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FORENSIC ACCOUNTING AND EMBEZZLEMENT DETECTION AND PREVENTION OF FINANCIAL AND ECONOMIC RESOURCES

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ABSTRACT

Corruption can occur in various dimensions. Corruption that creates little interest for a few people (trivial corruption or minor corruption), corruption that occurs in the government and large dimensions (major corruption or big corruption), and the corruption common in the structure of the daily life of people throughout the community, which is the sign of organized offenses (regular corruption or systematic corruption). A forensic accountant, as a preventive factor, could identify correctly the damaged points in the financial and economic process of the country and identify different types of fraud thanks to its knowledge and skills. Since considering the example of frauds occurred in the public sector in recent years, the need for training in forensic accounting is clearly evident. In order to avoid fraud and robbery and to restore public confidence in society, it is necessary to strengthen forensic accounting and the use of their services in public and private institutions and organizations, as well as improving infrastructure of the internal control and accounting system. Therefore, the present article attempts to study the dimensions of fraud, methods of fraud prevention, forensic accounting and its role in reducing financial fraud by studying previous research.

Keywords: Financial Fraud, Financial Corruption, Fraud Inspector, Forensic Accountant, Forensic Accounting

INTRODUCTION

Administrative corruption is applied to the actions arising from the use of the power and ability of government or government affiliated organizations to gain individual or collective financial benefits. The results of corruption are naturally in contradiction with the benefits and interests of the all people. Financial corruption generally appears in forms of bribery, kinship employment, favoritism and conflict of interests. According to the statistics of Transparency International Institute in 2014, status of Iran in economic and administrative corruption has improved comparing with the previous years and has been ranked 136th out of 175 countries in the world with 27 scores. (Adhami, Khajavi, 2015) Iran is ranked 15th in the region after countries like the Emirates, Qatar, Georgia, Turkey, Israel, Armenia, Saudi Arabia and However, we are always hearing news of big economic corruptions in the public sector. Considering the recent embezzlement and fraud, the first thing appearing in the minds of people is “what is the role of supervisory and internal control systems? Do the supervisory firms not have expert and skilled forces to detect fraud? According to statistics from official fraud investigators in the US, in the countries where necessary measures have been taken for fraud detection, the frequency of fraud too has declined. Unfortunately, in our country, all

organizations are always trying to disguise and shirk the responsibility. Taking into account naming the year 2016 (Iranian year 1395), as the year of the Resistive Economy, and the Supreme Leader's statements on fraud prevention, it is mainly expected to create appropriate platforms with preventive approaches to fraud to prevent the penetration of opportunists and abusers with the purpose of investment security and securing economic structure of the country. (Stein et al., 2015)

The most prevalent method of fraud in the financial statements is the overestimation of assets and revenues, or underestimation of liabilities and expenses. Of course, sometimes the contrary of above mentioned cases happens, that is, fraud in financial statements occurs through underestimation of assets or revenue and overestimation of liabilities or expenses. In general, there are five commonly used methods to defraud in financial statements. The existing evidences indicates that the issue of fraud in financial statements has been discussed as a serious problem among the investors, managers, professional accounting associations and legal authorities (Pakravan, 2014). Proper encounter with economic corruption results in transparency in reporting, elimination of the opportunities and incentives of fraud from the opportunists. On this account, strengthening the supervisory and extra-organizational internal control, use of specialists and experts, including forensic accountants could be a deterrent and an appropriate solution for fraud prevention. Considering failure of auditors to detect fraud and scandals occurred in recent years, the profession of accounting for restoration of confidence to the society has added a new branch of accounting known as forensic accounting with expertise, skill, and required capabilities for fraud detection. In Iran, official judiciary experts play the role of forensic accountants. Therefore, to clarify the scope of the subject, we will engage in definition of fraud and the scrupulous investigation of fraud, ways of fraud prevention and detection, as well as the role of forensic accounting in fraud detection and creating transparency in the society.

THEORETICAL FUNDAMENTALS OF RESEARCH

Fraud

Fraud is a form of lie, deception and cheating leading to the unfair superiority of the fraudulent over the others. Fraud is a form of violation of the law. The term fraud is rarely used in rule and law, rather, the terms cheating and corruption is applied for it. In the world of sports, we could refer to doping as a kind of fraud and its application is illegal, and similar to a student's cheating in the exam. Fraud involves deliberate actions, and those who have used deception, deceit and trick, have committed it. Such actions can be classified into two types of dissimulation:

- False statements
- Concealing the truth

Fraud includes deception, trick, risk of arrest, transgression of trust, rational justification and similar cases. Fraud involves inappropriate measures leading to incorrect, but significant assessment of financial statements. Various forms of fraud, such as fraudulent financial statements, employee fraud, asset abuse, and bankruptcy fraud are visible in the financial area. (Jack Bolona, Lindquist, 2013)

Fraud is one of the most important issues discussed in accounting and auditing of financial statements. Fraud is very different from unintentional mistakes. For occurrence of fraud, the



tricky person must intentionally deceive others with the intention to gain an interest as per the inclusive definition of ACFE. The Association of Certified Fraud Examiners of the US has accepted and stated: fraud involves all the various tools made by man and one uses it to take advantage over the other through false advices or concealment of the truth, including all sudden events, tricks, deceits or concealments and other unfair ways to deceive the others. The common part of these definitions shows that all frauds aim at deceiving and gaining a personal interest, and is therefore different from the mistake. (Arian, 2016)

Classification of types of fraud

Fraud involves deliberate action, and one who has used deception, trick, and deceit, has committed it. Such actions can be classified into two types of dissimulation: false statement and concealing the truth. Fraud includes deception, trick, risk of arrest, transgression of trust, rational justification and similar cases. Fraud involves inappropriate measures leading to incorrect, but significant assessment of financial statements. Various forms of fraud, such as fraudulent financial statements, employee fraud, asset abuse, and bankruptcy fraud are visible in the financial area. (Dehligari, 2013) On the other hand, it is said that individuals who have succeeded to commit and conceal fraud are always familiar with the audit procedures normally used by auditors. In general, fraud is done in three ways:

1. **Financial corruption:** It is defined as the fraud in which the fraudulent use wrongly their influence in a financial transaction for the purpose of processing for their own or another person's interests, such as accepting a commission and involvement in conflict of interests, bribery such as paying bribe and manipulation of prices in auctions, tenders. Economic blackmail and threat is a type of bribery, which, instead of the seller, the employee of an organization asks for money from the seller. (Rahmani, Gholamzadeh Ladari, 2011)
2. **Assets abuse:** it includes theft or misuse of an organization's assets, such as cash theft, goods theft, theft of other assets and the illegal use of assets as personal assets.
3. **Fraud in financial reporting:** it involves deliberate alteration of results of financial statements for presentation of an improper image of the company, such as overestimation of assets and underestimation of costs, overestimation of revenues and overestimation of assets, and underestimation of stolen assets. (Royaei et al., 2014)



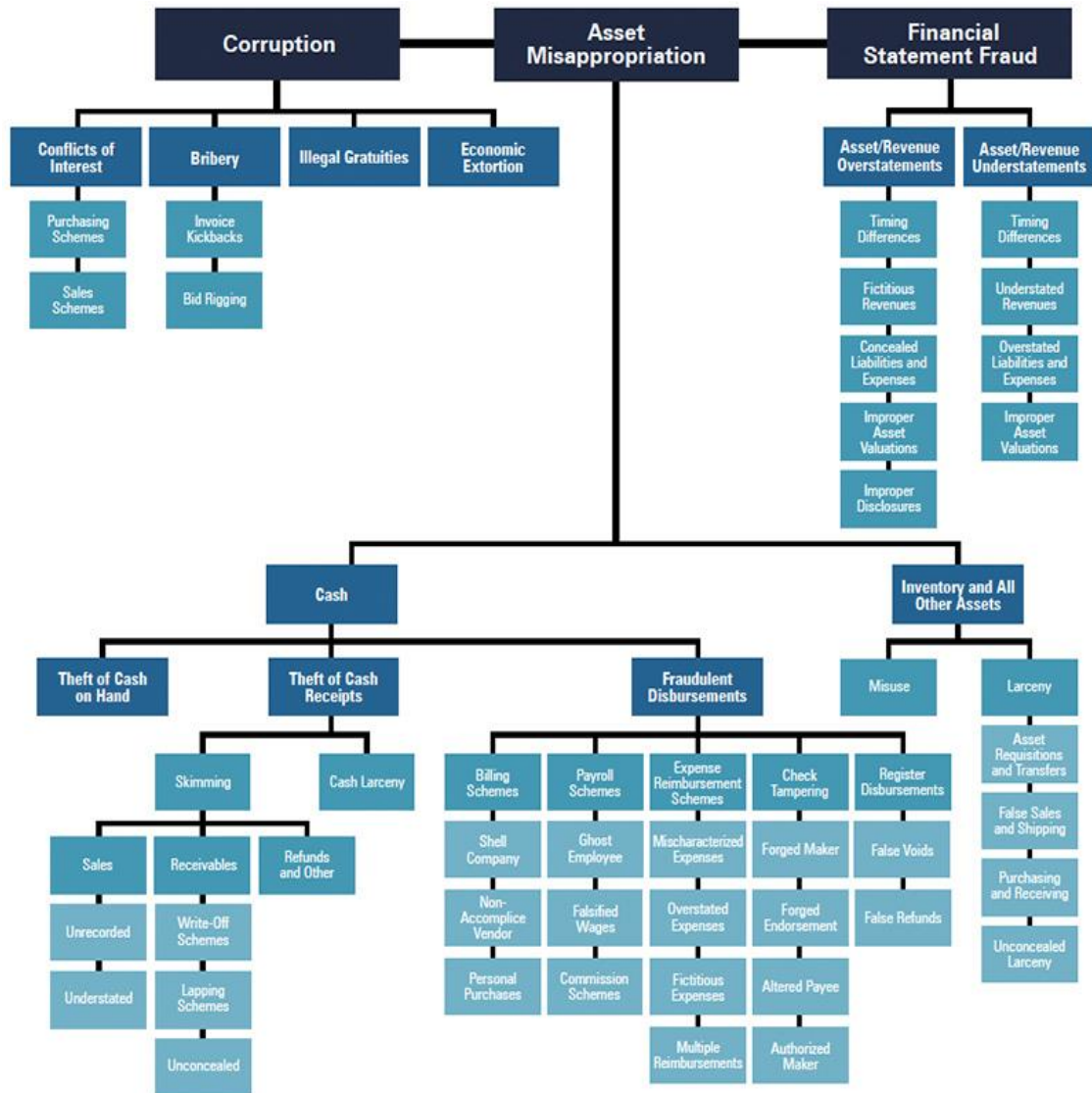


Figure 1: Fraud tree, resource: Association of Certified Fraud Examiners (ACFE), 2016

Elements and factors of fraud occurrence

In the current era, financial offenses have become a cultural and social problem and has caused irreparable damages on development of societies. Several studies have been done to explain the factors affecting financial offenses and the presentation of different ideas, but many of them have studied sociological, psychological, legal and other aspects of the subject, and the studies focused on the inter-organizational factors affecting financial offenses is limited comparing with them. Three factors lead to fraud:

- Incentive
- Opportunity
- Rationality

Fraudsters should have the incentive and opportunity to commit an offense and be able to justify themselves, and also able to do so. Therefore, it is suggested to add the fourth concept, called Diamond of Fraud, to the three preceding factors, because having the incentive and opportunity

to steal and cheat does not mean capability to do it. For example, one who is not familiar with financial offices, does not know how to manipulate the books, although he may have the incentive and opportunity to do so. (Moradi, Soleimani Marshah, 2013)

Methods for fraud detection and prevention

The present era is called the "information age" and what leads to the power and success is information. Now, with the help of sophisticated technologies such as computers, satellites and storage devices, we could begin to collect and store data types and take advantage of the ability of computers to help mass data sorting. Unfortunately, this massive collection of data stored on different computers was quickly caught up. (Narmin, 2014) The chaos has led to the creation of structured databases and database management systems. Efficient database management systems are a very valuable asset for managing large volumes of data, and is especially required for effective and efficient retrieval of information from a large collection at a period. The expansion of database management systems has also helped to collect a variety of information. Today, we have much more information than we need: We have access to business transactions information and scientific data as well as satellite images and military information. So, information retrieval alone is no longer sufficient for decision making. New strategies have been created to help making better management decisions in encounter with a huge collection of data. These solutions include automatic abstraction of data, extraction of the "original" stored information and the discovery of existing patterns in the raw data.

There are four effective steps to investigate and detect fraud as follows:

- Increasing Expectations
- Preventing deviations
- Enhancing Data Sets
- Looking for an unusual sample of information and performing experiment to discover the best way

Generally, fraud has two basic deficiencies which may eventually lead to its detection: structure and predictability.

Structure: The nature of fraud cycles depicts a structure of interconnected elements and pathway in such a way that an experienced and expert person could disclose all fraudulent tricks and its intentions and incentives based on its assessments with a brief review of some aspects of the cycle. (Vakili Fard et al., 2012)

Predictability: Fraud as an event is predictable in both the macro and micro framework, because any effect requires conditions and causes to occur. At macro level, there is a correlation between the general state of the economy and the audit client industry, and the desire for fraud, and at micro level, the predictability originates from the insight that most frauds have common characteristics, and an experienced auditor could use the rules of thumb learning and a common understanding for suspecting and predicting fraud when specific circumstances prevail. (ACFE, 2016)

Since one of the methods for reducing fraud is use of professional expertise teams, in other words, use of experienced experts familiar with the phenomenon of fraud and trained scientifically and practically. Today, in most countries in the world, such as Canada, Australia, the United Kingdom and the United States, use the branch of accounting called "Forensic Accounting" to reduce financial offenses due to the failure of the auditors in detection of



financial offenses and scandals occurred. In continuation, we describe the role of forensic accountant in detecting fraud as well as the benefits of using forensic accounting services.

Position of forensic accounting in Iran

Forensic accounting could be defined as: The science of gathering and provision of financial information in a form acceptable in court against defendant of economic offenses. The main focus of forensic accounting is on the explanatory analysis (cause and effect) of the phenomena including detection of tricks and cheats (if any) and its effects in the area of accounting system. According to this definition, we could argue that accountants look at numbers and figures, while forensic accountants look at what is behind the numbers and figures. Forensic accounting is a combination of several disciplines: accounting, auditing, taxation, finance, salaries, valuation, business operations, quantitative techniques, research, psychology, and the disciplines related to investigation and inspection. The fraud triangle based forensic accounting is designed to identify the weaknesses of the financial system and finding suspects in cases of fraud. As far as it has changed the general perception of accounting, it is generally thought that accountants do not have creative ideas. In addition, sometimes people's perception of accountants is that they are people who wear glasses and spend all their time in a small room among accounting documents and papers. The distinguishing feature of the forensic accountants is their different experience of accounting. (Brigitte et al., 2012)

Kazem Vidazadeh, an Iranian certified accountant writes in the accountant journal about forensic accountants: "This group is employed to investigate the fraudulent relations of financial and economic principles, and possess the necessary expertise in accounting, auditing, tax, commercial and international law, evolution, financial and commercial operations, investigation and interrogation and psychology, and their comments supports judiciary decisions. Forensic accountants are appointed by the governments and can work in companies and organizations before and after committing financial offenses. (Charles et al., 2010) Of course, such structure has not been designed and implemented in Iran, although the judiciary experts in the field of accounting and auditing perform a part of the duties of the forensic accountants, but due to the lack of academic training and the lack of experimental expertise, these experts are mainly active in the other fields, such as stock valuation and preparation of report for financial claims. In Iran, the official judiciary experts are invited to cooperate in fraud cases after disclosure and determination of the Rials effects of fraud, and the principles of the task of the expert in proving and documenting detected and reported fraud is on the burden of judicial authorities. (Crumbley, 2011)

Relation of forensic accounting with financial audit in fraud investigations

It seems that auditors are not sensitive to understanding and identification of indications of fraud, but they are in a lower level than the legal inspectors, in view of education, professional training, and experience. In fact, there are numerous common points between auditors of financial statements and legal inspectors: both of them must work to maintain a high degree of independence and impartiality, and refrain from having any prejudice and mental background when assessing evidences, and should have deep knowledge of Generally Accepted Accounting Principles (GAAP), and also be familiar with business practices and processes. (DiGabriele, 2012)

The purpose of financial statements or financial reports or financial reporting is to present summarized and categorized information on the financial position, financial performance and



financial flexibility of the commercial entity, so that it is useful for a wide range of users of financial statements to make economic decisions. Although financial accountants and legal inspectors have similar characteristics, there are differences between them that divide their mission. The main purpose of auditors is to examine whether the report of company's financial statements as a whole are fairly consistent with accounting standards in all respects or not? And their purpose is to provide reasonable assurances that the statements are free from any wrong financial expressions. On the other hand, the primary objective of the legal inspectors is to provide a definitive opinion on the existence and source of fraud through the collection and evaluation of evidences and documents and interview with parties related to the claimed situation of fraud. Failure to detect occurs because the individuals with expertise in forensic accounting / fraud auditing are not included in a contract, and they are entered into a contract only when a fraud is detected. Therefore, there is incompatibility between the training of auditors and skills and whatever is required for them by virtue of the statement No. 99 of the audit standards (SAS). (Davia, 2013)

Today, auditing in the world has become an essential and highly needed profession, as there are numerous evidences of many attempts for deceitful manipulation of corporate accounting books, sometimes referred to as "cooking the books". It seems that auditors do not show any sensitivity during increase of the signs of fraud or red flags which should be identified during the current fraud detection model. In addition, ordinary audit firms rarely or not at all provide any training on how to detect fraud during audit of financial statements. As a result, our forecast is that fraud will continue to be unidentifiable by auditors unless there would be a fundamental change in the current audit model. (Gripp, Ibex, 2014) In order to improve the auditors' fraud detection ability, it is necessary to use both statutory methods and legal inspectors in the auditor's contracts, that is, at each audit team, there should be at least one person at legal inspection level, and it is necessary for this person to be present in all audit periods, and not only when one of the signs of probability of fraud is identified. Thereby, we could prevent additional costs of failure in fraud detection. We should note that training of auditors' in the fields of legal accounting and fraud auditing is very important. The willingness of auditors and review of red flags related to fraud will increase through training. Consequently, the effectiveness of fraud auditing will be increased and more self confidence in capability of auditors for protection of interests of shareholders will be created. in created (Hopwood et al., 2010) International statistics indicate that in cases where fraud is disclosed, the statistics of fraud reduction is more than the rate of fraud repetition in the same organization or the statistical community. Over the years, the Association of Certified Fraud Examiners (ACFE) has declared that the mere existence of an external audit is not an appropriate solution for fraud detection or restriction, and declared that auditors of financial statements are not fraud examiners. (Ifedapo, 2016)

Demand for more transparency, more procedural stability and more information on financial statements have made the profession even more difficult. During the audit, auditors should estimate the possibility of management fraud. They are trained to simply be able to recognize whether the financial statements presented by the company are prepared, in all financial aspects, fairly and in accordance with accepted accounting principles or not? Fraud detection is not similar to the audit of financial statements, and in order to identify fraud evidences, it is necessary to have specific skills and legal expertise and, in particular, developed for this purpose, which that the auditors do not have this knowledge. (Johnson et al., 2014) There should be



experts with sufficient expertise and skill in utilization of relevant investigative and analytical skills, accounting records, collection and evaluation of evidences of financial statements, interview with all parties concerned to the status of claimed fraud, and fraud. (Madan, 2016) Therefore, only auditors' awareness of the possibility of fraud in the audit of financial statements is not enough for fraud detection and discovery.

The reasons for the need to forensic accountants

The purpose of forensic auditing is to detect or prevent fraudulent activities. In other words, forensic auditing (accounting) is a general term describing any financial investigation which may result in a legal consequence. Frauds auditing is a specialized discipline included in the forensic auditing. The underlying reason for the emergence of fraud audit has generally been the rules and regulations governing the precedent world, such as the Sherman Anti-Monopoly Act of 1890, the Internal Revenue Law (Income Tax Code) of 1913, and the Law on the Commission of Securities and Exchange 1934.

In the emergence of forensic accounting, as a combination of inspection and audit skills and as a specialized field of accounting, the following reasons have been effective:

1. The claims of individuals and institutions have gradually increased. This is the result of more complexity of business transactions.
2. Relationships between individuals, institutions and government have caused issues.
3. Fraud in accounting is increasing everyday and detection of the frauds id becoming more difficult.
4. The failures and frustrations of management are gradually increasing.
5. Legal advisers and courts need more specialized expertise than ever. (Johnson et al., 2014)

Areas of activity of forensic accounting

In fact, the scope of forensic accounting activity is so extensive that financial audit is one of its divisions. In financial auditing, it is assumed that everything is true unless the contrary is proved, but in forensic accounting, it is assumed that the problem already exists and the accountant wants to detect and gather evidences of crime.

Advisory support in the legal claims: This role of forensic accounting is the supports and services rendered to the legal advisers by a person who is not a legal adviser or providing assistance and support in accounting.

Expert appraisal: Recently, the willing to use experts in legal cases (particularly in the United States and Canada) is increasing. The courts should consider experts' opinion before trial and jurisdiction, to determine their own views on the lawsuit. For being accepted as an expert, the courts invite to cooperation from various capabilities of expertise along with attention to the training and authenticity of the individual.

Generally speaking, the need for an expert appraisal on issues requires accounting expertise. A forensic accountant is recruited to achieve economic reality, prepare tax analysis, reject evidences of the opposite group, identify issues to be investigated, assist in commenting on documents, and obtaining information from other evidences. The duties of the forensic accountants in the field of activities related to the expert appraisal could be as follows: necessary investigation in relation to the case and collecting various data, commenting based on these data, using this comment to inform the judge and legal advisors in the court. Expert evidences have become more effective in the legal cases. The task of a forensic accountant as an expertise



appraisal is to disclose opinions and facts. Therefore, during the period of judgment and decision making, the individuals are selected on the basis of their skills in matters requiring their testimonials. (Madan, 2016)

Fraud inspection (Inspecting Accounting): Technology development, accounting knowledge of managers, globalization of economy, and establishment of large organizations with complex activities, have created conditions that require many investigations and studies for fraud detection. Fraud and occupational abuses cause billions of losses. The illegal behaviors performed through fraud, concealment and abuse of trust of others, in which there is no physical and violent threat, are known as white collar crimes (WCC). The Association of Certified Fraud Examiners (ACFE) refers to this type of crimes, as "occupational abuse and fraud," and define them as using one person's position to improve position of another by deliberately abusing or improper usage of employer's assets and resources. This type of crimes is epidemic and their value in the United States reach \$ 600 billion annually. As a result, fraud auditing is an important tool for resolving such issues. Improper significant presentations by the corporations not only have financial implications, but also damage the reputation. White crimes in Enron, Parmalat, Worldcom, and Tyco International are among this group. (Messmer, 2014)

Scientific fundamentals of a forensic accountant for fraud detection

The financial reporting system has always been in crisis with attracting public trust. The increasing number of fraud and representations, often combined with bankruptcy of large corporate, has raised concerns about the quality of financial statements. On this account, prevention or detection of significant fraud in the financial statements has been always the focus of investors, legislators, managers and auditors. Required specialized fields: The Association of Certified Fraud Inspectors, in addition to having experience and two years of work experience in the field of fraud detection, has declared the following requirements for a forensic accountant.

- Accounting & auditing
- Criminology and sociology
- Fraud inspection
- Fraud prevention, detection and response
- The law of fraud

Required skills: Today, the importance of forensic accountants in the Western countries is increasing. Crambli and Apostolo described the skills referred to the skills required by a forensic accountant as follows:

- A strong background in accounting
- A complete knowledge of audit procedures
- Understanding and perception of risk assessment
- Understanding the legal environment
- Understanding and perception of internal control
- Awareness of fraud detection techniques
- Strong communication skills

Activity areas of forensic accountant

Activity areas of forensic accountants are rapidly expanding in the United States and other countries. Although problems have become larger and more complex, however, the existing and



available opportunities too have increased. Forensic accounting is an area of activity of the successful and skilled auditors, facing with many practical and theoretical issues. They are used in various sectors and widespread areas. Fraudulent misrepresentation cases are sometimes very complex, so it needs to be reviewed by experts and specialists. (Nermin, 2012)

The area of activity of a forensic accountant includes many specific areas. When we face with these issues, the reason why the expertise of forensic accounting is needed will be perceivable. A forensic accountant faces with the cases as follows: cases related to shareholders and business company and government, construction related cases, cases related to injury of individuals or car accidents, suspension of activity, and asking compensation from insurance companies, investigating corporate or employees fraud, financial disputes related to the termination of contracts, evaluation of activity, cases related to financial loss of companies, professional negligence, mediation and strengthening peripheral issues, cyber offenses, cases related to the intellectual property. The groups which may need a forensic accountant are legal advisors, police, insurance companies, state representatives, legal institutions affiliated to government, courts and world of commerce and business. (Nermin, 2012)

Trainings required for a forensic accountant

Forensic accounting is not an emerging field, but its background dates back to 3,300 BC in Egypt. The Ancient Egypt scribes who recorded the cereals, gold and other Pharaonic assets are the frontiers of current accountants. At that time, the expertise of these frontier accountants was used to discover inventory fraud. A number of accountants from the 16th century in Europe, England, and North Africa were known as expert witnesses. Teaching and training of the forensic accounting: The program of Atlantic University of Florida includes a curriculum for forensic accounting. For obtaining a forensic accountant certificate in the United States, you have to pass various stages successfully. These steps are as follows: having a bachelor's degree, two years of professional experience, admission to the Certified Fraud Examiners exam (CFE). Many of professional forensic accountants have professional certificates such as Certified Fraud Examiner (CFE) or Certified Public Accountant (CPA). (Okoye, Gbegi, 2013)

CONCLUSION

Corruption and fraud are phenomena that all countries across the world are somehow struggling with them. The destructive consequences of corruption and its contradiction with the public interest, including the wastage of resources, decline of countries' economic growth and the reduction of effectiveness, have given rise to increasing attention to the importance of the phenomenon of fraud and corruption in various societies. Fraud is one of the most important threats with which the organizations face in the current era. Given that opportunities and motivation are among the factors leading to fraud, governments and, subsequently the organizations should seek to close the ways of fraud and make necessary preparation for prevention and detection of fraud. Forensic accounting is one of the best tools that can be used along with the expertise and ability of a forensic accountant to prevent and encounter with fraud.

Risk and fraud management allows protection against various types of fraud. Organizations must recognize the variables affecting the incidence of fraud, and put the organizational programs in a position to reduce the opportunities for the susceptible people. Training centers too should take action for reducing such opportunities through scientific support of professors and students.



Of course, we could admit that disaster of fraud is a global phenomenon which has spread across all borders. However, the business professions, and especially accounting professionals, should have a genuine financial understanding of the new era of governance and accountability, in the period after scandals of corporates. Thus, universities must increase their share in scientific support of professors in Business, Criminology, Law, and the related researches, and allocate courses for training judiciary accounting and fraud prevention. Organizations must try to understand the behavioral roots of fraud motives and thus manage their fraud risk preventively. One of the major weaknesses of the educational system is negligence of fraud so that such discussions are less focused in the curriculum structure (especially in Iran). The auditors must understand the nature of fraud. They also need to know the areas of occurrence, the possible causes, the controls, and the techniques of detecting fraudulent activities.

Fraud is the deliberate action of one or more executives, employees or third parties resulting in false financial statements. In fact, the failure to detect fraud can be attributed to the fact that there is a huge difference in the series of skills and work objectives between financial audit and fraud detection. Although standards drafters gradually came to the conclusion that presence of a legal inspector (fraud detection) in the audit process of financial statements is necessary after identification of one of factors of possible existence of fraud, but the auditors did not have any great progress in fraud detection. However, in these circumstances, the combination of a legal specialist and inspector along with auditing contracts to reduce the risk of unidentified fraud, could be effective. In addition, it is very important to train and educate auditors of financial statements in the areas of legal inspection and fraud auditing.



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