



THE APPLICATION OF FORENSIC ACCOUNTING TECHNIQUES IN FRAUD PREVENTION AND CONTROL IN NIGERIA: AN ANALYSIS OF ITS PRACTICABILITY

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Abstract

The use of accounting, auditing and investigative techniques to verify the occurrence of fraud, theft, falsification, forgeries, etc has been applied with success in the western world, especially in countries like the United States, United Kingdom, Canada and so on. A forensic accountant therefore, is partly an accountant and partly an investigator or a legal expert, positioned to provide key evidence in legal proceedings which may be engaged by anti-graft agencies like the Economic and Financial Crime Commission (EFCC), Independent Corrupt Practice and Other Related Offences Commission (ICPC) in Nigeria in the war against corruption. It is in light of the above, that this study seeks to examine the possibility of utilizing forensic accounting services in fraud investigations. This study employed questionnaire and interview which was used as the tool for data collection from primary sources. The Questionnaire and interview were administered/conducted in three cities of Abuja (in North-Central Nigeria), Kano (in North-Western Nigeria) and Lagos (in South-Western Nigeria). Findings were made that forensic accounting skills has some significant impact on forensic audit and fraud investigations in Nigeria and that the engagement of such services will reduce unemployment in Nigeria. This study recommends that a regulatory framework which will provide for the utilization of forensic accounting services by anti-graft agencies in Nigeria should be put in place, such that professional accountants will be called upon to render services in fraud investigations and forensic audit. In this regard, this study opined that the public sector should be involved in the forensic accounting initiative, in view of the fact that with the prevalence of frauds and/or other forms of corruption in the Nigerian economy, the government is the hardest-hit.

Keywords: *Forensic, Accounting, Auditing, Investigation, Detective, Fraud Prevention, Fraud Control.*

Background to the Study

Forensic accounting is the application of analytical, arithmetical, auditing and investigative skills acquired by an accountant in evidence gathering and adjudication for legal matters, without causing harm or molestation to the culprit. The development of forensic methods of fraud examination was drawn from sciences, the term forensic simply means the application of science to law. Louis (2007) posited that forensic science is the development of highly skilled technology to uncover scientific evidence in a variety of fields. However, forensic science is most commonly used in investigating cases involving a victim like assault, rape, robbery, kidnapping, or murder. Louis (2007), further opined that modern sciences has a broad range of applications, it can be used in civil cases such as forgeries, fraud or negligence.

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Corruption, fraud, bribery, extortion, forgeries, falsifications or any form of sharp practices of whatsoever name is a driving force behind the need for the emergence of forensic accounting. Forensic accountants should be trained to perform accounting autopsies which are described as the Sherlock Holmes of the accounting world (Louis, 2007). They dissect financial records and sniff out any form of fraud like deception, embezzlement by employees, connivance in corporations, sneaky spouses and so on (Sadiq, 2007).

Forensic accounting is therefore, the use of accounting principles and investigative techniques to verify the occurrence of fraud, theft, falsification, forgeries, etc. A forensic accountant therefore, is partly an accountant and partly an investigator or a legal expert, positioned to provide key evidence in legal proceedings and may also be engaged specifically by anti-graft agencies like the Economic and Financial Crime Commission (EFCC), Independent Corrupt Practice and Other Related Offences Commission (ICPC), Federal Inland Revenue Service (FIRS) in Nigeria and the Federal Bureau for Investigations in United States to conduct fraud investigations (Keshi, 2010).

Objective of the Study

The main objective of this paper is to examine the possibility of utilizing forensic accounting services in fraud investigations, especially with the fight against corruption in Nigeria. However, one may argue that accountants have recently been subjected to very unpleasant publicity following the rate at which Public Officers, Chief Executives of Corporate Bodies and Political Leaders embezzle public funds, as perceived by the general public to be in connivance with accountants. But this study seek to posit that those accountants whose reputation has been at a crossroad, especially in the public sector are really not professional accountants, but book-keepers who are mostly misconceived to be accountants by the general public.

Therefore, the direction of this paper is aimed at drawing the attention of governments and its anti-corruption agencies to the need for utilization of forensic accountants (by extension professional accountants) in combating the menace of frauds and other forms of corruption in Nigeria.

Hypothesis of the Study

Based on the specific objective of the study, hypothesis was formulated in null form, thus:

Ho: The utilization of forensic accounting services in fraud investigation by anti-graft agencies in Nigeria is not practicable.

Literature Review and Conceptual Issues

In this section, relevant literatures related to the study were reviewed and the conceptual issues addressed includes the concept of forensic accounting, the development of forensic accounting, prior studies on forensic accounting, the concept of fraud, etc. Local and international publications were consulted including the work of Weaver (2008), Minniti (2008), Crumbley (2009), Joshi (2003), Zysman (2001), Coenen (2005), Zysman (2001), Sadiq (2009), Owojori and Asaolu (2009), Adeniji (2009), Kantudu (2008), Dennis (2001), Adeniji (2009), Williams (2005), Khan (2005), etc.

The Concept of Forensic Accounting

Forensic accounting is a highly specialized sub-discipline of accounting which requires the knowledge of financial accounting, auditing and investigative skills in dissecting complex organizational issues involving fraud, theft, assets or fund misappropriation. It involves the use of intelligence-gathering techniques, accounting and analytical skills to develop information and express opinion used by attorneys involved in criminal and civil litigation and to provide expert evidence (witness), if called upon to do so.

According to Weaver (2008), the term forensic accounting is used to describe the wide range of investigation work which an accountant in practice could be asked to perform. Accountants are trained in the art and science of accounting; therefore they are capable of applying the investigative analytical skills acquired to report on fraudulent financial activities, verifying, sorting, extracting, reproducing, identifying, and communicating past financial data or other accounting information for the purpose of civil or criminal legal proceedings. Minniti (2008), defined a forensic accountant as a chartered public accountant who uses statistics and investigative methods for the proper documentation of research evidence or the facts of a situation which can be defended in a court of law.

Forensic accounting, also called investigative accounting or fraud audit, is a merger of forensic science and accounting. Crumbley (2009), defined forensic science as the application of the laws of nature to the laws of man. Crumbley (2009) further buttressed a forensic scientist an examiner or interpreter of evidence and facts in legal cases that also requires expert opinion regarding their findings in a court of law. The science in question here is accounting science, meaning that the examination and interpretation will be in form of economic information.

Joshi (2003), defined forensic accounting as the application of specialized knowledge and specific skill to stumble up the evidence of economic transactions. Zysman (2001), put forensic accounting as the integration of accounting, auditing and investigative skills for the gathering expert evidence required in a civil or criminal litigation. ICAN (2010), posits forensic accounting in terms of audit as a special practice which are of accounting discipline that describes services which resulted from actual or anticipated disputes or litigation. Coenen (2005), in his contribution to forensic accounting stated that forensic accounting involves the application of accounting concepts and techniques to solve legal problems. It provides an accounting analysis that is suitable to the court, which will form the basis of discussion, debate and ultimate dispute resolution (Zysman, 2001).

It can be seen that all the above definition are cutting across one or two things, thus; evidence gathering and litigation support (suitable in or useful in a court of law). Therefore, this study posits forensic accounting as that sub-discipline of accounting which requires the utilization of auditing, analytical and investigative skills in gathering evidence for the purpose of civil or criminal litigations.

The Development of Forensic Accounting

The term 'forensic accounting' was developed by Maurice E. Peloubet in his 1946 essay entitled "forensic accounting: its place in today's economy." However, it is on record that the first institution to use the services of a Forensic Accountants was the Internal Revenue Service (IRS) in United States of America; in 1931 and the Federal Bureau for Investigation (FBI), forensic accountants were used to convict mobsters relating to tax evasion, an arrest was not made until law enforcement agencies were able to make a case for tax evasion. In another vain, the service of a forensic accounting expert (Frank J Wilson) was engaged in 1932 under the auspices of the FBI to trace and identify kidnappers of the Lindbergh baby, through tracking the serial number of the gold certificates used to pay the kidnappers ransom.

In 1992, the American College of Forensic Examiners was established with the American Board of Forensic Accountants, starting in 1997. A journal of forensic accounting, auditing, fraud and taxation also began publication in 2000 in the United States. In 2002, the Sarbanes-Oxley Act established the Public Companies Accounting Oversight Board (PCAOB) which was charged with the responsibility of developing auditing standards, conducting investigations and ensuring corporate compliance. As a result of the passage of the Sarbanes-Oxley Act of 2002 in the United States, there has been continuing emphasis on the development and utilization of forensic accounting services in fraud investigations.

In Nigeria, some of the agencies that suppose to utilize the services of forensic accountants are the Economic and Financial Crime Commission (EFCC) and the Independent Corrupt Practice and Other Related Offences Commission (ICPC), but the services and skills of forensic accounting is not exploited to the fullest by these agencies. The prevalence of fraud in Nigeria has created a widely notion at the international arena that Nigeria is a nation of criminals and fraudsters.

It is against this background that, the Federal Government of Nigeria, through its public and private sector reform agenda, implemented various act, laws, agencies and regulatory bodies in an overall attempt to curb the menace of corruption, fraud and misfeasance. Notable among these reforms were the establishment of agencies such as the Economic and Financial Crimes Commission (EFCC), the Independent Corrupt Practice and Other Related Offences Commission (ICPC), the National Drugs Law Enforcement Agency (NDLEA), National Agency for Foods and Drugs Administration and Control (NAFDAC), e t c.

The establishment of these agencies has stampeded the use of forensic and investigative accounting skills which are required to uncover and establish the occurrence of financial crimes and establish evidence to support court processes such that culprits do not escape justice (NIALS, 2010). There are however, significant challenges to the practice of forensic method of fraud investigation in Nigeria; some of which are loopholes in laws, statutory framework, absence of enabling infrastructure and human capacity. One of such challenges is the evidence act, which hindered the admission of electronic evidence needed for the prosecution of cases before courts (NIALS 2011).

Prior Studies on Forensic Accounting

Sadiq (2009) conducted a research on the relevance of forensic accounting in combating financial crimes in private and public sector, with specific reference to third world economies. The work specifically evaluated the extent of financial crimes in developing countries, and also compared the severity of fraud in private and public sector with a view to determine the sector where the services of forensic accounting are most required.

The study of Sadiq (2009) made an empirical survey of perception of accountants, lawyers, economists, bankers, sociologist, engineers, related professionals and other knowledgeable individuals in Nigeria on the subject matter and made findings that fraud and corruption are fundamental problems of third world counties and that investigative or forensic accountants has a role to play generally; specifically in the public sector. Sadiq (2009), recommended that the strengthening of forensic accounting institutions and utilization of their services in public and private sectors of developing nations economies will go a long way in curbing the menace of corruption.

Similarly, Owojori and Asaolu (2009) conducted a similar research on the role of forensic accounting in solving the vexed problem of the corporate world. They justified the origination of forensic accounting as result of failure of the statutory audit to dictate financial misrepresentation, making references to the cases of the collapsed Enron, WorldCom, Tyco, Xerox and Wal.Mart Stores in the United States, the Holdmark Inc. in Netherlands, Parmalet plc in Italy and Cadbury Sweppes Confectionary in India.

In another vain, under the auspices of Chukwudifu Oputa Center for Forensic Studies, the Nigerian Institute of Advanced Legal Studies organized a successful and thought provoking round table meeting on the 19th July, 2010, on the pressing need for forensic and investigative accounting to support the effort at reducing criminality in the banking industry. Discussions at the round table were led by expert in the area of accounting, law and banking; representations were made from the Institute of Chartered Accountants of Nigeria (ICAN), the banking industry, the legal profession, the academia, the press and the civil society. At conclusion of the discussion, a communiqué was release signed by Professor Epiphany Azinge (SAN), which recommended that the subject of forensic and investigative accounting should be professionalized by the academia and professional accounting bodies.

The Concept of Fraud

The Black Law Dictionary (1990), defined fraud as “an intentional perversion of truth for the purpose of inducing another in reliance upon it, to part with some valuable thing belonging to a person or entity; or to surrender a legal right.” Adeniji (2009), defined fraud as an intentional act by one or more individuals among management, employees, or third parties, which results in a misrepresentation of financial statement, while Kantudu (2008), conceived fraud as any activity which involves the use of deception to obtain unjust or illegal financial advantage. Kantudu (2008), further elaborated that fraud is a generic term, and embraces all the multifarious means which human, ingenuity can device, which are resorted to by one individual, to get an advantage over another by false representations.

Dennis (2001) cited in Adeniji (2009), illustrate why people commit fraud by the use of a triangle. Dennis (2001) portrayed a fraud triangle which included one; a perceived pressure, two; perceived opportunity and three; rationalization. Fraud in accounting means a financial crime which can be perpetrated to benefit oneself or to benefit an organization. Sometimes, there are pressures on employees to misappropriate cash or other organizational assets. These pressures can be social, cultural or economical.

It can be seen that fraud or financial crime refers to anything calculated to deceive, whether by a single act or combination, or by suppression of the truth, or suggestion of what is false, whether it is by direct falsehood, by speech or silence, word of mouth, look or gesture.

Financial malpractices

Williams (2005) defined corrupt practices as any immoral, illegal and unethical act which include cheat, lie, defraud etc. Khan (2005) put corruption as the misused of entrusted power for private benefit. The forms, he said include; bribes, cronyism and nepotism, political donations, kickbacks, artificial pricing and fraud of all kinds.

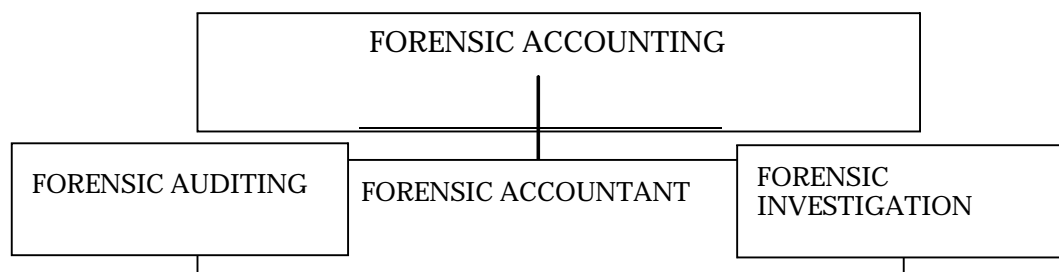
Money laundering

Forensic accountants are used to investigate and trace money laundering activities. Crumbley (2005) stated “a definition of money laundering that covers both legal and illegal context is to take money that comes from one source, hide that source and make the funds available in another setting so that the funds can be used without incurring legal restriction or penalties. One of the main uses of money laundering is to avoid paying taxes on income; and since governments rely on tax income to support their operations, they have a vested interest in preventing money laundering.

The Concept of Forensic Audit

Forensic audit is the application of auditing skills to situation that have legal consequences. Weaver (2008), states that “forensic auditing” covers a broad spectrum of activities with the terminology not strictly defined in regulatory guidance. BPP (2007), sees forensic audit as the process of gathering, analysis and relying on data; for the purpose of finding facts for evidence in the context of financial and legal disputes, in order to give preventive advice in this area. Weaver (2008) states that forensic auditing refers to the specific procedures carried out to produce evidence. Audit techniques are used to identify and gather evidence to prove for example, how long the fraud has been carried out, and how it was conducted and concealed by the perpetrators.

Figure 1: Showing the Scope of Forensic Accounting



Source: Adapted and Modified from Kaplan (2007)

Figure 1 presents the scope of forensic accountings, classified and discussed under the following headings:

Forensic Accounting: uses accounting, auditing and investigation skills to conduct an examination into an entity's financial statement, most often used to provide an accounting analysis to enable lawyers, government and companies to resolve financial and industrial dispute.

Forensic Accountant: is trained to look beyond the numbers and deal with the business reality and business situation. He/She has the ability to analyze, interpret, summarize and present completely financial and business related issues.

Forensic Auditing: is the application of auditing skills to situations that have legal consequences, the examination of evidence regarding an assertion to determine its correspondence to established criterion carried out in a manner suitable to the court.

Forensic Investigation: involve using specialized investigative skills to carry out enquiries conducted in such a manner that the outcome will have application to a court of law and may be grounded in accounting, medicine, law, engineering or some other discipline.

The Conduct of Fraud Investigation

To conduct fraud investigations, the forensic accountant must carefully consider what they have been asked to achieved and plan his work accordingly. The objectives of the investigation will include; identifying the type of fraud that has been operating, how long it has been operating for, and how the fraud has been concealed, identifying the fraudster involves, quantifying the financial loss suffered by the client, gathering evidence to be used in court proceeding.

Weaver, 2007; Kaplan, 2007). The investigators should also consider the best they can to gather evidence through the use of computer-assisted audit techniques.

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Evidence Gathering

The evidence should be sufficient to ultimately prove the identity of the fraudster. It is important that the investigating team is skilled in collecting evidence that can be used in a court case and in keeping a clear chain of custody until the evidence may be challenged in court, or even become inadmissible, the investigation must be relevant to the document being falsified, damaged or destroyed by the suspect(s).

Evidence can be gathered using various techniques, such as discussion and interviews with employees, substantive techniques such as reconciling cash coffers and review of evidence brought by those who the fraudster to book. For this reason, the investigations are likely to avoid deliberately confronting the alleged fraudster until they have gathered sufficient evidence to extract a confession. The interview with the suspect is a crucial part of evidence gathered during the investigation (Weaver, 2008, Kaplan 2007).

Methodology

The methodology used in this work was survey design: Questionnaire and interview which was used as the tool for data collection from primary sources. The Questionnaire and interview were administered/ conducted in three cities of Abuja (in North-Central Nigeria), Kano (in North-Western Nigeria) and Lagos (in South-Western Nigeria).

The qualitative research method was mainly content analysis which was carried to generate secondary data. This method is suitable in a pilot study of this nature. Interviews were conducted to seek relevant data which may be more informative than the questionnaire, among three categories of professional accountants, stratified with proxies as Public Sector Accountants (PSA), Accountants in Private Companies (APC) and Accountants in Practice (AIP).

Population of the study

The Public Sector Accountants (PSA), Accountants in Private Companies (APC) and Accountants in Practice (AIP) in three cities of Abuja, Kano and Lagos was construed to constitute the population of the study. The table below shows the distribution of the population of the study:

Table 1.1: Showing Population of the stud

Source: Researcher's Design (2014)

Considering a population of this nature, a sample was drawn from the total population of 619. A sample of 180 was drawn from the population constituting 29.07 %. The questionnaires were distributed to the 180 respondents representing the sample size of the study.

Table 1.2: Showing Sample Size of the study

City	PSAs	APCs	AIPs	Total	PERCENTAGE
Abuja	255	18	10	283	45.71 %
Kano	140	15	15	170	27.48 %
Lagos	132	22	12	166	26.81 %
Total	527	55	37	619	100 %

Source: Researcher's Design (2014)

Data Analysis and Interpretation

A statistical tool (Chi-Square) was used for analysis and interpretation of data. This tool is selected for its suitability and convenience in the interpretation of results from data collection in a research of this nature. In a more specific term, this technique is highlighted briefly below:

There are many techniques of testing hypothesis, but the Chi-Square test was used for purpose of this study.

The Chi-Square formula applicable in (Monga, 2000) is given as thus:

$$\chi^2 = \sum \frac{(Fo - Fe)^2}{Fe}$$

Fo = Observation Frequency

Fe = Expected Frequency

Summation Notation

The degree of freedom was obtained using formula as thus:

$$DF = (R-1) (K-1)$$

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Where: R= Row, K Column

Decision Rule:

If the computed value of X² is less than the, critical value on the table at 5% level of significant, at an appropriate degree of freedom (R-1) (K-i), the null hypothesis is accepted. If the computed value of X² is more than the critical value on the table at 5% level of significant, at an appropriate degree of freedom (R- 1) (K- 1), the null hypothesis is rejected.

To determine whether the utilization of forensic accounting services is practicable in fraud investigations by anti-graft agencies in Nigeria, primary data was generated through administration of questionnaire was analyzed using the chi-square test.

Table 1. 3: The practicability of utilization of forensic accounting services is practicable in fraud investigations by anti - graft agencies in Nigeria.

Variables and Responses	Agreed	Disagreed	Undecided	Total
Accountants Possess the requisite analytical skills to conduct fraud investigations	105	55	5	165
Accountants Possess the required analytical skills to conduct forensic auditing	113	35	17	165
Accountants Possess the required investigative skills for evidence gathering	119	28	18	165
TOTAL	337	118	40	495

Source: Field survey, (2014)

Table 1.3 shows the responses of the respondents. From these responses, 105 respondents (out of 165) agreed that Accountants Possess the requisite analytical skills to conduct fraud investigations in Nigeria, 55 respondents & 5 respondents were disagreed and undecided respectively. The opinion of respondents on the fact that Accountants possess the required analytical skills to conduct forensic auditing shows that 113 of the respondents agreed. 35 and 17 respondents were disagreed and undecided respectively. On whether Accountants possess the required investigative skills for evidence gathering, had a significant opinion with 119 respondents agreed and 28 & 18 disagreed and undecided respectively. In testing the result further Table 1.4 presents the chi-square result.

Table 1.4: Chi- Square Test Computations

Fo	Fe	(Fo-Fe)	(Fo-Fe) ²	(Fo-Fe) ² /Fe
105	112	-7	49	0.41
113	112	1	1	0.01
119	112	7	49	0.41
55	39	16	256	6.56
35	39	-4	16	0.41
28	39	-11	121	3.10
5	13	-8	64	4.92
17	13	4	16	1.23
18	13	5	25	1.92
Total				18.97

Source: Field Survey (2014)

Level of significance is 5%

Df = 4

$\chi^2 = 18.97$

Table 1.4 present the computed χ^2 as 18.97 which is more than the critical value 9.48 at 5% level of significant, while the degree of freedom (R—1) (K-1) is 4.

Based on the decision rule, the null hypothesis which states that the utilization of forensic accounting services in Nigeria is not practicable is rejected while the alternative hypothesis which states that the utilization of forensic accounting services in Nigeria is practicable is accepted.

Conclusion

Therefore, this study concludes that the utilization of forensic accounting services is practicable by anti-graft agencies in Nigeria. On this note, findings are made that the utilization of forensic accounting services in Nigeria can be achieved through providing an enabling framework for professional accountants to render services in fraud investigations and forensic audit.

Findings were also made that forensic accounting skills has some significant impact on forensic audit and fraud investigations in Nigeria and that the engagement of such services will reduce unemployment in Nigeria as it is perceived by the general populace, especially the generation of public employment, as accounting professionals and finance experts will be engage by agencies like the Economic and Financial Crime Commission (EFCC), Independent Corrupt Practice and Other Related Offences Commission (ICPC), Federal Inland Revenue Service (FIRS) and the Federal Bureau for Investigations to conduct fraud investigations as earlier opined by Keshi (2010).

Recommendations

Based on the conclusion made above, this study recommends that a regulatory framework which will provide for the utilization of forensic accounting services by anti-graft agencies in Nigeria should be put in place, such that professional accountants will be called upon to render services in fraud investigations and forensic audit.

In this regard, this study opined that the necessary legal framework for regulating the practice of forensic and investigative accounting should be established, and where necessary, existing laws should be amended to address developments in this area, training of persons interested in the practice of forensic and investigative accounting, as well as continuing education for persons already in the accounting profession should be provided in order to develop capacity in this area. The public sector should be involved in the forensic accounting initiative, in view of the fact that with the prevalence of frauds and/or other forms of corruption in the Nigerian economy, the government is the hardest-hit.

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