

The Contribution Of Control Mechanisms In Combating Fraudulent Practices Related To Corruption In The Banking Sector: A Case Study Of The Implementation Of ISA 240 Standard

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Abstract

Corruption distorts the decisions of economic agents, discourages investors, and heavily impedes a country's progress by diverting public resources for private gain.

To combat fraud and corruption, it is necessary to implement a combination of control mechanisms, including the use of auditing methods, continuous monitoring, compliance procedures, operational controls, and any other control tools within the framework of internal control, specifically targeting the fraud that occurs in the banking sector.

It is important to note that the ISA 240 standard does not guarantee the detection of all frauds, as some frauds can be sophisticated and intentionally concealed. However, by providing clear guidance and strengthening fraud-related audit procedures, the standard aims to improve the overall quality of audits and enhance public trust in financial statements.

Our article will provide an overview of this offense while highlighting various definitions of potential frauds and the relevance of organizational theories and their correlation with fraud and corruption. The article will also identify the prioritization of controls within entities within the banking system, as well as the shortcomings and gaps in control within financial organizations.

Keywords: Audit, Internal control, Control mechanisms, Corruption, Fraud, Banking sector, ISA 240

Introduction

The theoretical framework used to develop research on the articulation of control mechanisms to combat fraudulent practices and corruption

draws its foundations from concepts in organizational management and risk management. Fraudulent practices, particularly corruption, have become significant obstacles to the development of organizations given their size and structural nature.

Corruption, in its classic definition, represents a social and economic act committed by individuals seeking specific benefits, such as monetary gain or favor. However, corruption, like all fraudulent practices, can take on a broader and more complex dimension in terms of consequences. Fraudulent activities can encompass various facets, including corruption, embezzlement, and theft.

Control mechanisms provide a response to these risks by first defining the risks within risk mapping frameworks and subsequently implementing effective and efficient controls at various levels to prevent potential risks in a preventive approach against risks.

The primary objective of the ISA 240 standard is to enhance the quality and effectiveness of audits by providing clear guidance to auditors on how to detect and respond to potential fraud risks. Fraud is an intentional act of deception, whether it involves manipulating financial statements, misappropriating assets, or committing other fraudulent acts within an entity's operations.

In this article, we will present the state of the art regarding different types of fraud, the concept of control mechanisms, the various observed findings, and the theoretical approach related to our research problem. The state of the art is a crucial step in a thesis as it situates the research topic within its scientific context. This article also identifies the advancements and gaps in current research to determine the relevance and originality of the research work.

The objective of this article is to provide a solid foundation for our research work by highlighting the strengths and weaknesses of existing research and demonstrating how our own work fits into this context.

Methods

Our article will primarily rely on a literature review to gather different definitions of the components (Audit, Internal control, Control mechanisms, Corruption, Fraud, Banking sector) in order to establish a detailed state-of-the-art of these practices. This will help the reader thoroughly understand the definitions and the correlation effects that can be established among these components.

Professional judgment will also play a role in the development of this article, as we have substantial experience in risk management and auditing, and we belong to a research team specialized in control mechanisms. The input from professionals and academics will be valuable

in framing and understanding the literal definitions and practical aspects of these concepts discussed in our article.

Results And Discussion

3.1 The Corruption: Between History and Reality

Historically, the concept of corruption has been applied to both political behaviors and sexual attitudes. The word "corruption" is derived from the Latin word "corruptus," which historically referred to factors that destroy what is morally sound.

The definition of the word is not static; it varies depending on each society. One of the reasons for the insufficient study of corruption is the feeling that it is a phenomenon over which we have little control.

The understanding of corruption is influenced by cultural, social, and political contexts. What may be considered corrupt in one society may not necessarily be perceived the same way in another. This highlights the subjective nature of corruption and the need to consider its complexities when studying and addressing it.

Furthermore, the perception that corruption is an uncontrollable phenomenon can hinder efforts to combat it effectively. It is essential to recognize that while corruption may be deeply entrenched, it is not insurmountable. By understanding its root causes and implementing comprehensive anti-corruption measures, societies can work towards mitigating and preventing corrupt practices.

Overall, the historical context and evolving definitions of corruption underscore the importance of studying and addressing this pervasive issue. Through research, awareness, and collective action, societies can strive for greater transparency, accountability, and ethical governance, ultimately working towards a healthier and more just society.

3.2 Embezzlement, a criminal act

Misappropriation of funds is a category of breach of trust that constitutes a criminal offense.

The funds must have been voluntarily entrusted, and the transfer of funds must have been made within the framework of a contract (loan, deposit, mandate, employment contract, exchange, etc.).

3.3 Fraud

Fraud in civil matters does not differ significantly from criminal fraud. It refers to an act that has been carried out using dishonest means to deceive consent, obtain unjust material or moral advantage, or with the intention to evade compliance with the law.

3.4 Theft

Theft appears to date back to the origin of humanity. Throughout history and across civilizations, it has been recognized, committed, and punished. It manifests, for example, on land through organized crime and at sea through piracy. Invasions have been motivated by the plundering of neighboring peoples. Deadly battles have been punitive expeditions in retaliation.

Table 1: Literature Review of Key Concepts Related to Fraud Research

Concept	Embezzlement	Fraud	Theft	Corruption
Determinants	<i>Breach of trust that constitutes a criminal offense.</i>	<i>An act that has been carried out using dishonest means to deceive consent, obtain unjust material or moral advantage, or with the intention to evade compliance with the law.</i>	<i>The act of fraudulently subtracting a movable property from a third party under certain circumstances.</i>	<i>An act by which a person holding a specific public or private position solicits or accepts a donation, offer, or promise in order to perform, delay, or omit to perform an act that falls, directly or indirectly, within the scope of their duties.</i>
Impacts	<i>Financial losses</i>	<i>Financial losses</i>	<i>Financial losses</i>	
	<i>Insecurity</i>	<i>Insecurity</i>	<i>Insecurity</i>	<i>Loss of financial resources</i>
	<i>Corruption</i>	<i>Corruption</i>	<i>Increase in crime</i>	<i>Injustice and violations of human rights</i>
	<i>Social cost</i>	<i>Social cost</i>	<i>Social cost</i>	<i>Political instability</i>
	<i>Loss of trust</i>	<i>Loss of trust</i>	<i>Deterioration of business reputation</i>	<i>Deterioration of the business environment</i>
				<i>Loss of trust</i>
Author	<i>Mbarka Ghazali & Hicham Drissi</i>	<i>Joseph Stiglitz, "La Grande Désillusion"</i>	<i>Marcus Felson, "Crime and Everyday Life"</i>	<i>Susan Rose-Ackerman, "Corruption et gouvernance : causes, conséquences et réformes"</i>

Figure 1: Impact of Fraudulent Events on Development



3.5 The Control Mechanisms: Prudential Activity of Organizations

Control mechanisms in an organization can take various forms, but their purpose is generally to ensure that the activities of the organization comply with established objectives and standards. Here are some examples of common control mechanisms:

Financial controls: These include maintaining accurate financial records, auditing accounts, and monitoring cash flows to ensure the organization remains financially sound.

Quality controls: These aim to ensure that the organization's products or services meet expected quality standards. Quality controls can be conducted internally or by external regulatory bodies.

Process controls: These aim to ensure that the organization's operational processes are effective and efficient. Process controls may include internal audits, process analysis, and regular performance evaluations.

Compliance controls: These aim to ensure that the organization adheres to established laws, regulations, and policies. Compliance controls can be conducted internally or by external regulatory bodies.

Security controls: These aim to protect the organization against internal and external threats. Security controls may include security policies, security audits, and penetration testing.

Risk management controls: These aim to identify, assess, and manage the risks faced by the organization. Risk management controls may include risk assessments, business continuity plans, and crisis management strategies.

3.6 Theories and Knowledge Development

a. The Agency Theory and Fraud

Agency theory is an economic theory that focuses on contractual relationships between stakeholders, such as shareholders and managers of a company. It assumes that these parties have different, sometimes conflicting, interests and that managers tend to act in their own self-interest rather than in the interest of shareholders or the company itself.

Agency theory has implications for the design of contracts, incentives, and corporate governance systems. It is often applied to publicly traded companies but can also be used to understand contractual relationships in other areas, such as relationships between customers and suppliers or between agents and property owners.

b. Contract theory and fraud.

Contract theory is an economic theory that focuses on how contracting parties interact to achieve common goals. It is based on the idea that contracts can be used to specify the rights and obligations of the parties, as well as to align their incentives towards the achievement of common objectives.

c. The theory of influences and fraud

The theory of influences is a sociological theory that examines the processes through which individuals influence others within a group or society. It explores how norms, values, beliefs, attitudes, and behaviors spread through social networks.

The theory of influences is based on the notion that individuals are interdependent and that social relationships are sources of mutual influence. Individuals also compete for adherence to certain norms, values, and beliefs. This competition can lead to conflicts and changes in dominant norms and values.

d. The theory of hidden costs and fraud

The theory of hidden costs is an economic theory that aims to identify the indirect and non-monetary costs associated with the production and consumption of goods and services. It considers that economic costs are not only related to product prices or production costs, but also include hidden costs such as environmental, social, or health costs.

Fraud can also be considered as a hidden cost in the theory of hidden costs. Indeed, fraud represents an indirect and non-monetary cost that can have significant economic and social repercussions.

e. The theory of transaction costs and fraud

The theory of transaction costs analyzes the costs associated with economic transactions, which involve the exchange of goods, services, or assets between individuals, companies, or institutions. It considers these costs to be divided into two categories: internal transaction costs and external transaction costs.

Fraud can have a significant impact on the theory of transaction costs. In fact, fraud can be seen as an inefficient transaction that generates significant costs for the parties involved. For example, a fraudulent seller may deceive a buyer by selling a product of lower quality than advertised or by not delivering the product at all. In such cases, the buyer will incur additional costs to resolve the issue and recover their money.

Table 2: Literature Review of the Concept of Corruption and its Determinants

	Theme 1 <i>Advocacy to Combat Corruption in the Judiciary System (Chapter: Historical Overview of Corruption)</i>	Theme 2 <i>Corruption and Development</i>	Theme 3 <i>Internal Audit and the Fight against Corruption</i>	Theme 4 <i>Challenges in the Fight against Corruption</i>	Theme 5 <i>Support Project for the National Anti-Corruption Strategy</i>	Theme 6 <i>Fighting Corruption in Morocco: Towards Pluralization of Governance Modes</i>
Synthesis	<i>Corruption is depicted as an age-old disease whose severity varies from one country to another. Historically, the term corruption signifies the destruction of everything that is wholesome.</i>	<i>Corruption is the main obstacle to economic and social development worldwide. Corruption can foster other crimes. The primary international instrument for combating corruption is the United Nations Convention against Corruption.</i>	<i>Corruption involves other offenses. Financial inspection represents an internal control. Security measures against corruption rely on the effectiveness of procedures.</i>	<i>Intolerance towards corruption is increasing worldwide, making it a matter of great importance for the UN and its member states. Corruption poses a barrier to growth and development. Corruption alters the decisions of economic agents and discourages investors.</i>	<i>The article defines the project launched in Morocco in partnership with the Ministry of Public Service to combat corruption. The article begins by presenting the key facts and achievements of the Moroccan state, primarily the development of a harmonized, adapted, and</i>	<i>The policy of combating corruption pursued in Morocco is seen as mimicry aimed at international recognition in order to increase the country's legitimacy and credibility. Since the 2000s, the fight against corruption has become a genuine business known as "Corporate Governance."</i>

					available legal and contractual framework, as well as the integration of anti-corruption measures into social policies. Secondly, the article presents the achievements of the project to date.	Electoral corruption is a long-standing practice that mainly manifests itself through the buying of voters' voices. The book also defines petty corruption in Morocco and presents its various modalities.
Determinants	The chapter demonstrates that corruption affects all countries for decades and is part of a vision to combat this disease despite its social, economic, political, and overall complexity.	The article proposes solutions for combating corruption, which revolve around the following themes: Government involvement Private sector involvement Media involvement Citizen and civil society involvement	The article proposes the determinants of essential security measures for combating corruption, which are: Minimum level security measures Intermediate level security measures High level security measures	The article argues that the fight against corruption must go hand in hand with strengthening the rule of law and good governance, as well as establishing strong institutions.	The main achievements of the project include: Support for strengthening the transparency of road controls by the Royal Gendarmerie Development of a mapping of legal texts related to the fight against corruption in Morocco (in Arabic and French) Graphic design of the Guide for the Management and Handling of Complaints Preparation of training modules on the fight against corruption and their integration into continuing education programs.	The main conclusion of this book excerpt is that it is necessary to distinguish between corruption and the expression of indebtedness.
Author/Or ganization	Patrick Mackintosh Jean	ONUDC	Mbarka Ghazali & Drissi Hicham	Martin Sajdik	UNDP	Béatrice Hibou, Mohamed Tozy

Table 3: Scope of Organizational Theories on the Issue of Fraud

Theories/Determinants	Agency theory	Contract theory	Influence theory	Hidden costs theory	Transaction cost theory
Conflict of interests between stakeholders in an organization	x				
Determination of rights and obligations in an organization		X			
Determination of norms and values impacting individual behavior in an organization			x		

<i>Financial impact of fraudulent activities in an organization</i>				x	x
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3.7 Observations made

a. Corruption and Development

In the context of our research on the existing situation and framing of the subject in reality, we have identified numerous observations regarding fraud in a general context and corruption in a more specific context, both of which hinder the development of institutions, organizations, and nations. However, the most recurrent observations related to fraud and corruption primarily involve the promotion of crimes, the inhibition of growth, and the impact on the respect for rights.

Furthermore, corruption hampers the development of infrastructure, affects job creation, and leads to poor governance.

b. Corruption and the Challenges Faced

In an evolving context of fraud and corruption, we have also observed that corruption is a universal phenomenon and intolerance towards it is increasing worldwide.

Currently, we can see that organizations and countries are not making significant investments against corruption. This lack of investment can have serious consequences on the economy, society, and politics.

c. Corruption and Implemented Actions

Despite the spread of corruption in organizations and countries, actions are being taken to mitigate this risk. These include the establishment of independent international and national bodies, the accountability and strengthening of institutions in the fight against corruption, and the implementation of laws and regulations against corruption.

3.8 Internal Control, a Risk Management Device

Internal control is a key function in ensuring the longevity and stability of an organization. It ensures that activities are conducted in a responsible, ethical, and compliant manner with current regulations, while minimizing the risks associated with the organization's operations.

3.9 The operational control, a first view of operations and flows

Operational control is a process through which businesses ensure that their activities are in line with their objectives and policies, and are carried out in an effective and efficient manner. Operational controls can take various forms, such as verification processes, audits, reporting, and evaluations. The purpose of operational controls is to ensure the quality and integrity of the company's activities, prevent errors, fraud, and losses, and optimize resource utilization. Operational controls can be divided into two main categories: preventive controls and detective controls.

3.10 Internal audit, a tool for risk detection and prevention

Internal audit is an independent and objective function within an organization that examines and evaluates its activities and operations. The objective of internal audit is to assist the organization in achieving its goals by providing assurance on risk management, control, and governance.

3.11 External audit, an effective eye for risk detection and prevention

External audit is a verification conducted by an independent auditor who is not part of the organization or company being audited. This audit ensures that financial statements and accounting information are reliable, accurate, and in compliance with applicable accounting standards.

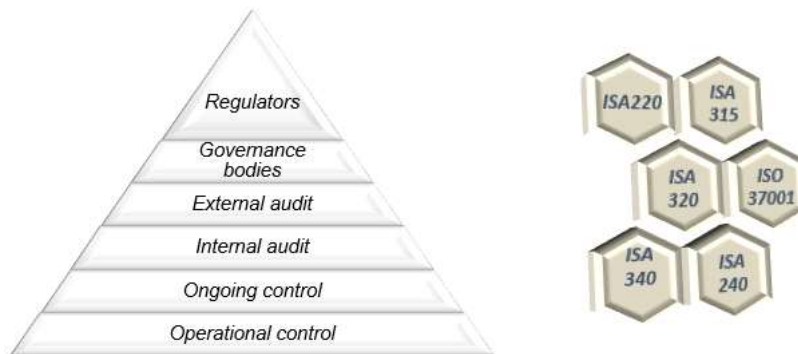
3.12 Regulatory compliance, between ethics and duty respect.

The role of regulatory compliance is to ensure that a company adheres to the laws and regulations applicable to its industry. This function is crucial to avoid penalties and fines, as well as to preserve the company's reputation.

3.13 The governance bodies, a strategic control of organizations

The governance bodies of a company are entities responsible for overseeing the management of the company and making decisions. They ensure that the company is effectively and efficiently managed in line with its objectives and interests.

Figure 2: Hierarchy of control mechanisms and collection of standards applied in Moroccan banking organizations



3.14 Global Non-Governmental Organizations Against Fraud and Corruption

There are numerous global non-governmental organizations (NGOs) that are fighting against fraud and corruption, such as Transparency International, Global Witness, Open Society Foundations, International

Anti-Corruption Academy, and Anti-Corruption and Civil Rights Commission).

3.15 Moroccan Non-Governmental Organizations Against Fraud and Corruption

In Morocco, there are several non-governmental organizations (NGOs) working to combat fraud and corruption. These include Transparency Maroc, Association Marocaine de Lutte contre la Corruption (Moroccan Association for the Fight Against Corruption), Forum marocain pour la transparence et l'éthique (Moroccan Forum for Transparency and Ethics), and Association marocaine des auditeurs internes (Moroccan Association of Internal Auditors).

3.16 Anti-corruption frameworks and standards

There are several reference frameworks and anti-corruption standards that have been developed by international organizations to assist companies and organizations in preventing, detecting, and remedying corruption, including the United Nations Convention against Corruption, ISO 37001, the OECD Guidelines for Multinational Enterprises, the OECD Principles of Corporate Governance for State-Owned Enterprises, and the Foreign Corrupt Practices Act.

In the context of our thesis, we deduce that it is preferable to focus on the ISO 37001 standard due to its importance in establishing an anti-corruption management system. However, the standard is an international standard published by the International Organization for Standardization (ISO), which sets out the requirements for implementing an anti-corruption management system within an organization. It was published in 2016 and is titled "Anti-bribery management systems - Requirements with guidance for use."

3.17 The International Standards on Auditing (ISA)

The ISA (International Standards on Auditing) are international standards published by the International Auditing and Assurance Standards Board (IAASB), which establish the standards and guidelines for conducting audit and assurance engagements.

In order to tailor the definition to our thesis topic, we will zoom in on ISA 240 (The Auditor's Responsibilities Relating to Fraud in an Audit of Financial Statements), which outlines the auditor's responsibilities regarding the detection and reporting of fraud in an audit of financial statements. It requires the auditor to identify and assess the risk of fraud, obtain sufficient understanding of the entity's internal control environment, perform specific audit procedures to detect fraud, and report any detected fraud to management and, in some cases, to regulatory bodies.

Additionally, we will focus on ISA 315 (Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and Its Environment), which requires the auditor to assess the risks of material misstatement, including fraud committed by management, based on an understanding of the entity's environment, internal control systems, and economic, industry, and other environmental factors.

3.18 The contribution of control mechanisms to the fight against corruption in the Moroccan financial system

a. The Moroccan financial system

The Moroccan financial system is composed of a set of institutions regulated by the Ministry of Economy and Finance and supervised by the central bank of Morocco, known as Bank Al-Maghrib. The Moroccan financial system is characterized by a strong presence of banks, which serve as the main source of financing for businesses and individuals.

b. The main control mechanisms in the Moroccan financial system

The main control mechanisms at the level of the Moroccan financial system include several regulatory and technical measures put in place to guarantee the security and financial stability of the system and which are (equity ratios, stress tests, concentration limits, provisioning standards, Internal and external audits, Information and risk management systems, Compliance and anti-money laundering rules).

c. The limitations of control mechanisms at the level of the Moroccan financial system

The control tools of the financial system in Morocco have been strengthened in recent years to guarantee the security and stability of the banking sector. However, despite these measures, there may be limits to their effectiveness, in particular (flaws in control systems, operational risks, market risks, counterparty risks, non-compliance risks).

Conclusions

In conclusion, control mechanisms play a crucial role in the banking system by ensuring stability and reducing the risks of economic crises. However, these tools also have their limitations and cannot guarantee complete protection against risks associated with financial operations.

The ISA 240 standard holds great importance in the field of financial statement auditing by strengthening fraud detection, improving audit quality, enhancing appropriate responses to fraud, and reinforcing the detection, prevention, and response to fraud risks within financial statement audits.

However, despite these measures, financial fraud continues to exist and evolve. Fraudsters constantly seek new ways to bypass controls and security measures. Therefore, it is important for financial institutions to

continue improving their control systems by adapting procedures and utilizing advanced technologies to detect fraud.

Ultimately, managing banking risks is an ongoing challenge for decision-makers and regulators, and it is essential to maintain a balance between regulation and financial innovation to ensure long-term stability and economic growth.

Declaration of Competing Interest

The authors of this article declare that they have no financial interest or personal relationship that could influence the work reported on this article.

Acknowledgment

The authors would like to thank all the colleagues from the "Financial Engineering, Governance, and Development" laboratory for their support and guidance in writing this important article, which explores specific concepts of the business environment. Special thanks go to Mr. Drissi Hicham for his unconditional assistance and dedicated involvement in the research and writing of the said article.

A big thank you to the National School of Commerce and Management in Casablanca for providing the technical and material resources that enabled us to conduct our research and, consequently, our doctoral thesis.

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