

1. Konferenca
POSLOVNA FORENZIKA

Ljubljana, 20. in 21. september 2017



Inštitut za forenzične
preiskave v finančah in
računovodstvu pri VŠR



Gospodarska
zbornica
Slovenije



STALNA ARBITRAŽA
PRI GOSPODARSKI
ZBORNICI SLOVENIJE



Častni pokrovitelj konference je
predsednik Vlade RS dr. Miro Cerar.

In the fight against fraud and corruption – Cooperation is important

Slovenia

September 2017


Fraud Investigation & Dispute Services



The better the question. The better the answer. The better the world works.

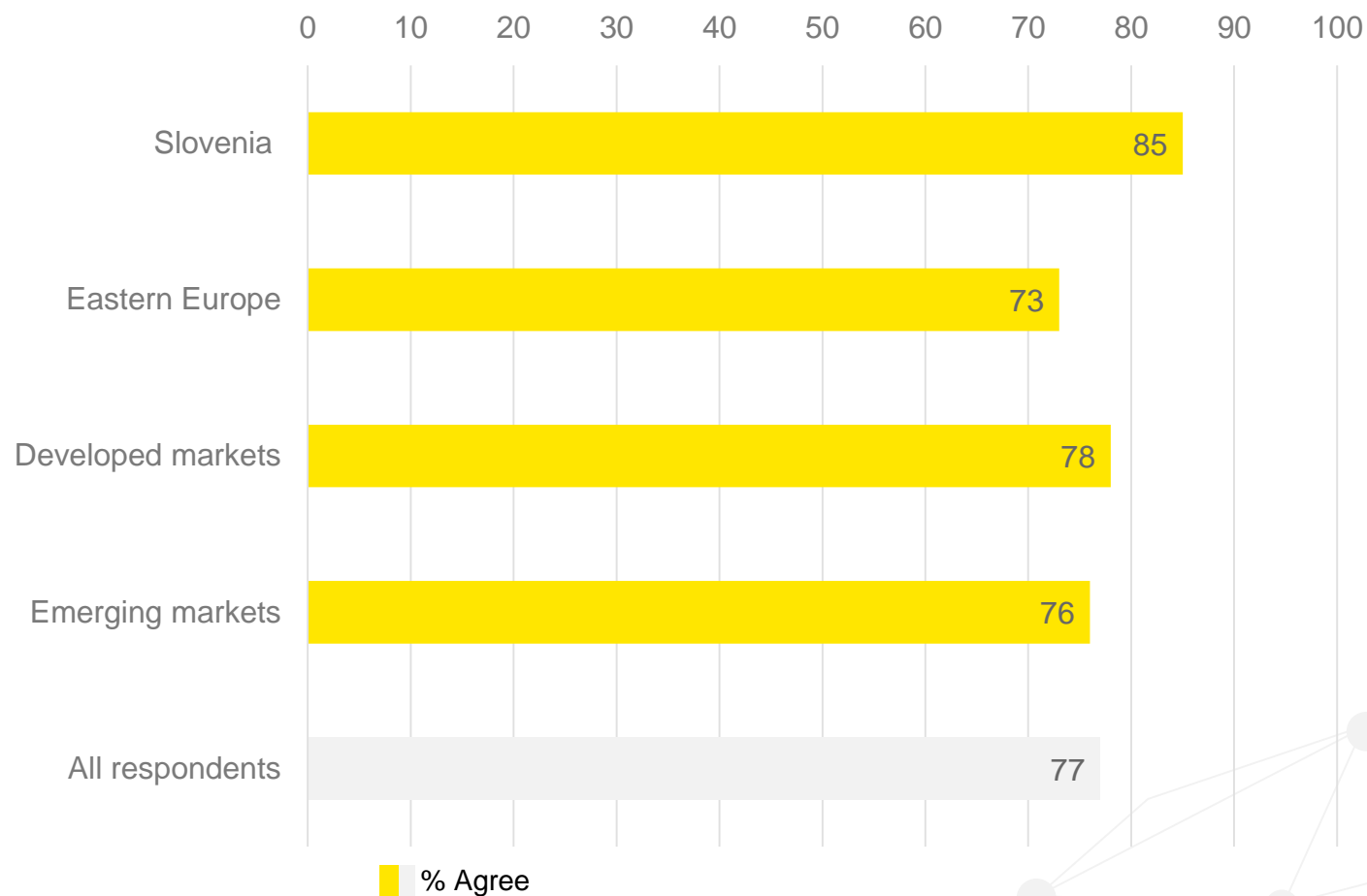
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Restoring confidence through
enforcement -
Highlights from the EMEIA
Fraud Survey, 2017

| Prosecuting individuals would help deter fraud, bribery and corruption



Q24. To what extent do you agree or disagree that prosecuting individuals would help deter fraud, bribery and corruption by executives? Agree

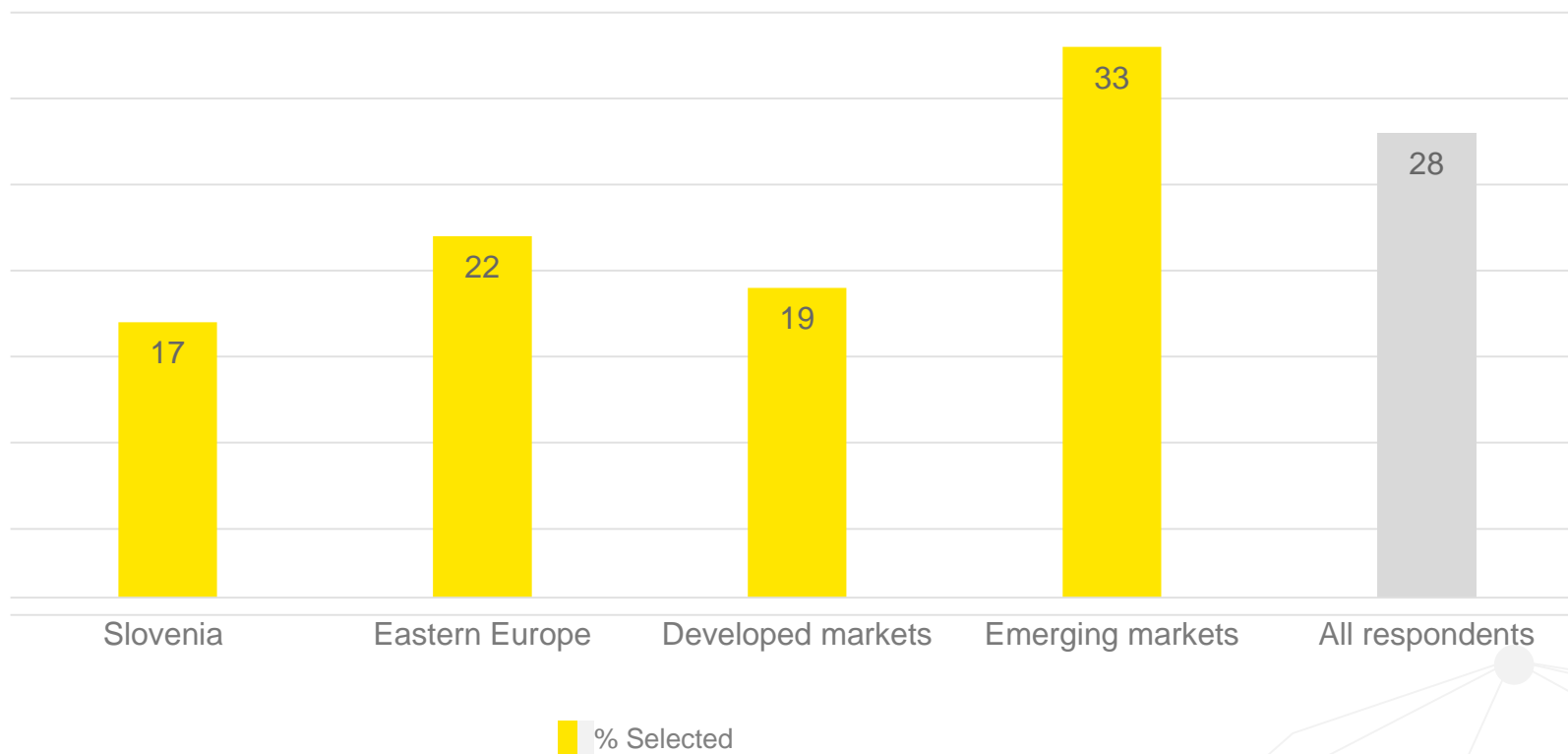
Base: Slovenia (100); Eastern Europe (1,700); Developed markets (1,600); Emerging markets (2,500); All respondents (4,100)

Market ranking: To what extent do you agree or disagree that prosecuting individuals would help deter fraud, bribery and corruption by executives? Agree

Top 20 Markets	% Agree
Portugal	91
South Africa	90
Oman	89
Spain	87
Saudi Arabia	86
Slovenia	85
Netherlands	84
Austria	83
Egypt	83
Cyprus	82
Jordan	82
Lithuania	82
Romania	82
Russia	82
Finland	81
Norway	80
Greece	79
India	79
Latvia	79
Poland	79
Serbia	79

Bottom 21 Markets	% Agree
Switzerland	79
Estonia	77
Average of all participants	77
Bulgaria	76
Ireland	76
Kenya	76
Belgium	75
Germany	75
UK	75
Denmark	74
Nigeria	74
UAE	74
France	72
Turkey	72
Czech Republic	70
Slovakia	68
Sweden	68
Italy	67
Croatia	63
Hungary	57
Ukraine	34

Regulatory activity has had a positive impact



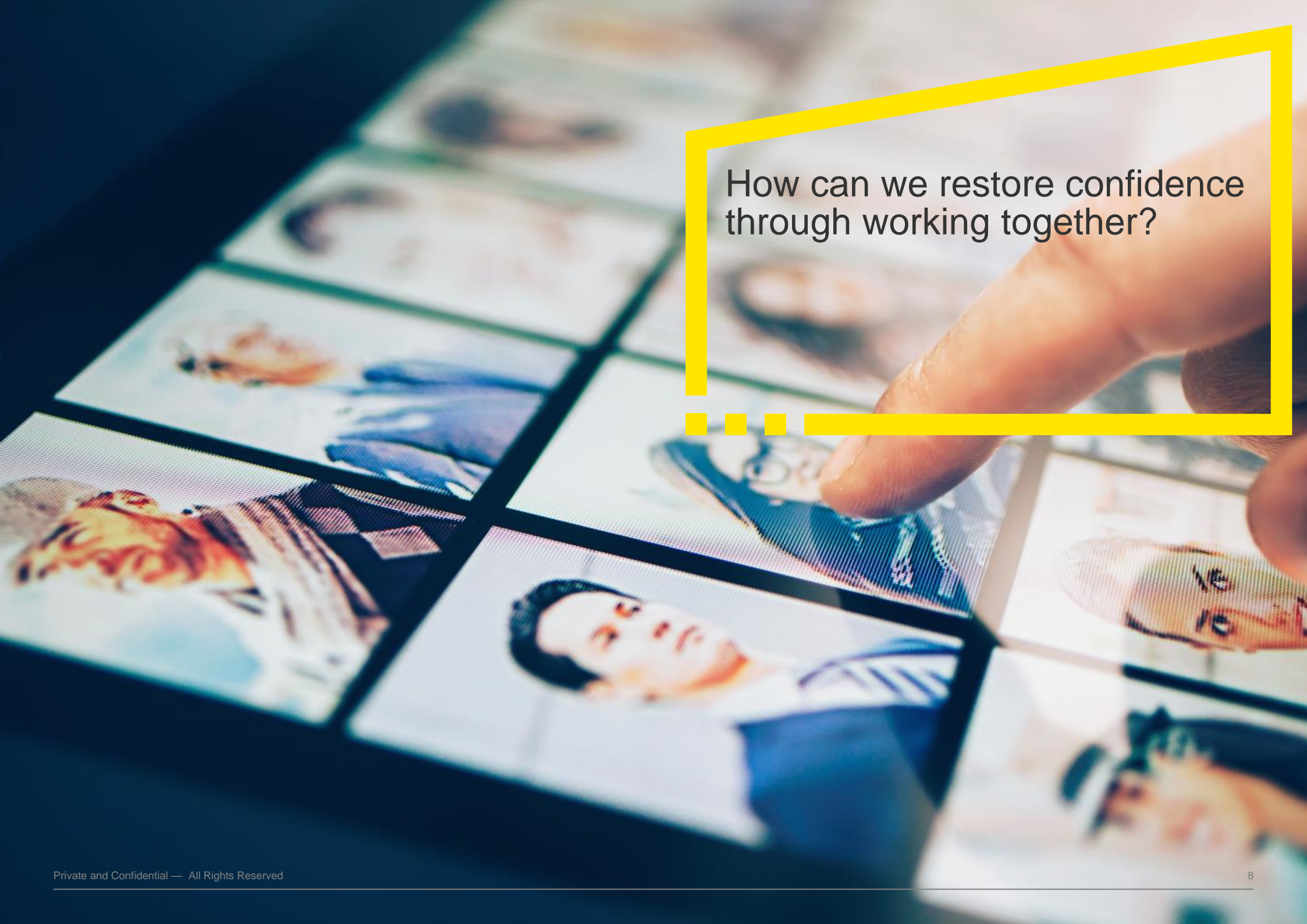
Q23. Has regulatory activity in your sector had a positive or negative impact on ethical standards in your company or has it had no impact? – Positive impact

Base: Slovenia (100); Eastern Europe (1,700); Developed markets (1,600); Emerging markets (2,500); All respondents (4,100)

Market rankings: Regulatory activity has had a positive impact on ethical standards in my company

Top 20 Markets	% Selected
Nigeria	82
Jordan	75
Kenya	68
India	52
Cyprus	49
Egypt	42
UAE	42
Saudi Arabia	41
South Africa	39
Spain	39
Oman	38
Romania	31
Portugal	30
Turkey	29
Ireland	28
Average of all participants	28
Bulgaria	27
Sweden	23
Poland	22
Russia	22
Serbia	22

Bottom 21 Markets	% Selected
Croatia	20
Estonia	20
Latvia	20
Lithuania	20
Netherlands	20
Germany	19
Italy	19
UK	18
Belgium	17
Greece	17
Norway	17
Slovenia	17
Hungary	16
Switzerland	14
Austria	12
Czech Republic	12
Ukraine	12
Denmark	11
Slovakia	11
Finland	10
France	9

A hand is pointing at a grid of business portraits on a screen. The portraits are arranged in a grid and show various people in professional attire. The background is dark blue.

How can we restore confidence through working together?

| What is on General Counsel's mind



Financial Crime – e.g. has far reaching impact KYC/AML, ABAC, Sanctions, Fraud and Market Abuse

Issue

- The financial crisis has highlighted deficiencies in the controls to prevent and detect financial crime in financial institutions, both large and small. Recent multi-billion dollar fines for breaches of sanctions and money laundering compliance have highlighted the important of a robust compliance framework in this area. As more issues are uncovered, regulatory scrutiny will only continue.
- In the UK, the FCA continues to issue critical thematic reviews of financial crime compliance, continually highlighting the need for more senior management focus on the issues as well as failures in controls.

Impact

- When instances of non-compliance or misconduct are identified or suspected, regulators can request information and documentation, often going back years. This can lead to extensive investigations that often end in large fines. This not only has an economic impact on the institution but also results in years of continued regulatory scrutiny, with the use of DPAs and independent monitoring. Criminal prosecutions are also a threat.
- Whilst most financial institutions have financial crime teams, the significance and potential impact of non-compliance with AML, sanctions and bribery regulations has resulted in the GC becoming more involved in the compliance, investigations and negotiations with regulators on this topic.

Insight

- Responding to a financial crime incident requires a team with a broad range of skills including forensic investigation techniques, knowledge of regulatory requirements, data analytics and e-Discovery. A team with expertise in these areas who have worked on some of the largest regulatory enquiries conducted in Europe in recent years.
- EY has noted that there is increased reliance on KYC for compliance in other areas such as economic sanctions screening. If KYC documentation has not been gathered in a complete and timely manner, this could cause other regulatory issues to emerge. It is important to understand these risks in an organisation.

- ▶ **Anti-bribery/anti-corruption**

- ▶ Anti-bribery & anti-corruption corporate compliance reviews
- ▶ Bribery and corruption investigations – accounting and IT analysis

- ▶ **Litigation and dispute resolution**

- ▶ Forensic contract reviews
- ▶ Forensic accounting investigations
- ▶ Expert witness evidence – accounting and IT

An EY Fraud Investigation & Dispute Services (FIDS) service offering that **complements yours...**

| "Everyone conducts "look backs". What is so special about working together?"

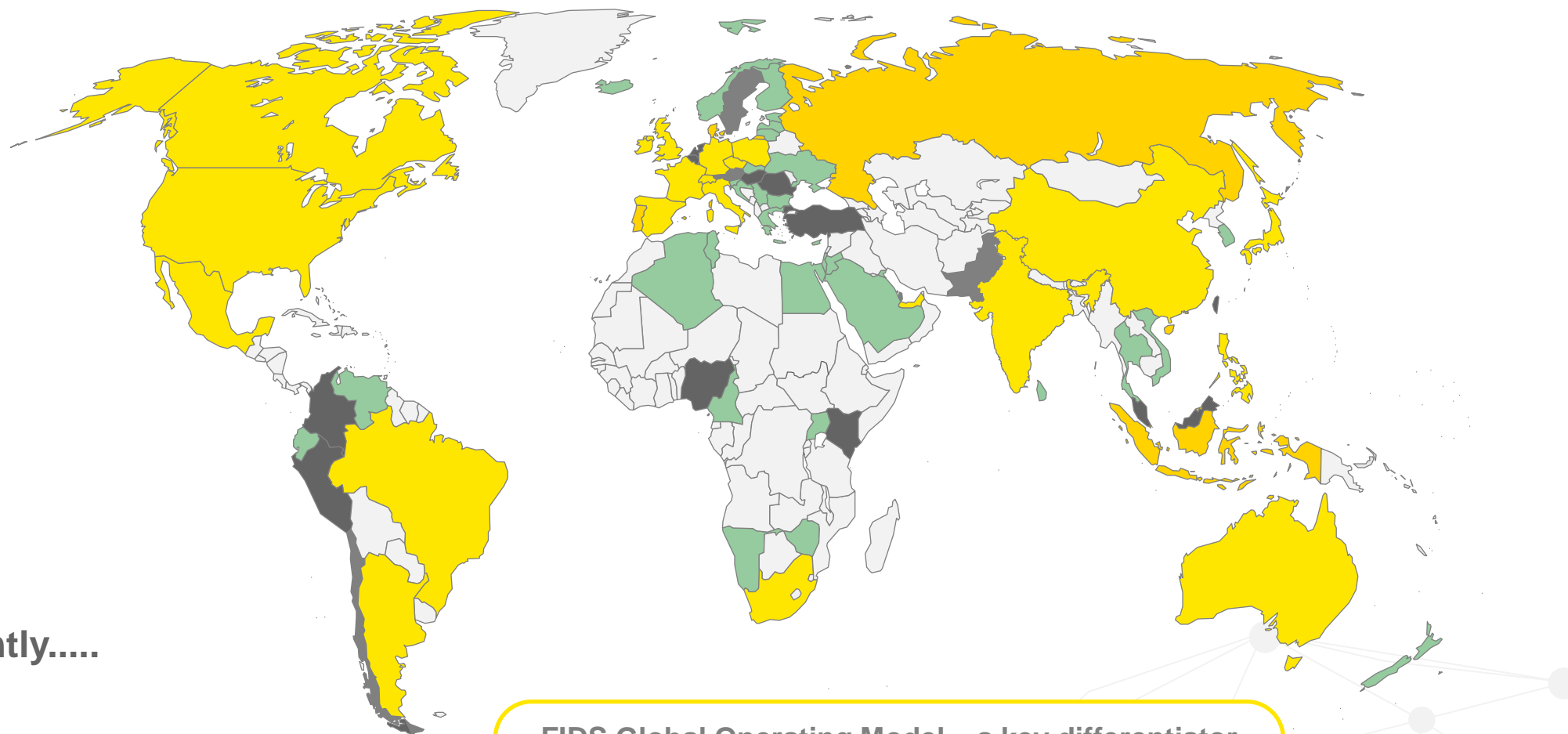
A forensic mind-set utilises investigative techniques with cutting-edge technology, deep industry knowledge, and experienced professionals to ensure the most efficient and effective solution to solve our clients' most complex issues

Experience working with legal counsel and regulators, particularly in contentious proceedings, ensuring evidence gathering, preservation techniques, and reporting that contemplates litigation or other legal scrutiny and meets legal standards

Forensic professionals from law enforcement, legal, and regulatory backgrounds trained in high standards of investigative technique

Incorporating the seven investigative techniques (analytical procedures, public records research, undercover operations, surveillance, confidential sources, laboratory analysis, and interviewing) the only way to ensure a proper investigation is completed

| More about EY: Global FIDS network - end of 2016



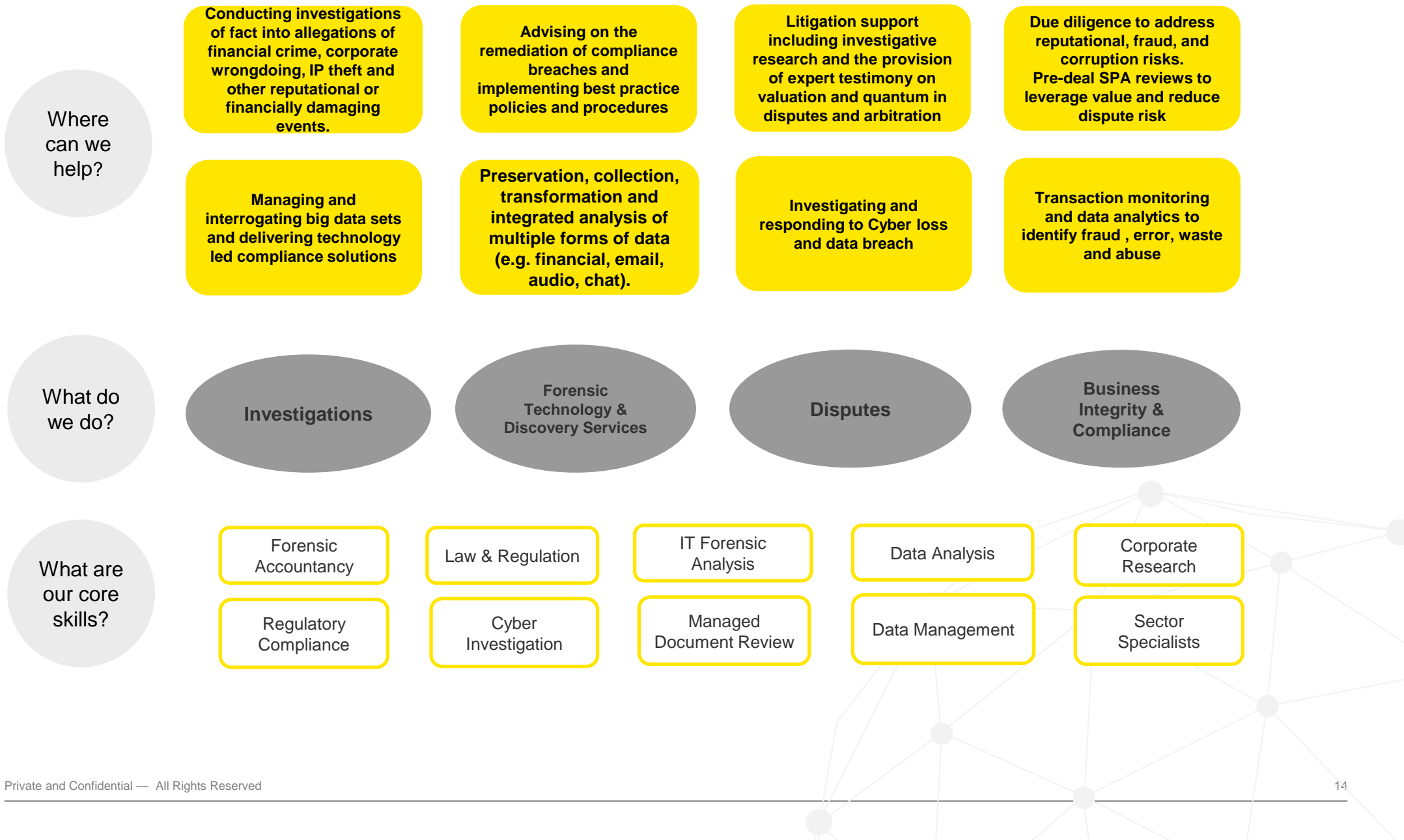
Currently.....

- ▶ 151 locations in 73 countries
- ▶ 203 FIDS partners
- ▶ 45 locations with 2+ FIDS partners
- ▶ Over 4,500 professionals

FIDS Global Operating Model – a key differentiator
“EY’s integration of service delivery means clients can expect completely aligned incentives with EY’s [investigation teams], regardless of home country.” – Kennedy Research



| FIDS focus areas of speciality



QUESTIONS?



About EY

is a global leader in assurance, tax, transaction and advisory services. The insights and quality services we deliver help build trust and confidence in the capital markets and in economies the world over. We develop outstanding leaders who team to deliver on our promises to all of our stakeholders. In so doing, we play a critical role in building a better working world for our people, for our clients and for our communities.

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