



Evidence Collecting Processes and Fraud Examination: The Role of an Expert Forensic Accountant

Umanhonlen Ogbeiyulu Felix^{a*}

^a *Department of Accounting, Faculty of Management Sciences, University of Benin, Benin City, Edo State, 30001, Nigeria.*

Author's contribution

The sole author designed, analysed, interpreted and prepared the manuscript.

Review Article

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ABSTRACT

This paper reviewed literature on the role of forensic science accountant on evidence collecting processes and fraud examination in Nigeria. Litigation settlement required substantive evidence. Evidence is a unique factor in litigation support services. It enables quick dispensation of justice, and enhances processes and procedures for courtroom arguments. It simplified determination of resolution using facts unravels at crime scenes before lawsuits. Therefore, expert accountant technical knowledge on the module of enquiry assisted the processes of unravel evidence as a support proffering dispute harmonies securing conviction in legal actions either for settlements. Essentially, this study adopted theoretical survey research approach using quotients technique to explore library resources, internets, textbooks, archives, magazines, newsletters, dissertations, journal article and other sources of secondary data and publications. The study showed that fraud investigation require careful examination of records using an acceptable, workable, methodological technique susceptible to evidence gathering of an expert witness before legal proceedings. It also found that well collected evidence is the brain behind securing convictions, litigation success, timely dispensation of justice, and support for parties in disputes for swift resolutions and claims. However, the paper concluded that forensic expert witness should avail themselves with recent techniques appraisal suitable for evidence collecting including those of, and are available for recovering damage objects and records, trail missing transactions, deleted items, retrieve disappearing document and matrimonial related matters and more before embarking on fraud investigative dispute.

Keywords: *Processes; evidence; collecting; examination; fraud; litigation; expert witness; evaluation; investigation; technique; testimony.*

1. INTRODUCTION

In the world over, expert testimony require evidence. Evidence represents facts on litigation disputes in lawsuits. In most developed countries and jurisdictions, investigative agencies' team of experts devotes quality time on incidences of extricating evidence before court processes began. This is so, because evidence enhances expert knowledge on matters of argument in court dispute beyond doubt. Expert testimony entails evidence that is concrete, discrete, direct and admissible to impact dispute in contentions and before lawsuit. Evidence has been key success indicators to judicial pronouncement and litigation success in most climes. Ideally, the process of collecting evidence must be drifted with care in order to safeguard its tangibility ensuring admissibility of the object encloses facts before court of competent jurisdiction, either to achieve success, resolve conflict and/or ensure convictions.

Fraud examination involves respite knowledge of an expert forensic careful navigate through records on enquiry. Exceptionally, forensic expert accountant with sufficient evidence prove the inevitability of remote cause of a deserted dispute case [1] (Umanhonelen, Otekafe & Ogedu, 2021) on trial beyond doubt. Against this backdrop, evidence has been a veritable element to litigation success, which an expert concentrated great deal knowledge synchronizing relevance documents with analytical tools of operations for recovery palpable object in homicide dispute or otherwise. There comes the fact that the merit or demerits of litigation success hinge on available evidence, conceding to the circumstance that the process must devoid of acrimony. Evidence therefore provides clear valid, legal position on dispute in contention for adjudication, recovery, and/or convictions [2,3].

In Nigeria, evidence has been key components of fraud examination. Though much verging, lessons learnt from electoral fraud disputes, conceals incidences of rape loss, marriage disputes dismissed records of unsettled court claims, related court cases acquitted on technical numbs, judicial antecedence flaws, cases struck on grounds of insufficient evidence, lack of substantive evidence, losses recorded against all odds and among other things are some of the reasons that evidence is useful as revered to litigation success. In that respect, evidence has serve basis for litigation resolutions and dispute settlement. Litigation resolution is either

substantiated based on evidence retrieved or acquitted on the lack of the merits of evidence before the court of law, and of coordinate jurisprudence [4,5]. Extant literatures argued that the process of evidence gathering accounts for the success or failure of fraud recovery and determination of litigation dispute. Other notable studies asserted that the process of evidence collecting is crucial, but does not account for the entire case success or loss incidences, wherefore account for other factors including lacks of cohesion, flaws with errors and judicial misinterpretation. Thus, lead to mere no case submission syndrome rather blamed failure on reduce litigation filing [6,4,2], and/or otherwise.

Evidence is originated facts on crime scene. It is either to aggregate efforts on argument in contention for conviction or renders futile a case in dispute or exonerate innocent to crime. Evidence therefore is seen as a means by which alleged matter of facts, the truth of which is submitted to investigation either to established or disproved. However, the mention of evidence invokes the modus of proving or disproving a fact or facts [7], thereby contemplate the submission of an alleged fact to investigation with the ultimate arm of being proved or disproved and the existence of facts required for the proof of an issue. Evidence is anything that relate to the truth or falsehood of assertions in legal proceedings or investigation. Therefore, the goal of investigation is to collect evidence that is direct, concrete and relevant to fraud examination. The process of evidence collecting has to been guided or handle with care. Evidence collecting processes are undergone through physical means, documentation, observation, interviews or interrogation. It has also taken through engagement procedures, data collection, reporting or loss recovering. It engages surveillance, invigilation, co-workers testimony, covert, overt, undercover operation, interrogation, evaluation and so on. "It has adopted forensic techniques focusing on both evidence of economic transactions and reporting as contained within an accounting system and legal framework which allows for such evidence to be suitable to the purpose of establishing accountability and valuation" [8].

"And so, the non-availability of appropriate litigation support services in court led to misjudgment or incorrect submission by lawyers and/or judges. Suffice to say offenders are not appropriately punishment due to the extent or gravity of economic loss or damages that cannot

be adequately determined [9], and to them, a complex system of experts whose duties were focused on strict examination of practical results is to serve as the basis for more generally applicable scientific principle" (Bacon 1996 in Kiely 2001 [10,11]). Therefore, forensic science analysis represents facts of evidence on fraud examination and defence. Evidence can be direct, valid, admissible or inadmissible, circumstantial (anecdotal evidence which is through media type) or hearsay, confessional statements and reviewed analysis. Evidence types are in form of ballistics and fingerprints, deoxyribonucleic acid (DNA), hair analysis, footwear tire impressions, fiber analysis, crime scene evidence, glass, weapon or firearms, bite-marks, paint, event recording, identification or projectile matching, soil analysis, paper examination, bullet matching, wound analysis, crowbars, stolen or object of recovering, bolt cutters, screwdrivers, knives, wire cutters, pliers, pry bars, blood spatter analysis and so on [12]. "Evidence collected has implication deprecating support for litigation. Litigation supports denotes the factual presentation of economic issues relating to existing litigation [13], or pending lawsuit which provide assistance of all nature in a matter involving existing or pending litigation" [14].

"Expert evidence provided by forensic investigator is often the most important component of many civil and criminal cases in today's world" [15]. "The function of expert witness is to assist the court reach a conclusion about cases on which the court may not have the necessary knowledge to decide" [16]. The intent is what separate error from fraud and draw facts in litigation. Evidence collected supports litigation service on fraud examination and investigation. Fraud examination and fraud analysis included a critical element like intuitive ability to investigate fraud [17]. Fraud examination uses forensic investigative accounting to demands reporting where accountability of fraud is established considered as evidence in the court of law or in administrative proceedings [18]. Fraud examiner adopts expert science forensic to investigate specialized matters interviewing possible witnesses for information and suspects for confession [15]. The technique used helps in exposing and identifying culprits as it presents the process of interpreting, summarizing and providing complicated financial issues in simple clearly form.

"Therefore, the forensic investigator proved intent with the help of circumstantial evidence such as

opportunity, motive, witness statements, victim reliance, repetitive acts, damages and/or concealment" [19]. "Fraud investigation usually associated with investigations of criminal matters like securities fraud, kickbacks, employee theft, insurance fraud and proceeds of crime investigation, sale cut, purchase receipt theft, payroll, payoff, inventory loss and so forth. Investigation is the act of determining whether criminal matters such as employee theft among falsification of financial statements, security fraud, identity theft and insurance fraud have taking place. Litigation support assignment is calculating and quantifying the economic losses damages resulting from breach of contract whether suffered through tort, disagreement relating to company acquisitions, breach of warranties and business valuation sustained by parties involved in legal disputes which can be assisted in resolving dispute even before they enter the court room. Discovering fraud entails the deal with smart forgers to find the evidences needed to approve the fraud cases" [20]. "Evidence can be used for or against suspect in the court of law" [21]. Forensic investigation utilizes specialized investigative skills in carrying out an inquiry conducted in such a way that the outcome would have application to a court of law [22].

"Against this backdrop, however, prior literature on the evidence collecting processes and fraud examination has either concentrated on the role of forensic accounting in discovering financial fraud in other clime [20]; or as an expository analysis on litigation support role of forensic accountant as a case of other countries" [23]. Moreso, studies from Nigeria focused mainly on the effect of forensic accounting evidence on litigation services in the judicial system in Nigeria [4,2]; Forensic accounting investigation techniques and successful prosecution of fraudulent cases in Nigeria [24-28,14,28,29]; or the rise of fraud examination and forensic accounting in African: Nigerian experience [30]. Similarly, other studies from Nigeria also look into the role of forensic accounting in combating the menace of corporate failure [31]; financial fraud in Nigeria (Modugu & Anyaduba, 2013) [32]; Financial statement integrity or quality [33,34]. Fraud detection and prevention [35,14,36,37,38].

But this paper attempted overview of literature on the subject matter, whereby discovering that most studies are limited in scope to the above area, hence expands works to accommodate not

only on fraud examination of expert forensic accountant, but also include evidence collecting processes using quotient survey research approach to domesticate relevant issues bothering on the subject matter for further debate and dialogues on the Nigeria geographical domestic background space and climate. Relevance assertions were made based on evaluation of the area of discussion amongst fraud examination including appraisal for litigation support services and expert witness testimony; role of forensic accounting science in litigation matters; techniques adopted by forensic experts to uncover evidence and unravel suspect. The study also anchored arguments on relevant theory of crime in order to have basis for further discussions. However, the paper reviewed literature on the role of expert forensic science accountant on evidence collecting processes and fraud examination in Nigeria.

2. CONCEPT OF FRAUD

"Fraud and fraudulent practices has become a severe problem of concern across the globe" [14]. "Fraud is a worldwide phenomenon that affects all continents and sectors of economy" [39]. Ogiriki and Ebimobowei [25] asserted that "the Nigeria environment is filled with news of fraud and fraudulent activities. Therefore, financial frauds are now part and parcel of daily involvement of Nigerians". Dada et al. [38] noted that "fraudulent practice among Nigeria is major challenges facing the development of the country" Karwai [40] opined that "the increasing wave of fraud is causing a lot of havoc in Nigeria". Ojaide [41] noted that "there is increasing alarming in the number of fraud and fraudulent activities in Nigeria". Eze and Okoye [35] admitted that "fraud is multifarious which involves many categories of employees ranging from small amounts of cash, misappropriations to huge amounts of embezzled by those in the management cadre and the higher tendency to indulge on fraudulent financial reporting as a panacea to cover the white collar act" (Umanhonelen et al. 2021). "The identification of fraud is very difficult because modern day organizations frauds often involve a complex web of conspiracy and deception that usually mask the actual cause" [40]. "Corporate fraud therefore involves all fraud affecting companies, businesses and other similar organization" [42].

"Consequently, fraud occurs everywhere in the world especially at the present cutting-edge technology where many employees who have

the opportunity by virtue of the platform they access would simply apply their knowledge and colossal amount of fund disappeared. Against this background, fraud can be seen as intentional misrepresentation, concealment or omission of the truth for the purpose of deception or manipulation to the financial detriment of a person or organization" [43]. "This includes embezzlement, theft or any attempt to steal or unlawfully obtain or misuse the asset of the corporation. Fraud is an action that involves the use of deceit and tricks to alter truth in order to deprive an individual of something to which the person might be entitled" [44, 36]. "It is a social and corporate menace militating against the going concerns of corporate entities and economic development of nations. However, fraud does not include the thought of money related gain. Although, it may be characterized as enveloping a wide variety of corrupt misleading, untrustworthy or exploitative practices" [45]. Nwaze [46] noted that "fraud is as a predetermined as well as planned trick process or device usually undertaken by a person or group of persons with the sole aim of cheating another person or organization to gain ill-gotten advantage which would not have accrued in the absence of such deceptive procedure". Nenyiaba and Okoye [47] inferred that fraud is systemic, a social menace having multi-dimensional appearances with long-run political, social and economic implication which the menace has created pressure for negative tone at the top in corporate environment.

Silverstone and Sheetz [48] provided that fraud is an activity occurs with the context of social-economic interaction and has serious implication for the economy, organization and people. Fraudulent practices encompass frauds and all other illegal means of acquiring and possessing an asset to the disadvantages of another person [41]. Acts of dishonest, deceit, falsifications and manipulations perpetrated to gain under monetary and/or non-monetary benefits. It is perpetrated in many forms and often has insiders or staff and outsiders conniving together to successfully implement the Act [3]. Thus, increase in the rate of public and private sector fraud and embezzlement which has caused a serious concern to investor and business owners [25]. Fraud committed by all other employees apart from top management often more easily dealt with by the common types of control in the organization [15]. This kind of fraud enables top managements retain their job and favorable rating with shareholders, creditors, security

market operatives and others. Such kinds of fraud is most difficult to detect because they are almost and always involving executive overriding of internal control of the corporation. This is a fact because the occurrence of fraud and other crimes have gone sophisticated and even the advent of computerization together with the introduction of internet facilities have enhanced the problem of financial crimes.

The detection and reduction of these fraudulent activities are made more difficult and committing these crimes much easier than thought [49]. Therefore, observer includes that fraud and other unethical behaviour usually occur as a result of an individual's lack of personal integrity or other moral reasoning. Similarly, American Institute of Certified Public Accountants [AICPA], [50], defined fraud as a deliberate act of deception which causes loss to the victim having relied on deceit to the pecuniary gain of the perpetrator. It is acts that are undertaken with the intent of making financial statements incorrect and falsified [51,34]. Hence, involves outsiders colluding with the staff and directors of the organization (Modugu & Anyaduba, 2013). The burden of fraudulent practice lies on the citizenry since the funds needed for development and sponsoring current predicament of the Nigeria people expropriated by the political class and/or leaders [29]. Fraud contains a wide range of illicit practices and illegal acts involving intentional deception or misrepresentation. It is perpetrated by parties and organizations to obtain money, property or services to avoid payment or loss of services or to secure personal or business advantage. It covers the acquisition of property or economic advantage by means of deception either through misrepresentation or concealment [52]. It is material false statement made intentionally for the purpose of deceiving and is relied upon by a victim to his detriment [53], and can be subjected to forensic investigation.

2.1 Fraud Examination

In Nigeria, fraud examination is quite coming up. There have been speculations in several quarters that the probability of getting Justice has been circumvents at the wheel of cash Justice or to who gets what. Ribadu [54] suggested that this shows pace of cases witness in the judiciary that have resulted in delayed process of prosecution cases. Fraud examination is synonymous to deals with crime, fraud claim and recovery. Fraud examiner requires professional possession of multidisciplinary backgrounds skills and

knowledge to comprehend the trajectories of international crimes and fraud [30]. Investigation is the official examination of facts about situations crimes. This implied that a successful prosecution depends ultimately on the effective investigation. Effective investigation involves the utilization of different methods and techniques during investigation process [49]. For an effective investigation to take place, an investigator adopts some methods which are to identify the type of fraud, create an investigative plan, interview, reviews plans and victim behaviour thereby safeguarding evidence. In scenarios where investigation is compromised in attempt to temper with records of enquiry would marred, destroyed or frustrated evidence before arriving at legal actions as well denies or reduces chances of anticipated success before courts of competent jurisdiction as orchestrated by organized crime group gang.

In order to avoid this, evidence gathering processes is very crucial, and must be guided with key interest in time of examination. Forensic investigation is about the coarseness and arrangement of truth in sustenance of lawful case by utilizes forensic skills to find, investigate a crime and reveal all its attendant structures and identify the guilty parties [55]. In that context, fraud examination is a methodology for resolving fraud allegations from inception to disposition including obtaining evidence interviewing and writing reports and testifying of expert witnessing [56]. Fraud examination is utilization of specialized investigative skills in carrying out an inquiry conducted in such a manner the outcome will have application to court of law. Fraud investigator must know the scope and objective of the investigation. Engagement process of fraud investigation comprises systematically gathering and reviewing evidence for the purpose of documenting whether there is presence or absence of fraud. Fraud investigation involves four major processes which are engagement, evidence collecting, reporting and loss recovering processes. The engagement processes starts when the investigator has the first contact, this means that there is a case to be investigated and ends, when there is a formal agreement on what is to be done. In this case, expert investigator can be internal auditor, staff accountants, an external security specialist, or an external auditor. It can be an independent fraud examiner and/or a law enforcement official.

The engagement process of fraud investigation can create an incidence reports which include

initial information that used to justify the investigation; conduct the initial notification and evaluation; create incidence report and case file; consider legal issues; evaluate the loss anticipation and recovery consideration; produce on engagement letter or memorandum; and define the scope objective and costing the investigations. Accordingly, Hopwood et al. [57] posited that fraud investigating is the systematic process of gathering and reviewing evidence for the purpose of documenting the presence of absence of frauds, thereby, involves the engagement process the evidence collecting process, the reporting process and the loss recovering process. Herbert et al. [30] noted that as fraudsters have become more dangerously creative with devastating consequences, so has the configuration of fraud investigation become increasingly sophisticated with encouraging results. The scope and depth of incidence report varies depending of the types of suspected fraud. In that respect, the case file must consists of all activities relating to the investigation which serves three purposes to provide the acquisition for administrating and/or managing the case as it unfolds; document the investigation for future review and use in optimizing the fraud management system; and a case information reporting that can be used in subsequent civil and criminal litigation. Evaluation of evidence helps to determine whether there is sufficient and legal justification to place an employee on administrative leave with or without pay.

Essentially, insurance recovering decision must be made whether to unavoidably report the loss to the insurance firm. This depends on the forms of the insurance policy and the facts of the suspected loss. Generally, insurance company requires that the insured should take reasonable steps to militate against any loss. Recovering through litigation can either be civil or criminal. The prosecutor may require that the fraudster enters a plea bargain. Investigation therefore, is the act or process of searching inquiry to ascertaining facts in a careful detailed examination (Oyedokun, 2011), thus, only applied when the event or transaction is beclouded including the extent of damage, detailed verification and clarification of doubt about a transaction or event. Fraud investigation required procedures to determine the existence nature and existent of fraud and may concern with the identification of a perpetrator. Against this backdrop investigation often entails interviews, and a detailed review of the documentary evidence (NCF, 2009). It involves a

variety of steps designed to protect an individual or a business minimizes disruptions and preserve evidence.

Fraud or forensic investigation is about the determination and establishment of fact in support of legal case or lawsuits [58], by using forensic techniques to detect and investigate a criminal in order to expose all it attending features as well as identifying the culprits. Fraud can be examined or uncovered by fraud investigator through interrogation, interaction, interview, or by evidence on hand, or through covert, overt and undercover operation. It can be through surveillance reports, records of evidence, video tape analysis, court hearing or judicial interpretations, proceedings, invigilation, oral or written evaluation evidence or witness testimonies. A typical investigative accounting assignment is investigations of a criminal nature, security fraud, insurance fraud, advance free frauds, inventory fraud, kickbacks [59], payroll and payoff fraud.

Fraud investigations pose numerous problems and pitfalls [49]. Zysman [60] revealed that fraud examiner assist review factual situation and provide suggestions regarding possible courses of action; coordinate other experts; assist with the protection and recovery of assets. Investigative support of forensic accounting examines the evidence in order to determine the extent of allegation or suspicious of fraudulent illegal activities. In any instance of; share fraud, tax fraud, finance fraud, money laundry, business valuation fraud, computer and cybercrimes fraud [6]. Ramaswamy [61] observed that in investigative accounting, one small transaction that looks suspicious could be the thread that unravels a big accounting misdemeanor. Fraud investigators are those who are specialists in fraud detection particularly in documenting exactly the kind of evidence required for successful criminal prosecutions [62,63]; able to work in complex regulatory and litigation environments with reasonable accuracy and reconstruct missing, destroyed or deceptive accounting records. Forensic examiners are meant to be objective and impartial scientific instruments for the purpose of educations investigative and legal procedures [2].

Okunbor and Obaretin [55] noted that fraud investigation is concerned with the use of accounting discipline to help determine issues of facts in business litigation. Fraud investigation commonly starts when there is a fraud indicator

from a whistleblower or from mere suspicious. Oladipupo [64] has seen investigation as an examination of the records and accounts of an organization for a special purpose including the integration of accounting, auditing and investigation skills which yields the specialty known as forensic accounting. Forensic examiner is often working in a pro-law enforcement environment that is at odds, hostile to their scientific mandate. Fraud examination encompasses investigation, dispute resolution and litigation support [32]. The main work of forensic examiners is law enforcement or government agencies in respect to corps and prosecution [59]. Appah and Appiah [65] observed that the act of fraud investigation comprises of several activities including preliminary discovery, public record search, and interview of various types of document recovery and search legal prosecution and computer forensic. On that note, investigation may lead to court action requiring the corporate forensic accountant or an outside expert to give testimony as an expert witness.

According to O'Hara and Osterburg (1972), [66] the objective and impartial statement of belief of the forensic examiner is usually based on or at the odds with culture, code, and conduct engendered by the corporations which tend to employ them. The police crime laboratories have traditionally engaged forensic scientists mainly due to their dominion over the crime scene and subsequent responsibility for physical evidence collection and testing. Scientific and medical assessment conducted in forensic investigations ought to be independent of law enforcement efforts either to prosecute criminal suspect or to determine whether a criminal act has been committed. The best science is conducted in a scientific setting as opposed to a law enforcement setting. Forensic scientist as examiner is the interpreters of evidence and facts in legal cases [67]. Investigative forensic skills are required to uncover and establish the occurrence of financial crime [15]. It concerned with the evidentiary nature of accounting data, compliance, due diligence and risk assessment, detection of financial misrepresentation and financial statement fraud. He may be called upon to provide expert investigation and evidence in relation to proceedings in a court of law [68]. It is important to know that a fraud investigator needs some avenues to coordinate the fraud investigation. Some investigations are extremely large, and conducting the various investigative steps in the wrong order or doing them

inappropriately can lead to a failed investigation or otherwise other problems [69].

2.1.1 Fraud accounting investigation techniques

The need of obtaining, managing and analysis of evidence that are digital is vital for potential expert witness success [70]. It helps him to investigate the potential matter or case using forensic accounting techniques, making a preliminary damage assessment, and identification of potential damage claim. One of the main approaches adopted by forensic accounting techniques management in Nigeria is the provision of reliable, valid and substantial forensic accounting evidence in fraud prosecution and litigation services by the Judicial system [4]. According to Onodi et al. [14], forensic investigation are planned to cover only a selected sample or offices based on an analytical review of accounts and results of past audits instead of a blanket coverage of all spending offices. So that performance related issues could be dealt with in specific performance reviews. The role of the controlling office and head of the concerned institution or organization in financial administration are typically specified in the financial manual, the rules, codes and orders of government. Their initial discharge of such prescribed duties may be examined and the implementation of prescribed control evaluated. Against this backdrop, therefore, a number of techniques are often required during computer forensic investigations. These include:

2.1.2 Deleted files techniques (DFT)

Forensic auditing without a thorough knowledge of information technology (IT) is quite intriguing. IT has to take centre stage in promoting curriculum for management [71]. The planning of overall audit coverage and individual audit on the basis of risk analysis carried in relevant with existing global best practice [15]. Accordingly, deleted file techniques is a common method used in computer forensic. It is for recovery of deleted files. Operating systems and files systems do not frequently delete physical files data. They allowed it to be reconstructed from the physical disk sectors. Aaron et al. [72] typified that modern forensic software has their own tools for recovering as well as carving out deleted data. Thus that file carving involves searching for known file headers within the disk image and reconstructing deleted materials. It is therefore necessary to provide formal instruction

on fraud awareness including investigating and reporting.

2.1.3 Cross drive analysis techniques (CDAT)

Garfinkel [73] noted that cross drive analysis is a forensic technique which correlates information found on multiple hard drives. It is used to identify social networks and it is for performance anomaly detection. Achmad, Iman, & Melinda [74] asserted that operations designed to provide added value and improve company operations by evaluating the effectiveness of the risk management process, control and corporate governance. The rise of financial scandals involving company management makes forensic experts play an important role in providing assurance and minimizing asymmetric information to shareholders and related parties in decision-making [75].

2.1.4 Live analysis techniques (LAT)

According to Maarten [76], the examination of computer from within the operating system using forensic system administration (Sysadmin) tools to extract evidence. This purpose is useful when dealing with encrypting files systems. Where the encryption keys may be collected and some instance live acquisition which logical hard drive volume is adopted before the computer is shut down. Rosner [77] noted that since accounting method and policies is permitted by accounting standards, methods of selecting operating and investing operations should equally be disclosed to users.

2.1.5 Relative size factor techniques (RSFT)

The relative factor technique or test is used to compare and calculate each of the top two amounts of subset. The test categorizes subsets in area large amount is out line with the other amounts for that subset. This technique compared large amounts to a benchmark to ascertain how large they are relative to some norm. The reason of this is to identify anomalies where the large amount for subsets in a given key is outside the range for those subsets. The relative size factor test is an important error detecting mechanism test and a very powerful test for detecting errors or frauds. The basis can be sum-up to detect unusual data and outliers due to simple error or fraud. The finding is either the subset in contentions belongs to the subset in question or another subset. Bassey [49] advanced that based on the basic concept that

each field in any transaction has a normal range and data falling outside the range is unusual or an outlier and need to be further investigated.

2.1.6 Invigilation experimental techniques (IET)

This technique is used to maintain experimental investigation. It is a situation where management suspected that someone or one of its employees is stealing its inventory. A scenario whereby forensic accountant is brought into the system, the forensic accountant has announced his present, purpose and ensuring his purpose is to determine why inventory declines. The expert has to specifically announce his mission to the employees and the individual suspect. Meanwhile, another announcement is made to say the forensic accountant is not around to investigate. In the interim, however, the forensic accountant has to compare the data of inventory for the three periods. The first announcement is pre announcement period, during and post announcement periods; the second and third time. It enables him to know whether or not there is a change in behaviour. This method is used in high risk area. Areas were stealing causes asset great economic ham and to the company. A scenario of this nature can occur in a company with cash holding or cash holding company. Area where there are insufficient control. In that respect, a forensic accountant needs to be intricate and expert in dealing with large documentation of accounting and financial frameworks. Experts require a sound accounting knowledge of business methods, ability to review a large volume of data sets ranging from a very typical accounting work to unpopular memos, correspondence and so on [78]. A peculiar knowledge technique of human psychology to understand the human characteristics of committing fraudulent activities and proper expertise of internal control system and existing laws would be required. That is knowledge of frauds to deals with or aware of a typical fraud cases, such as asset misappropriations, bribery and expertise in computing skills to easily trace computerized accounting systems and e-banking transactions.

2.1.7 Data mining techniques (DMT)

It is the process of finding anomalies, patterns and correlations within large data sets to predict outcomes. It is extraction of hidden predictive information from large database. Data mining techniques predicts future trends and behaviours

allowing businesses to make proactive knowledge driven decisions. Company can use it to turn raw data into useful information. It actually helps financial services company understand the position of market risks, detect fraud faster, manage regulatory compliance obligations and get optimal returns on investments. Adopting software and looking into patterns in large batches of data. The automated prospective analysis provided by this compartment moved beyond the analysis of other elements of decision support system. It supports market strategies, increases customer base and sales. Forensic expert can easily trail transaction of fraud related matter through data mining technique in record time [79].

2.1.8 Computer assisted audit techniques (CAAT)

The emergence of advancement in technology led to the introduction of computer assisted audit techniques. This technique is useful to forensic expert in cause of fraud investigation. CAATs are those auditing procedures and techniques which make use of the computer or the computer programs of the computer data as a means of obtaining audit evidence. The method adopted enables an expert to overcome problems caused by loss or change in audit trail where accounting systems are computerized. CAATs consists of two parts; which number one is audit software such as computer programs used for audit purpose, and to process data, it is significance from the client accounting system. Auditor utilized this mechanism base on corporation computer file and would be used during both test of control and substantive testing of transactions and balances as the program can scrutinize large volume of data and extract information leaving skilled manual resources to concentrate upon the investigation of the results. The second part is to test data, data submitted by the auditor for processing by the clients computer based on accounting system so as to test the operation of the entity computer programs. This technique enhances the effectiveness of the expert by enabling him to examine huge or large volume of transaction and balance in totality and on a constant basis. It saves time required to perform audit test as well as low running costs of most CAATs. This techniques required expert skills and experience. However, the cost of using CAATs is relative to the use of conventional procedure. Therefore, with the help of CAATs forensic accounting examination is quick and faster, frauds are easily trail and detected [80].

Suffice to say as above aforementioned that forensic investigation of computer must have to take some steps necessary as expert investigator of computer. The expert has to first size up the situation by asking questions; the type of incidence being investigated; the likely perpetrators and how sophisticated; the computer they were likely used or affected; and the time the incidence likely happened. The degree of sophistication of the perpetrator is very important. This indicates the kind of measure investigator has to put in place. Investigator must consider or check for bobbly rat inside the computer, encryption which translate data into a series of codes, secret passwords and files or power down computer immediately so as to ensuring data is not tempered or destroyed. Special cares has to be taken in storage processes and procedures of evidence. When transporting digital evidence such steps as these have to be considered in order to safeguarding its preservations: Digital evidence has to be kept away from magnetic device; avoid transporting digital evidence in a vehicle for a long time in order to dither it from heat, cold or humidity do not damage it; ensuring that digital evidence is package and secure during transportation in order to safeguards it, and in as much to avoid shock or vibration; document of digital evidence, maintaining chains of custody of all evidence transported. During transportation of digital evidence make sure storage system is accommodated, check for best temperature, and avoid magnetic wave.

2.2 Evidence Collecting Processes and Evaluation

Processes of collecting evidence are critical to the determination of facts on litigation success and fraud examination. Evidence indicates that a high level of expertise is necessary to analyze current complicated financial transactions and events [81]. It plays a significant role in litigation services based on the expert witness function of a forensic accountant or expert. According to the Concise Oxford Dictionary of Current English, evidence is the available facts, circumstances supporting or otherwise a belief, proposition and others indicating whether or a thing is true or valid; information given personally or drawn from a document tending to prove a fact, proposition, statements or proofs admissible as testimony in a law court. Oxford Advanced Learners Dictionary defined evidence as information that gives a strong reason for believing something or proves something. Webster Contemporary

Dictionary finds it to be as that which makes evidence a clear or an outward sign or indications. Evidence is information indicating whether something is true or valid. It is information used to establish fact in a legal investigation or to support a case in a law court [82].

However, evidence presents facts in a case or the atom of crime in a crime scene. It is the exact remnants of crime nature, clear footage posture, the elements or object in a crime, knife or any material object engaged in the crime, foot match or sand trail, pieces of cloth or paper stained with blood, footprint (Albrecht, Albrecht, Albrecht & Zimbelman, 2012), thumb print prototype, bank verification number (BVN) assessment, DNA analysis, undercover reporting proof, covert and overt evidence or testimonies, surveillance prove of evidence, precipitation assertions, coworker collusion and/or testimonies. Against this backdrop, the pertinent of getting true facts of evidence thereof, and important of weighing the values evidence serves to judicial precedence, quick determination of dispute and dispensation of justice, preservation of essence of the rule of law, dispute resolution and presumption of facts of innocent that the existing laws domicile it original Indian Act of evidence into relevance sections of the 1999 constitution as amended, and also found enlisted in the exclusive legislative list.

The Nigeria law of evidence is a derivative composite works from the law of evidence by Sir James Fitzgerald Stephen which was regarded as Indian Evidence Act. The enacted law was known as "Evidence Ordinance of 1943", which came into operative (as sworn into action) in 1945, the Act as being now referred to as "the evidence Act, CAP E14 (laws of federation of Nigeria) LFN 2004, a manifestation in the laws of the federation of Nigeria as enshrined in the 1999 constitution respite to the recipient of the National Assemblies through Legislations. The relevance section of the evidence Act (section 315) provisos states the position of the Act in the constitution. Section 315 (1) and (2) of the constitution ensued it to be titled as "existing law" which is to serve and protect existing laws including the evidence Act. Section 315 provision; parts 1 of the second schedule provides and deal with the exclusive legislature list. Evidence is in item number twenty-three (23) on the exclusive legislature list due to the fact that evidence act is uniformly applicable in all the states of the federation including the federal

capital territory (FCT) Abuja. Meanwhile, section 315, part 111 of the provisos of the constitution provides for or deals with transitional provisions and saving which also translated as laws already existed before the enactment of the constitution. The Acts is made in pursuant to the constitution and is served to be used for the purpose of which it meant (The 1999 constitution of federal republic of Nigeria).

Grippio and Ibex [83] asserted that evidence is collecting of admissible information in the courtroom, the acceptability of proof in accordance with laws of evidence and inter-jurisdiction problem. It is anything tangible such as objects, documents, and testimony that relates to the truth or falsity of an assertion made in an investigation or legal proceeding (Lee, 2000). Evidence can be obtained through physical means, documentary system, observation method and oral or interview medium. According to Ribadu [54], documentary, demonstration, physical and oral forensic evidences which are expected to yield fruitful effect on proceedings of the Nigerian judicial system, perhaps may be falling short of reality. The aim of the fraud investigator is to collect evidence relevant to the fraud under investigation. When such evidence collected is correctly organized offered answers to basic fundamental questions about fraud as to who, what, when, where, how and why? Which answered the questions as where there fraud? What happened? What is the nature of the fraud? What was the loss incurred? Evidence collecting processes entails physical evidence which has been defined as anything tangible. Physical evidence is that evidence obtained in its physical form, which represents facts, hence reserves its facial or surface value.

When people commit fraud, it can be prosecuted criminally or civil wise [69]. To succeed in a criminal or civil prosecution, it is require prove that the perpetrator acted with intent to defraud the victim. This they noted as the best accomplishment by gathering evidential matter. It is consists of the data and all corroborating information available [69]. Physical evidence involves any entity that can furnish some degree of proof or disproof [4]. Physical evidence thus may be used to establish an element of a crime such as the presence of an accelerant at the point of origin of a fire in a suspected arson. The presentation of the evidence is necessary because it will be used in court. The investigator

must not distort the evidence. Physical evidence includes documents most often used in court. The existence of evidence is physical but not apparent to the naked eyes, in such instance, an expert is necessarily needed to be engaged to gather such evidence (for example DNA of the suspect). Expert evidence is required at the eventual trial including accounting records to prove or disprove a fraud interview process of all related parties to fraud when applicable act of serving as an expert witness when matters are brought up in court [84]. Enyi [85] asserted that all normal statutory audits should contain some elements of forensic enquiry as the evidence of fraudulent activities can easily discovered if a thorough evaluation of the adequacy and compliance of the internal control mechanism is made.

However, documentary evidence refers to paper documents and those in electronic format. This includes not only documents collected but among those created by the forensic accountant and are in forms of graphs, charts, exhibits and so forth. Public document that is electronically generated required to be certified under **section 104** of the **evidence Act, 2011** before it becomes admissible under **section 84**. William [86] noted that document generated prior to or during the incidence of offence essentially serves majority of evidence about the crime. Document gives circumstantial evidence and not direct evidence. Document can be altered or forged. So, there is the need for thorough analysis of document evidence by expert. Experts should be astute enough to know when to engage such document examiner expert. Documentary evidence can be gotten or obtained from subpoena (a writ obtaining asking someone to appear for summons or ordering a person to attend court), or by searching public records including public commercial or warrants, and/or by obtaining consent from those who have the evidence to realize the document. Documentary evidence can be source from regulatory agencies such as corporate concern like associations or professional associations; coroners; which is a court that gives the verdict on the cause of death of a person; probate registry; civil litigation records; stock broker; chambers of commerce; licensing boards; department of labour; credit and records institutions; social networking sites or groups; bankruptcy records; court records such as criminal records; land register office-search for documents relating to real estates, deed of transfer or conveyer and mortgage records.

The forensic accountant must be sensitive to questionable documents as when the signature appeared to be contrived; erases or a covering agents such as correction fluid to cover up statement; the file on the document is not consistent with other evidence; the paper does not seem to be the type usually use for the purpose; the document is a photocopy of the original; document number appears to be out of sequence; or cheques have record of endowment such as irregular signatures. Hence, document examiner expert should be called in to determine the authorship or authenticity of the document. It is the function and responsibility of the expert document examiners to identified the alteration of documents. Alterations include having additions or deletion. Deletion can be one word or number added or symbol removed from the document by all means, a signature or initials. The advent of Information Communication Technology (ICT) has made alteration of document easier because of the electronic device; Authorship analysis for example is a handwriting sample of the person suspected to author the document to know who actually owns the handwriting; Analysis of printer output is also important. This is to know whether a document was released from particular printer; Ink analysis concerns with analyzing the ink used to print the document using chemical, analysis, flow secure ink, spectra chromatography ink and so on; Paper analysis examining the thickness of the paper, texture, colour of the paper, opacity of the paper; and restoration of the document which torn or shredded, squeeze or spoilt documents are studied from trash can.

On the other hand, observation evidence is obtained by observing suspect. It may take the form of eyes witness evidence, testimony or various types of electronic recordings. Observation takes physical sense. It is very strong and powerful evidence. Observation evidence takes form of surveillance, invigilation and co-worker testimony. This type of evidence is demonstrative. It is either in or of itself has no probative value but rather serves to illustrate and enhance oral testimony (Lee, 2000). Surveillance is the most convenience or convincing and easiest form of observational evidence to present to the court because the Judge lacks the knowledge to be able to fully understand accounting terminologies. Basically, surveillance has three types of aspects; these are overt, covert and undercover operations. The overt is done or shown openly. It is an observation where

the surveillance openly known the kind of surveillance is being observed to the target, and which is really conducted. Covert is mainly not done openly but secret. The surveillance is not opened to the kind of observation is being observed to target, whilst undercover operation is a special investigation. The investigative tools are special. It may require group of persons, and it is string operation.

Undercover operation is similar to a situation where surveillance has make attempts to join a culprits to uncover organized crime. This kind of operation required some basic equipment like two ways radio system; digital memory recorder; vote book and pen; compact digital video camera with T photo capacity; mobile phone; basic disguising props; money for transportation; first aid kits and so on. Although, undercover operation has issues with difference jurisdiction, it depends on the peculiarity of state jurisdictions which include the type of cases and which undercover operations are allowed; the preconditions in undercover of operation; authorization or other judicial; and guidelines for the use of undercover officer. In most jurisdiction, undercover officer are not permitted to encourage someone to commit crime which they would not have ordinarily committed either as agent prior to or through enchantment. Most jurisdictions focused on the prohibiting undercover agent from providing opportunities to commit crime and committing crime themselves. Undercover operation is used because of the lent of time and it is very risky; it takes or costs time to uncover culprit. The quality requires for a good surveillance operation or forensic accountant is to be confidence, which without it may be difficult to handle such operations; quick thinking ability and foster reactions; simultaneously multitasking ability, divine knowledge, take note; patience which means it may require long time waiting; and able to act, talk convincingly, confidence, driven with good purpose, proficient with use of electronic surveillance equipment.

Unlike the invigilator who has to observe from a point without indulging or aiding malpractice, undercover operation as it were being made in recent past, observed among some university lecturers in one or two Universities in West or sub-Sahara Africa, where lecturers were allegedly caught in an evidential video released/aired by the fearless, popular, famous British Broadcasting Corporation (BBC) Africa, in October, 2019, undercover by its brilliant crew members/reporters. The evidence contains

footage of a University lecturer attempted having carnal knowledge with underage female, young lady of about 17 years of his daughter age, claimed by the reporter seeking admission. The lady among the crew has to play along with a hiding circuit object or leeway viewing camera (LVC) on her body, a bid to expose or unravel prevalence systemic age long venal act among lecturers of higher institution of learning. In that report, crew members aboard stage a viewing point were incidences documented. This kind of setup was also a covert in nature where surveillance mainly is secret. The surveillance is not made open to the kind of observation is being observed to target. These are among other reasons undercover operation is not welcome in most jurisdictions. It is not admissible in courtroom, because the victim may have been lured, seduced or infiltrated into accepting the crime by collaborators or supposed accomplice" as the case may be in other quarters.

Invigilation is a technique orchestrated to provide evidence whether or not a staff is stealing from employer or student cheats in examination. Invigilation often involves observations and documentary evidence. It is maintain to control experimental incidence. Invigilation is most often adopted to unravel examination misconduct or malpractice. The invigilator or supervisor may leave the scene of the examination to secreted location where he/she can view or otherwise observed properly to enable him or her secure convictions by trapping the culprit with obtained evidence. Sometime, the supervisor can adopt the use of hiding secret Closed-Circuit Television (CCTV) camera or a device closely circuited such as handset, wristwatch, a hand set camera, and other template to enable him/her unravels the incidence. Co-worker testimony bears witness account of embezzlement. Coworkers are closest to other employees. Coworker's observation is one of the best evidence that can obtain to determine fraud. When taking coworker testimony expert ensures that the coworker better endorses, or appends signature or take video testimony or surveillance. It has been observed that the usefulness of coworker's testimony depends on the individual credibility. Before an expert embarks on surveillance adequate planning is necessary to harness its usefulness, goals and objectives.

The surveillance of the area is necessary, so, surveillance must ensure that the subject address is correct; check for entry and exit root to or the address; establish drop up and pick up

point close to the subject address; ensures that the target can be seen clearly as possible; ensuring the address to and departure from is clearly understandable; surveillance is not notice from the observation post by subject or anyone; the surveillance has to plan for likely hazard such as traffic, security patrol, CCTV camera, weather conditions for raining season, and so forth. The surveillance has to plan and decide what equipment will be needed in observation post, ensuring that reliable radio communication is with the team. This could be telephone, a plan for payment for a premise (accommodation) and so on. It can also be done via technical means. Technical electronic surveillance is very expensive, smaller and smarter and may be in form of wristwatch, camera and so on. Subsequently, this entails surveillance camera system. Investigative interview analysis is conducted according to Manning [87] on the subject statement to determine deception. The statement can be oral and written. The primary purpose is to set enough or much information as possible and to detect deception. Investigative interview analysis deals with information written or verbal and not with the person. The interview evidence collecting processes is a critical component of investigating process. Oral evidence is testimonial evidence spoken directly from a witness mouth or read into evidence from a deposition. Testimonial evidence may be provided live or recorded witness statements.

This evidence is often offered to prove or disprove a material fact. Thus, offered substantively rather than demonstratively. It is a conservation by which people are questioned and responses are noted and replied. Crumley et al. [88] noted that an important requirement of a forensic accountant is to be an effective interviewer. Someone in an organization knows what is going on. So, an investigator must know who and how to interview; listen to rouges and whistleblowers who complain; customer complaints or employees who has not received pay rises. Responses can be verbal, or not. Verbal and non-verbal expressions are both important. In investigating, interview is one of the most evidence gathering in forensic accounting. This is having interviewing spirit. Document may not be questioned. But for it to be done, one has to engage on interview. At any point in time interview must be carried out [89]. Interviewing has major key principles for evidence to be realizable. It is so because the aid of investigative interview is to obtain accurate and

reliable account from victim, witnesses or suspect about matter under investigations; investigator must act fairly when questioning victims, witnesses or suspect venerable persons must be treated with specific care at all time. Investigative interviewing must be approached with an investigating mindset, account obtained from the person who is being interviewed. It should always be tested against what the interviewer already knows or what can probably be established. When conducting an interview, investigators are free to ask a wide range of questions in order to obtain material facts which can assist for an investigation. Investigator must recognize the positive impact of an early admission in a context of the court justice system.

Investigator are not bound to accept the first answer given, more answers are cough out or made available when investigator repeat questions. Investigator has responsibility to pose questions to alleged suspect even when the right of silence is exercise by suspect. Interview adopts the use of open ended system of interview to solicit information which is questions that are not marked with yes or no. They allowed the interviewee to state the fact in their own words. The forensic accountant can easily detect through open question whether the suspect is lying or not. It advantage is that accuse is encourage to upon up; able to discuss what is of interest to him; encourage to recall event; free to discuss sensitive issues. While, close questions are questions that are specifically requested list of answers for yes or no. Close questions help in directing a reluctant suspect or accused to the important information require by the interviewer or investigator. It is used to provide specific detail of the fact already narrated by the accused. Also, it assisted the suspect in recalling specific event assisting in his case. Largely, conducting interview also involves difference types of models. Below are two available models. These are Peace and Home Office Models. These models categorize interview in term of references. This is Peace Model which is defined as Preparation or Planning, Engage or Explain, Account, Closure and Evaluation. Home Office Model is also defined in the following stages: Planning and Preparation, Establishing Rapport, Initiating and Supporting a Free Account, Questioning and Closing the Interview. It follow therefore that to achieve these key indicators and objectives, forensic accountant needs to project high level of openness, transparency, truthfulness and professionalism.

2.2.1 Benefits of interrogation and the role of the forensic accountant

Interrogation culminated discovery. Discovery is a process of gathering information in litigation. The discovery of document is seen as the documents that are in possession of either party. This should be discovered or ascertained in order to expect or make copies. The other parties are to disclose on oath the documents that are in his/her possession before the court. A client can sometime conceal information which is not favorable to him. The forensic accountant assists or helps the lawyer to prepare a full list of all that is required. Its roles would be statement of claim on plaintiff side; statement of counter claim on the defendant side; production of relevant documents; production of witness statement before the commencement of oaths as well as preparing financial expert report. According to Freeman [90], forensic accountant may be asked to calculate economic damage that may occur as a result of a claim of professional negligence. Forensic accountant can make to calculate marriage dispute dissolution. Expert forensic accountant is trained to look beyond the numbers and deal with the business realities of situations by analysis, summarization, interpretation and presentation of complex financial business related issues that have prominent features of the profession [91]. Forensic accountant uses forensic method for inquiries, investigation and determine root cause of claim [92]. However, discovery is a pretrial procedure whereby each party obtains evidence from the other party through discovery device. An application for discovery is made to the judge in chamber.

The discovery device that is available. It would either be interrogatories or discovery as to documents or notice to produce, to admit or from non-parties through subpoena (suppliants). Therefore, interrogation is known as discovery of facts. Discovery of facts is derived from interrogation. It is described as written questions which are used in trial proceedings for the purpose of being given or propounded to a party or a witness or any other person that is having information of interest in the matter. These are parts of pretrial issues, arrangements or directives. The two brands of interrogatories are either be admissible or inadmissible; examples are fishing interrogatories which are interrogation that are completely outside the pleading; interrogatories which borders on the contents of a documents and on the credibility of a witness, as well as found to be oppressive or scandalous.

That is, asking the party to expose or disclose case or trade secrets. Though, the consequences of failure to answer interrogatories are not the same in all jurisdictions. This depends on country or area or jurisdiction of the case. It can lead to commission to prison (disobedience to court order). Where plaintiff is in default, plaintiff actions shall be quashed or dismissed for want of persecution. But, in any case, it is the defendant; the defendant defence be stroke out and taking as that he/she has not defended his/her actions. Hence, court can proceed and gave judgment not in his/her favour. In case of Lagos state, the legal practitioner shall also had to be liable to the non-committed of his client for content or has a fine attached to him or unless he/she provides a clear evidence that proved otherwise for refusal by his/her client to answer interrogatories. Accordingly, in a trial case between Abubakar vs Yar'Adua (2010),

...the appellants had challenged the result of the presidential election petition tribunal of into the office of president. The appellant has sought leave to administer 27 questions to the defendant. Then, the trial tribunal rejected the application to administer the questions which was moved by appeal to Supreme Court. The Supreme Court in its wisdom ruled that the question were in order and the respondents were required to oblige to answer them. Hence, it is mandatory for the party to response to interrogatory.

From the above assertions, there are several grounds for the objecting of interrogatories; these are when it is scandalous, irrelevant or inadmissible and/or made bonafide that is utmost good faith". Non-sufficiently material at the stage of proceeding in which they have approved, right of privilege for immunity, the question seek to disclose defendants evidence or the questions are insulting or degrading and oppressive interrogatories. Oppressive interrogatories are parts of objections. Fishing interrogatories are parts of objections which is fishing expeditions. Some benefits of interrogations therefore are that it reduces the time that is otherwise wasted in eliciting simple information in the witness box; it further narrows down the issues between the parties. There is no more issue in respect to those matters exhaustively consumed during interrogatories. It helps a party to elicit admission that supports the case of the interrogating parties. It also helps in ascertaining to some extent the case of the opposing parties and the facts is going to rely on at the trial, and creates

estoppel which means whenever facts is admitted, it cannot be denied.

2.2.2 Techniques for evidence collecting processes

Although, in practice, there is no uniform technique in arriving at evidence gathering processes but several frameworks have been adopted by experts collecting evidence for fraud examination, determination, management or related matters. There have been several techniques for fraud examination and investigation as adopted by forensic accountants to enhance evidence gathering processes in order to unravel suspected assailants. These techniques tend to varied according to responsibility, job scope, nature of work, and skill required. Chartered Institute of Management Accounting [93] has said daily techniques that provide available assistance in recognizing anomalies about fraud and research on whether further action should be taken about the irregularities. It noted that two major components for antifraud professional in fraud fighting require ability to think and act logically. Manning [87] added that criminal elements will use whatever means to cover up their acts. Therefore, the forensic accountant must identify what accounting techniques and audit programmes to use and when to use them. Ogbuji [94] identified some of the evidence gathering techniques as invigilation; undercover and specific item; observation; document examination employee searches; interviewing; vulnerability and internal control charts.

Besides that, and as concerted according to Onodi et al. [15], forensic investigator uses various approaches and programmes in evidence gathering as include net worth and experience methods; deposit spreads which deals with the receipts into the chequing account. According to the duo, the use of deposit spread is different from other normal accounting practices; bank deposit method which is very useful for a subject who operates only one business and the income which seems to come from only one source. Where the business is actually for cash basis and receipt are received in cash. Applying such method, cash item of income and expense must be examined as to the source of fund and their subsequent use; gross profit analysis which is an accounting method for forensic investigator used in cases of money laundering or skimming operations; credit card spreads which is applied when the subject uses

credit cards frequently as a result, and when some criminals use stolen credit cards to make purchases; cheques spreads which is an accounting method that should be used when the subject uses cheques in account operation; tracing which is an accounting techniques involving the flow of funds; telephone calls which is the data base often established to specified or identify contacts; flowchart although it is of various types such as organizational, chronological, matrix and operational.

The flowchart helps great deal to trace fraud through contact tracing. Gbegi and Adebisi [95] found that forensic accounting skills and techniques have a significant effect on uncovering and reducing fraud in the Nigerian public sector. Chartered Institute of Management Accountants (CIMA) acknowledged that the tools are necessary for this is training, experience and mindset. Moreso, the techniques include: background reading; ratio analysis; risk assessment; system analysis; exception reporting; specialist software; mathematical modeling; and benchmarking. Most common ones were according to Manning [87], are to uncover the fraudulent schemes. These are net worth and expenditure methods; tracing flow of funds; check spreads; deposit spreads; credit card spreads; gross profit analysis; witness list; bank deposit method; telephone call-personal contact and associate of the subject; schedule – illegal income; total income reported; tax return on identified income flowcharts; matrix; organizational chronological and operational flowchart.

2.3 Litigation Support Services and Expert Testimony

Litigation support is the provision of assistance of an accounting nature in a matter involving existing or pending litigations. It is usually all activities within the law firm that design to prepare a lawyer to try a case including document review, case preparation, interviewing witnesses as well as deals with issues related to the qualification of economic damages. Litigation is referred to as the process of seeking a resolution of a dispute through a civil lawsuit. Litigation services in the Nigeria Judicial system are observed to be ineffective [4]. Bassey [49] noted that the process of litigation is actually through series of steps taken to resolve the matter either by negotiations toward a settlements or court trials. Litigation support of forensic accounting examines the evidence in

order to determine the extent of breach of contract as well compensation for claim [6]. Whether economic damages, loss through tort (wrong doing) or breach of contract, post-acquisition, disputes such as merger and acquisition, where there is dispute over post acquisition profit and breach of warranties (earn out), bankruptcy, insolvency and reorganization. Litigation support service involves using accounting and auditing techniques to qualify economic damaged pursuant to existing or pending litigation [96]. Litigation support witness works closely with lawyers in matters involving not only marital disputes, contract disputes, shareholders disputes, insurance claims, insolvency litigation, intellectual property claims or royalty audits and lot more.

Therefore, experts knowledge help make a case economically viable (Edori, 2017). Litigation support services provided assistance of an accounting nature in a matter involving existing or pending litigation. It enhances effective intervention of the legal services to provide legislations, rules and relations to govern the proper conducts of forensic accounting system and their techniques in carrying out all the practices [49]. Forensic expert can provide valuable assistance in matters that are highly unlikely to become lawsuits. Forensic experts team up with the outside experts to render assistance in litigation services and matters thereby presenting facts before the court of law. Their findings can be used to decide whether an employee should be dismissed for not adhering strictly or following company rules and procedures [2]. A preliminary damage estimate results in a written report including an opinion about merits of the case providing a basis for a decision on whether or not to pursue the matter with or without outside legal counsel. This testimony is not only to what things are but also to testified to what things meant [97]. Experts must be prudent, observant and objective in their investigations because their reports and analysis ultimately determines outcome of a civil litigation may be required to give a sworn expert testimony or act as an expert witness in a litigation process. Their expertise can be used to investigate employees' wrongdoing.

Forensic examiner maintain the trust of the court in order to be allowed the privilege of giving sworn testimony, and avoiding activities or affiliations that evidence inappropriate, criminality, propensity for dishonesty, or poor character which may led to court exclude expert testimony

[96]. Forensic examiner possesses the anticipation traits of sworn expert testimony and offering of sworn expert testimony. Possess the ability to provide sworn expert testimony which is the integral of forensic examinations. The main purpose of expert testimony is on issues relating to the quantification of economic damages. This mean a typical litigation support assignment would involve calculating the economic loss or damage resulting from a breach of contract. It is also extends to other areas involving valuation, tracing assets, revenue recovery, accounting reconstruction and financial analysis [97]. Therefore, error, omission, mistake and lack of professional and ethical standards by forensic expert or professional can lead to or in a worst case scenario, and wrongful convictions. The essence of being an expert witness is to be able to perform the task of discerning fact from fiction in order to maintain a credible testimony which including to effectively communicate in speech and writing through expert testimony and general explanation for the basis of opinion in charts forms, graphs and schedule [98], thereby maintain a calm attitude when under pressured; understand basic legal processes, legal issues and rule of evidence; a composure of an expert can be an integral component in the ultimate outcome of the case. This is very necessary in expert testimony disposition.

The expert treats each situation as inherently unique and preparedness to solve problems with an unstructured approach to look out for what should be provided rather than what was provided. A witness is a person who may be a natural persons or an artificial person who may represent someone. It also seen as anyone who is called upon to give evidence or testimony of what he/she know in a suit. Such a person may be natural person or artificial. In case of civil matter, a witness that is invited by a plaintiff is called plaintiff parties. If invited by a defendant it is called defendant witness. Civil litigation commences when one party which is the plaintiff alleges in a lawsuit some detrimental action or failure or act by another party called the defendant. The later may have been alleged to have caused the harm or loss. Most litigation is settled out of court after discovery of all information including those supplied by the forensic accountant and other experts [2]. Accounting expert works for the plaintiff while the attorney for the defendant in the case or potential case, but would also need a forensic accountant to analyze the plaintiff expert report. Similarly, in criminal case, a witness is called prosecuting

witness respite to the former; while in the case of defendant. It is called a defendant witness.

There are also a lay witness and expert witness. A lay witness is an ordinary person or eyes witness who was at the scene of the event and has firsthand account knowledge or information about incidence, whereas, expert witness is a person who has technical knowledge obtained from educational training or practice and which court require his knowledge to assist in the determination of the suit beforehand. The individual expert witness does not need to have personal eye witness as the case may be. This expertise knowledge is not common and it is not in any domain or disposal and preview of the court. Need to have knowledge on how to conduct his witness in court if not the testimony may not have a probative value. Expert witness is expected to precisely document the sort of proof required for successful criminal indictment having the ability to work in a complex litigation and regulatory environment with reasonable accuracy, reconstruct missing or destroyed, deceptive accounting records. Litigation support servicers therefore recognized the role of an expert witness which required possible court room testimony. Expert witness has to be conversant with civil and criminal law, develop critical thinking, applied knowledge and skills in organizational behaviour [99]. And the need to understanding court room procedures and expectations, investigative skills, creative thinking, clear and precise communication skills.

Expert testimony is constituent with facts which oppose frictions and stance evidence. The principal role of expert witness according to Oseni [32] is to analyze, interpret, summarize and present complex business and financial deals in a logical understandable manner supported with facts. Ene and Ene [100] submitted that litigation support and testifies is provided by expert witnesses when needed in judicial proceedings, hence, supporting the relevant anti-corruption agencies in effecting punitive measure to culpable personalities. Under litigation support services expert witness furnishes and assists them with capacity to mitigate litigation procedure [13]. Obtaining document necessary to support or refute a claim; examination for discovering including the formulation of the act regarding the financial residence; reviewing of the relevant documentation to form an initial assessment of a case in an identified area of loss; attendance at the examination for discharge to review the

testimony assist with understanding the financial issues and to formulate additional questions to be asked; reviewing or opposing expert damages report and reporting on both the strength and weakness of the position taken; attendance at trial and to hear the testimony of the opposing expert and to provide assistance with cross examination; and assistance with settlement discussion and negotiations [101].

2.4 Forensic Accounting Expert Science

Evidence collecting processes divulge forensic accounting science application for examination of fraud. It depends greatly on the tactical knowledge of an expert forensic and its scientific application. Forensic science deals with civil litigation and also has in it some areas of criminal law [2]. Forensic accounting is a science of gathering and presenting information in a form that is acceptable by a court of jurisprudence against perpetrators of economic fraud or crime [102]. Forensic accounting science involves application of special skills in auditing, accounting, quantitative methods, finance, specific areas of the law, information and computer technologies research and investigative skills to collate, analyze and evaluate evidential matters which in the forensic area is called the evidence [49], evidence in court respects of issue relating to financial fraud. Forensic means suitable for use in a court of law [103]. It is to that standard and potential outcome that forensic generally had to work. Forensic accounting includes assessment of loss resulting from the auditor's carelessness, fact identification to know whether a misappropriation happened, at what cost and whether criminal procedures are to be commenced, or gathering of evidence in a felonious procedures and estimation of asset values in a separate procedures [104]. Forensic is a specific field of accounting that depicts engagements that result from genuine or foreseen disputes and/or prosecution.

Aigbohkaevbolo [6] described forensic accounting as a report suitable for expert witness in court of law or management decisions. When there is miscarriage of law and desire for justice and true, forensic accounting enables the users of the report to understand the structure and procedures relating to the failure or causes of an event and the extent of damage and compensation required in financial terms. According to Jafaru [105], forensic accounting science is applying financial skills and mindset investigation to conduct as contained by the

framework of the rule of evidence for resolving issues that are not resolved. Forensic accounting focused on both the evidence of economic transaction and reporting as contain within an accounting system and legal framework which allows such evidence to be suitable to the purpose of establishing a transaction [106]. It is a systematic, scientific method of examination of evidence by a specialist to be used by a court or public debate ultimately for dispute resolution. A strategic approach whereby financial and non-financial information are gathered analyzed and reported to determine the cause and effect of an event as an evidence of misconduct [6]. It is applying methods of criminalities and incorporation of the accounting investigation activities and the procedures of law for the detection and investigation of financial crime and associated economic misdeeds [1].

Forensic and investigative accounting is an application of financial skills and investigative mentality conducted within the context of the rules of evidence to resolve unresolved issues [105]. Bologna and Lindquist [63] defined forensic and investigative accounting as the application of financial skills and investigative mentality to unresolved issues conducted within the context of the rules of evidence which required discipline, fraud knowledge, financial expertise, sound knowledge and understanding of business reality and working of the system. Gottschalk [107] added that forensic accounting focus on evidence revealed by the examination of financial documents. The evidence collected or prepared by a forensic accountant may be applied in different contexts. Besides that, evidence can be used for or against suspect in the court of law [21]. Forensic accounting is seen as the application of financial skills and investigative mentality to the settled issues, conducted within the context of the rules of evidence [108]. Crumbley [67] referred to forensic scientists as a trained examiners and interpreters of evidence and empirical facts in legal cases that requires expert opinions regarding their findings in court of law. It is a practice of rigorous data collection and systematic analysis in the areas of litigation support, consulting, expert witnessing and fraud examination [109].

It engages the use of accounting, investigating, and auditing knowledge, tactics and techniques in producing evidence of financial malpractices that needs the criteria to be used in the law court in the prosecution of an individual, group or

organization [21]. Has application of special skills to analyze, qualitative skill to collect, and evaluate financial evidence, interpret and communicate [110]. It contains investigating and analyzing financial evidence and developing computerized application to assists in the analysis and presentation of financial evidence thereby communicating their findings in the form of reports, exhibits and collections of documents and assisting in legal proceedings including testifying in courts as an expert witness and preparing visual aids to support trial evidence [111]. Trained to look beyond the number and deal with the business of situations. The objectives of forensic accounting include among other things: assessment of damages caused by an auditors negligence, collection of evidence in a criminal proceedings, computation of asset values in a divorce proceeding, fact finding to see whether an embezzlement has occurred or taken place, and in what circumstances, amount involved and/or whether criminal proceedings are to be initiated or not [110]. Forensic is seen as to pertaining to connected with or used in court of law or public discussion and [112].

Similarly, forensic is suitable for use in a court of law. Forensic science is the application of science to legal matters. Forensic accounting science therefore has its own models and methodologies of investigative procedure that search for assurance, attestation and advisory perspective to produce legal evidence [113]. Endue with requisite skills and knowledge for identifying, discovery and preserving the evidence of all form of irregularities and fraud [114]. Forensic accounting science is an application of accounting concepts and techniques to legal problems which demands reporting where accountability of the fraud established and the report is considered as evidence in the administrative proceedings or court of law [115]. Yadav and Yadav [116] agreed that forensic accountant is able and experienced to dissect, decipher, condense and present complex monetary and business related issues in a way that is both comprehensive and appropriate supported evidentially and can be entrusted with criminal investigation, individual damage claims, fraud investigations, matrimonial disputes among different administrations. Investigative forensic accounting involves auditing qualitative methods and related skills to resultant financial records and determines if fraud and other illegal financial activities have occurred. It coordinates the works of other experts such as private investigators, consulting

engineers, firms and forensic documents examiners [14]. Forensic accounting experts are called forensic accountants, forensic auditors or investigator accountants.

3. THEORETICAL UNDERPINNING

This paper anchor its premise on the theory of Fraud Triangle propounded by Donald Cressey [17]; and Fraud Scale Theory by Albrecht et al. [118]. The fraud triangle theory was first popularized by an American penologist, sociologist and criminologist [117]. The theory has made tremendous contributions to the study in the area of criminology, sociology of criminal law and white-collar crimes. Donald R. Cressey [117] research is based on what pushes people into crimes which enable them to violate trust. The Donald Cressey [117] theory therefore explains why people commit fraud by soliciting information from two hundred and fifty (250) criminals over some periods of about five (5) months through interview. The researcher has based his convictions on two aspects of behaviour to meet criteria to be asked questions either the individual might have accepted a position of trust in good faith or may have violated such trust. The author's findings showed that three elements were eminently present and/or responsible for an individual to violate trust which he proposes to be opportunity, pressure and rationalization.

In his assertions, Donald R. Cressey [117] concluded that trust violators may conceive of themselves as having a financial problem that the individual finds difficult to disclose thus have knowledge or awareness that this problem can be secretly resolved by violation of the position of financial trust. And are able to apply to their own conduct in that situation verbalizations which enable them to adjust their conceptions of themselves as trusted persons with their conceptions of themselves as users of the entrusted funds or property [119]. Therefore, defined opportunity as a situation where employees use their position to commit fraud where there is poor management oversight on internal control implementation and/or internal control is weak. Cressey noted however that opportunity exists because Chief Executive Officer (CEO) or Chief Financial Officer (CFO)'s unique position as the top executive of the organization [120]. The CEO possesses proprietary information about the firm's financial position, knowledge of the weaknesses in governance structure and controls, and is in a position of power and influence to override

existing controls and engage in or facilitate accounting fraud.

Bassey [49] posited that most employees who commit fraud do so based on the fact that they have the opportunity to access information and assets which give them the free hands to perpetuate and obscure their fraudulent acts, an open door to solve a problem by violating a trust [121]. The higher the position of a person in the organization hierarchy, the more trust is placed in him/her and the greater his/her opportunity to commit fraud. The proponent proposes that pressure, motive or incentive is that which person or employees experience. It can make employees commit fraud. Pressure or motive does not connote financial pressure alone. It can be psychotic which is related to habit, egocentric which is related to personal prestige, ideological which is related to believing to have been caused by morally superior, or economic which is related to a need for money [121]. Moreso, Lister [122] explained that there are types of such factors as personal pressure to pay for lifestyle, employment pressure from continuous compensation structures, or management's financial interest and external pressure such as threats to the business financial stability, financial covenants and market expectations. Pressure can come from a significant financial need or a problem. It could be as a result of medical bill, addition problem, expensive taste or are committed out of greed alone [119].

Rationalization therefore, is the ability of an employee to act according to self-perceived moral and ethical values or standards. It is an attempt by an employee to justify why they commit fraud. Rationalizations are mental strategies that allow an individual to view normally unethical acts as justified [123]. Rationalization facilitates wrongdoing as it allows for the possibility that individuals termed corrupt by societal standards which even so saw their acts as ethical within the context of their organization. This person believes stealing is justified to save loved one or spouse, keep marriage or biological children or parents of life needs. The individual does not necessarily seek any available help outside their heinous behaviour. The only ancillary to meet needs at all cost is borrowing or fraudulent acts [124,125]. Festinger [126] admitted that without rationalization cognitive dissonance would create a great deal of anxiety which would force the individual to view his or herself in an unfavourable light. Rationalization neutralizes

negative feelings associated with what would otherwise be viewed as deviant or unethical behaviour.

Against that backdrop Albrecht, Howe and Romney in 1984 postulates fraud scale theory to decipher the notions entrenched in the theory of fraud triangle. Albrecht et al. [69] theory emphasizes on the use of an element known to be personal integrity instead of rationalization. The proponents believed and explained that personal integrity can be observed in both an individual's decision and the decision making process which helps in assessing integrity and determining the fact that an individual will commit fraud. This theory was an alternative to fraud triangle model and which is much related to the fraud triangle [127,128]. Highlighting their position on the view point of both the forensic accountant and employee, noted that personal integrity element is associated with each individual's personal code of ethical behaviour. The proponent advances that personal integrity can be observed in both an individual's decision and the decision making process which can help in assessing integrity and determine the chances that an individual will commit fraud. They however agreed that fraud and other unethical behaviour often take place regards to an individual dishonesty or lack of personal integrity or other moral reasons. The theory then provided for possible avenue for such fraud happening but that the services of a trained and experience investigator such as forensic accountant or auditor should be highly required.

4. REVIEWS OF PRIOR STUDIES

Ejoh [2] sought to investigate the objectivity of forensic accountants' expert testimony in litigation support. The study adopted survey design with sample size of 100 consisting of accountants, auditors and legal practitioners and employed Analysis of Variance (ANOVA) for data analysis. The paper found that forensic accountants' ability to provide sworn expert testimony is integral to forensic examinations because it affects the objectiveness and neutrality of forensic accountants during forensic investigations and examinations. Nwaiwu and Aaron [14] attempted to examine the relevance of forensic accounting, fraud detection process and financial performance in selected listed companies in Nigeria. The study used primary data through structured questionnaire and adopted a cross sectional quasi experiment design approach for investigation. The paper

employed descriptive statistics and correlation with the aid of SPSS v 20.0. The study revealed that there is both positive and negative significant relationship between the proxies of the two variables.

Onodi et al. [15] study attempted to examine the effect of forensic investigation methods in corporate fraud deterrence in Nigeria Banks. This study adopted a survey research design and collected data from primary source through structured questionnaire and interviews, while secondary source comprises of reports on fraud and forgery in the banking sector. The study employed regression, mean score, percentage, frequency table and Z-test to analysis data. It therefore observed that there is a significant relationship between the forensic investigative methods and corporate fraud deterrence. Hence, expert services of forensic investigators are normally required in the prosecution of fraud. However, majority of the audit and accounting personnel in Nigeria are suffering from poor perception and knowledge of forensic investigative methods. Ijeoma [27] paper empirically evaluated the use of forensic accounting techniques in curbing creative accounting. The study used primary data and employed Kruskal-Wallis test, Mean Rank and Percentage Distribution. The paper revealed that strong evidence existed on the effectiveness of techniques used by forensic accountants in helping to curb the problem of creative accounting. This means that existence of strong evidence has enhanced forensic accountants' efficiency overtime. Hence, restore confidence in the credibility of corporate firms and their report by applying accounting principles, auditing skills and investigative procedures in solving certain legal problems.

Oyedokun [27] aimed to investigate techniques available in forensic accounting investigation and interrogates the justification for same. The paper adopted content analysis with review of relevant books, and journals articles. The study found that there is need for forensic accounting professionals to equip themselves with techniques in order to achieve their forensic engagement objectives. Bressler [129] evaluated the perception of attorney and judges in the court system as to what might enhance understanding of the role of forensic accountants in fraud investigation. The study adopted literature review method and employed conceptual method for analysis. The paper identified that forensic accountants must be well trained in the rules of

evidence, financial data, accounting information system, software and communication skills. Ogiriki and Ebimobowei [25] empirically analyzed the effect of forensic accounting and auditing techniques on public sector fraud detection, investigation and prevention in Nigeria. The study adopted primary data and employed regression for data analysis. The study showed that there is a significant relationship between forensic accounting, auditing techniques, public sector fraud detection and investigation and prevention in Nigeria.

Eze and Okoye [35] investigated the effects of forensic accounting and fraud prevention in Imo State public sector in Nigeria. The study used descriptive statistic on primary and secondary data and adopted structured questionnaire for data collection with 70 respondents among auditors, accountants and top executives from four ministries. The study therefore employed the weighted mean and Z-test statistics, frequencies and percentage for analysis. It observed that there is a significant relationship between forensic accounting and fraud detection and prevention in the public sector. Onyekwelu et. al. [34] sought to examine the effectiveness of forensic accounting in engendering qualitative financial reporting in the Nigeria banking sector. The study adopted descriptive and empirical survey research approach using secondary data from the Binomial and annual reports of banks while primary source of data to solicit information from accountants. The study employed Pearson Correlation Coefficient (PCC) statistical tool for analysis. It was revealed that fundamental qualitative characteristics is the relevance and faithful representation of financial reporting accounting, and the improved qualitative characteristics (understanding) can be significantly enhanced through forensic accounting.

Akenbor and Uwaoma [29] study examined the relationship between forensic auditing and fraudulent practices in Nigerian public institutions. The study sample consisted general managers and accountants of 12 public institutions in Nigeria. The study employed Pearson Product-Moment Correlation Coefficient (PPMCC). The paper identified that both the proactive and reactive forensic auditing techniques have a negative significant relationship with fraudulent practices in Nigeria Public Institutions. Modugu and Anyaduba (2013) attempt to examined forensic accounting and financial fraud in Nigeria. The study used sample

random techniques, and adopted survey design with sample of about 143 among accountants, management staffs, practicing auditors and shareholders. The paper therefore employed binomial test for analysis. The study observed that there is significant agreement among stakeholders on the effectiveness of forensic accounting in fraud control, financial reporting and internal control quality.

5. SUMMARY AND CONCLUSION

The main aim of this paper was to examine literature on the role of expert forensic science accountant on evidence collecting processes and fraud examination in Nigeria. The paper provides insight on tropical issues covered in this area. The study bothers on aspect of collecting evidence and fraud investigative method of inquiry. Fraud trials entail careful examination of facts either to exonerate innocent to crime, guilt to conviction or settlement and recovery. But the process that led to fraud examination and investigative recovery is very crucial to fraud expert examiner. Fraud expert examiner require antidotes on due diligence. To assert this, the processes of collecting evidence must devoid of rancor, pessimism and guesswork. Doubt reduces chances of having an in-depth recipe for a cut-edge engagement and accurate point on target for evidence collecting, recovery and detection.

Apparently, fraud is a menace; the act committing it has similar plan concealing, desecrating and/or submerging the act of evidence or atom of crime itself. Every act of crime has opposing silence tendency of ensuring that the atom is undetected. The culprit may have plans to recover the scene of incidence to exonerate guilt of offense, conceals it real identity, or destroys atom of crime in order not to be susceptible to probe or suggested fleeing the scene of crime, damage, delete or temper records of the object of crime in dispute. Suspected can destroy the computer or digital object contains incidence. Such collaborator can choose to commit more heinous crimes to subject or cover up the fraud game act. Create scene for tipoff, observe silence, ill-mental phenomenon, may embark on a journey out of crime scene, leave or repel to reframe from either being detected or caught. The crime suspect may plan a trip after culpable homicide, he or she may play clever, replace object of an act of deception in dispute with unsubstantiated elements or clients. The list is endless.

Besides that, forensic expert accountant is at liberty, duty bound to leverage on investigative skills. Expert duty is not to raise dust rather articulate plans to obscure incidences as expose to fraud examination and evidence collecting for litigation support. Deploying extraordinary contrive knowledge about the scenario beforehand, looking beyond emotions, the scope of, and available information at stance. Therefore has duty to protect, has to restrain his or herself from any negotiation with alleged suspect and its agents for criminally suspicious conspiracy for settlement. Avoid infatuations, making advances, consenting to unethical behaviour, quick reactions and using inflammatory language, divulging information or statement of facts readily available at the preliminary or progressive stages of coverage to client or public. Expert is saddle with the responsibility of keeping reports confidential. Expert forensic examiner ought to be brave, possesses respite knowledge in law, ICT, software, coherent, resilience, resolute, and non-irritated, prudent, substantially focused having wider range expertise knowledge on issues of note, beforehand and or in related area, ahead and above crime suspected. Cultivate reading habit, ability to work alone, and on detailed records, patient or absorb pressure, wait for a longer time and sound knowledge of courtroom engagement. Application of right skills enhances expert forensic accountant, enables him looked beyond doctrine of necessity, ability to resolve litigation dispute showcases exemplary intellectual skill in a manner expected of a trained professional.

Suffice to say that planning procedures takes entered stage in expert testimony leveraging on respite scheme of works through concerted efforts, collaboration and implicit skill in arithmetic, algebraic, ICT, analytical and investigative review, interpreting, recording and documenting reports. Expert forensic has to preview, and revise statement of facts thoroughly in order not to jeopardize or compromise significant factors. Expert may choose to adopt rigorous mechanisms or co-opt policy guide encoding when necessary to collate evidence. However, the study used quotient research approach and identified that fraud investigation require careful examination of records using acceptable workable methodological technique susceptible to evidence gathering of expert witness before legal proceedings. It also found that well collected evidence is brain behind secured convictions, litigation success, timely dispensation of justice, and support for parties in

disputes for swift resolutions and claims. The study therefore concluded that forensic expert witness should avail themselves with recent techniques appraisals suitable for evidence gathering including those available for recovery damage records, trail missing records of transaction, deleted item and retrieve disappearing document, matrimonial related matters and others before embarking on fraud investigative dispute. The paper suggested that there is need to integrate evidence collecting processes and forensic techniques into financial reporting functions of business firms. Hence, recent successes achieved through technology advancement should be typed and incorporated in scheme of work in financial laws. Above all, well recover evidence remains admissibility in lawsuit for successful prosecution of both civil and criminal torts.

COMPETING INTERESTS

Author has declared that no competing interests exist.

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