

2013 FORENSIC CONFERENCE 13-14 May 2013







FORENSIC CONFERENCE 2013

The Forensic Accountants Special Interest Group and the New Zealand Chapter of the Association of Certified Fraud Examiners proudly present the Forensic Conference 2013.

Our previous conference held in 2011 was extremely successful and we are confident that this year's conference will be even better. The 2013 conference provides a fantastic opportunity to keep abreast of the latest developments in this dynamic area and offers an unmatched programme in New Zealand with an impressive line-up of speakers and a diverse and fascinating range of topics.

The experienced hands in the forensic community appreciate the value of having a broad range of contacts – the nature of the work means you never know when you need to call on a niche skill set to solve a problem. The 2013 conference offers a great platform to catch up with old contacts and make new ones – whether it be in one of the breaks or over drinks and dinner at Okahu on the beautiful Auckland waterfront.

Don't miss this unique opportunity – the 2011 conference sold out in days!



Jason Weir Certified Fraud Examiners CFE



Peter Preece Chair, Auckland Forensic Accountants Special Interest Group NZICA

CONFERENCE PROGRAMME – DAY 1: MONDAY 13 MAY 2013

8.30am	Registration. Tea & coffee on arrival					
8.50am	Opening remarks from the Chair					
9.00am	Shell Games: Lessons from Timaru and Panama Matt Nippert, Faifax Media					
9.45am	Corruption - a fact of life or a way of life: your choice Nick Paterson, SFO					
10.30am	Morning tea					
11.00am	Responding to allegations of corruptio Geoff Bell, Innovia Security and Frank C					
12.15pm	Lunch					
	Breakout Session – Please choose ONE choice on the registration form	of these sessions and indicate your				
1.00pm	1A Finance Company Prosecutions – Insights learned to date Nick Williams, Partner Meredith Connell	1B Employment Law – Managing the employment law risk in serious misconduct investigations Nikki Dines, Partner, LangtonHudsonButcher				
1.45pm	2A Directors' Liability: Key learnings from recent case law Anne Callinan and Michael Pollard, Simpson Grierson	2B Canterbury Earthquake Recovery – Insights into managing the fraud risk within the insurance sector Rebecca Tasker, Fraud Manager, Lumley Insurance				
2.30pm	3A Canterbury Earthquake Recovery - Key issues arising from business interruption claims Peter Leman, Partner, Phillips Fox	3B Inside the stock market Henk Berkman, University of Auckland				
3.15pm	Afternoon tea					
3.45pm	The art of happiness Kelsang Kyobpa, Buddhist Nun					
4.30pm	Regulating the Australian and New Ze Stewart Donaldson, Advisor at Australi Not for profits Commission					
6.15pm	Dinner at OKAHU Please make you way to Okahu, 18 Tam in your registration fee with a cash bar					

CONFERENCE PROGRAMME - DAY 2: TUESDAY 14 MAY 2013

8.30am	Registration. Tea & coffee on arrival					
8.50am	Opening remarks from the Chair					
9.00am	FMA's Compliance focus for 2013 Sean Hughes CEO, FMA					
9.45am	Crypto for the Masses: the Mega Stor Vikram Kumar, CEO Mega	y				
10.30am	Morning tea					
	Breakout Session – Please choose ONE on the registration form	e of these sessions and indicate your choice				
11.00am	4A Recent developments in Property Relationship Law Issues Andrea Manuel, Barrister	4B The Usual suspect suspects: sessons in AML/CFT from Keyser Soze Darren Howells, KPMG				
11.45am	5A Ethics: At the heart of Leadership Murray Sheard, Founder & creator, The Kitchen	5B An insight into financial intelligence Pat O'Sullivan, Manager Financial Intelligence Unit, NZ Police				
12.30pm	Lunch					
1.15pm	6A International recovery of fraud proceeds Mark Van Leewarden , Barrister	6B Search and surveillance: new tools for financial and regulatory criminal proceedings Grant Burston & Benedict Tompkins, Luke Cunningham Clere				
2.00pm	7A Third- party due diligence Matthew Hammond, Ernst & Young	7B Data analytics: The use of advanced data analytics to prevent and detect fraud Gladwin Mendez KPMG				
		Use of digital forensics tools in detecting fraud in public sector Neville Winter, IRD				

2.45pm Afternoon tea

- 3.15pm Panel Discussion: Evidence Barry Jordan, Partner, Deloitte Damien Chesterman, Barrister Warren Cathcart, Meredith Connell
- 4.45pm Closing remarks from the Chair

CONFERENCE PRESENTERS

SEAN HUGHES

Chief Executive, Financial Markets Authority (FMA)



Sean is the Chief Executive of the Financial Markets Authority which was established in 2011. Prior to his return to New Zealand in early 2011, Sean's international career included

over 25 years' corporate, legal and public sector regulatory experience in Australia, Hong Kong, and the UK. He has held senior executive roles in risk management and legal services at two major Australian banks as well as senior executive governance roles at the Australian Securities and Investments Commission (ASIC), in both the capital markets and enforcement areas. Sean has also been a non-executive Government-appointed director in public sector occupational health and safety agencies, as well as education and leadership development entities. He is currently a Board Trustee of Leadership New Zealand.

VIKRAM KUMAR CEO, MEGA



Vikram has been CEO of Mega Ltd. since mid-February this year. The company, promoted by Kim Dotcom and others from the original Megaupload team, provides internet-based storage and collaboration

services. Prior to joining Mega, Vikram was Chief Executive of the not-for-profit advocacy body InternetNZ. He has been thinking, writing, and talking about internet issues for over 15 years.

DARREN HOWELLS

Manager, KPMG Advisory



Darren recently joined KPMG from the New Zealand Police Financial Intelligence Unit (FIU) where he pioneered AML/ CFT risk assessment in New Zealand including authoring the inaugural National Risk

Assessment and the production of the AML/CFT Quarterly Typology Reports. Darren has a broad range of experience in the law enforcement intelligence field and comprehensive knowledge of organised crime. Darren holds an Msc.Econ in Criminology and a BSc.Hons in Psychology.

HENK BERKMAN

Professor of Finance, University of Auckland



Henk is Professor of Finance in the Department of Accounting and Finance at the University of Auckland. Henk has published in leading journals such as the Journal of Financial Economics, the

Journal of Financial and Quantitative Analysis, the Journal of Accounting Research and the Journal of Finance. He is recipient of the Prize for Prolific Career Contribution to Research on Financial Markets from SIRCA, the UABS Annual Research Excellence Award 2009, and the UABS Supervision Award 2012. He is on the editorial board of the Pacific Basin Finance Journal, Finance, Pacific Accounting Review and Accounting Horizons, and serves as editor for Accounting and Finance. Henk was previously employed at Ord Minnett Securities and was Adjunct Director, Arthur Andersen Global Corporate Finance.

DR MURRAY SHEARD Founder and Curator, The Kitchen



Dr Murray Sheard is founder of The Kitchen, Auckland's hub for social entrepreneurs. The Kitchen enables positive social impact by providing change-makers with access to space, resources, connections,

knowledge, experience and investment.

Previously, he was based in London and Jerusalem as Director of Professional Integrity Education, at Tiri, an independent nongovernmental organisation that works with governments, business and civil society to find practical solutions to tough corruption problems. Murray worked with senior government officials, business leaders, and educators across Africa, the Middle East, Eastern Europe and Sth East Asia.

Murray has also lectured in philosophy at the University of Auckland. His publications have appeared in many peer-reviewed journals and he is the author of Living Simply, a resource for justice-focused lifestyles.

STEWART DONALDSON

Australian Charities and Not for Profit Commission



Stewart Donaldson is a chartered accountant and a member of both the NZ Institute of Intelligence Professionals and the Australian Institute of Professional Intelligence

Officers. Stewart's career includes working at Inland Revenue for 25 years, the latter eight as a manager of the national risk and intelligence unit. In the last two years Stewart has been a strategic intelligence advisor to the NZ Charities Commission and a special advisor for compliance, intelligence, reporting and red tape reduction in the new Australian Charities and Not-for-profits Commission in Melbourne.

ANNE CALLINAN

Partner, Simpson Grierson



Anne is the head of Simpson Grierson's litigation department and is a competition and regulatory law specialist. Anne has acted as defence counsel in relation to one of the finance company

director prosecutions and so is well versed on the relevant legal tests for director's duties and the potential pitfalls to be avoided.

MICHAEL POLLARD

Corporate Partner, Simpson Grierson



Michael is a specialist corporate partner. He co-heads the firm's corporate advisory group and heads the firm's private capital (private equity and venture capital) group.

Michael has over 20 years

experience advising on mergers, takeovers, acquisitions, securities issuance, private equity transactions, and corporate governance. His work experience includes six years at a magic circle London firm.

He has been consistently recognised by major directories as a leading lawyer and is sought after for his commercial approach.

FRANK O'TOOLE Partner, Deloitte Forensic



Frank leads the Deloitte Forensic team in Sydney and their national e-Discovery services team. He is Deloitte Australia's representative leader for their Asia Pacific regional anti-bribery and

corruption practice and is a member of their global e-Discovery leadership team. Over the last 15 years, Frank has worked extensively in most industries and in most jurisdictions in South East Asia assisting clients respond to suspicions and/or allegations of bribery and fraud, and assess the risks of it occurring particularly in high risk jurisdictions and operations and projects. Based out of Bangkok and Hong Kong, Frank recently co-led the Asia Pacific component of the world's largest global corruption investigation, involving almost two years of investigative and remediation work, leading a team of over 80 investigators, conducting inquiries and reviews in five South East Asia countries, and reporting to US regulators and instructing lawyers. Frank has appeared extensively in the media discussing bribery and corruption issues, has delivered significant thought leadership on the subject, and is recognised as one of Australia's leaders in this area.

MARK VAN LEEWARDEN Barrister



Mark van Leewarden is a former Police detective and a Barrister of the High Court of New Zealand. He holds an LL.B (Hons) degree from Canterbury University and completed a research paper

on the regulation of the investigation industry worldwide. He has been involved in fraud investigation and consultancy activity for the past 20 years. Mark's professional practice as a Barrister has involved acting for clients with respect to boiler-room fraud recovery operations in the United States, South Africa, Australia, Switzerland, Austria, Latvia, Hungary, Taiwan, Thailand and Malaysia. He has traced and recovered funds both domestically and internationally. In the past 10 years he has investigated frauds involving losses in excess of \$2 billion.Mark is the Managing Director of Warden Consulting Limited, a specialist investigation and security company incorporated in 1995.

GEOFF BELL

Chief Risk and Compliance Officer – Innovia Security



Geoff joined Innovia Security as Chief Risk and Compliance Officer in February 2011. He has 25 years financial, audit and compliance experience across the telecommunications,

chemicals and banking sectors.

Geoff started his career with Esso Petroleum in Canada and has worked with Northern Telecom, Gulf Canada, Touche Ross, Deloitte, Suncorp-Metway, the ANZ Banking Group and most recently the Australian Securities and Investments Commission (ASIC).

NICK PATERSON

GM Fraud & Corruption, Serious Fraud Office



Nick joined the Serious Fraud Office as General Manager, Fraud & Corruption in July 2010. Prior to this appointment, Nick was the Executive Director in charge of Ernst & Young's Fraud

Investigation & Dispute Services team.

Nick has specialised in fraud and forensic investigations since the mid 1990s. Over this period he also worked at CA firms in New Zealand, as well as the Financial Service Authority, the Serious Fraud Office and Ernst & Young in the UK.

Nick is a Certified Fraud Examiner and past president of the Auckland CFE branch. He is a CA in New Zealand and a Fellow of the Institute of Chartered Accountants in England and Wales

GRANT BURSTON

Crown Solicitor & Partner, Luke Cunningham Clere



Grant is a partner at Luke, Cunningham & Clere Wellington. Grant is the Crown Solicitor for Wellington and a Serious Fraud Office panel counsel.

BENEDICT TOMPKINS Solicitor, Luke Cunningham Clere



Benedict is a solicitor and junior Crown prosecutor at Luke, Cunningham and Clere, Wellington. Since completing an LLB (Hons) and BA at the University of Auckland in early 2012, he has appeared

as junior counsel in the Court of Appeal and High Court, and appears regularly on criminal matters in the District Court. He was a coauthor of sections of the New Zealand Law Society's 2012 seminar booklet on the Search and Surveillance Act 2012, and has assisted enforcement officers from several government departs to obtain and execute warrants under the new Act.

PETER LEMAN

Partner, DLA Phillips Fox



Peter Leman has been a specialist insurance litigator since 1986 and a partner of DLA Phillips Fox since 1999. He currently heads up the Wellington insurance team. Since September 2010, a large part of Peter's practice has

been taken up with resolving the complex issues thrown up by the Canterbury earthquakes.

DAMIAN CHESTERMAN Barrister



Damian is a highly experienced trial lawyer. His practice is primarily focused on civil and commercial litigation in the High Court.

Damian has recent and extensive experience

throughout New Zealand as lead counsel in claims relating to land, leases, trusts, contracts, negligence, product liability, civil fraud and employment.

MATTHEW HAMMOND

Senior Manager, Fraud Investigation and Dispute Service, Ernst & Young



Matthew leads EY's FIDS practice in New Zealand, and was formerly with the Enforcement Division of the UK's Financial Services Authority, specialising in insider dealing and market

abuse investigations. Matthew provides clients with advice on fraud and corruption prevention, detection and response. Matthew has been involved in the investigation of fraud and economic crime in New Zealand, Australia and the UK for 15 years.

KELSANG KYOBPA

Buddhist Nun



Kelsang Kyobpa is a Buddhist nun and the Resident Teacher of Compassion at the Buddhist Centre in Takapuna. She understands clearly how meditation practice solves our problems and brings about

peace and happiness. With sincerity and insight Kyobpa inspires us to bring the teachings of Buddha into our daily lives.

NICK WILLIAMS

Partner, Meredith Connell



Nick is a litigation partner in Meredith Connell's Regulatory and Commercial Litigation group, having previously worked in private banking at Citibank Private Bank in Geneva, Switzerland and at

First NZ Capital as an investment adviser. From August 2011 to March 2012, Nick was the Acting Head of Enforcement at the Financial Markets Authority. He holds the Chartered Financial Analyst® designation.

Nick has advised and acted in a range of civil disputes before courts and arbitral tribunals, including international arbitrations, and spent two years working at an international arbitral tribunal in Zurich, Switzerland. He has acted for the Commerce Commission in a number of civil and criminal proceedings under the Fair Trading Act, and more recently has advised on and is prosecuting a number of high profile and complex cases on behalf of the Serious Fraud Office and Financial Markets Authority in relation to alleged breaches of the Securities and Crimes Acts arising from the collapse of the finance company sector.

NIKKI DINES

Partner, LangtonHudsonButcher



Nikki is a Partner at LangtonHudsonButcher, a boutique employment law practice. Nikki has extensive experience in employment law both in New Zealand and the United Kingdom. She advises

clients on all employment law issues, and regularly attends mediations and represents clients in the Employment Relations Authority and Courts. Nikki is a regular speaker at industry and client seminars on employment law issues.

REBECCA TASKER

Fraud Manager, Lumley Insurance



Rebecca manages the Fraud team at Lumley General Insurance. Prior to joining Lumley Rebecca had a varied career in public sector fraud and criminal intelligence, with 9 years at Customs and Inland

Revenue as well as 12 month secondments to Immigration and Police. Rebecca's team at Lumley maintains general oversight of all fraud incidents business-wide, and has a priority focus on proactive fraud detection and prevention measures.

GLADWIN MENDEZ

Senior Manager, KPMG Advisory



Gladwin is a Senior Manager within KPMG's Advisory practice, specialising in data management and data analytics. Gladwin has worked with over 200 private and government organisations

on a variety of data analytics engagements. He has a talent for wading through masses of data looking for anomalous and fraudulent transactions and for translating raw data into meaningful information. He has been involved in numerous investigations working closely with clients where his analysis has proactively identified fraud. In addition to his focus on data management and data analytics, Gladwin has undertaken a wide range of IT controls assessments, including work relating to risk management and business process controls.

NEVILLE WINTER

Digital Forensics Operations Supervisor, Inland Revenue



Neville joined the Computer Tax Audit unit of IRD in 1998. This role was principally based around systems audits of corporate financial systems. Stemming from this work he developed the Digital Forensics

Unit which lead to his current role.

Previous work history includes 20 years with NZ Customs Service, (1978 to 1998) including 3 years as a Sales Tax Inspector, 3 years in their Commercial Fraud investigation unit and the final 2 years as a Regional Excise Tax Auditor. Neville has been a Certified Fraud Examiner since Sept 2004.

BARRY JORDAN

Partner, Forensic & Recovery, Deloitte



Barry is a Partner and National Leader of Deloitte New Zealand's Forensic practice. He has been leading forensic accounting, insolvency and fraud investigation assignments in New Zealand

and in the UK for nearly 20 years. Barry regularly provides expert evidence in Court and to international arbitrations leading many high profile complex loss of profit, insolvency, fraud and asset recovery investigations in New Zealand. Barry is also an experienced insolvency practitioner and is presently acting as receiver of New Zealand companies including St Laurence, Irongate Property and Dominion Finance.

WARREN CATHCART

Partner, Meredith Connell



Warren joined Meredith Connell in 2008, and has appeared as lead counsel in high level criminal cases including homicides and securities law prosecutions. He recently joined the Commercial

Team to assist with the civil litigation practice and its on-going expansion.

Warren has regularly appeared in the High

Court and the Court of Appeal in both criminal and civil cases. He has appeared as counsel in trial and appellate courts in Australia, Malaysia, the Solomon Islands and The Bahamas.

Prior to joining Meredith Connell, Warren worked at the Crown Law Office before moving to Davys Burton. At 28 years of age, he was appointed a Senior Crown Prosecutor and, conducted the full range of jury trials including, as lead counsel, murder trials (since 1990), complex fraud cases and a wide-range of Government Department prosecutions. With his background in accountancy, Warren also acted for the Inland Revenue Department in taxation, liquidation and insolvency matters.

MATT NIPPERT

Senior Reporter, Fairfax Media



Matt is a senior reporter with Fairfax's BusinessDay. Nippert, a Fulbright scholar, is regularly feted at the Canon Media Awards and has extensive experience in investigating complex fraud cases and

transnational scams. Formerly of the New Zealand Listener, the Herald on Sunday and the National Business Review, Nippert's claim to fame is breaking open financial malarkey within South Canterbury Finance - a story later appropriated by the Serious Fraud Office to lay charges alleging \$1.7b of fraud.

ANDREA MANUEL Barrister



Andrea graduated with a BA/ LLB degree from Auckland University and has over 25 years in practice, first as a civil litigator, and then specialising in family law. She was a partner at the Auckland

firm Wynyard Wood for ten years and has practised as a barrister at O'Connell Chambers for the past six. Andrea has lectured for law professionals, written articles for legal and general publication and chaired and presented at various LexisNexis, Law Society and NZICA seminars. Currently she authors a family law column in NZ Lawyer and chapter 6 of Fisher on Matrimonial and Relationship Property, which covers s182 of the Family Proceedings Act 1980.

PAT O'SULLIVAN

Manager Financial Intelligence Unit, NZ Police



With over 30 years' service with NZ Police, Pat also brings unique experience having served all over the world for over 10 years with international organisations mandated to enforce financial regulatory regimes including

the United Nations Office on Drugs and Crime based in Vienna, Austria, the International Monetary Fund in Washington DC and Asia Development Bank in Manila, The Philippines.

In the 1990s Pat helped develop New Zealand's anti-money laundering regime including the establishment of New Zealand's Financial Intelligence Unit in 1995. He is a New Zealand delegate to the Financial Action Task Force, the Asia Pacific Group on Money Laundering and the Egmont Group of Financial Intelligence Units.

Appointed Manager, FIU in February 2012, Pat's principal focus is serious and organised crime based around the administration of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and the Financial Transactions Reporting Act of 1996.

Pat has a master's degree in transnational crime prevention from the University of Wollongong, Australia.

REGISTRATION FORM

REGISTER AND PAY BY:

- Visiting nzica.com/events
- Faxing this form to 04 473 6303
- Posting this form to Customer Service Centre, NZICA, PO Box 11342, Wellington 6142
- Emailing customer@nzica.com
- Calling 0800 4NZICA (0800 469 422)

Member details

Name
NZICA ID
Firm/organisation
Postal address
Tel
Email
Special dietary requirements
speciarareary requirements

PAYMENT DETAILS

Tax invoice (this is a tax invoice when paid) GST registration no 11 119 549

Registration fee

Member early bird registration fee	\$995 (incl GST)
Standard early bird registration fee	\$1245 (incl GST)

(if received by Friday 19 April 2013)

Member	\$1195 (incl GST)
Standard	\$1445 (incl GST)

All Government employees and members of the Association of Certified Fraud Examiners are entitled to earlybird member rates. Please register using promocode **AKLFORCON** to obtain this discounted rate

Payment options

By cheque, please ensure cheque is payable to NZICA.

By credit card

Please cha	rge my cr	edit card with	\$
		O Mastercard	

Name of cardholder

Car			 	 	 	 	 	

Expiry date.....

Signature.....

Electronic payments

Payable to our ASB account 12 3141 0101554 00. Please include a detailed payment reference including your NZICA ID/ attendee name, course name and date.

CHOOSING YOUR OPTIONAL SESSIONS

Please indicate your session choice by placing a tick in the appropriate box.

Monday 13 May

Option 1A Finance Company Prosecutions – Insights learned to date
Option 1B Employment Law – Obtaining evidence in serious misconduct and breach of confidentiality/restraint situations
Option 2A Directors' Liability: Key learnings from recent case law
Option 2B Canterbury Earthquake Recovery – Insights into managing the fraud risk within the insurance sector
Option 3A Canterbury Earthquake Recovery - Key issues arising from business interruption claims
Option 3B Inside the Stock Market
Tuesday 14 May
Option 4A Recent developments in Property Relationship Law Issues
Option 4B The Usual Suspects: Lessons in AML/CFT from Keyser Soze
Option 5A Ethics: At the Heart of Leadership
Option 5B An insight into financial intelligence
Option 6A International Recovery of Fraud Proceeds
Option 6B Search and Surveillance: New Tools for Financial and Regulatory Criminal Proceedings
Option 7A Third-party due diligence
Option 7B Data analytics and digital forensics tools
Conference dinner
Yes, I will be attending the dinner on Monday 13 May
No, I won't be attending the dinner on Monday 13 May
(Dinner is included in the registration fee and a cash bar is available)

REGISTRATION INFORMATION

VENUE AND TIMING

The Forensic Conference will be held at Auckland Conference Centre, Ground Floor, 12-16 Nicholls Lane, Parnell, Auckland on Monday 13 May and Tuesday 14 May.

REGISTRATION FEE

The registration fee includes GST and the registration is not valid unless accompanied by full payment. A tax invoice will be sent with your confirmation letter.

To qualify for an early-bird registration fee, the New Zealand Institute of Chartered Accountants must receive your registration form with payment no later than **Friday 19 April 2013**.

ENTERTAINMENT TAX

This conference runs for four or more hours (excluding meal times) and is therefore excluded from the entertainment tax regime.

CANCELLATION AND REFUND REQUESTS

When registrants cannot attend an event

When registrants cannot attend an event a substitute participant can attend that event at the same price.

When NZICA cancels a course

If NZICA cancels an event, registered participants will receive a credit to the same value at another course for up to three months, or upon written request, a full refund.

When you cancel your registration

Cancellations received three or more working days prior to the start of the course will be refunded less a service fee of \$100.

For courses with a registration fee below \$100 NZICA will hold the registrant's payment (less a service fee of \$25.00) in credit for three months to be used as a credit against the member's next CPD event. For cancellations less than five working days of the event no refund is given.

All cancellations must be in writing (letter, fax or email) to the Customer Service Centre.

For courses affected by severe weather conditions that prohibit a member from attending we will consider each application on a case-by-case basis.

COURSE CONFIRMATION

All registrants are sent confirmation via email one week prior to the conference, unless the registration is received after the RSVP date. If you have any queries, please contact the NZICA Auckland Office on 09-917 5915.

CUSTOMER SERVICE CENTRE

New Zealand Institute of Chartered Accountants, Level 7, Tower Building, 50 Customhouse Quay PO Box 11 342, Wellington 6142, New Zealand Phone: +64 4 474 7840 or 0800 469 422 Fax: +64 4 473 6303, email: customer@nzica. com

CPD HOURS

Members of NZICA attending this conference may be credited with up to 14 continuing professional development hours.