

FIT 2020 CONFERENCE

FRAUD INVESTIGATION TECHNIQUES

NEW & EMERGING TRENDS IN FRAUD INVESTIGATION



CPIO
COUNCIL OF PROFESSIONAL
INVESTIGATORS ONTARIO
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ACFETM

Association of Certified Fraud Examiners

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Agenda & Speaker Presentations

7:30 to 8:20 am	Breakfast and Registration	
8:20 to 8:30 am	Welcome	ACFE-GTA Chapter President: Dorian Dwyer CPIO President: Brian Sartorelli
8:30 to 9:45 am	Emerging Trends Impacting Investigative Interviewing	Scott Porter, Senior Investigator Chartered Professional Accountants Ontario
9:45 to 10:00 am	Sponsors and Networking Break	
10:00 to 11:25 am	Panel Discussion: Trends in the Enforcement & Legalities of Fraud Investigations	Moderator: Kyle Kanstein, OPP (Serious Fraud Office "SFO") - Dennis Toomey - BAE Systems - Norm Groot - Investigation Counsel - Steve McClyment - Law Society of Ontario - Heidi Stewart - OPP Detective Inspector Director, Deputy Director - SFO - John Corelli - Chief Counsel, SFO
11:30 to 12:30 pm	Counterfeit Goods -New Trends in Investigation	Georgina Danzig, Partner Kestenberg Siegal Lipkus LLP
12:30 to 1:25 pm	Lunch	
1:30 to 2:30 pm	The New Canada - Keynote Presentation	John Wright, CEO Dart Insight & Communications
2:30 to 2:55 pm	Sponsors and Networking Break	
3:00 to 4:10 pm	Unmasking Online Anonymity: Challenges & Opportunities in Identifying Perpetrators on the Internet	Maanit Zemel, Partner Zemel Van Kampen LLP
4:15 to 6:00 pm	Networking Event	in the BMO - IFL Social Centre

Presentation Abstracts & Speaker Bio's

8:30 to 9:45 a.m. Emerging Trends Impacting Investigative Interviewing

The world of investigative interviewing and the methods taught to corporate interviewers and law enforcement practitioners are at a critical crossroad. Courts are increasingly questioning the tactics used by investigators to obtain confessions. Many investigators are taught interview tactics derived from traditional interview approaches, which encourage them to focus on verbal and nonverbal cues of lie detection, and employ tactics focused primarily on obtaining a confession. Many of these techniques equip investigators with tools to obtain a confession, but such confessions are highly scrutinized by the courts.

This session will explain the risks associated with an interview approach that relies on deception detection coupled with an admission-seeking mindset. To illustrate, you will watch an interview that led to an involuntary confession, as concluded by the courts. This session will discuss emerging trends impacting investigative interviewing as well as an alternative approach to investigative interviewing (i.e., PEACE), which focuses on maximizing information sought by the investigator, while minimizing risk. The session will also discuss Motivational Interviewing which is an approach utilized by psychologists with patients who are reluctant to change, which translates well to those interviewing difficult subjects in an investigative environment. You will then have the opportunity to view real-life compelling interview footage from different cases to help put theory into practice.

You Will Learn How To:

- Compare current interview methodologies to determine which tactics are most effective in varying circumstances
- Evaluate emerging trends in investigative interviewing
- Assess strategies that are suitable for a corporate interview environment to ensure that any resulting confessions are obtained ethically and legally



Scott Porter, CPA, CA, DIFA, CFF - Senior Investigator of Professional Conduct - Chartered Professional Accountants of Ontario

Scott Porter has been a senior investigator of professional conduct at CPA Ontario for the past 12 years, where he conducts numerous interviews with CPAs alleged of committing professional misconduct, including fraud. Prior to that, Porter served as a manager with Price Waterhouse Coopers' forensic accounting group.

Porter co-authored the article "Teaching Interviewing Techniques to Forensic Accountants is Critical," which was published in the *Journal of Forensic & Investigative Accounting*. Porter is also

a member of the journal's Editorial Advisory Board.

Porter has done multiple presentations to investigators across Canada and the United States on conducting ethical, legal and effective interviews. In June 2019, his presentation at the 30th Annual ACFE Global Fraud Conference was highlighted by the ACFE in their *Fraud Conference News* publication. In August 2019, he was featured by the ACFE in their podcast titled: "The Interview Room: Preparation, Evidence and Empathy".

10:00 to 11:25 a.m. Panel discussion on Trends in the Enforcement & Legalities of Fraud Investigations

Fraud is a complex, multi-faceted, and cross-sector issue. Learn about enforcement and legality trends in fraud investigations from a panel discussion comprised of highly seasoned representatives from the public sector, civil law, regulatory college, and the private sector. Hear about new trends, lessons learned, partnership opportunities, and more. There will be an opportunity for questions and answers at the end of the discussion.

Moderator: Kyle Kanstein – ACFE-GTA/Serious Fraud Office



Norm Groot - Investigation Counsel

Based on his police experience and his experience thereafter as a litigator, Norman has joined forces with other lawyers with police experience and created the fraud recovery law firm Investigation Counsel Professional Corporation.

Norman's practice is focused on fraud recovery litigation for retailers, insurers, financial institutions, private companies and individuals who have incurred losses to rogue employees, officers or directors, or due to failed investments or contractual arrangements. Norman coordinates civil fraud recovery with police and regulatory investigations and prosecutions.

Norman also provides Independent Supervising Solicitor (ISS) services for other law firms that obtain Anton Piller orders (civil search warrants). Norman practice also consists of representing police and private sector investigators in criminal, civil, and regulatory actions.

Norman was recently appointed as the Integrity Commissioner for the City of Richmond Hill.

Professional and Business Affiliations - Canadian Bar Association, Bar Association of Ontario; Association of Certified Fraud Examiners; Association of Certified Forensic Investigators (Director); Council of International Investigators; Canadian Association of Special Investigation Units



Steve McClyment - Law Society of Ontario

Stephen McClyment obtained a B.A from the University of Toronto and LL.B. degree from Osgoode Hall Law School in 1974. He was called to the Bar in 1976 and established his own law firm in Toronto and continued a very successful general practice until 2000 when he joined the Law Society of Upper Canada as Investigation Counsel. Since 2003 he has been the Senior Investigation Counsel at the Law Society of Upper Canada and initiated and leads the Mortgage Fraud Team at the Law Society.

He leads interim teams to address public protection issues as they emerge on investigations and assists in obtaining interim Undertakings, Discipline Panel Orders and as applicable Court Orders to provide protection to clients and other stakeholders involved with a Lawyer and/or Paralegal Licensee under investigation and pending a final disposition of such an investigation.

He has written numerous articles on Fraud, including in particular real estate and mortgage fraud and other types of commercial frauds involving Lawyer and Paralegal Licensees. He has presented evidence at Law Society of Upper Canada, Discipline Hearings as an expert in the area of real estate and mortgage fraud.



Dennis Toomey - BAE Systems

Dennis Toomey has been working as a subject matter expert and trusted advisor on insurance fraud for almost 30 years. Prior to joining BAE Dennis worked at Accenture as Senior Manager heading up the Global Insurance Fraud vertical in the Advanced Fraud Analytics Practice. Prior to Accenture, Dennis worked for IBM and SAS in their Security Intelligence Practice from 2011 to 2017 providing support in the planning, management and marketing of fraud detection and investigation management solutions for the property, casualty, life and disability insurance markets worldwide. Prior to SAS he worked for LexisNexis' Risk Information and Analytics Group.

Dennis also worked for Liberty Mutual Insurance Company as a claims adjuster in the SIU to the National Director for its Agency Market SIU. He also served on the Board of Directors for the International Association of Special Investigation Units, governing the Strategic Planning and Laws and Legislation committees and the Fraud Measurement Task Force for the Coalition Against Insurance Fraud. Prior to Liberty Mutual Dennis worked as a Police Officer in the state of NH.

John Corelli - Ministry of the Attorney General (Ontario)



John became a prosecutor with the Ministry of the Attorney General (Ontario) upon being called to the Bar in April, 1986. He is the Chief Counsel of the Prosecution Branch of Ontario's Serious Fraud Office. John began his career

as an Assistant Crown Attorney in Sault Ste. Marie before becoming an appellate counsel with the Crown Law Office Criminal in 1991.

In 1998, John was appointed Chief Counsel, Special Investigations and from 2003-2014 he served as a Deputy Director in the CLO-Criminal. John was a member of the Securities Fraud Enforcement Working Group, which presented proposals for enhancing enforcement to the Justice Ministers in November 2007. He was also a member of the government's Serious Fraud Office Task Force which led to the creation of Ontario's Serious Fraud Office. John completed secondments at the Ontario Securities Commission (2007-2008) and at the RCMP as the Officer-in-Charge of GTA Financial Crimes (2017-2018). John has an LL.B. from Queen's University, an LL.M. from Osgoode Hall Law School and has lectured regularly on the topic of fraud and asset forfeiture to domestic and foreign audiences.

Heidi Stewart, Detective Inspector - Deputy Director



Heidi joined the Criminal Investigation Branch of the Ontario Provincial Police on January 7, 2013 as a Multi-Jurisdictional Major Case Manager. She managed over 30 investigations ranging from homicides and sexual predators to public corruption allegations. Heidi has also been a member of

the Death Under 5 Committee as well as an Adjudicator for the Professional Standards Bureau.

In February 2018, Heidi was selected to be the Deputy Director of the newly formed Serious Fraud Office. She has been integral in implementing all areas of the investigative model in Ontario. She oversees Investigations, Adjunct Services, and Support branches of the Serious Fraud Office. She has been the acting Director of the Serious Fraud Office since December, 2019.

11:30 to 12:30 p.m. Counterfeit Goods-New Trends in Investigation

Presentation abstract coming soon.



Georgina Danzig - Kestenberg Siegal Lipkus LLP

Ms. Danzig graduated from the University of Windsor with a Bachelor of Laws in 1988; the University of Detroit with a Juris Doctor in 1990 and studied international law at Regents College in London. She was called to the Ontario Bar in 1990; and served as a clerk to the Chief Justice of the Ontario Superior Court.

She designs defensive solutions to combat piracy, theft, and counterfeiting. In addition to strategic defensive work, she actively litigates all manner of anti-counterfeiting cases as well as cases involving theft of confidential information, trade secrets, corporate opportunities and tangible property. She assists law enforcement in securing information and evidence necessary to obtain a criminal search warrant. After seizure, she interfaces between victims and the police to ensure the Crown has the necessary testimonial and evidentiary support. She has extensive expertise in all aspects of Canada's border enforcement regime in relation to counterfeit goods. She is often engaged as an Independent Supervising Solicitor in respect of the execution of Anton Piller orders in intellectual property and commercial disputes.

Selected by the *World Trademark Review 1000* in their highest category (Gold Band) – Canadian Anti-Counterfeiting Lawyer – The Definitive Guide to Trademark Legal Services, which identifies firms and individuals, by country, that are setting the industry benchmark for trademark legal services. In reference to Ms. Starkman Danzig, one of the only 2 individuals in the Gold Band for anti-counterfeiting,

1:30 to 2:30 p.m. Keynote Presentation – The New Canada

Over the next 15 years Canada will change massively—and most won't know it until it's upon them. This is your opportunity to get out in front of the crowd and understand why and how it will happen. Demography will play a large role—from the silver tsunami to a new wave of immigrants. But there will be others that will continue to intensify—such as increasing urbanization, the growing scarcity of workers, and the world of ideas that will have to come together to cope. For those in the security and investigation arena, the implications will require recalibrating assessments of the terrain, and anticipating new horizons. In this presentation, you'll find clarity through a blizzard of graphs and charts, and hear a narrative that is full of both warning and opportunity.



John Wright BA, F.R.C.G.S – Dart Insight and Communications

John Wright is a Partner with **DART** Insight and Communications, a strategic communications and opinion research consultancy. He's a nationally known figure and much sought-after speaker with over three decades of expertise in public opinion and market research, global polling, public and corporate affairs strategy, communications, branding, and media relations. He also has an ongoing focus concerning Canada's changing demographics—particularly with the coming silver tsunami of 2036 and immigration—and the impact on society, consumerism, sectors, and policy.

Two of his client campaigns won the prestigious International Business Communicators Foundation Jake Wittmer Award recognizing the effective use of research in organizational communication as demonstrated in a winning Gold Quill entry—unprecedented for a Canadian.

Whether working confidentially with clients to understand consumer-citizen insights, construct or better a reputation, define concepts for advocacy, identify ranking messages, calculate segmentation for communications, or create credible media polling releases, he's widely acknowledged as a ground-breaking leader of his craft. His ability to conceive insight driven research, find the story in the data, and construct powerful presentations with actionable recommendations have put him front and centre with corporate, not-for-profit and government leaders at home and abroad. There's literally not an industry or issue he hasn't dealt with—from nuclear power to product recalls and strikes to retail cross-border taxes and credit card interest rates.

John also pioneered global research—from his first 16 multi-country poll in 1992 for CNN International to the 2015 Thomson Reuters monthly market moving Primary Consumer Sentiment Index in 24 countries. He's conducted market and opinion research in over 40 countries on topics ranging from cyber-security to global conflict, from consumer buying habits to food favorites, and from trust of professions to healthcare system comparisons.

John has been honored as a Fellow of the Royal Canadian Geographic Society, awarded the Queens Diamond Jubilee Medal for Military History and Education, the Ontario Lieutenant Governor's Award for Community Volunteerism, is an Arbor Award recipient from the University of Toronto and the University of Toronto at Scarborough (UTSC) 40th Anniversary Award; was an Ontario Legislative Intern, is a lifetime member of both the Public Affairs Association of Canada (f) and the Canada Institute at the Woodrow Wilson Center for Scholars in Washington, DC (f) and was a member of the U.S. Department of State's Bureau of Educational and Cultural Affairs International Visitor Leadership Program (IVLP).

3:00 to 4 p.m. Unmasking Online Anonymity - Challenges and Opportunities in Identifying Perpetrators on the Internet

The nature of the Internet is such that it provides cyber-criminals with layers of the protection, which make identifying, locating and prosecuting these offenders significantly challenging for their victims. However, this protection is not foolproof. In this presentation, Internet lawyer and litigator Maanit Zemel will discuss how private investigators can assist victims of online wrongs in overcoming such challenges, including in cases of cyber-fraud, online defamation and privacy breaches. Ms. Zemel will also provide an overview of the legal mechanisms for identifying and prosecuting online perpetrators.



Maanit Zemel - Zemel Van Kampen LLP

Partner, Zemel van Kampen LLP

Maanit Zemel is a founding Partner of Zemel van Kampen LLP, a technology law and litigation boutique firm in Toronto. Maanit has over 14 years of experience in Internet law and litigation, with particular expertise in defamation, anti-spam and privacy laws. She has represented numerous victims of cyberbullying and anonymous cyberlibel, in identifying and prosecuting their tormentors. When not in private practice, Maanit serves as a part-time Member of the Ontario Landlord and Tenant Board, where she adjudicates disputes between residential landlords and tenants. She is also a Sessional Instructor at the University of Toronto and at Ryerson University.



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