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Group of Investigators

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NEWSLETTER

Volume 03 – February 2021

As we enter into a new year, it is important to plan for the months ahead of us. Preparing your personal life as well as your business for potential risks is as important as ensuring you have sufficient stationary or if your budget is in order.

In this newsletter, we discuss the fraud schemes that one should be aware of as we enter the new year, top internet scams, as well as delve into cryptocurrency fraud.

BEWARE THESE 2 TYPES OF MOBILE FRAUD IN SOUTH AFRICA

BY STAFF WRITER (BUSINESSTECH)

<https://businesstech.co.za/news/software/462478/beware-these-2-types-of-mobile-fraud-in-south-africa/>

Paris-based anti-fraud firm Evina says that Africa's mobile fraud losses will continue to rise above the 2020 figure of \$4 billion to peak at a record \$5 billion by the end of 2021 if nothing is done to prevent global cybercriminals from looting the continent's wealth in a new, virtual 'scramble for Africa'.

Paris-based anti-fraud campaigner David Lotfi, CEO of Evina, said: "In Africa, we have the perfect storm of a youthful population using almost a billion mobile money accounts coupled with the Coronavirus-related one-third increase in Internet traffic."

Professional cybercriminals from around the world are costing the world's least developed continent billions every year that could be spent on infrastructure and social services.

Lotfi explains that mobile payment is being impacted by two primary forms of mobile fraud. "Today clickjacking and malicious apps are the two most common forms of mobile fraud. Through the clickjacking technique, a fraudster intercepts a legitimate click and unknowingly directs the user to a website where sensitive financial and other details can be stolen. Malicious apps are trickier, these apps have been injected with malware during a disguised app update or right from the start when the user unwittingly downloads the app from the app store, with the same purpose of defrauding the user," he said.



Evina claims that in the Middle Eastern and African regions the fraud rate is at 27% and of these fraudulent attacks, 60% are clickjacking and 19% are malicious apps.

While embedding malware in malicious apps can be a more refined fraudulent technique, clickjacking is a very basic type of fraud that has been around for at least five years and mostly eradicated in large parts of the mobile world.

“It’s easy to combat and there really is no excuse for the fact that one in three mobile subscriptions in South Africa, for example, is fraudulent.

“Evina has repeatedly communicated the fact that the fraudsters who continue to loot Africa’s wealth can be beaten with the right tools that we already use to protect millions of mobile transactions worldwide every day,” Lotfi said.

“Africa is a strategic region of huge importance to Evina and the greater mobile industry because this is where strong double-digit growth is coming from. We cannot allow mobile fraudsters to gain a beachhead on this pivotal continent key to the future fortunes of so many telcos, aggregators and digital merchants,” he said.

SAPS REFUSING TO REGISTER CASES

Several members of the community have laid complaints regarding the SAPS members on duty in the client service centre refusing to take their statements and/ or register their cases. These SAPS members also in many instances tend to consider the facts, express a so-called “Legal” opinion and often advises the community member that their complaint does not constitute a criminal case but a civil matter, thereby refusing to open/register docket.

It is important to note that the mandate of SAPS and that of the NPA is enacted in the Constitution of the Republic of South Africa. The mandate of the SAPS is outlined in section 205 (3) of the Constitution and directs that the South African Police Service prevent, combat and investigate crime, maintain public order, protect and secure the inhabitants of the Republic and their property, and uphold the constitution and enforce the law.

SAPS has to receive and investigate the complaints of the public and thereafter present it to the National Prosecuting Authority (NPA) for a decision to prosecute or not. NPA’s constitutional mandate is clearly defined in section 179(2) of the Constitution. The National

Prosecuting authority has the power to institute and conduct criminal proceedings on behalf of the State. Carry out any necessary functions incidental to instituting and conducting such criminal proceedings (this includes investigation). Discontinue criminal proceedings. The mandate of each of these institutions are clear - SAPS investigate and NPA deciding to prosecute or not.

The reasons for SAPS’s refusal to open a case could be twofold.

1. Simple laziness and/or
2. A concerted effort to keep the crime statistics down.

Their refusal to open a case or giving an opinion on the facts should be reported to the Commanding officer immediately. It is recommended that you type or write your statement before going to a Police station. It is a tedious and time consuming process to take down a statement hence their reluctance to do so. A detailed and comprehensive statement which covers all the aspects of the alleged crime elements should be compiled.

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**PRACTICE NOTE ON REGULATION 7(1) AND (2) OF THE RULES AND REGULATIONS GOVERNING THE
ADMINISTERING OF AN OATH OR AFFIRMATION**

We were instructed to furnish a legal option to serve as a practice note for all Certified Fraud Examiners (CFE's) who commission declarations and/or affidavits in their *ex officio* capacity during the course of their duties.

Affidavits and declarations are commissioned by a Commissioner of Oaths as set out in the Justices of the Peace and Commissioners of Oaths Act 16 of 1963 (the Act). CFE's were authorized to act as *ex officio* Commissioners of Oaths in the Government Gazette R112 No. 38498, dated 23 February 2015.

Regulation 7(1) and (2) of the Rules and Regulations Governing the Administering of an Oath or Affirmation states the following:

“7. (1) A commissioner of oaths shall not administer an oath or affirmation relating to a matter in

which he has an interest.

(2) Subregulation (1) shall not apply to an affidavit or a declaration mentioned in the Schedule.”

The implication of Regulation 7(1) is that a Commissioner may not administer the oath or affirmation on matters in which he/she has an interest. The exemption to Regulation 7(1) noted above allows a CFE to act as commissioner during the course of his/her employment or when performing its duties. Practically, the effect of the exemption is that a CFE may administer the oath or affirmation to an affidavit or declaration in a case they are investigating. In the case of *NAMPAK PRODUCTS LTD t/a NAMPAK FLEXIBLE PACKAGING v SWEETCOR (PTY) LTD 1981 (4) SA 919 (T)*, the court confirmed the exemption to Regulation 7(1) that the *ex officio* Commissioner of Oaths whose only interest therein arises out of his employment and in the course of his duty, was permitted to administer of a declaration.

The exemption(s) to Regulation 7(1) is in writer's opinion not absolute. The “interest” referred to in Regulation 7(1) interpreted as rather strict to include any interest, regardless if it is a pecuniary or proprietary one (see *RADUE WEIR HOLDINGS LTD v GALLEUS INVESTMENTS CC 1998 (3) SA 677 (EC)*). The CFE must be cautious and mindful of the relationship and interest in each and every matter they are instructed to investigate to ensure that the relation to the deponent be in line with the exemption to Regulation 7(1). In the South African courts, the validity of a declaration is often contested based on Regulation 7(1). The court will look at the merits of each case to determine if the Commissioner had an interest in the matter. Should a CFE be faced with a situation where he/she will/could have an interest in, he/she should rather allow an impartial Commissioner of Oaths to administer the oath or affirmation.

When a CFE is in doubt as to the validity or admissibility of a declaration as a result of the commissioner's capacity, best advice is to rather contact an attorney or fellow CFE for advice.

- DJ Swanepoel & Associates
Per: Dirk Swanepoel

This opinion was obtained from the ACFE and paid for by the ACFE.



INVESTIGATOR OF THE MONTH:

Sarel Snyman – ReBeL Documents Int.

Forensic Document Examination

Forensic Document Examination

This practical paper is intended to share information with forensic investigators regarding handwriting analysis. This document provides merely information regarding forensic handwritten examination.

Discrimination of Handwriting

The identification of handwriting (text or signature) is a discriminatory process that originated from the comparison and analysis of writing habits and an evaluation of the significance of the similarities or differences.

Background: The process of identification an individual.

As recent as in the 1980's the only way to positively identify an individual was by comparing fingerprints or by his/her signature. It was reported that during the presidential election in the USA in 2020, millions of mail-order votes had to be authenticated by signature verification. The signature mail-order vote document had to be verified against "known signatures" of the voter that was on the Government database. Here follows the pros and cons regarding comparison of handwritten identification versus fingerprints:

Similarities:

- Identification or elimination of an individual
- They do not need to contain a certain number of points for identification.
- They both contain individual features.
- No identical individualized handwriting- or fingerprint features exist in the broader population.
- The ACE process is used for identification/elimination.
- The conclusions whether definite or qualified are drawn from statistical proof in which the probabilities are expressed in qualified probabilities with an arithmetic value.

Differences:

- Handwriting consists of many variations.
- Handwriting must be legible in order to analyse.
- With a fingerprint, the examiner only needs one exemplar but with handwriting the examiner needs sufficient specimen handwriting.
- Handwriting of one person is never exactly similar.
- Fingerprints can be examined by computer products such as AFIS.

What makes handwriting identifiable?

The combination of **characteristics**, **qualities** and **features** and the repetition thereof.

1. Characteristics

- 1.1. **Class characteristics** also referred to as copybook writing – when we started school, we followed instructions on how each letter form is made.



- 1.2. **Individual Characteristics** – when the writer matures, both in age and graphically, he/she starts writing variations of the copybook letterforms that are not exactly like those he/she learned to write. The source of these variations may be any one or a combination of; A his own personal variation of the system form resulting from his visual perception of how the letter looks and should be made. There is also the component of further individuality resulting from the variation in the letterform caused by physical factors governing his movement of the pen; and **B** letterforms and features written by a parent, older sibling or relative, friend, teacher, etc. that he incorporates into his/her own writing because he likes them.
2. **Qualities** - defined as the overall reflection of writing skill and are governed largely by the movement through which the writing is produced.
3. **Features** - are the combination of characteristics found in the minute details of writing.

What is the ACE Process?

Most FHE's use this scientific process as handwritten analysis falls in the field of science namely "Human Behaviour."

It is also known as the **ACE-V** process.

A = Analyse

C = Compare

E = Evaluate

V = Verification

Most Important for Document Examiners

This fact cannot be overemphasised and that is to obtain as much specimens as possible. There are two types of specimen (known) samples.

1. **Request specimens** - this is usually where no specimens are available, and the investigator needs to obtain them before the matter is handed over for analysis.
2. **Collected specimens** – this refers to handwritten items which were written or signed by the suspect during the normal course of business.

Handwriting experts prefer to work from the latter specimens because there is usually no attempted disguise of writing from the author.

It is a known fact that when request writing is obtained that the suspect is quite nervous and that has a huge influence on one's writing. Furthermore, it is often found that the suspect attempts to disguise his/her handwriting.

Handwriting and the Motor Control

1. Handwriting is an acquired skill that is a complex perceptual-motor task (fundamental principle).
2. The execution of writing is a voluntary act that follows behaviour patterns learned as habits (fundamental principle).
3. As a complex perceptual-motor task writing varies (principle).

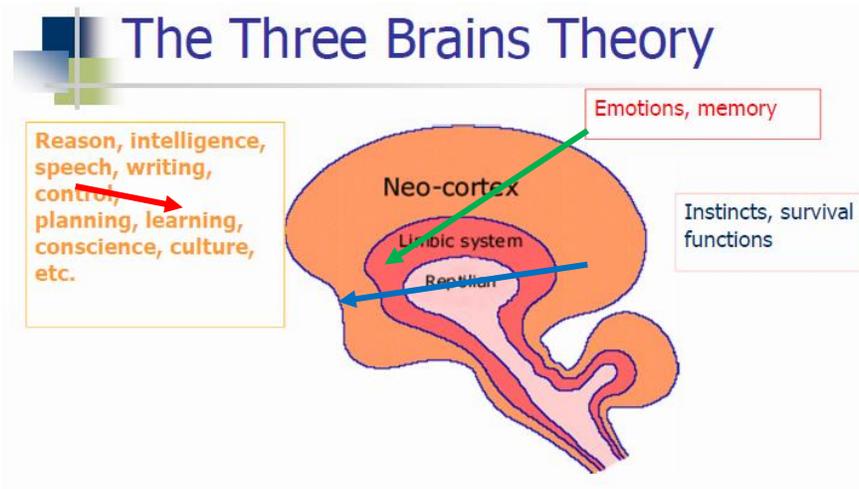


Brain and Signature

This is so useful for handwriting experts because of the fundamental diverse motor tasks between handwriting and signatures.

Functions of the nervous system not under voluntary control, e.g., the regulation of

1. Controlled by automatic responses,
2. Without thought,
3. From internal stimuli.



Opinions and Conclusions regarding QDE Analysis:

The International Scientific Working Group of Document Examiners (SWGDOC) is used in the preparation of the opinions in a report. SWGDOC provides the following nine-level scale for expressing conclusions:

1. Identification
2. Strong probability
3. Probable
4. Indications
5. No conclusion
6. Indications did not
7. Probably did not
8. Strong probability did not
9. Elimination

Can a Conclusion be Absolute?

The highest degree in identifying a human is in the DNA of an individual. A positive DNA conclusion is 99,999999%

As my good friend in the USA answers the lawyers in the USA *"The only thing I know that is ABSOLUT is Vodka"*.

ReBeL Documents Int.

Sarel Snyman: Certified Professional QDE: Dip Police Admin; Dip Crim Justice & Audit;

BA BPP; MSc FDEX

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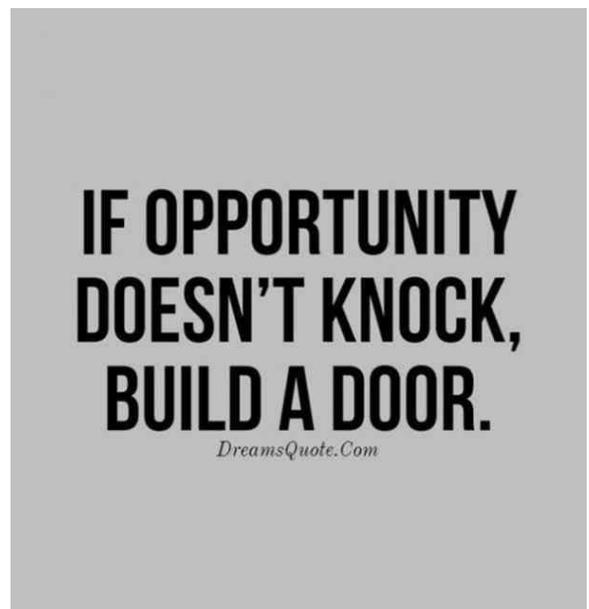
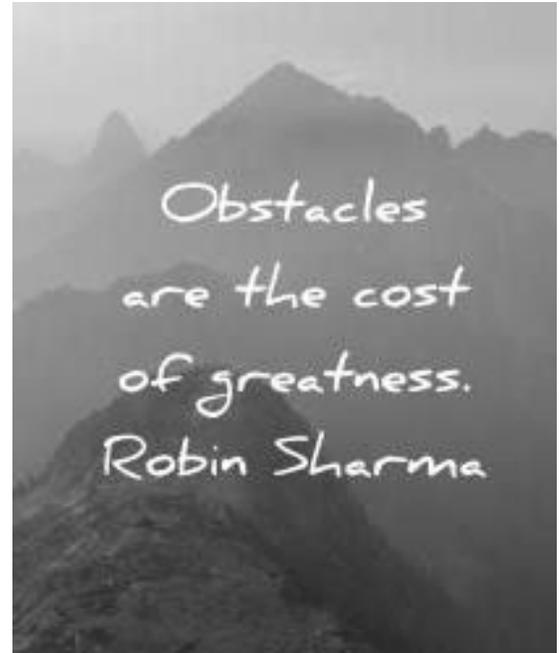
BIRTHDAYS

We here at Ferlio wish you have a wonderful birthday and a prosperous year ahead.

- **Hein Bezuidenhout** – 22 February
- **General Krappies Engelbrecht** – 22 February
- **Duppie** – 01 March
- **Riaan Bellingham** – 03 March
- **Adriaan Theron** – 14 March



MOTIVATION FOR THE MONTH:



CHARITY OF THE MONTH

MOOT DAYCARE CENTRE FOR DISABLED ADULTS

Opening their doors in January 2002, Moot Daycare Centre for Disabled Adults strives to provide disabled adults with care, stimulation and opportunity for socialization within their own community and to promote understanding of disabilities within the wider community.

Address: NG Kerk Villieria, 571 24th Avenue, Vallieria, Pretoria

Registration number: 2002/002330/08 PBO number: 930039498

For more information or interest in assisting the organization, contact Ronél / Darienne on 0837723087 / 0799705326 or send an email to: moot.dagsorg@gmail.com



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- Civil
- Forensic
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- Profiling / Lifestyle audit of individuals
- Business profiling
- Strategic audits on business
- Fingerprint screening
- Financial Audit Investigations
- Employee Background Screening
 - Identification documents
 - Driver's License & PDP
 - Criminal record
 - Educational background & qualifications
 - Prior employment records
 - Credit status
 - Integrity testing
 - Identification photos
 - Fingerprint verification

Undercover agents

- Standard level agents
- High level agents
 - Strategic level agents

Surveillance

- Physical
- Static
- Electronic
- Counter
- Covert escorting

Close Protection

- Executive protection
- Executive Support
- Asset in transit protection

Handwriting Specialist & Fingerprint Specialist

Polygraphs

Fraud Detection Initiatives

Security Risk Assessments

Transcripts / Translations

Pre-employment Psychometric Assessments

Truck & Driver Inspections

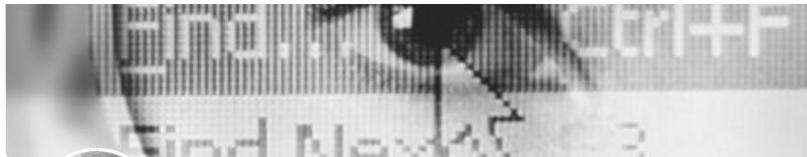
Security Vulnerability Assessment

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