



ACFI

ASSOCIATION OF CERTIFIED FORENSIC INVESTIGATORS OF CANADA

Annual Fraud Conference & Workshop
May 3 & 4 2010 Courtyard by Marriott, Toronto

The state of fraud in Canada

MITIGATING THE DAMAGES

NEW for 2010

Report on the
State of Fraud in
Canada presented by
Inspector Kerry
Petryshyn of the RCMP

SPOTLIGHT

- More than **30** Canadian speakers address Canadian fraud issues
- **3** tracks allow more session choices
- Rare opportunity to take part in a 'mock trial'
- **1/2 DAY Optional WORKSHOP**
See details on the back cover
- Hands on case studies
- Earlybird & group discounts
- CPD Credits: Conference=16
Workshop=4
- Complimentary copy of an educational ACFI Mock Trial DVD with 2-day conference registration – approximate value of \$180!

*Earlybird discount
extended until
April 16, 2010*

Created by Canadians for Canadians

Sponsored,
in part, by:

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FROESE FORENSIC
> The Financial Investigators
partners ltd.

Join us
— network
with faculty
& delegates
from across
Canada

MONDAY MAY 3, 2010

Speaker
biographiesSee details online at
www.acfi.ca/biography

7:30 am registration & continental breakfast

8:30 am GS.1

introduction & updates

Mock Trial

Mock Trial

ROLES AND RESPONSIBILITIES – THE INVESTIGATION

Cast: Andrew Heal, David Debenham, Ivor Gottschalk, Ken Froese and Judge (to be announced)

9:30 am refreshment break • networking • visit exhibitors

TRACK 1

TRACK 2

TRACK 3

9:50 am CS.1.1 **EMPLOYEE IMPROPRIETIES**
Avoiding Disasters

Mr. Levitt will address those court decisions which affect how investigators and auditors must deal with impropriety in its myriad of forms. Our speaker will also bring us up to date on various court decisions such as *McKinley v B.C. Tel* which held that fraud and dishonesty are *not always* causes for dismissal. He will also examine what we need to do in order to ensure that we win such cases, the mistakes to avoid, the standard of care required in order to deal with employee investigations and, in accord with the underlying conference theme "how you avoid liability" the cost of which can sometimes exceed any damages sustained as a result of fraud losses.

Howard Levitt
Lang Michener LLP

CS.2.1 **TAKE CARE NOT TO SURRENDER**
LEGAL PRIVILEGE

What are the court's views on the protection of working papers in the context of litigation? Under what circumstances will such important investigative notes be disclosed?

Ms. Promislow will discuss the law as it relates to protecting solicitor-client privilege in the context of working papers and draft reports. A practical approach to dealing with the uncertainty will be discussed.

Ruth Promislow
Bennett Jones LLP

CS.3.1-3.2 **CONSTRUCTIVE & INNOVATIVE**
METHODS OF RECOVERY

One of the issues, which has to be handled swiftly, economically and effectively in cases of fraud is the area of recovery.

This session, which should prove to be informative and entertaining, will not only address those proven, practical means of recovery such as insurance, civil lawsuits and criminal proceedings (*with restitution orders*) but will also discuss other innovative and constructive options available to us. During the course of their presentation the speakers will also bring home the need for us to exercise the old adage "caveat emptor".

David Malamed
Grant Thornton LLP (TORONTO)
Pat McParland
Grant Thornton LLP (VANCOUVER)
Steve L. Graff
Aird & Berlis LLP

10:55 am CS.1.2 **NET WORTH ANALYSES**
Does it make financial sense?

Net worth analyses is a science which should be part of a forensic investigator's tool box as it is a process of identifying an increase or decrease in an individual's net worth, which might indicate the existence of illegally obtained funds and property. But when might we apply this methodology? Before we rush to judgment, how reliable is net worth analyses and is it really worth the time and cost to prepare it?

During his presentation, Mr. Brewer, using case references, will address these questions and others including a discussion on the evidentiary and methodological issues and further, what other analyses can and should be used in conjunction with net worth analyses to enhance its reliability.

Vern Brewer
Public Prosecution Service of Canada

CS.2.2 **MONEY LAUNDERING CONTROL IN CANADA**
The Changing Legislative Landscape

A changing regulatory landscape is laying the foundation for additional burdens to be placed on your shoulders.

In this session Mr. Chris Walker will discuss issues and updates such as what is expected of reporting entities, the limitations and potential risks that are currently surfacing and the best practices to meet the challenges that these changes are bringing us.

Chris Walker
ABC Solutions Inc.

*Don't miss the
Monday Afternoon Reception*

12:00 pm lunch break

1:05 pm CS.1.3 **CRIMINAL LIABILITY SHOWS UP**
IN UNEXPECTED PLACES

Amendments to Canada's criminal code have strengthened the measures available to law enforcement to investigate, prosecute and deter fraud, but just what are these measures and how do they affect us?

During his presentation Mr. Debenham will answer these questions as well as discuss the forms of corporate liability for both criminal and regulatory offences that will include such items as being party to the offence and conspiracy.

CS.2.3 **SEPARATING THE WHEAT**
FROM THE CHAFF
Assessing the credibility of witnesses
and informants

How many times have we started investigating an occurrence of fraud with a "he said, she said" type of a situation where we have to rely on our gut instinct? And how many times do we get questionable information, are unable to get any further clarification and find ourselves stuck between words on a paper and a contractor or disgruntled spouse or an employee's verbal explanation?

CS.3.3 **LOSING CONTROL**
How Fraudsters Can Control Your Information

Can someone access your computer from within your company? What about their ability to access your system from a distance of five or more miles away? How do you detect the fact that your hard drive has been compromised and what do you do after you find that your system has been breached, your corporate records tampered with and/or your case jeopardized?

Using case studies, our speaker will illustrate how your system can be compromised, how you might detect it and the steps which

David Debenham
Lang Michener LLP

Mr. Haywood, well known for his years of experience in "interviewing and interrogation" will, during this session, address various factors that we can use to increase or decrease reliance on a witnesses or informants and assess the credibility of the information available to the investigator.

Ray Haywood
PricewaterhouseCoopers' (TORONTO)

you might take to regain your information and/or prevent further occurrences.

Kevin Lo
Froese Forensic Partners Ltd.

2:10 pm CS.1.4 PREPARING TO BE EXAMINED

When fraud surfaces, events often unfold quickly. Those charged with investigating alleged impropriety have to take accurate and detailed written notes which reflect all of the steps taken and all of the information learned during the investigation. The investigator's notes will then be relied upon, together with the investigator's working papers and other evidence, in order to develop a report and prepare to give evidence in a civil or criminal trial. The ability of the investigator to give evidence in a clear, concise and professional manner will often mean the difference between a case being won or lost.

During her presentation, Ms Bambrough will discuss how to prepare to be examined and cross-examined, as well as the perils and pitfalls of being examined and cross-examined and how to avoid them.

Denise Bambrough
Borden Ladner Gervais LLP

CS.2.4 BACKEND FRAUD

Backend fraud coupled with other types of work related fraud, theft and error account for the majority of a company's losses sustained as a general result of employee dishonesty. In the retail industry alone, studies have identified these actions as having accounted for 53% of the shrinkage sustained by an employer. But is backend fraud limited to the retail environment and is it limited to strictly company employees?

During this session Mr. McKeown, drawing on his years of experience in the retail sector, will answer these questions as well as others. By using case studies and video, he will provide us with a first hand view of issues contributing to a retailer's losses. Brian will also offer us proven, practical and effective measures which we can employ to counter fraud in the workplace.

Brian McKeown
Brian McKeown and Associates

CS.3.4 DOs and DON'Ts OF REPORT WRITING

When we are required to issue a report related to fraud, it is always a challenge to draft it with the needs of the reader in mind. The final audience could include a lawyer, insurance company, board of directors and/or a court. It is not always easy to determine what courts expect to see.

Mr. Rosenberg will, during his presentation, address how we should structure a report, the basics of report content and issues to keep in mind while preparing a report. He will also address the use of exhibits, charts and computer technology to present our findings.

Ken Rosenberg
PALIARE ROLAND, Barristers

3:10 pm refreshment break • networking • visit exhibitors

3:30 pm GS.2 Mock Trial

Mock Trial

ROLES AND RESPONSIBILITIES – THE TRIAL

Cast: Andrew Heal, David Debenham, Ivor Gottschalk, Ken Froese and Judge (to be announced)

4:30 pm Network Reception

Meet and network with other attendees and faculty.

6:00 pm End of Day 1

TUESDAY MAY 4, 2010

7:30 am breakfast

8:30 am GS.3 introduction & updates

TAILORING YOUR TEAM TO DELIVER SUCCESS

How does a professional go about assessing and reassessing the needs and wants of a case and "Tailoring the Team" in order to sustain or refute the allegations? And how does a professional achieve this task in a cost effective manner? What obstacles exist that we must be cognizant of and how can we avoid them? During this general session Mr. Neil Abbott will provide answers to these questions and others.

Neil S. Abbott • Gowlings (TORONTO)

9:30 am refreshment break • networking • visit exhibitors

TRACK 1

TRACK 2

TRACK 3

**9:50 am CS.1.6 ANATOMY OF A FRAUD
The Brazen Case of Bernard L. Madoff**

Mr. Kashton has spent a fair amount of time researching this now-famous case which, due to the immensity and duration of the fraud, still has much of the public-at-large baffled. During what promises to be a fascinating and informative presentation, Mr. Kashton will introduce us to the scheme that has entered our everyday vocabulary.

CS.2.6-2.7 RESULTS BASED INTERVIEWING

Conducting successful interviews does not happen by accident. Preparation and careful planning, questioning techniques, the ability to identify non-verbal clues, physical location and communication skills are among the topics that Mr. McLaughlin will cover during his presentation.

**CS.3.6 SUCCESSFUL INVESTIGATION
STRATEGIES UTILIZING TECHNICAL EXPERTS**

A specialist in your organization is accused of fraudulent conduct. You have been assigned to the investigation and, have just completed a preliminary assessment. You have concluded that a technical expert will be required to analyze evidence in order to properly determine the validity of the allegation. How do you co-ordinate with the

How was the scheme hatched and executed? How could so much money have been diverted without the regulators or victims becoming aware? What were the red flags that were ignored and what "omissions" or "commissions" were involved? To what extent does willful blindness, or even conspiracy appear to be a factor? Mr. Kashton's presentation will keep you riveted in the best tradition of *Sherlock Holmes* and *Law and Order*!

Ari Kashton
Soberman LLP, Chartered Accountants

10:55 am

CS.1.7

MORTGAGE FRAUD

Mortgage fraud is a crime-wave, which is still sweeping the country. It is affecting Canadian businesses, government and individuals such as you and I. According to industry estimates, losses from mortgage fraud in Canada range into the hundreds of millions of dollars annually. But just what is mortgage fraud? During this session Mr. Klayman will provide us with a brief overview of Mortgage Fraud, what it is, how extensive it is and how it occurs. He will also provide us with the terms used for the various types of mortgage fraud as well as introduce us to the various ways and means of reducing and possibly eliminating our exposure through a practice known as "due diligence".

Kevin Klayman
Gasee, Cohen & Youngman

Back by popular demand

Paul McLaughlin
Paul McLaughlin.ca

LAST YEAR'S DELEGATES SAID:

- ▶ Loved the case studies and the practical experiences
- ▶ highly informative conference - my thanks
- ▶ the networking with other Canadians was great

technical expert to conduct a full, frank and fair investigation and interpret the findings into easily understandable language? Using a case study involving complex IT issues, this session will outline an investigation plan that was developed and executed to complete the investigation. The presentation is prepared for fraud investigators: attendees will not be required to have advanced IT expertise in order to benefit from the presentation.

Allen Tait • Ontario Internal Audit
Steve Ferrigni • Ministry of Government Services

CS.3.7

AN OUNCE OF PREVENTION

Why are some organizations afflicted by fraud while others seem unscathed? What are the current frauds affecting Canadian organizations? How can we become proactive by measuring an organization's exposure to these fraud risks, and how can we reduce or eliminate these risks?

Professor Oltmann's presentation will address these questions and introduce the "Annual Vital Signs Checkup" for evaluating an organization's fraud-resistance quotient.

Professor Vanessa Oltmann
Vancouver Island University

12:00pm

lunch break

1:05 pm

CS.1.8

PRINCIPLES AND PLANNING OF EFFECTIVE INVESTIGATIONS

When fraud allegations surface, timing becomes critical and it's important for the person charged with the investigation to be able to see the forest for the trees – but what exactly does that entail?

This session will include: the need to properly set the investigation objectives early on in the engagement; planning for contingencies; having the right resources in place; considering cost vs. benefit of alternative approaches; effective use of technology; and managing client/management concerns. Mr. Nagel will also address the basic principles of investigations; the need for clear and concise reporting; and the need for corporate policy.

Edward Nagel
nagel + associates

CS.2.8

DISCOVERING FRAUDULENT DOCUMENTS THROUGH FORENSIC EXAMINATIONS

You suspect that a signature is forged, a fax phony, that financial statements have been altered or that a document is not as old as it purports to be. Can a document examiner assist you in answering these questions and if so when do you call one? What information does the qualified document examiner need in order to render an expert opinion and what, if any, limitations exist?

Document examiners have been used to provide opinion evidence in many types of cases including fraud, forgery, uttering and employment cases. During his session Mr. Lindblom will, using case studies, address these and other questions, as well as provide us with a real world explanation of being able to see the forest for the trees.

Brian Lindblom
Document Examination Consultants Inc.

CS.3.8

INVESTIGATIONS OF THE FUTURE New Tools, Techniques and Caveats

Our speakers, will cover emerging trends in preventing, detecting and investigating fraud and other financial and ethical improprieties in North America. They will review approaches in dealing with data and how to apply data mining methodologies to disparate data sets, to give an accurate picture of events that can assist an investigator. Mr. Moulton and Mr. Stewart are highly experienced and passionate speakers who will entertain and educate you simultaneously and will give you their opinions on where the forensic financial investigative industry is headed in the future.

Gary Moulton
David Stewart
Deloitte & Touche LLP (TORONTO)

2:10 pm

GS.4

THE STATE OF FRAUD IN CANADA

What is the current level of fraud in Canada? What are the key trouble areas and what are some strategies in place to deal with the problem? During his session Inspector Kerry Petryshyn of the Royal Canadian Mounted Police Commercial Crime Branch in Ottawa will answer these questions and others, such as, what are the challenges and where are we, as Canadians, going?... This compelling session should finally answer the question as to how extensive fraud is in Canada.

Insp. Kerry Petryshyn
Major Fraud and Bankruptcy, Royal Canadian Mounted Police

3:10 pm

refreshment break • networking • visit exhibitors

3:30 pm

GS.5

THE STATE OF FRAUD IN CANADA continued

4:30 pm

close of conference

If you are unable to attend, please share this brochure with someone you know who might benefit from this year's ACFI Fraud Conference.

WHY YOU SHOULD ATTEND Delegates to this years ACFI Fraud Conference, created by Canadians for Canadians, have the opportunity to network with others from across Canada, exchange information, share ideas and best practices, get answers to questions and...

NEW for 2010 • Get the latest statistics on the state of fraud in Canada from Canada's national police service

- PLUS**
- 3 tracks (19 concurrent sessions) by leading professionals and experts, allowing delegates a greater flexibility of choice
 - innovative ways and means of reducing the cost and impact of fraud
 - creative ways of improving recoveries
 - delegates can earn up to 16 CPD credits and 4 CPD credits respectively through participation at this years ACFI fraud conference and workshop
 - learn from the optional 1/2 day workshop titled "Inexpensive Technologies for the Fraud Investigators Tool Box"
 - A RARE OPPORTUNITY TO ATTEND A **MOCK INVESTIGATION** & the related **TRIAL**

ACFI conferences attract a good cross-Canada mix of law enforcement, accountants, investigators, internal and external auditors, lawyers, human resource professionals, programme deliverers and others who share or have fraud related responsibilities.

The ACFI Fraud Conference is an annual event bringing practitioners, industry experts, users and other interested parties together under one roof and offering endless opportunities to:

- keep pace with the latest tools and investigative techniques
- participate in provocative, informative and entertaining sessions
- improve fraud-fighting skills through case studies and exercises
- master new techniques designed to enhance skill sets
- address proactive initiatives based on real world, proven and practical approaches
- learn best practices from our guest faculty as well as other delegates

ACT NOW
Save
+10%
Discount extended until April 16, 2010

ASK about group discounts for even more savings!

PLUS a 2-day Conference registration also includes your choice of one of ACFI's Educational Mock Trials on DVD: "The Expert" or "The Evidence". An approx. \$180 Value!

CONFERENCE & HALF DAY WORKSHOP REGISTRATION

1. Information

(Please print)
Surname: _____ First Name: _____ Name to appear on badge: _____

Organization: _____ Address: ☐ Res. ☐ Bus. _____

Job Title: _____ City: _____ Province/Territory: _____ Postal Code: _____

☐ I plan to attend the Monday Reception (4:30 pm - 6:00 pm) Meet and network with other attendees and faculty.

☐ Please send me details regarding membership in the Association of Certified Forensic Investigators of Canada.

Telephone: _____ Fax: _____

Email: _____

Please advise us in advance of any dietary restrictions or other special needs: _____

2. Registration Fees

ACT NOW and SAVE 10% but ONLY UNTIL MARCH 31, 2010 Discount extended until April 16, 2010

Further Savings when combining workshop and conference

	ACFI Members	Non-Members	No. of Attendees	Amount
CONFERENCE FEE	\$895	\$995		
FEE UNTIL APRIL 16!	\$805	\$895		
WORKSHOP FEE	\$335	\$395		
FEE UNTIL APRIL 16!	\$301	\$355		
COMBINED FEE	\$1,180	\$1,340		
FEE UNTIL APRIL 16!	\$1,062	\$1,206		
		Sub-total		
GST #: 87970 8428 RT0001		G.S.T. (5%)		
GST Exemption #: _____		TOTAL		

GROUP DISCOUNTS: call for details • 416-226-3018 or 1-877-552-5585

HOTEL Courtyard by Marriott, Downtown Toronto, 475 Yonge St. Toronto, ON Tel.: 416-924-0611 Toll Free: 800-847-5075 Fax: 416-924-8692

Come and experience the largest Courtyard by Marriott in the world! Full-service facilities and amenities. Discover all the attractions in Toronto: the Rogers Centre (Skydome), the Air Canada Centre, and the Eaton Centre Shopping Mall all within close proximity.

ROOM RATES A block of rooms for our conference participants will be held until March 31st 2010. To receive the special discounted nightly room rate of \$149 (plus applicable taxes), contact the hotel directly. To ensure you receive the special group rate, identify the group name "ACFI Fraud Conference Program" when making the reservations.

PROGRAMME DISCLAIMER The Association of Certified Forensic Investigators of Canada reserves the right to alter or delete items from the programme, or cancel the workshop and/or conference, at which time liability will be limited to conference and/or workshop fees paid. Presenters have prepared materials for the professional development of participants. Although they trust that it will be useful for this purpose, the presenters cannot warrant that the use of this material would be adequate to discharge the legal or professional liability of participants in the conduct of their business operations.

3. Session Selection

WORKSHOP SUNDAY, May 2 12:30 pm-5:00 pm ☐ WS.1.1

CONFERENCE CONCURRENT SESSION SELECTION

TIMES	MONDAY, May 3			TUESDAY, May 4		
	TRACK 1	TRACK 2	TRACK 3	TRACK 1	TRACK 2	TRACK 3
9:30-9:30	<input checked="" type="checkbox"/> GS.1: MOCK TRIAL, INVESTIGATION			<input checked="" type="checkbox"/> GS.3: TAILORING YOUR TEAM		
9:50	<input type="checkbox"/> CS.1.1	<input type="checkbox"/> CS.2.1	<input type="checkbox"/> CS.3.1	<input type="checkbox"/> CS.1.6	<input type="checkbox"/> CS.2.6	<input type="checkbox"/> CS.3.6
10:55	<input type="checkbox"/> CS.1.2	<input type="checkbox"/> CS.2.2	<input type="checkbox"/> CS.3.2	<input type="checkbox"/> CS.1.7	<input type="checkbox"/> CS.2.7	<input type="checkbox"/> CS.3.7
1:05	<input type="checkbox"/> CS.1.3	<input type="checkbox"/> CS.2.3	<input type="checkbox"/> CS.3.3	<input type="checkbox"/> CS.1.8	<input type="checkbox"/> CS.2.8	<input type="checkbox"/> CS.3.8
2:10	<input type="checkbox"/> CS.1.4	<input type="checkbox"/> CS.2.4	<input type="checkbox"/> CS.3.4	<input checked="" type="checkbox"/> GS.4: STATE OF FRAUD		
3:30-4:30	<input checked="" type="checkbox"/> GS.2: MOCK TRIAL, THE TRIAL			<input checked="" type="checkbox"/> GS.5: STATE OF FRAUD, Cont'd		
4:30-6:00	Reception			Close of conference		

For additional attendees, please copy this form or use a separate paper.

Workshop Fee includes light lunch, refreshment breaks and workshop binder.

Conference Fee includes continental breakfast, refreshments, lunches, Monday afternoon reception, all conference materials, and entry into all draws, PLUS choice of one of ACFI's Educational Mock Trials on DVD: "The Expert" or "The Evidence". DVDs available at the conference. Supplied on a first come first served basis while supplies last.

Full payment required in advance of the event. To register call 416-226-3018 or 1-877-552-5585 or complete and fax this form to 416-482-3363. Cheques made out to ACFI should be mailed to:

The Association of Certified Forensic Investigators of Canada
81 Chaplin Crescent
Toronto, Ontario M5P 1A4

To register online visit www.acfi.ca and go to the Events Calendar. Registration, session selection and secure credit card payment can all be done online.

4. Procedures

CANCELLATION POLICY If, for any reason, you are unable to attend the conference and/or the workshop a full refund less \$75 will be made for cancellations received in writing by April 16th 2010. Cancellations received after this date will be billed in full. Substitution will be accepted up to the start of the conference.

mail/fax this form or register online at www.acfi.ca

Don't miss Monday's Reception (4:30 - 6:00 pm)

NETWORK with other attendees & faculty from across Canada.

+ Optional Pre-Conference Half Day Workshop

Sunday May 2, 2010

Courtyard by Marriott, Downtown Toronto :: 12:30pm - 5:00pm

presenters **Kevin Lo**
Michael Perklin
Froese Forensic Partners Ltd.

Inexpensive Technologies for the Fraud Investigators Tool Box



In today's world of complex investigations there are many technologies, primarily software solutions, available to investigators which can not only enhance an investigators ability to prevent, detect and investigate fraud but can also improve efficiencies, organization and the presentation of a case.

Software, however, which is specialized and focused is normally very expensive and generally out of the reach of all but a select few. This workshop, led by Kevin Lo, has been designed to help us in building up our digital tool box by introducing us to relatively inexpensive and/or free software.

Just a few of the topics to be covered:

- How to utilize software to see the "big picture" of an investigation
- How to strategize and plan your investigation through the use of technology
- E-discovery on a budget: how to utilize some readily available software to perform e-discovery task
- Free versus commercial software - exploring a series of free software and how they "stack up" against their commercial counterparts

This workshop has also been designed to answer questions, convey (where applicable) best practices, stimulate discussion and exchange of ideas.

Participants will be encouraged to share, gain new insight and expert solutions while networking with others in this workshop designed to be highly interactive.

Gain valuable skills at ACFI events – learn from preeminent, industry-experienced professionals with a great passion for their field.

WHO SHOULD ATTEND...

- Accountants
- Forensic & Investigative Accountants
- Fraud Examiners
- Human Resource Specialists
- Information Technology Professionals
- Internal Auditors
- Law Enforcement
- Lawyers
- Loss Prevention and Security Professionals
- Private Investigators
- Risk Managers
- Regulators
- and others who need to keep pace with changing fraud-related issues.



ACFI

ASSOCIATION OF CERTIFIED FORENSIC INVESTIGATORS OF CANADA

The Association of Certified Forensic Investigators of Canada (ACFI) is a non-profit Canadian organization whose objective is to promote and foster a national forum and governing body for the affiliation of professionals who provide to the public, governments and employers, their expertise and services in the areas of fraud prevention, detection and investigation. For membership information, please visit our website.

THE ASSOCIATION OF CERTIFIED FORENSIC INVESTIGATORS OF CANADA

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