pending an investigation by the G&EC



## **Article VII**

### **Ongoing Training**

All UK & ROI members must keep themselves up to date with the latest and most modern methods and techniques in the Detection of Deception. Members must attend 30 hours of authorised ongoing training every two years, at their own expense to fulfil this requirement. All members of the APA require this to maintain their membership of that Association.

## **Article VIII**

### **Law and Jurisdiction**

This Constitution or in the Articles of Association shall be governed by and construed in accordance with English Law and subject to the exclusive jurisdiction of the English courts to which all parties and members hereby submit.

## **By-Laws and Standards of Practice of the British Polygraph Association**

### **Statement of Purpose**

It is the position of the BPA that a polygraph test, properly administered by a well-trained and competent polygraph examiner using a Validated Testing Technique has a high degree of accuracy. The BPA has the minimum Standards of Practice which are listed below; this list is not exhaustive and may be altered at any time.

### **By-Laws and Standards of Practice**

- i. The examiner shall make on all occasions reasonable efforts to make sure that the person is suitable for testing. Basic enquiries into the health and psychological wellbeing of the examinee must be part of the pre-test.
- ii. No test should be conducted where there is a valid reason to doubt the truthfulness of the subject in these matters or where there is doubt in the mind of the examiner about the subject's suitability to be tested. Where allowed by law, the examiner shall ask the subject about their recent medical and psychological history.
- iii. No polygraph test will be administered without the use of a computerised polygraph instrument; the software programme associated with the instrument shall be newer than three years old.
- iv. No polygraph test shall be administered without the use of a working motion sensor or other approved method of detecting movement countermeasures.

- v. All polygraph tests shall have a continuous recording of the physiological changes that the subject undergoes on the recorded polygraph channels during the test which can be printed during or after the test.
- vi. No opinion of a person's truthfulness shall be given if there is or appears to be a malfunction of the polygraph instrument.
- vii. Only a validated test format shall be used on any polygraph test conducted by a BPA Member.
- viii. A member shall not render a conclusive diagnosis of the test when there is insufficient test data or the data collected is not sufficiently clear for evaluation to render such a decision.
- ix. For a test to be considered complete there must be a minimum of three charts for each test run. No opinion can be given if less than three charts are completed and it will be considered a serious breach of this Standard if an examiner does not, without a good and valid reason, complete three charts and gives a test result to the client.
- x. An examiner shall, prior to the test give sufficient time to the preparation of the test to help identify any issues that may affect the process.
- xi. The examiner shall obtain the consent of the examinee prior to conducting the test.
- xii. The examiner must, during the pre-test ensure that all questions asked by the examinee are answered to their satisfaction and that no misleading or false information is given.
- xiii. The examiner must ensure that the meanings they give to each word in the pre-test are those which the examinee understands and agrees to be the same so that there is no misunderstanding and therefore an incorrect result given.
- xiv. Where there is doubt about the examinees understanding of the language of the examiner, the test should not take place until either a suitable interpreter is present or an examiner who speaks the same language conducts the test.
- xv. All material collected during the process must be kept, stored or destroyed in accordance with the relevant legislation of that country.
- xvi. Members shall employ an ASS for interpreting and evaluating the polygraph charts.
- xvii. Any decision given will be based solely on the polygraph data collected during the In-test phase of any examination process.
- xviii. No member shall knowingly submit or allow to be submitted a false or misleading polygraph test report.
- xix. All members shall at all times respect the rights and dignity of all examinees. Any proven breach of this Standard will be considered a serious breach of this Standard and the member will be immediately suspended pending a disciplinary hearing.
- xx. No member shall solicit or accept any gratuity in any form that is intended to influence their decision, opinion or report of the polygraph test.

- xxi. All fees that are charged for the test must be told to the client prior to the test taking place to prevent it being seen as an inducement to alter the test result in favour of the examinees wishes.
- xxii. No BPA member shall, knowingly, re-test a subject already tested by another member with questions that could contradict the result of the original test.

## **Amendments to the Constitution and Articles of Association**

Nothing in this Constitution or in the Articles of Association will prevent it being altered or amended by the BoD after appropriate consultation with the membership of the BPA.

10 April 2015