



## **CONTACT NUMBERS FOR THE 2012 BOARD OF DIRECTORS**

Norm Grdina	604-736-8911
Martin Nicholls	604-889-6594
Margaret Woods	604-541-7461
Dan Dalton	604-859-2965
Rosanne Terhart	604-646-4381
David McCartney	604-605-5361
John Dumfries	604-214-0337

Vancouver Chapter Committees members were appointed on December 21, 2011. We are always looking for help with the various committees. Committee members do not have to be members of the board, so let us know if there is an area where you would like to help out. Contact the committee chair directly or send an email to: [information@cfevancouver.com](mailto:information@cfevancouver.com)

### **ETHICS**

**David McCartney**

### **MEMBERSHIP/OUTREACH LIAISON**

**Rosanne Terhart**

### **PROFESSIONAL DEVELOPMENT AND TRAINING**

**To be determined**

### **NEWSLETTER**

**John Dumfries**

### **SECRETARY**

**Dan Dalton**

### **WEBSITE**

**John Dumfries/Russ Lefler**

## **CHAPTER NEWS**

The chapter's Board of Directors will be meeting on January 18 to plan luncheons and special projects for the upcoming year. Please contact any of the board members if you have any suggestions.

If you'd like to contribute to the newsletter or have any news or announcements to share please let me know at [newsletter@cfevancouver.com](mailto:newsletter@cfevancouver.com).

Members and the public are able to connect with the ACFE Vancouver chapter via social media sites such as Twitter, LinkedIn and Facebook. To find out about PD events, job postings, network with fellow members and keep up to date with the latest fraud news add/follow us on all 3 main social media sites.

Twitter:

[http://twitter.com/#!/ACFE\\_Vancouver](http://twitter.com/#!/ACFE_Vancouver)

LinkedIn:

[http://www.linkedin.com/groups?gid=3964400&trk=hb\\_side\\_g](http://www.linkedin.com/groups?gid=3964400&trk=hb_side_g)

Facebook:

<https://www.facebook.com/#!/groups/239828302696080/>



## **VANCOUVER CFE CHAPTER LUNCHEON**

When: Wednesday, February 22, 2012 at Noon

Speaker: To be determined

Topic: To be determined

Where: Terminal City Club

Cost: \$35.00 for members and \$45.00 for guests

To register:

Email: [cfevancouver@yahoo.ca](mailto:cfevancouver@yahoo.ca)

For more information:

[HTTP://CFEVANCOUVER.COM/EVENTS](http://cfevancouver.com/events)

## **PD OPPORTUNITES**

If you are too busy to attend luncheon seminars in person then maybe consider the free webinars for CFE members.

[HTTP://WWW.ACFE.COM/MEMBERS-ONLY-WEBINARS.ASPX](http://www.acfe.com/members-only-webinars.aspx)

## **OUTSIDE TRAINING OPPORTUNITY**

I.I.A. (VANCOUVER ISLAND CHAPTER)  
PRESENTS AN IT WORKSHOP

WHEN: FEB 20, 2012 TO FEB 21, 2012 8:30AM - 4:30PM

WHERE: THE UNION CLUB OF BC, 805 GORDON, VICTORIA

COST: SEE WEBSITE FOR MORE DETAILS

TOPICS: IT AUDIT 101, IT AUDIT 201,  
THREAT RISK ASSESSMENT

SPEAKER: CHRIS H. DUNN, BCOM IN MIS, CISM, CISA,  
CRISC, CISSP

FOR MORE INFORMATION:

[HTTP://WWW.GIFTTOOL.COM/REGISTRAR/SHOWEVENTDETAILS?ID=1902&EID=11206](http://www.gifttool.com/registrar/showeventdetails?id=1902&eid=11206)

## **OCTOBER 2011 LUNCHEON SPEAKER SUMMARY**

Thanks to Bryan Baynham, QC and Daniel Reid of Harper Grey for their presentation on Social Media Tips for CFEs.

Social media use has grown dramatically (Facebook, Twitter, YouTube), raising new legal issues such as online defamation, use of anonymous or false identification, and challenges in tracking or preserving evidence.

An example of potential defamation is anonymous posts by dissident shareholders to replace a company's board. Insurers often use social media to follow those claiming benefits for injuries to see what activities are posted on Facebook.

The internet dramatically changed the approach to the legal torts of defamation and breach of privacy. The general standard defamation is a no-fault 'would the information lower the estimation of the person's reputation in society?' Two elements are required: (1) reference to a person (by photo, name, etc.); and (2) publication. With the internet, it is easier to 'publish' information to large numbers of people worldwide. Truth of the information is offered as a defense. Steps must be taken to ensure the facts are true over time since information changes.

An injunction may be required to compel the service provider or host to remove the site. In some cases a Norwich Pharmaceutical Order is required to obtain information from the service provider (Google, Rogers, etc.) to determine the identity of the person behind the site. The test has a low threshold ie. there is a claim, disclosure is required, only practicable source of information, there is no reason for non-disclosure (ie. privilege), active involvement in the issue, disclosure would not cause the defendant irreparable harm, and it is in the interests of justice to grant the Order.



## **In the News**

A Toronto Star article regarding Nortel executives facing trial:

<http://www.thestar.com/business/article/1112149--criminal-fraud-trial-of-three-ex-nortel-executives-begins#.TwsyUWaMheo.twitter>

Fraud in the United Kingdom is on the rise, according to this business week article:

<http://www.businessweek.com/news/2012-01-09/u-k-fraud-increases-50-to-3-25-billion-accounting-firm-says.html>

Social Media fraud is also expected to increase in the upcoming year. The following is an article regarding a warning from the SEC related to LinkedIn fraud:

<http://www.advisorone.com/2012/01/04/sec-charges-advisor-with-linkedin-fraud-issues-soc#.TwUcGGOkx8Q.twitter>

Olympus Whistleblower's attempt to retake the company is thwarted.

[http://news.yahoo.com/whistleblower-gives-fight-head-olympus-again-002853099.html?utm\\_medium=twitter&utm\\_source=twitterfeed](http://news.yahoo.com/whistleblower-gives-fight-head-olympus-again-002853099.html?utm_medium=twitter&utm_source=twitterfeed)

The following is a link to an interview between Bank Info Security and ACFE President Jim Ratley regarding insights into Fraud Fighting in 2012:

<http://www.bankinfosecurity.com/interviews.php?interviewID=1322>

Top business scandals of 2011 from the Globe and Mail:

<http://www.theglobeandmail.com/report-on-business/the-top-business-scandals-of-2011/article2281273/>

The ability to enforce an injunction in another jurisdiction can be limited but some are responsive to BC Orders, even if just to 'de-index' (ensure that the site does not come up in search engines) to prevent access to the site. Service providers are generally co-operative. Availability of information is limited so you need to act promptly to preserve it.

The second step may involve an Anton Pillar Order to seize hard drives, digital cameras, and other storage media to show when accessed, time documents created, etc. There is a higher threshold for Anton Pillars and a new specific model is required by BC courts as of Sept 15/11.

Social media can be used as a search tool: (1) WinHTTrack, copies a website at a point in time; (2) Whois, an IP registration lookup; (3) Facebook, OpenBook, GabberFace, Twitter, SnapBird, Monitter, TwimeMachine, etc.; (4) screenshot tools such as Firefox or Internet Explorer.

It is possible to search Facebook pages (even with a privacy setting or closed Facebook accounts) with a program that searches for names or phrases across all Facebook sites to capture posts to another Facebook site. Some information is only available for a few days (ex OpenBook).

Some sophisticated posters use an 'anonymizer' which obscures the IP address. These are difficult to get around but a possible approach is to make a claim against the service provider for facilitating publication of the defamatory content.

The right to privacy is more robust in Can/UK than in the US. In Can, if you know the information is defamatory you have to remove it. In the US, you are not responsible for the content if you did not author it. A recent Supreme Court of Canada case provides guidance on how courts may deal with defamation when it involves a link from one website to another. At this point, there may be no liability for just linking to another site but the court left it open for future consideration.

Prepared by Linda Murray, CFE



## **Find a Fraud Examiner**

The Vancouver Chapter website [www.cfevancouver.com](http://www.cfevancouver.com) has a section called **Find a Fraud Examiner** where members in private practice or those willing to take outside jobs can advertise.

**If you are a CFE** and a current member of the Vancouver Chapter of the Association of Certified Fraud Examiners and you would like your name and contact information on our website, please send the following information to us at [website@cfevancouver.com](mailto:website@cfevancouver.com) and put **'Find a Fraud Examiner'** in the subject line.

### **Name:**

Professional Designation(s):  
Title:  
Company:  
Address:  
Telephone #:  
Fax:  
Cell Phone #:  
Email:  
Website:  
Specialty or Area(s) of Practice: \*

*\* For instance, Forensic Accounting, Risk Consulting, Investigation, Employment Law, etc. We are also happy to accept a short narrative description of your services. Please note that other than name, each of these fields is entirely optional.*

## **Website Jobs Posting**

**A** new feature of the website is a Jobs Posting page. We are offering a free posting to any companies who have even one employee as a member of our chapter.

To post a position, contact Russ Lefler at [website@cfevancouver.com](mailto:website@cfevancouver.com).

## **New CFE members**

Congratulations to the new CFEs:

Andrea Chan

Joanna Joniec

## **New CFE member profile**

Andrea Chan has over 11 years experience in forensic accounting and litigation support.

Ms. Chan earned her designation as a Certified General Accountant in 1999. From 2000 to 2007, Ms. Chan worked for KPMG Forensic.

She gained a wide-range of experience in financial investigations, quantification of economic loss and assisted in the review of entity-level controls as part of the S-Ox compliance process in Canada and the United States. She worked on investigations of theft, expense claim schemes, financial statement manipulation, secret commissions, vendor kickbacks, misappropriation of trust funds and the failure to discharge mortgages.

Ms. Chan held a Private Investigator under supervision licence from 2001 to 2007 and assisted the Corporate Intelligence team in gathering background information on individuals and organizations.

Since 2007, Ms. Chan is a forensic accountant with the Law Society of British Columbia. She conducts investigations into the lawyer's books, records and accounts pursuant to the Law Society Rules and the Legal Profession Act.