



**Arab American University
Faculty of Graduate Studies**

**The Role of Financial Expertise in Proving Crimes
of Financial Corruption in Palestine.**

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**This thesis was submitted in partial fulfilment of the
requirements for the Master's degree in
the Strategic Planning and Fundraising**

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Thesis Approval

The Role of Financial Expertise in Proving Crimes of Financial Corruption in Palestine

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This thesis was defended successfully on December 24, 2022, and approved by:

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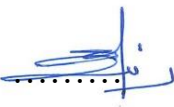
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Declaration

I, the undersigned, the Author of the thesis herein, titled “The role of financial expertise in proving crimes of financial corruption in Palestine.”, hereby acknowledge that the content provided is an original work and a result of my effort. It hasn’t been taken from any published work unless otherwise indicated. The thesis, in its entirety, hasn’t been submitted before to obtain a scientific title or degree; or published by any academic or research institution.

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Dedication

To my role model and strength, the shoulder I lean on, my first love and supporter throughout my academic life, To my dear father.

To my safety, safe house, comfort, my very soul, who remained my bedrock in my academic and professional ventures, to the one whom I owe the most, To my loving mother.

To the one I loved, accompanied, smiled thereat; To the one who supported me and stood by my side; eased my challenges, comforted me; took care of my responsibilities on my behalf, shared details and events with me, to the one who has the greatest contribution to the accomplishment of this thesis, To my beloved husband.

To the ones who make my heart smile; my soul finds comfort thereby; my eye delights; To the ones who were patient for being busy; To the ones whom I see sunrise in, future builders, To my precious children.

To whom I seek refuge and count on; the ones who do not spare an effort to advise and guide me, To my siblings.

To the honest and sincere hearts, who prayed for me in secret and in public; to whom I pride to belong, To my folks, friends, and co-workers.

To them, I dedicate this humble hard work, which I pray to God to be of benefit for others.

The Researcher.

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The Researcher.

Abstract

In light of the growing financial corruption crimes submitted to the investigative agencies in Palestine which require specialized financial expertise on financial corruption crimes; and considering that these agencies lack such expertise and the crimes are beyond their competency, we say that there is an urge to explore the role of financial expertise in proving financial corruption crimes in Palestine. Accordingly, the study aims at explaining the significance of financial expertise and the need for its contributions and services in the results of investigations and litigation to corroborate financial corruption crimes. It also seeks to examine the importance of having a financial expert at the Palestinian Anti-Corruption Commission (PACC); as well as the impact of financial data and documents availability and challenges risen in proving financial corruption crimes based on the perceptions of judicial officers of PACC, members of corruption crimes prosecution, and judges of corruption crimes court.

To fulfill the goals of the study, the convergence technique is employed between the theoretical and practical parts. Information is completed using interviews. Also, the content analysis of data provided in the Case Management Program at Palestinian Courts (Mezan II) is utilized, as the required data is identified through interviewing.

The descriptive-analytical approach is used on data derived from the questionnaire, being a vital tool for the study, and applied to a sample that consists of private judicial officers of PACC, members of public prosecution, and judges of corruption crimes court, which form the population of the study. The sample is selected following the census method, where 47

questionnaires are distributed and retrieved. Moreover, the Statistical Package for Social Science (SPSS) software is used to address the statistical aspects.

The study reaches conclusions by convergence which indicate that the employee who works at PACC and performs the procedures of investigations, inspection, and preliminary evidencing; and audit, analysis, and tracking is both a financial expert and a forensic accountant.

Furthermore, following the content analysis, the study concludes that the percentage of financial cases rewarded is 79% of the total rulings issued by the corruption crimes court concerning all cases. In addition, the percentage of cases rewarded that include a financial report from different entities, is 60% of the total financial cases rewarded during 2010 – 2021.

The findings of the study, based on the statistical analysis of the questionnaire, show that the PACC judicial officers, members of corruption crimes prosecution, and judges of corruption crimes court require financial expertise to prove financial corruption crimes reasonably and fairly, with a percentage of 83%, having the prosecution members as the most supportive and in need for financial expertise.

The study illustrates an influence relationship existing between the services of financial expertise and the results of investigations and litigation in the crimes of financial corruption. Also, they contribute to and affect such results as indicated by the perception of the individuals of the sample with a ratio of 85%, with the members of the prosecution as the biggest supporters. Subsequently, the study concludes that financial expertise links persons to the crime and determines the nature of the defendant's role in the case. It also helps in revealing other suspects who are involved. The PACC financial expert is considerably relied

upon in proving financial corruption crimes, with the prosecution as the most dependent thereon.

Likewise, the study concludes that there is an effect of financial data and documents availability on the application of financial expertise procedures in proving financial corruption crimes based on the perception of the surveyed persons, with a ratio of 68%, with the judicial officers as the most supportive. Also, it indicates that financial data and documents are not made available from their sources directly, requiring complex procedures related to different agencies and entities.

In addition, it signifies that there is an impact on the legislative, procedural, and administrative challenges facing the financial expert in proving financial corruption crimes, based on the perception of the surveyed, with a ratio of 71%. The judicial officers group is the most supportive in relation to the foregoing notion. Besides, it indicates that the limited training related to financial investigations and forensic knowledge is the key challenge, concluding that judicial officers and judges support granting the financial expert the powers of judicial capacity. At the same time, the prosecution goes with restraining them.

According to these results, the study furnishes several recommendations, most importantly, the circulation of positive results that arise from the use of financial expertise in investigation and litigation; raising awareness on the importance and impact of financial data and documents availability on proving financial corruption crimes; designing a diploma program for financial experts in financial investigations and fundamental forensic knowledge; advising the legislator to define the financial expert and regulate the works of

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financial expertise; and recommending to competent parties the inclusion of forensic accounting curriculum in the Palestinian universities.

Keywords: Forensic Expertise, Financial Expertise; Financial corruption; Financial Corruption Crimes; Proving.

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Procedural Interpretations

The procedural definitions for this study were developed by the researcher, drawing upon the theoretical framework and benefiting from previous research, in addition to employing practical aspects within the study's context. These definitions primarily constitute the foundation of this research.

Forensic Expertise in Financial Field: It indicates the presentation of financial opinion by the financial expert who enjoys the knowledge of the financial matter which a layman doesn't possess. Also, it is a procedure of the investigation and interrogation procedures, as well as a judicial procedure and a proving tool that investigative agencies and judiciary use to find facts and prove crime in their pursuit to achieve justice.

Forensic Accounting: It refers to the investigative approach that applies accounting skills and legal knowledge using investigation and examination; and financial analysis in accordance with the legal framework that enables a forensic accountant to reach financial documents and data required for fact-finding and obtain financial evidence that leads to proving. Hence, it molds the results in a report to present an unbiased technical opinion in the form of a consultancy or a testimony for the judicial authorities to achieve justice in relation to financial cases.

Financial Corruption: It is any practice conducted by any of the legally liable under the provisions of the Anti-Corruption Law in which he/ she violates the regulatory rules and laws of the financial system pertaining to the institutions of the State of Palestine; or infringes the instructions of its supervisory agencies to acquire a personal financial gain at the expense of public interest. The manifestations of financial corruption are represented in the absence

of integrity and transparency in financial dispositions; and abusing and wasting public money.

Financial Expert: It stands for the personnel who works for the Palestinian Anti-Corruption Commission (PACC) and conducts his/ her duties by implementing the procedures of “investigation, inspection, and collection of preliminary evidence”; and “auditing, analyzing, and detecting” by virtue of the granted title of being a private forensic officer under the Palestinian Anti-Corruption Law No. (1) of 2005 and its amendments.

Financial Expertise: It is the investigation process that the financial expert carries out for the PACC, under the occupational title, whether it is an investigative work; or an interrogative or judicial procedure, after being assigned thereto by the investigation agencies which are specialized in applying the accounting techniques by following the work procedures of PACC. This is done within the limits of the related powers and tasks and striving to access financial evidence. The results of his/ her work are put in the report that comprises the unbiased technical opinion reached in service of the investigations particularly, and the judicial procedures in general, whether through the report issued by the expert or the testimony given during the procedures of preliminary and final investigation. This is to prove or refute a financial event that may result in a corruption crime so they would reach the perpetrators of the financial corruption crimes and achieve justice.

Proving the Financial Corruption Crime: This refers to the means and evidence of proving the crimes of financial corruption against the accused or refuting them. These crimes are provided in the Anti-Corruption Law and have a financial nature. They require financial information on the suspects or persons involved in committing such crimes to support the

investigation file and expand the scope of financial investigation to explore money related to the criminal activity and financial corruption crimes (Bribery, embezzlement, abuse of trust, occupational investment, illicit enrichment, laundering money which results from corruption).

Chapter One

Research Introduction

This chapter explains the reason for conducting such a study. This study starts with a general description of financial expertise, “Forensic Accounting,” and a background on financial corruption and proving the crimes of financial corruption. Consequently, this study discusses the problem of the study, its objectives, questions, hypotheses, and significance.

1.1 Introduction

Corruption is considered a disease. Wherever it exists, it destroys. Many scholars believe that corruption has massively grown recently. It became a destructive international phenomenon that all countries endure since it loots their wealth and steals their public money. Thus, financial corruption is the most critical type, making it the most major obstacle, domestically and globally, in relation to the fulfillment of sustainable development goals. The great social and economic cost suffered proves such, especially for the developing countries, as it costs them up to 1.26 trillion USD (Li, et al., 2020). Accordingly, anti-corruption, if its purpose is protecting and restoring public money to the treasury, cannot be achieved aside from capturing the corrupted persons, pursuing them, and making sure they are penalized, which requires proving the crimes of financial corruption.

Corruption crimes are committed in secrecy, complexity, and discretion. They are complex, with many faces that evolve in the form of a crime difficult to unfold (Hamad, 2019, p. 65). What adds more complexity to this crime is being an economic one which requires financial data on the suspects or persons involved in corrupted activities for the case to be developed, and the financial investigation scope would be expanded as a result, which

is known as an investigative system that is concerned with detecting money related to criminal acts (Gale & Kelly, 2018).

The first step for effective investigation is planning, and one of the key elements of the investigation plan is engaging specialized experts who play a crucial role in financial investigations, for instance, financial analysis and forensic accounting. Accordingly, the role of financial experts in detecting corruption crimes is essential and required because the personnel operating in the field of investigating corruption crimes must prove that the corrupt acts have led to a financial loss for the government. Considering such, financial experts play a massive role in assisting investigation agencies and prosecutors in preparing and presenting cases before judges (Adhyaksana, 2013).

In light of the vast spread of financial corruption practices in the world, which is defined as “abuse of power to acquire illicit physical gains by violating laws and lack of compliance to the ethical behavior principles” (Aesawi, 2009, p. 4), and “... to realize personal financial gains at the expense of laws, financial instructions, and public interest” (Ahmed, 2019, p. 51), and based on numbers of lawsuits that require accountant services in financial cases (Al-Madhon & Ahmed, 2021), the need for combining financial and legal expertise, investigation skills, and litigation support arises. Then, forensic accounting came as one of the contributions presented by accounting to bridge such gaps and meet such needs (Abu-Tapanjeh & Al-Sarairah, 2021), which was defined by both Bologna and Lindquist as “the application of financial skills, and an investigative mentality to unresolved issues, conducted within the context of rules of evidence” (Visalakshy & J, 2018, p. 101).

Several studies on financial corruption have reflected on its ties and effects being influenced by a number of important variables, such as the accounting and cost information system; integration of the work of internal and external auditors; lack of application of corporate governance mechanisms on the competency of internal audit in ministries; financial administration reforms; and efficiency of public budget (Al-Fatlawi, 2012; Nathmy, Al-‘Aroud & Almbaidin, 2015; Onukelobi, Okoye & Pius, 2019; and Zumlot, 2020). Others have shown a positive correlation between accounting sciences and limiting financial corruption.

The findings of the studies which discussed financial expertise, represented herein in forensic accounting, have shown the urge for forensic accounting due to a load of financial cases presented in the judiciary. This is because such type furnishes the procedures and techniques that enable investigation and judicial entities to achieve justice toward limiting financial corruption (Al-Ja'bari, 2018; Al-Khatem, 2019; Rady & Al-Rawazqee, 2018; Burghol, 2015; Alabdullah, Alfadhl, Yahya & Rabi, 2014; Islam, Rahman & Hossan, 2011; and Al-Madhon & Ahmed, 2021).

Some studies reiterate the role of financial expertise in proving financial corruption crimes and the existing positive relation between the adoption of investigation techniques applied by forensic accounting and successful litigation of corruption cases through methods of investigation, evidencing, and collecting financial information to access the financial evidence, adapting it to serve the investigation and litigation agencies. Hence, it has a significant role in proving financial corruption crimes (Sorunke, 2018; Kasum, 2009; Suleiman & Ahmi, 2018; and Al-Khader, 2018).

The study of Arem and Al-Hasan (2016) shows that 96% of the surveyed individuals confirm the role of forensic accounting in preventing financial corruption, as well as acknowledging the existing need to have a forensic accounting department operating at the competent administrative courts; public money control agencies; anti-corruption and financial crimes investigation commissions. Similarly, what supports such findings is the indication made by Dr. Abdulsatar Al-Kubaisi (2016) that the acknowledgment rate of the significance of having forensic accounting to contribute to conflict resolution fairly, based on the perception of the judiciary, is 85% of the gross total for all cases presented to the judiciary (Al-Kubaisi, 2013).

The justifications of the study are manifested in the increasing corruption levels in Palestine according to the World Bank Index of Anti-corruption as provided in the National Policies Agenda 2017 – 2022. The Index suggests that Palestine globally resides in the 27th rank (State of Palestine, 2016). Also, it refers that Palestine recorded 5.2 points in 2005, ranking in 108 among 159 countries, based on the Corruption Perceptions Index of Transparency International. By reading these rankings, we say that the foregoing rank is falling behind, expressing the existence of corruption in the state's institutions at significant levels (Chêne, 2012).

This is interpreted in the large number of complaints and reports filed to PACC, which reached 6215 complaints and reports from 2010 – 2021. However, the complaints and reports submitted to PACC, which enjoy financial nature, during the period 2020 – 2021 have hit 21% of the total for the same period. Moreover, it is represented in the number of investigative cases recorded in the log of Corruption Crimes Prosecution that reached 683

cases for the period 2010 – 2021, while the number of cases reported to the Corruption Crimes Court was 283 cases during the same. In addition, the majority of settled lawsuits at the Corruption Crimes Court are financial corruption crimes, which hit 79% of the total settled cases¹. By examining such index numbers, we find that financial corruption crimes exist in large numbers, which are presented to the prosecution and judiciary, which in turn require specialized financial expertise in corruption crimes, and these entities lack thereof and don't enjoy the proper competence.

In light of the foregoing, it is required from all concerned parties to reveal corruption and pursue the corrupt to prevent financial corruption and preserve public money by proving the financial corruption crimes in Palestine. Therefore, the study sheds light on financial expertise, its importance, and contribution to revealing and proving financial corruption against their perpetrators or refuting them; identifying gaps and challenges to be tackled; increasing the effectiveness and efficiency of evidence collection, preliminary investigation, and litigation through an application study that addresses the approach of theoretical and practical frameworks, analyses the content of judicial data and decisions provided in Mezan II; along with a field study based on the perceptions of judicial officers of PACC, members of prosecution and judges in relation to corruption crimes as an attempt to be acquainted with all aspects of financial expertise role in proving financial corruption crimes in Palestine.

Thus, the study discusses “forensic accounting” in terms of general concepts; spheres of use; applied techniques and procedures; constituents of forensic accountants; the role of

¹ For the information provided in this clause, the researcher analyzed it based on what is stated in the records of the PACC; and the data and judicial decisions issued by the Corruption Crimes Court and available in (Mezan 2) for 2010 – 2021.

forensic accounting in combating financial corruption; examination of corruption and financial corruption concepts in its modern standing and novel methods; identifying its types and factors assisting in its occurrence, and implications resulted. Furthermore, it leans to explaining financial corruption in Palestine in terms of its causes, implications, forms, spread in different sectors, liability-bearers related to its combating and their efforts and strategies, as well as exploring financial expertise in Palestine regrading services, fields, methods, and procedures applied, and the constituents of a financial expert.

1.2 Problem of Study

The problem of this study is summarized in the lack of information necessary on the importance or status of financial expertise pertaining to proving financial corruption crimes in Palestine within the knowledge scope of the researcher, especially when there is no definition for the financial expert in the forensic field under the Palestinian legislative system, and lack of instructions to regulate his/ her work. Also, based on the best knowledge of the Researcher, no one has written on the role of financial expertise in proving financial corruption crimes in Palestine before. To bridge such a gap and to address such a problem in particular, this study attempts to deliver an answer to the following key question:

What is the relationship between financial expertise and proving financial corruption crimes in Palestine?

As a result, the consequent questions have emerged from the forgoing one:

- 1- To what extent is there a need for financial expertise to fairly prove financial corruption crimes from the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?

- 2- What is the link between financial expertise services and the findings of investigations and litigation in Palestine, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?
- 3- What is the impact of the availability of financial data on the procedures of financial expertise to prove financial corruption crimes based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?
- 4- To what extent do the legislative, procedural, and administrative challenges facing the financial expert affect proving financial corruption crimes, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution and Corruption Crimes Judges?

1.3 Objectives of the Study

The study aims at achieving the following:

- 1- Explaining the significance of financial expertise, the need for its services, and the extent of its contribution to the findings of investigation and litigation in proving financial corruption crimes in Palestine.
- 2- Examining the significance of having a financial expert at PACC; and the impact of financial data and documents availability and challenges in proving financial corruption crimes.
- 3- Presenting recommendations that help decision-makers in protecting public money and achieving justice by enforcing the financial expertise procedures in proving financial corruption crimes.

- 4- Examining the forensic accounting standing in Palestine and setting recommendations to include forensic accounting within the accounting curricula at the Palestinian universities.

1.4 Significance of Study

1.4.1 Significance of Practical Application

- 1- The significance of the study appears in the diagnosis of financial expertise in Palestine, identifying the shortcomings which hold the financial expert of PACC from applying his/ her procedures and the challenges faced which are within the scope of his/ her occupational duties as a judicial officer and the accredited administrative titles at PACC. This is to serve the endeavor of offering procedures for investigation, inspection, and preliminary evidence collection; and audit, analysis, and detection procedures that are more comprehensive, thorough, and connected to validation, investigation, and legal cases to enhance the validation and investigation mechanisms and apply effective investigation tools where planning stands as a first step thereof and expertise is the key component. Planning contributes to the purification of investigation and evidencing in a manner that achieves effectiveness and efficiency, protecting such from uncertainty. Such planning leads to accessing evidential matters in lawsuits to prove financial corruption crimes. Also, the emphasis is put on expertise in financial issues since the restoration of criminal money is the center of the anti-corruption system. So, the success of financial expertise procedures shall pave the way for the effectiveness of its services in retrieving public money to the national economy house in a fashion that fulfills the economic and developmental goals of the State.

- 2- This study seeks that this study would contribute to putting a base for evaluating the performance of financial experts who works at PACC through diagnosing their service impact on the spheres of investigation, evidencing, and forensic services in terms of its two parts: Preliminary investigation and litigation support.

1.4.2 Theoretical Significance

This study may help enrich the theoretical framework for future researchers on the procedures of financial evidence collection for proving financial corruption crimes in Palestine, creating a grounding for the studies of potential scholars in other dimensions related to financial expertise and pricing of financial corruption crimes.

The study examines the significance of financial expertise in proving financial corruption crimes as there is no regulation for the profession of financial expert in Palestine in the judicial sector. Hence, it is expected that this study would give recommendations that assist decision-makers in taking the necessary procedures for the sake of regulating this profession.

1.5 Delimitations and Limitations of the Study

1.5.1 Delimitations of Study

Territorial Delimitations: The study was conducted in the State of Palestine, including the Northern Governorates, representing all its governorates and excluding the Southern Governorates (Gaza), which could not be involved.

Practical Delimitations: The Anti-Corruption Law, notwithstanding its legal jurisdiction on all of Palestine, doesn't practically apply to the Southern Governorates.

Time Delimitations: The study was conducted in the period between 2010 and 2021.

1.5.2 Limitations of Study

- 1- Lack of literature that discusses the financial expert official definition, to the best knowledge of the researcher; in the judicial field; and instructions to regulate his/ her work in Palestine. An approach has been made between them where it is represented in the forensic accountant under the theoretical framework section. As for the practical and procedural aspect, it is represented in the judicial officers of PACC working at the departments of “Investigation, Inspection and Preliminary Evidence Collection” and “Audit, Analysis, and Detection,” which are sought by the legal and judicial officers, members of Corruption Crimes Prosecution, and Corruption Crimes Court in proving financial corruption crimes.
- 2- One of the key challenges faced by this study is lack of regulating of the forensic accountant profession in Palestine. Accordingly, the researcher worked toward proving that the financial expert of PACC is a forensic accountant by drawing a convergence between the two in fields, services, stages, procedures, techniques, and constituents.
- 3- Lack of data available, to the best knowledge of the researcher, pertaining to practical procedures and techniques applied by the financial expert; and the inability to identify financial experts after being assigned and tasked by members of the prosecution and judges of anti-corruption in proving crimes of financial corruption. Thus, it had to be content with expressing financial expertise through the fields and procedures made by the financial expert of PACC.

Chapter two

Theoretical Framework and Literature

This chapter includes literature reviews based on the study's variables and objectives stipulated in Chapter One. The researcher addresses such by furnishing a theoretical framework for the study. Subsequently, other literature related to the topic of the study is presented. A presentation thereof follows:

2.1 Theoretical Framework:

In this section, the researcher presents and examines theoretical concepts and terminologies pertinent to the model of the study, which deals with forensic accounting (services and procedures). In the first discussion, the goal is to discuss forensic accounting and followed by examining the proving of financial corruption crimes through exploring financial corruption.

2.1.1 Forensic Accounting

In this part, the definition of forensic accounting and its regulatory legal framework in Palestine are discussed. Succeeding that, the financial expertise, the topic of the study, is addressed, particularly within the judicial field. To that end, we have found that the ideal definition includes financial expertise in the judicial field, where the financial expert exercises investigation works and evidence collection; and is assigned and referred thereto by members of the prosecution department and judges to prove financial corruption crimes. Furthermore, this part presents the origin and concept of forensic accounting and the need

for it. It also reaches out to the services, methods, procedures, stages, and constituents of forensic accounting, as well as its role in combating corruption and its reality in Palestine.

2.1.1.1 Judicial Expertise

2.1.1.1.1 Definition and Regulatory Legal Environment of Judicial Expertise

Judicial Expertise: The Palestinian legislator allows judicial expertise and considers it as a proving method and a procedure of the investigation instructed by the member of the prosecution or the judiciary. In addition, the report tailored by the expert and issued by a competent official authority is an official report that is irrebuttable unless forgery (Abdulbaqi, 2015). The Palestinian legislator regulates the works of expertise in general through Evidence Law No. (4) of 2001 in Part Eight, in Articles (156-191). The aforementioned law authorizes the Ministry of Justice to issue related bylaws and instructions (Al-Madhon & Ahmed, 2021). Accordingly, the Ministry issued instructions concerning the accreditation of arbitrators and experts in accordance with the provisions of Arbitration Law No. (3) of 2000 and the executive bylaw thereof, and the decision of the Minister of Justice No. (39/ A. M.) of 2012. The Researcher believes that the latter is limited to regulating the expertise works in general and not in the area of financial expertise. Moreover, the legislator failed to regulate expertise in the judicial field as the Decree by Law No. (40) of 2020 concerning the amendment of the Judicial Authority Law No. (1) of 2002 in Article (77) indicates that the matters of expertise are to be regulated before civil courts by virtue of a Regulation issued for such purpose²; however, such regulation hasn't been published yet, and judicial expertise hasn't been

² Decree by Law No. (40) of 2020 concerning the amendment of the Judicial Authority Law No. (1) of 2002, published in the special issue (22) of the Official Gazette on 11/01/2021.

identified. On a different note, there are copious definitions delivered by scholars, including it is an investigating procedure (Atallah, 2017). Also, it is defined as a judicial proceeding (Al-Rahaili, 2014). In legal terminology, it is considered one of the proving means (Aladdin, 2017). As for forensic terminology, it is not but a type of testimony (El-Behery, 2019). Yet, expertise is seen as “a method of inquiry” and defined by Abdalnasser Mohammad Shnaiwer as “a scientific proving method, applied by scientific and field staff upon the request of the judge to give their opinion on the issue in dispute to reveal the truth. A judge can’t apply that on his/ her own” (Shnaiwer, 2005, p. 39).

The Palestinian legislative system defines an expert, under the instructions issued by the Ministry of Justice mentioned hereinabove as “a qualified person in a specific sphere who could be sought to identify technical issues related to his/ her spheres of work, which are difficult to another person to do, and he/ she meets the conditions stipulated in these instructions.” The abovementioned system defines such, within the scope of public job in accordance with the Regulation of hiring experts and occupying temporarily casual or seasonal works No. (10) of 2010, as “the person who is experienced in the scientific and practical field within the sphere of the required specialization or rare disciplines and is contracted with, whether an international or local, for a specific period of time to labor in the governmental department.” Nevertheless, it lacks any definition of a financial expert in the judicial field. One definition, among many, suggests that an expert is “any person who enjoys special knowledge on a matter which an investigator or judge lacks. These matters include medicine, engineering, accounting, and others.” (Al-Dosari, 2004, p. 1).

In light of these definitions, the expertise addressed by this study is the judicial expertise in the financial field, thus, the Researcher defines judicial expertise in the financial field as “the presentation of financial opinion by a financial expert who enjoys relative knowledge on the financial matter which a layman doesn’t have, and it is considered one of the inquiry and investigative procedures; a judicial proceeding; and a proving mean the investigation agencies and judiciary seek to reveal the truth, prove the crime thereby, and achieve justice.”

2.1.1.2 Origin of Forensic Accounting

Historic studies have shown that the ever-first to apply forensic accounting are the Pharaohs in Egypt by observing and counting the grains and gold stocks. The first in-court case is when Accountant Dr. Larry Crumbley was summoned to court and conducted the process of investigation to testify as an expert witness, which dates to the year 1817 when he became the pioneer of forensic accounting and the first forensic accountant in history (Singleton et al., 2006, pp. 35-37). In addition, one of the historic shreds of evidence on the existence of forensic accounting refers to the year 1924 in Scotland when a Scottish accountant published an announcement stating that he was an expert in supporting arbitration. Following that date, interest in forensic accounting has grown due to the need for the judiciary, which was established after the adoption of the Federal Income Tax in the United States of America. Such a step has put the forensic accountant in demand. In the same context, Al-Capone gang is considered the first case of tax evasion, which was revealed by a forensic accountant. However, the term forensic accounting first appeared in 1946 at the

hands of Maurice Pleoubet (Ramaswamy, 2007). It's crystal clear that the growth of forensic accounting has been made due to the spread of financial corruption.

2.1.1.3 General Concepts

Forensic accounting has many names, including judicial accounting, investigative accounting, criminal accounting, and others. Many researchers, whom the Researcher shares the same opinion with, believe that “forensic accounting” is the right expression since the word “forensic” therein refers to its use in courts or judiciary in disputes. Accordingly, it is deemed an optimal name compared to others such as judicial, as accomplishing justice requires first making a decision by a judge and then achieving justice, or it is one field of accounting. However, the words “judicial,” “investigative,” “criminal,” or other resulted from the application of special skills in accounting, account auditing; legal knowledge; investigative skills for the sake of evidence collection, analysis, evaluation, and result interpretation. In light of this, the work of forensic accounting is deeper and exceeds the auditing, financial, and legal routine works. (McKittrick, 2009).

2.1.1.3.1 Definition of Forensic Accounting

Linguistically: A different definition of the two words (Forensic and Accounting) may pave the way to a better understanding of the term “Forensic Accounting.” The word Accounting refers to the logical classification and economic incident recording and summarization to provide financial data to make economic decisions. On the other hand, the word Forensic is used as a qualifier in or related to courts of law. When putting these two words together to form the term “forensic accounting,” it holds a deeper interpretation and

larger scale than the two when separated. Such performance indicates using accounting data and information from different sources to identify facts objectively and in a manner that supports reasonable situations made in courts (Hopwood et al., 2007, p. 4).

Terminologically: Many definitions for the concept of forensic accounting have been sighted in accounting literature due to the different researchers and perspectives. It has come to the Researcher's attention, after examining some of these definitions, a number of definitions, which are provided below:

Some definitions argue that forensic accounting is an output of the integration process between skill and knowledge of accounting, auditing, and investigation principles. Hence, the American Society of Certified Public Accounting (Referred to as AICPA Hereinafter) defines it as "forensic accounting involves the application of specialized knowledge and investigative skills possessed by the forensic accountant in accounting, accounts audit, financial affairs, qualitative methods, and pieces of law, researches, and investigative skills, to collect, analyze and evaluate evidential matter and to interpret and communicate findings, as forensic accounting is delivered in the form of a testimony or consultation." (AICPA, 2005).

On a different note, others define it as an application of accounting principles, theories, restraints, facts, or accounting assumptions, and it includes all accounting knowledge fields in any legal dispute, i.e., forensic accounting consists of two fundamental elements, namely:

- 1- Legal Services: This acknowledges the role of the forensic accountant as an expert.

2- Investigation Services: These depend on benefitting from the forensic accountant's skills that may not lead to testimony in court (Silverstone et al., 2012).

Also, forensic accounting has been defined as “the accounting analysis that can uncover possible fraud, that is suitable for presentation in court. Such analysis forms the basis for discussion, debate and dispute resolution.” (Ramaswamy, 2007, p. 33).

In the same vein, it has been defined as “a method of investigating financial transactions and business situations to obtain the truth thereof and develop an expert opinion regarding possible fraudulent activity.” (Nunn et al., 2006, p. 1).

It is worth mentioning, notwithstanding the various definitions of forensic accounting stated in the accounting literature discussed hereinabove, that scholars generally agree, in terms of substance and content, with the general framework. The Researcher defines it as an investigative approach that works toward applying accounting skills and legal knowledge using the methods of financial inquiry, testing, and analysis, functioning within the legal framework that enables the forensic accountant to access the financial documents and data required to get down to the facts and financial evidence which in turn lead to the proving. The results of such work are put into a report which allows the said type of accountants to present an unbiased technical opinion, and it takes the form of a consultation or a testimony for judicial authorities to achieve justice in financial cases.

2.1.1.4 The need for Forensic Accounting

The need for forensic accounting refers to two key Causes, namely: The spread of financial corruption and the provision of reliability in financial statements to their users. However, there are other Causes, which are (Rady, M., 2011):

- 1- Spread of Corruption: Despite the adoption of mechanisms and interventions to fight it by countries, there are still some obstacles that stand against its countering and treatment. An example of such obstacles is the lack of legal examination profession in its two parts: Inquiry and legal support, which are the bridge that connect the accounting system with the legal one due to what they provide of outputs and financial and accounting data for legal purposes.
- 2- Gap of Expectations: In the context of review and audit, it stands for the difference between what the auditors do, could do, what they should do; or what is expected from auditors to do in light of what society expects; hence, the need for the forensic accounting came to surface as a new accounting field that seeks to bridge the gap of expectations in auditing.
- 3- The inability of the conventional role of an account auditor to detect fraud despite the responsibility assumed.
- 4- The need of the judiciary and courts for experts providing financial and accounting data for legal purposes. There is no doubt that corruption and the growing fraud have led to deterioration in these issues, hence, resorting to courts, which in turn led to increasing lawsuits, which also developed new fields and adding more loads and pressure to the environment of litigation. Accordingly, the need for experts or consultants has grown in such a domain. They seek their opinions and expertise through financial crimes and fraud reports. This has accomplished integration between accounting and law in delivering a reasonable, comprehensive, and transparent inquiry and analysis in a fashion that serves related lawsuits in achieving justice.

2.1.1.5 Services, Methods, Stages, and Procedures of Forensic Accounting

2.1.1.5.1 Services of Forensic Accounting

Forensic Accounting offers various services in two fields: Investigation in Financial Data through Investigative Accounting and Litigation Support, which include evaluating businesses; analyzing revenues and testimonies of experts; and evaluating future profits, whereas investigative accounting is the process of collecting evidence on criminal behavior and proving or refuting damages (Nunn et al., 2006). Among many fields, the main services are grouped as follows:

- 1- Investigating and restraining fraud where fraudulent activities are audited, and evidence and inquiries required are furnished to detect financial fraud by employees and others, in addition to tracking money embezzlement to determine whether a criminal act is associated and prove fraud cases or executing them (DiGabriele, 2008).
- 2- Investigations: The services of the forensic accountant are employed in criminal investigations by investigation agencies, law, and such when the matter investigated includes financial effects. The reports tailored by the forensic accountant are helpful during the preparation and presentation of evidence (Visalakshy & J, 2018). The forensic accountant participates on behalf of the police and pursues the money of the criminals, and collects evidence; hence, he/she may assist in many ways, including investigation of accounting. This correlates with the so-called investigative accountant (Forensic Investigation). Among such ways:
 - Discovering the reality and offering suggestions for possible courses of action.
 - Assisting in the protection and recovery of assets.

- Coordinating with other experts. (Kasum, 2009).

A forensic accountant may help in many ways, including (Owojori & Asaolu, 2009):

- Offering initial consultation as a preliminary evaluation of lawsuits and available evidence at the beginning of proceedings.
- Identifying key documents that should be available as evidence.
- Preparing a detailed and balanced report on evidence, written in a language easy to understand.
- Reviewing reports of accounting experts which are submitted by the other party and offering consultation thereon.
- Informing the legal consultant of the financial and accounting aspects of the case during the pre-trial preparation.

The investigations practiced by the forensic accountant include investigating financial and administrative corruption crimes (Standbury & Paley-Mezies, 2010), and validating bribe cases and money embezzlement (Augustine & Uagbale-Ekatah, 2014).

3- Forensic Services: The role of the forensic accountant is to investigate legal cases that are related to two key fields (Al-Kubaisi, 2016):

- a. Litigation support, i.e., the realistic presentation of economic cases related to advocacy or existing or pending lawsuits in which the extent of damages held by the participating parties in the legal dispute is determined. This support could be summarized in the following:
 - Assisting in acquiring required documents to support or advocate allegations.

- Reviewing documents related to conducting an initial evaluation of the case and identifying loss and its fields.
- Assisting in forming the questions pertinent to financial evidence and proposing investigation inquiries.
- Assisting in understanding financial matters related to the case.
- Assisting in settlement discussions and negotiations.

The AICPA identifies the services of litigation support to include Business evaluation, litigation services, and services of collecting, analyzing, and evaluating evidential matters, as well as interpreting and communicating findings. Additionally, they can include testimony or joint consultation. (Muehlmann, et al., 2012)

The litigation support consulting consists of services in which the forensic accountant provides an opinion based on known facts or facts that are yet to be uncovered. In case such, forensic accountants investigate the situation and then form an opinion based on their investigative effort. By the same token, litigation support services also include engagements concerning professional liability claims and civil claims. Professional liability claims consulting includes quantifying the loss resulting from a professional performance such as insurance disputes, delayed construction, and stolen trade secrets. On the other hand, civil claims consulting examples include business valuations, employee theft, and investigating accidents. (Nunn et al., 2006)

b. Expert Witness: This is the field where forensic accountants present their opinion in the courtroom. AICPA defines the expert witness as a qualified person who can provide an opinion concerning a lawsuit. The forensic accountant is appointed by legal authorities to

present opinion in cases of financial nature, as well as express whether the existing violations or offenses are based on evidential matter, in accounting or reviewing in particular. In case the forensic accountant is summoned by the judiciary, he/she must testify on the findings discovered. When summoned by the defense, he/ she testifies on the quality of the findings and whether the financial reports issued by external auditors reflect reality truthfully. (Lutfi, 2014, p. 347)

The role of an expert witness in litigation is to assist the trier of fact in resolving issues in dispute by contributing their specialized knowledge. When litigation revolves around facts that require understanding and application of accounting issues, forensic accountants can assist the parties in resolving between taxpayers and revenue authorities. (Muehlmann et al., 2012)

A forensic accountant may be asked to prepare a tax analysis, perform economic fact-finding, suggest interrogation questions, or help interpret documentation. The accountants may or may not be required to testify as expert witnesses in a courtroom. Forensic accountants must keep in mind that the judge and jury may not be familiar with accounting jargon. Thus, the accountant should explain everything thoroughly and avoid being too complex. As an expert witness, the forensic accountant must perform all investigative work personally because he/ she will be the one answering in court. The inability to answer a question on the witness stand can damage forensic accountants' professional reputations and future careers. (Nunn et al., 2006)

Forensic accountants perform the testimony and are liable only for the findings of their work. The final goal for their services is to use the accounting work using financial

information to assist arbitration entities in reaching settlements or rationalizing judicial decisions. (Chauhan, 2020)

Considering the special objective qualifications and adequate expertise, as well as the personal skills and characteristics required to act as a key player in the litigation team effectively, the forensic accountant performs the role of an expert witness in financial cases and lawsuits aside from any other types of accountants. (Lutfi, 2014, p. 357)

Accordingly, the Researcher finds that the fields and services of forensic accounting are various and comprehensive to the extent that they cover crimes related to financial corruption. For this study, the Researcher agrees with other scholars who believe that the fields of forensic accounting are related to investigations where the forensic accountant presents his/ her services concerning collecting information and financial evidence necessary to investigate the examined case. Also, the accountant offers his/ her findings in the field of forensic services in two parts; litigation support, which is made by background and supportive investigation agencies, furnishing his/ her services to understand financial-nature cases by assisting in interrogation, and an expert witness. Thus, his/ her services are represented in presenting an unbiased technical opinion on financial cases based on evidential matters, especially in terms of financial and accounting issues, along with testifying.

2.1.1.5.2 Techniques of Forensic Accounting

Accounting, auditing, and investigative techniques and methods are various, which a forensic accountant may utilize to uncover financial fraud and illegal engagements and mitigate them. Such techniques and methods, which can be used to collect evidence, discover

fraud, and offer consulting and legal services, are represented in the following: (Crumbley, 2009)

- 1- Obtaining evidential matter and choosing the right time.
- 2- Monitoring the company's activities regularly, searching for evidence of the crime or error.
- 3- Full-scale tests eliminate valid data and only include false data thereof.
- 4- Tracking maps and tables to show money flow or statements by tracing the movement of money circulated between the source and its recipient or its utilization, which is done in collaboration with the concerned parties. This method is mostly used in cases of money-laundering crimes.
- 5- Creating a database to be guided thereby under a proper timeline.
- 6- The gene map for personal relationships concerning the parties of the case being investigated. Here, electronic programs (software) can be employed.
- 7- Cash liquidity to prove the extent of compatibility with the company's accounts against the bank or any other.
- 8- Stock bulletins to trace the movement of the company's shares.
- 9- Using financial forms to grasp the company's opinion on the different matters related to customers or suppliers and others.
- 10- Auditing is the critical point to identify the causes behind the fraud.
- 11- Auditing powers to determine the deviations in spending.

- 12- Correlation Analysis: This is essential to draw multiple networks analysis which shows the connections between people and financial data or information or commercial transactions.
- 13- Tracking small transactions, or what is called crime tape, which contains any suspicious data, even if they are small amounts, which has been reiterated on several occasions.
- 14- Analyzing the sources of money and use.

While (Mehta & Mathur, 2007) added the following methods:

- 1- Time-series Analysis: It is used to examine the details from the moment when the problem appears to the moment of identifying the causes. This helps the forensic accountant to interpret the time relevance between events and investigation summarization.
- 2- Documents Challenge Method: This method is used to confirm the validity of documents where some can be omitted, amended, falsified or not have detailed data therein.
- 3- Series Method: The forensic accountant must protect the financial evidence and preserve the time series because there should be a way to prove that the evidential matters haven't been touched, destroyed, or blocked. Hence, there's a need to justify the evidence from the time of obtaining till being presented. Original documents must be kept properly and used copies in dealings.
- 4- Digital Assisting Tools: The forensic accountant may be required to use the software in some procedures to process important financial data that exist in the IT systems of the client without relying on it.

- 5- Data Mining Technique: It aims at mining the size of new or hidden data; or unexpected information with the help of computers. This may require a good understanding of IT systems.
- 6- Continuous Audit Technique: It is used to spot fraud, misuse of assets, improper activity, and irregularities. Evaluated events are marked within errors to be traced and followed up.
- 7- Game Theory and Strategic Reasoning: Such theory is used to uncover fraud through risk assessment; and planning and applying review procedures.

Ernst & Young in their study (2001) see that the techniques of forensic accounting are as follows:

- 1- Reactive Audit: It seeks to investigate illegal and suspicious fields or engagements and collect proper and acceptable evidence to support litigation, and identify liable persons. Reactive audit guarantees the most common method used in forensic accounting.
- 2- Proactive Audit: This audit aims at examining different aspects, including:
 - Legislative Audit: It is based on examining and evaluating the internal audit system to ensure the protection of different assets and resources.
 - Regulatory Compliance: It is used in the case of a governmental audit to make sure and determine the level of adherence of the department to the laws, regulations, and legislations when disbursing and confirming governmental payments.
 - Diagnostic Tool: It is employed to run tests that determine the risks arising from fraud and focus on target areas.
 - Investigating Claims: An investigation is carried out concerning the complaints and claims submitted. The proactive audit also includes keeping regulated and reliable accounting

records and verifying the effectiveness of the financial system design in terms of comprehensiveness and operational competency, along with the policies and procedures that help to ensure the application of directives issued by senior management. The continuous monitoring of the company's activities is one of the methods that fall under proactive audit, which seeks to detect errors or evidence of the crime, acting, as a rule, to be guided thereby according to a proper timeline.

One of the techniques explicitly applied in financial corruption crimes related to illicit gain is enforcing the principle of "from where you have acquired this?." This is interpreted as the Net Worth Analysis, an indirect way to estimate the net value of an individual (difference between assets and liabilities) at the beginning and end of the period, adding non-deductible living expenses to the increase in net wealth. If there are differences between the disclosed income and the increase in the net wealth calculated during the period of the year, the forensic accountant must, in such case, identify the causes as the difference in the income may be considered illegally gained from corruption such as bribery, embezzlement or untaxable income (Khersiat, 2018).

The Researcher sees that the diversity in forensic accounting reflects diversity in financial corruption crimes and their evolvement, which requires an ongoing follow-up considering that such crimes accelerate in their development and are compound, complex, and confidential. Also, the criminal regularly upgrades his/ her methods, and the authorities assigned to counter corruption are in a state of pursuing the corrupted, as he/ she is always a step ahead in the techniques used. It can be articulated as the evolvement of viruses; hence, all the techniques mentioned may be of use by the forensic accountant in addressing such

diversity and involvement. It may include all cases of uncovering corruption and proving financial corruption crimes.

2.1.1.5.3 Procedures of Forensic Accounting

The forensic accountant follows different procedures from one case to another, depending on the particulars of the case at hand. He/ She should consider before any application of any executive procedures that they don't conflict with the applicable laws of the state. These procedures are classified according to a study conducted in the United States of America as follows (Al-Khader, 2018):

- 1- Public Document Reviews and Background Investigation: The mission of the forensic accountant commences at the beginning of the investigation. The accountant studies the work environment of the target entity and any other works determined by the accountant that serve the investigation's objectives. This process continues as long as there is an update on the information or upon the appointment of new persons who enjoy the authority of reinvestigating and running background investigations.
- 2- Interviews of Knowledgeable Persons: This procedure seeks to collect evidential matters and information submitted by witnesses during the investigation process. The forensic expert does not perform the interrogative works done by law enforcement agencies, but he/ she hears statements and conducts surveying interviews.
- 3- Confidential Sources: Furthermore, the forensic expert obtains information from public sources and collects them from confidential sources. This is conducted through hotlines, anonymous messages, and other parties with ulterior motives.

- 4- Laboratory Analysis of Physical and Electronic Evidence: The forensic expert possesses various tools concerning physical and laboratory analysis, such as going through false signatures or distorted documentation. Having a cutting-edge knowledge of technological tools, he/ she can also analyze sizeable financial information, mine information and examination samples, retrieve deleted files, and search e-mails to collect evidence and examine records to uncover crimes such as embezzlement and others.
- 5- Physical and Electronic Surveillance: Through the examination run by the forensic expert, he/ she may recommend using physical surveillance techniques on persons, along with electronic surveillance for assets. These procedures are executed within a specific scope based on the current situation.

The correlations of forensic accounting may differ; hence, audit and accounting procedures may be required. However, the forensic accountant's work requires steps that must be followed upon his/ her assignment on a case to provide a realistic professional report. These steps can be summarized as follows: (Zysman, 2011)

- 1- Meeting with related parties, where identifying the problem is a fundamental step that should not be preceded by anything. Resolving a dispute depends firstly on this stage to determine the correlation scope, the nature, dimensions, effect, and motives of the problem, whether they are criminal, personal ones or unintended mistakes.
- 2- Reviewing priorities accurately to determine related parties concerning the dispute and the areas in question.
- 3- Performing initial investigation ahead of drawing a detailed action plan to reach a more complete plan.

- 4- Developing an action plan that addresses goals and methodologies to be used in the investigation process.
- 5- Collecting evidence and validating them to get more acquainted with the arbitrated case and before presenting the opinion.
- 6- Performing the analysis includes calculating economic damages, summarizing financial transactions, performing a trace of the assets, calculating present value by utilizing proper discount rates, and delivering findings using available instruments.
- 7- Reaching findings and producing a final report that determines the scope of the investigation, the approach used limitations that are imposed on the scope, results, and opinions of the forensic accountant supported by tables, graphics, and evidence collected, without neglecting any facts to avoid doubting and challenging the reliability of the report.

2.1.1.5.4 Stages of Forensic Accounting

If the procedures implemented in forensic accounting are the execution of diverse methods, then the whole group thereof stands as the general framework, which is expressed in the stages which the forensic accountant goes through, amid the process of collecting and searching for evidential matters in his/ her pursuit of the truth. You find below a general presentation of such stages (Al-Sayegh, 2019):

- Stage One: Diagnosis of Problem and Planning: The forensic accountant must pose many questions to identify and define the problem, putting into consideration that the works of internal audit or external inspection can be sought.
- Stage Two: Collecting Evidence: This stage stands at the core of the auditor, examiner, or inspector's work as he/ she ensures that the plan and the diagnosis of the problem are in

good standing; the evidence obtained is reliable and credible or misleading. If the latter case applies, he/ she must redo the diagnosis and evaluation made in the previous stage. However, in case the evidence and data are reliable and can be resorted thereto, the accountant shifts to processing all aspects of the problem, collecting evidence, then accommodating them with the problem particulars so he/ she can polarize justification using the report.

- **Stage Three: Evaluating Evidence Reliability:** In this stage, infringements and violations are examined against any fraud or other. Evidence and data are the base; hence, they are of great importance before extracting key findings and preparing final reports. Upon evaluating practical cases which lead to financial violations, whether they are forgery, fraud, or other, the examiner must be objective when offering his/ her opinion on the sufficiency of the evidence and have the ability to determine other alternatives in relation to evidential matters that are adequate to the purpose of audit and evaluation.
- **Stage Four: Preparing Final Report:** :It is the stage of presenting the findings of examination and investigation, in addition to the observations made by the auditor in the form of a final report that shows the evidential matters in an uncontested manner to avoid causing doubt to the reader. This is achieved by writing the report in clear, simple, and accurate language considering showing all facts found.

2.1.1.6 Constituents of Forensic Accounting

Considering that the services and fields where a forensic accountant operates include various knowledge and require different skills, academic qualifications are deemed a pillar to all these constituents. We present the classifications of such after reviewing the literature

and studies that address forensic accounting. In light of this, the Researcher sees that the following classifications cover all constituents required in the forensic accountant, so he/ she would be able to perform the tasks of collecting information, investigating, and assisting in the investigation process to reach reliable financial, physical evidence. They are as follows:

2.1.1.6.1 Academic Qualifications

The success of forensic accounting starts with academic education. Usually, the forensic accountant has an educational qualification and a college degree, in addition to a higher degree or postgraduate one (Rasmussen & Leauanae, 2004). Furthermore, to perform the tasks successfully, different studies have shown that the forensic accountant must have a thorough qualification in many fields, most notably: (Hopwood et al., 2007).

- 1- Accounting Sciences: Accounting science, knowledge of internal audit systems, and corporate governance rules represent the content, fundamental cornerstone, and robust rule for the forensic accountant. Also, they represent the scientific base to assist in interpreting and analyzing financial data, which he/ she may require.
- 2- Review and Audit Sciences: The nature of evidence and information and evidence collection, in the context of forensic accounting, requires the ability to collect and analyze information, as well as financial information presentation methods that are provided according to audit standards.
- 3- Legal Sciences: The forensic accountant must identify the types of necessary evidence which represent and conform with legal standards required by judicial authorities. In addition, having knowledge of how to preserve evidential matters and presenting them in

ways that meet the court's standards requires an acquaintance with laws and procedures applicable in court.

- 4- Information Technology: The forensic accountant utilizes information technology to store and recover data; evaluate control methods in processing data; assess and analyze electronic internal audit systems. Accordingly, he/ she must know about electronic communications and expertise in the field of computers and software.

2.1.1.6.2 Expertise and Training

Training contributes to preparing, qualifying, and training expert accountants to elevate their capacities in technical reporting to arbitration entities assigned to resolve commercial disputes in a way that goes in line with the requirements of evidence submission according to the International Financial Reporting Standards (Certified Expert Accountant (CEA), 2013, p. 2). Still, expertise is the distinguishing quality in a forensic accountant by actual application of forensic accounting in the field and real life (Rasmussen & Leauanae, 2004). Since expertise is the defining criterion for forensic accountants, the findings of the study conducted in Malaysia by Mohd & Mazni (2006) indicate that a forensic accountant must practice the profession for at least three (3) years. Considering that the forensic accounting team may be formed by attorneys, accountants, Computer experts, and law enforcement parties, such as the police service and customs police, the title of a forensic accountant is not necessarily limited to the person who holds a degree in accounting. Nevertheless, it is recommended that this person have expertise in external and internal auditing before he/ she becomes a forensic accountant (Okoye, 2009).

2.1.1.6.3 Required Knowledge, Skills, and Characteristics of Forensic Accountant

Having the forensic accountant in the environments of the judiciary, investigation department, and others do not only require expertise and professionalism in accounting and auditing, instead, it requires the accountant to have competency in several skills and knowledge. Bhasin mentioned, in his study, that a forensic accountant must have the following knowledge: (Bhasin, 2007)

- 1- Thorough knowledge of financial statements and the ability to critically analyze them to assist forensic accountants in revealing irregular patterns in accounting data and their sources.
- 2- Comprehensive understanding of fraud schemes, including misappropriation of assets, money laundering, bribery, and corruption.
- 3- Ability to understand the internal audit system of corporates; assess the risks of the internal audit system; evaluate the advancement of management's goals; educate users on their control responsibilities, and monitor the quality of application of the programs with the intent to reform any changes that may occur.
- 4- Ability to use computers and network systems which assists forensic accountants in investigating and verifying electronic banking transactions and computerized accounting systems.
- 5- Knowledge of psychology to absorb the motive behind criminal ways and prevent the programs which encourage employees to commit fraud.

- 6- Communication skills, which help in circulating information regarding the corporate's code of conduct policies, as well as assisting the forensic accountant in managing interviews and obtaining crucial information required.
- 7- Comprehensive knowledge of the policies of corporate governance and regulatory laws thereof.
- 8- Knowledge of criminal and civil law, legal system, and court proceedings.

Some Researchers argue that the forensic accountant should possess knowledge of the following fields: (Young, 2008)

- 1- Criminology and the legal, regulatory, technical, and ethical environment in which the profession is performed.
- 2- Methods of financial fraud and how to reveal it in the private and public sectors.
- 3- Litigation and accounting consulting services to support forensic procedures.

The AICPA requires certified forensic accountants to possess many fundamental skills, including knowledge of fundamentals of accounting, audit, training, and expertise in the generally accepted accounting principles (GAAP) and their applications, endorsement services, tax laws, business laws, and professional rules, standards, and ethics of accountants. Fundamental and specialized forensic knowledge follows the fundamental skills, and they are as follows (Davis et al., 2009):

- 1- Fundamental Forensic Knowledge:
 - Managing and practicing professional responsibilities.
 - Knowledge of laws, court proceedings, and dispute resolution.
 - Preparation of cases and their planning.

- Collection and preservation of information.
- Detection of evidence and facts.
- Preparation of reports and expertise certification.

2- Specialized Forensic Knowledge:

- Reorganization of insolvent and bankrupted corporates.
- Analysis of forensic computer.
- Calculation of economic damages.
- Combating, detecting, and preventing fraud.
- Evaluation.

In 2010, the Canadian Institute of Chartered Accountants issued a map for the competencies of practicing forensic accounting, in which the Institute determines the initial levels of the required skills, which the practitioner of forensic accounting should possess, and they are represented in the following:

1- Professional Accounting Skills: A forensic accountant must have the following competencies for the requirements of these skills:

- Knowledge of how to document, record, report, manage and control business activities.
- Ability to identify, obtain, test, and evaluate data.
- Ability to define the financial effect of the actual or expected financial accidents and operations.
- Ability to perform and interpret the findings of information analysis.
- Ability to document and use analytical findings in decision making.

2- Investigative Skills: A forensic accountant must have the following competencies for the requirements of these skills:

- Understanding the context which the correlation shall be made thereupon.
- Ability to determine, obtain, test, and evaluate the information related to correlation.
- Ability to analyze and compare the different types and sources of information.
- Understanding the information that will help assess the motive, intention, and tendency.
- Understanding the methods in which information is fabricated or manipulated.
- Ability to document and use investigations and findings in decision-making.

3- Investigative Mindset: Forensic accountants must apply professional skepticism; compare, analyze, and evaluate information related to correlation; and examine reports in terms of being biased, deceiving, or incomplete. Also, he/ she must have the ability to assess cases and the reasonability of assumptions, as well as develop hypotheses to categorize and address cases.

Many qualities must be found in the forensic accountant to be able to complete complex financial transactions and large data to reach the best findings for dispute resolution and litigation.

Davis and others have described these qualities in their study as essential characteristics, namely: analytic, detail-oriented, ethical, responsive, insightful, curious, intuitive, diligent, skeptical, assessor, performs the job well under pressure, can create new ideas and scenarios, confident, have people's approval, operate in a team, and adaptive (Davis et al., 2009).

The constituents of forensic accounting can be summarized in the description of Crumbley & Apostolou (2002) using the hierarchy framework, which consists of four primary levels: The first level is the biggest piece representing the strong accounting background, while the second level has a smaller share representing knowledge of auditing, internal audit, risk assessment, and fraud detection. The third level is the smallest, referring to legal culture, i.e., the basic understanding of the legal system. Finally, the fourth represents communication skills, orally and written.

After providing the constituents of forensic accounting, the Researcher briefs these as shown in Figure (2-1):

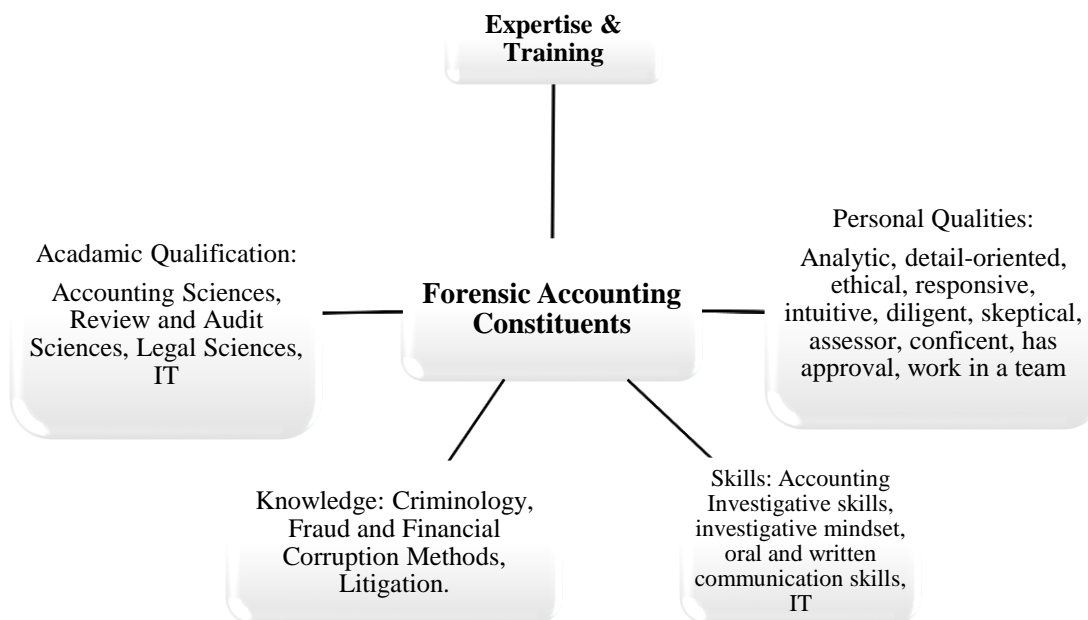


Figure (2-1) Constituents of Forensic Accounting,
"Source: Prepared by the Researcher"

2.1.1.6.4 Licensing Stipulations of Forensic Accountants

It is not stipulated to have a specific degree to practice the profession of forensic accounting, but it is one of the professional requirements (Huber, 2012). The forensic accountant can obtain the professional certificate of “Certified Fraud Examiner,” which is issued by the National Association of Certified Fraud Examiners, by taking a unified test. If passed, the accountant becomes qualified to perform investigations to get to evidence and financial reporting, as well as testifying in court in relation to detecting fraud (El-Khaldy, 2014).

2.1.1.7 Reality of Forensic Accounting Constituents in Palestine

In light of the growing need for the services of a forensic accountant, it became necessary to institutionalize this profession and create new job opportunities in the scope of accounting, with the entailed skills, knowledge, expertise, and professional certifications which demonstrate the necessity of having a regulatory framework concerning the work of the forensic accountant. Furthermore, there is an urge for the Palestinian education curricula to include the concepts of forensic accounting. To address the related reality in Palestine, we preview the following:

2.1.1.7.1 Regulatory Framework

Practicing Auditing Profession Law No. (9) of 2004 gives the auditor the right to offer consultation, forensic professional and arbitration experience, and liquidations in the accounting field, which are reiterated by Article (21) of the same law as it narrates, “The auditor has the rights to serve professional experience and consultations, carrying out

arbitration and liquidations in the fields of accounting, finance, and taxation affairs, in addition to inspection and checking the accounts of individuals, companies, establishments, and corporations” (Al-Madhon & Ahmed, 2021).

On the other hand, the Palestinian Legislator failed to regulate the works of expertise in the fields of forensic accounting, not to mention defining the expert in the same field. Notwithstanding the entitlement of the Ministry of Justice the authority to issue bylaws and instructions thereon, the latter hasn't issued any accreditation instructions concerning experts in the field of forensic accounting. Accordingly, we recommend to the Palestinian Legislator to define the financial expert, regulate the works of expertise in the financial field, and issue instructions regarding the appointment of the expert in the field of forensic accounting and in accordance with the Anti-Corruption Law and considering the crimes stipulated therein, the Criminal Procedure Law and the Criminal Law. The aforementioned should be based on the constituents of forensic accounting with the skills and knowledge required, which are referred thereto by the Researcher and considering the accountants' code of ethics.

2.1.1.7.2 Inclusion of Forensic Accounting in Palestinian Educational Curricula

The authorities of jurisdiction, academics, and related parties of forensic accounting began to consider the importance of having specialized academic programs in this field when the Association of Certified Fraud Examiners created a program that delivers free educational material to help academics in developing accounting forensic programs. This program is an academic turning point in observing the importance of forensic accounting concepts in educational curricula. Considering such, the number of universities teaching one forensic

accounting program has risen from 19 American universities in 2002 to 300 American universities in 2008.

However, the Arab world didn't realize such importance as the Arab universities didn't give apparent attention thereto, which is represented in failing to include any program in any Arab university. The same applies to Palestinian universities, whose accounting educational curricula do not incorporate forensic accounting (Daas, 2016).

In light of the growing and spread of financial corruption crimes in Palestine and in accordance with the available expertise of the financial experts at the PACC and the cumulative experience of the Corruption court and Prosecution Office, the Researcher emphasizes, in addressing the authorities of jurisdiction and related parties, the importance of having a forensic accounting course to be taught at the Palestinian universities and to include in one of its chapters the procedures and methods applicable, in addition to real-life scenarios derived from the experience of jurisdiction authorities which combat corruption in Palestine, as such entities contribute in the preparation of such course.

2.1.1.7.3 Role of Forensic Accounting in Preventing Financial Corruption

If we perceive the definition of financial corruption as a violation of the rules and laws regulating the financial work of the state's bodies or violations of the instructions of its control entities to realize a special financial gain at the expense of public interest; and that financial corruption comes in the form of bribery, abuse of trust, occupational investment, illegal gain, and laundering money coming from corruption crimes, we conclude that combating such requires a financial expert who enjoys the skills of investigation, information collection, and various knowledge which is manifested in the integration between accounting

and law, which are employed using various methods including planning, detecting financial violations, as an attempt to cope with the challenges imposed by financial corruption crimes, which are evolving and diverse. This is to reach financial evidence which the investigator uses to detect such crimes and pursue the perpetrators. This is embodied in the forensic accountant. It is worth mentioning that the profession of forensic accounting is the profession of tough missions (Al-Jalili, M., 2012).

This requires the forensic accountant, starting from the moment of assignment by the investigation agencies and ending up in objective final reporting to create an evidential matter, and to play different roles to uncover corruption crimes, which are referred to in the following (Silverston & Sheetz, 2007, p. 18):

- 1- Diagnosis, identifying the case, and Information Collection: The accountant uses his/ her skills, knowledge, and all tools to detect financial corruption crimes through the investigation procedures carried out. So, the work done resembles the work of an investigator, hence, the accountant is considered an effective instrument in combating financial corruption.
- 2- Providing reliable evidence using financial analysis techniques; and auditing and examining documents to detect fraud and manipulation employing the knowledge and skills at hand.
- 3- Documenting records and identifying deviations in ill financial processes and determining them.
- 4- Identifying embezzlements, financial fraud, and economic damages using witnesses and documentation.

2.1.2 Corruption

In this endeavor, we shed the light on the phenomenon of financial corruption which is, among its many forms, one of the most dangerous negative issues that put risk to economy, security, and life for most countries, in particular the developing countries such as Palestine.

To address such a negative phenomenon, the Researcher defines corruption, and its types in the first requirement, and then goes to defining financial corruption, causes, manifestations, and results.

2.1.2.1 General Concepts and Types of Corruption

There is a difference in identifying the concept of corruption in light of the nature of nations pertinent to interpreting corruption due to the different cultures, dominant values, and different political, economic, and social perceptions. Despite that, most societies share the main causes of corruption (Sorunke O. A., 2018).

To lay a comprehensive definition of corruption, a number of definitions and concepts shall be presented using the linguistic, terminological, and legislative meaning, and the perception of international organizations.

2.1.2.1.1 Corruption (Linguistically)

Corruption is derived from the Latin verb “rumpere”, which stands for fracture, as something broken, which may be an ethical, social, or administrative rule (Hope & Chikulo, 2000).

Oxford dictionary defines corruption as the deterioration of moral values (Immoral) in society or the mind of an individual. Also, it means Dishonesty and fraud because of taking bribes (Dictionary, 2007, p. 95).

2.1.2.1.2 Corruption (Terminologically)

Corruption, as a concept, may be difficult to define in a unified way as there are many definitions due to its diverse forms (Adeyemi, 2012). Mushtaq Khan connects corruption with authority deviation, or its representatives, driven by private interests related to power, wealth, or position (Sorunke, 2015). While (Dong, 2011) defines corruption in the public sector as the misuse of public positions for private benefit.

However, (Hamad, 2019, p. 23) defines it as “improper behavior that entails a person who uses his/ her status and power in violating laws, regulations and instructions seeking benefits for own self, parents, friends and acquaintances at the expense of public interest. This violating behavior takes the form of crimes such as bribery, embezzlement, misappropriation of public money, unjustified spending, and wasting of public money. It is a deviation from legal rules and systems applied locally or internationally.”

In the Palestinian context, the Palestinian Legislative Council, in its report on corruption in 1997, defines it as “a departure from laws and regulations issued thereby, or a violation of approved public policies by public employee to gain personal benefits or profit other related persons, or the exploitation of legislation absence consciously to obtain such benefits” (Iriqat & Yehya, 2020).

2.1.2.1.3 Corruption in International Organizations Perception

There is no a universally unified, comprehensive, and approved definition for corruption according to the UNODC in 2004 (Brooks et al., 2013, p. 12). However, there is an international agreement to define corruption as determined by International Transparency which is “the abuse of entrusted power for private gain” (Onukelobi et al., 2019), which signifies an official using his/ her position to gain private privileges or benefit a group at the expense of public interest. Nevertheless, the definition provided by the International Bank for Reconstruction and Development is the most adopted one in many narratives, which is stated “Corruption is the abuse of public status for personal gain” (World Bank, 1997, p. 102).

The United Nations Convention against Public Corruption defines it by referring to the cases where corruption is translated into practices in real life, then criminalize such. These practices include bribes, of all forms, in both private and public sectors; embezzlement of all forms; abusing power; abusing title; money laundering; illicit wealth; and other forms of corruption (Kharel, 2021).

The Arab Anti-Corruption Convention defines corruption as “a criminal phenomenon that has diverse and different forms with negative effects on moral values; political life; and economic and social aspects” (Saeed, 2019).

2.1.2.1.4 Corruption in Legislation

All Arab legislations, including the Palestinian’s, related to combating corruption follow the path of the UN conventions against corruption and the Arab Anti-Corruption Convention by

not defining corruption and only referring to its forms and manifestations (Hamad, 2019, p. 27).

In light of the foregoing, the Researcher believes that most of corruption definitions revolve around the cycle of power and authority. She also agrees that the main goal of corruption is to conceal public interest for the sake of private gain, with a difference in the methods applied for achieving that gain. If that is the case, then it is obvious that corruption entails many criminal practices and names such as political, ethical, administrative, financial corruption, and others.

2.1.2.2 Types of Corruption

Corruption, in terms of form, includes many types as follows:

- 1- Political Corruption: It is the abuse of public authority for illicit purposes, mostly to secretly achieve personal gain. Moreover, It is the submission of executive authority to the terms of the governing political forces, converting it to an authority that operates for the sake of protecting the ruling political forces and supporting them while seeking their continuity (Al-Abed, 2004, p. 225).
- 2- Immorality: It is represented in the ethical and behavioral deviations related to the behavior and personal conduct of the employee, For instance, committing offensive behaviors in the place of work, or joining between the job and other works without the permission of the management; using the power to get personal gains by the employee at the expense of public interest; or practicing nepotism in its social form which is called by some personal favoritism (Maddah, 2018).

- 3- Administrative Corruption: Every deviation in the public authority granted to employees away from the goals set by law (World Bank, 1997, p. 102). It also relates to anything that is done by the public employee concerning the forms of corruption; and administrative, occupational, and regulatory deviations; and other violations while performing the job which is made by abusing the position to achieve personal gain (Hazaea et al., 2022). This is manifested in accepting bribes, conducting blackmailing, or committing prohibited acts like embezzlement (Mousavi & Pourkiani, 2013). The list also continues to encompass ignoring punctuality concerning the job timings or spending the working hours reading papers and receiving visitors, abstaining from performing the job or being lazy and not taking responsibility, betrayal of job secrets, and deviating from the work team (Burak & Alghandouri, 2018).
- 4- Financial Corruption: Based on what precedes, and after introducing corruption in general, corruption in terms of form has diverse types and forms manifested in political, ethical, and administrative ones. Other types may be included such as religious, scientific, media, information, and statistical corruption. However, on the world stage, the focus is highly steered upon financial corruption, even if the types mentioned are no less harmful. In this requirement, we shed the light on financial corruption as it is related to the problem of the study, being addressed from different levels.

2.1.3 Financial Corruption

Having reviewed previous studies, it is important to clear out the correlation between administrative and financial corruption, so we can define financial corruption and distinguish it from the administrative type. Many previous studies have referred, in terms of concepts, to

the administrative and financial corruption being an indication of the same concept, putting in mind they include two parts. The first part deals with administrative corruption which symbolizes the violation of laws, and regulatory and administrative bylaws; while the second part relates to financial corruption, which in turn indicates the deviations and infringements of financial rules and provisions.

Many studies refer to bribery, embezzlement, and stealing public money as examples of administrative corruption, which are also financial corruption at heart. This is because the lines between the two types are grey or fading. In some cases, the goal of administrative corruption is gaining money, and in other cases nepotism as in appointing employees based on kinship, political, party or family loyalty; or laxity at work by being late and leaving before time (Aesawi, 2009).

Accordingly, the Researcher argues that financial corruption is directly connected to administrative corruption in terms of casualty. The existence of administrative corruption is a cause for the existence of financial one. A line between the two can be drawn based on the aim. If the goal of administrative corruption is gaining money, corruption can be considered financial, but if this is not the case, it stays administrative. In addition, they are distinguished in concept despite the crosscutting, besides, administrative corruption is more comprehensive.

2.1.3.1 Definition of Financial Corruption

It means the overall financial deviations and violations of financial rules and provisions which regulate the financial business in the state and its bodies. The

manifestations of financial corruption are represented in bribery, embezzlement, tax evasion, land apportionment, and nepotism in appointments (Burak & Alghandouri, 2018).

The definition of financial corruption is illustrated in the encyclopedia of the social sciences as “an abuse of public power to gain personal profits” The definition is comprehensive as it includes bribing local officials or politicians, ruling out the bribes of the private sector (Encyclopedia Britannica, n.d., "Financial Corruption").

Financial corruption can be defined as it connects with financial violations, which in turn include the following (Al-Sa'di, 2009):

- 1- Conducting acts that violate financial rules and procedures stipulated by the constitution, laws, and bylaws applicable in the country.
- 2- Violating the rules and procedures of public budget of the state.
- 3- Violating rules and procedures concerning procurement, storage affairs, and all applicable financial and accounting rules, procedures, and regulations.
- 4- Manipulating money in the form of crimes such as stealing or embezzlement.

Based on previous definitions, the Researcher grasps financial corruption as any practice an employee conducts in which he/ she violates the regulatory rules and law of the financial engagement in the institutions of the state or the instructions of monitoring parties to get a financial gain at the expense of public interest. Financial corruption is represented in bribery, embezzlement, tax evasion, illegal gain, ..., etc.

2.1.3.2 Manifestations and Forms of Financial Corruption

Financial corruption come in different illegal forms resulting from the abuse of public power to get financial gains, and perhaps its forms fall under the other forms of corruption

such as the administrative and political ones and others. So, the forms of financial corruption are diverse in terms of their practices, which are listed in the following:

- ✓ Bribery: It is considered the most common and important expressing form revolving around influencing an act or decision related to the recipient or beneficiary. The bribe happens when a person asks for it or offers it and pays it later. It takes the form of money or gains that have a value such as a share in a company or other (TOOLKIT, 2004).
- ✓ Assaulting and Wasting Public Money: They include embezzlement, theft, and fraud crimes. This form of corruption is carried out by robbing public money which may be in the form of money or other items by employees assigned to a public service who intentionally abuse their positions of authority (Aboud, 2010). It may come as an exaggeration in the cost of accommodation and transportation on missions and work travels, in addition to the use of phones, mail, vehicles, and stationary for personal gain (Al-Johaishi, 2009). Also, it can be in the case where some projects, that are supposed to be completed within a timeline, don't ever finish, and some other projects are set for a specific and known value, they get a huge budget (Hasan, 2014). They also include obtaining tax or custom exemptions, licenses for persons or corporates illegally, or even taking public money under the justification of being aid or direct or indirect support (Al-Bakou'a et al., 2009).

Article (17) of the UN Convention against Corruption of 2003 states that the signatory countries must take any required legislative measures and others to criminalize the public employee who intentionally embezzles, steals, commits fraud, or wastes any property, money, or other items of value that were entrusted thereto using his/ her position or drains

them to own interest or others' without considering the economic situation of the state related to the general financial situation (Assembly, 2003).

- ✓ **Laundering Money Resulting from Corruption Crimes:** Money laundering is a worldwide dangerous phenomenon, and an incubator of financial corruption, not to mention it is classified as the most dangerous phenomenon of the digital economy era due to its harm to the national economy and others' rights (Al-Hadrami, 2014, p. 21). The essence of this crime lies in transferring the money resulting from criminal acts into legitimate money by circulating them in legitimate projects and investments to conceal or deny its source or assisting any person who commits a crime to avoid legal liability in keeping the proceeds of such crime. If we want to interpret this in simple language, we can say that it is transferring dirty money into legitimate money. Furthermore, money fraud, embezzlement, and other forms are key sources of such (Maddah, 2018). The crime of money laundering is considered one of modern economic crimes related to organized crime, especially tax and customs evasion, political corruption, and others (Ojail, 219).
- ✓ **Forgery:** It refers to the alteration of the origin of the thing which may be a document, file, or any other instrument in a way that may cause harm to the public interest. The forms of forgery are mostly connected with falsifying evidential documents, forgery of signatures and seals, and altering data, amounts, figures, signatures, names, and addresses (Al-Fatlawi, 2012).
- ✓ **Absence of Integrity and Transparency in Financial Acts:** This is related to the referral of governmental bids illegally to corporates, organizations, unites or family members that have ties with senior officials; or by referring them to corporates using illegal means such

as failing to adhere to legal measures required in exchange of getting a personal gain as a share of these bids, contracts or tenders (Hamad, 2019, p. 40).

- ✓ **Tax Evasion:** It is one of the corruption forms practiced by businessmen and private organizations. The evasive party intends not to pay the incurred taxes or customs by not disclosing profits or customs, or by giving a misleading disclosure of such concerning the profits or customs. Tax and customs evasion takes many forms which include obtaining exporting licenses for persons who do not have any tie with the concerned establishment or its business, so they could get a financial acquittal for the exporter who owes unpaid taxes. Also, they include lowering the value of imported goods in invoices, so they reach lower percentages compared to the prices list approved by customs administration. Tax and customs evasion leads to weakness in the state resources, hence, the resources of governments and their ability to pay their dues weaken, along with their services and lifestyle improvement. This forces governments to hover around other income sources to compensate for the missing revenues due to evasion. For example, the government may take measures such as increasing or lowering the support of basic goods and services which entails a negative effect on society (Al-Khader, 2018).

2.1.3.3 Causes for Financial Corruption Spread

The different societies and governing regulations, and the resulting differences in the political, economic, social, ethical, legal, administrative, and regulatory situation, as well as the standards of societies classification being developed and advanced, and the nature of visions they have shall, without a question, lead to diverse causes which mostly refer to the spread of financial corruption manifestations. This is represented in the existence of several

causes and triggers resulting in the contemporary era, which by diagnosing them, their sources are dried out. These causes and triggers include the following, which the Researcher presents in a detailed way:

1- **Political Causes:** Financial corruption settles and spreads in authoritarian regimes which lack democracy, where authority is not circulated or shared, and political participation is not an option; and interpret the concept of integrity, reform, and righteousness in the loyalty to the regime or the party as an alteration of social values and principles, giving no care to the compliance of balanced separation between the three authorities, and where the executive authority interferes in the legislative one (Al-Masri, 2010). As a result, the judicial authority and rule of law weaken concerning the financial aspect because of the spread of political corruption which enjoys the lack of transparency in the public sector bodies and operate in shades. Thus, there will be no adherence to accounting transparency and the standards of accounting disclosure and blocking information and statistics from being available to the public, media, or civil society organizations. The role of such organizations shall be alienated (Al-Khader, 2018). Subsequently, public oversight weakens leading to poorness in accountability which is resulted from the absence of regulatory policies concerning financial acts (Maddah, 2018). This, in turn, prevents having sufficient monitoring entities to determine corruption cases upon their occurrence. Hence, it paves the way to provide immunity and political cover for the political elite due to the power and authority they possess in their practice of violations and deviations and protecting the corrupt, painting them with a legal and legitimate color in light of the availability of laws that ensure protection for senior politicians and employees against

being held accountable over the manipulation of public money, further, protecting them against being pursued. This leads to the reality where twisted behavior rules are the ones adopted by the public, so they would fit with the political behavior (Bob & Fogel, 2000). The system of ethical values collapses, as a result, leaving the society without a political role model due to the involvement of political leaders in corruption cases (Ishamri & Alfati, 2011, p. 42), making the political will appear weak with no credibility and co-exist with corruption, having no agendas nor initiatives to combat corruption, not to mention lack of effective measures to prevent it or instill integrity and rule of law. Still, even if it declares reforms, this shall be in vain, and the same applies to the reformers. Although such reformers enjoy hardness and true desire to reform, without political will, fighting corruption shall be limited and a formality, as long as such elites are sources of corruption (Mohammad, 2007).

It is worth mentioning that some countries, especially developing ones, are facing accelerating changes in the governing political regimes and their governments, as they shift from being democratic into a dictatorship and vice versa, as witnessed in the Arab world, which in turn generates a big circulation average for the political regimes through revolutions, coups, and ministerial changes. This has created an atmosphere of political instability, paving the way to financial corruption, and leaving officials feeling unsure about their political future. Officials who do not know their term of power may have triggers to embezzle money as much as possible and as soon as possible (Onaiza & Ali, 2014).

2- Economic Causes: They are key causes which lead to the occurrence and spread of financial corruption within societies, including but not limited to:

- ✓ **State's Domination over Economic Life:** The state's organizations monopolize economic sector, leading to a declining competition rate, which in turn opens the way to financial corruption by imposing the power of employees over the largest portion of sectors (Paolo, 1998). Bribes are paid to them to violate laws, regulations, instructions, and general rules. Among the many examples thereof comes protective policies, governmental aid and controlling prices which cause the absence of economic effectiveness in the state (Ishamri & Al-Fatli, 2011, pp. 39-40).
- ✓ **Non-equality in the possession of wealth and imbalanced distribution:** The ill-distribution of wealth can create a wealthy group of people which money is focused in their hands, along with a poor and deprived group. Powerful individuals, in most cases, have readiness and acceptance in abusing their status which enables them to exploit developmental policies and monopolizing the largest share of economic gains managed by the regime. Hence, a few wealthy persons use national resources to their own interest which is a reason of corruption spread (Al-Wa'ali, 2006). On the other end, the feeling of being deceit grows for the other poor and weak groups leading some of them to create means to profit, getting bribed, and embezzle (Hamad, 2019, p. 49).
- ✓ **Low Salaries in Public Jobs Compared to Inflation in Prices:** This comes from the belief of the employee that the salary received isn't proportionate with the services he/ she provides. Also, it is not enough to meet the basic needs of goods and services in light of the general increase of prices, which encourages looking for other sources of income, and is a trigger to look for illegal financial sources such as bribery and embezzlement, whether from public money or the people's (Hafnawi, 2019).

3- Administrative and Regulatory Causes: They are represented in having a group of ingredients, starting with the ambiguity of legislations, the absolute and singular authority structures and powers and complex and diverse procedures, or the jobs which are not based on good competencies which provide a motivating environment for financial corruption if they suffer gaps and the non-separation between powers, deviations, poor performance in all aspects in terms of:

- ✓ Absence of legislations and law and bylaws poor drafting, and conflicted ones in some cases, concerning the financial field: The result is ambiguity and unclarity which opens a door to personal jurisprudence, allowing the employee to evade applying the law, and interpret it the way he/ she desires leading to the abuse, assault, or trafficking of public money (Al-Fatlawi, 2012). Furthermore, the absence of good conduct codes and principles instills such practices and deviations. As a result, the UN Convention against Corruption of 2003 in Article (8) sought to highlight the importance of code of conduct for public employees (Hamad, 2019, p. 50).
- ✓ Poor performance and dependency of centralized financial control entities, financial control departments, and monitoring entities in most of the countries, and having poor expertise in following up and developing financial performance (Al-Bkou'a et al., 2009), which is represented in having concurrent monitoring and administrative inspection entities side to side with poorness in their role in which they practice preventive control to detect deviations (Al-Kazzaz, 2015, p. 97), as well as lack of attention to the importance of computerized information system and its integration, and neglecting the provision of basic assets of such system such as technology and modern practices applicable to

conform with the size of current requirements, and to be able to cope the environmental changes and developments.

Moreover, control systems are only limited to supervising financial and accounting aspects, which is considered a formality and lacks objective and scientific approaches. They only run digital and accounting reviews for the accounting data without regarding what lies behind such operations. This is due either to incompetency of control entities or their fear from the power of the corrupt. This raises fingers at integrity or anti-corruption entities, as they are mostly biased or unable to adopt innovative methods and techniques to detect corruption cases, and they do not take any preventive or penal measures against the corrupt. If this is not the case, then the anti-corruption system is poor concerning the penalties adopted for the perpetrators of financial corruption crimes compared to what they gain of returns and benefits. The latter comes because of the poor management of the political leadership (Al-Khader, 2018).

- ✓ Administrative and Financial “Obesity”: It is the result of quantitative expansion in hiring without giving notice to the qualitative aspect which is mostly based on commendation, party loyalty, kinship, or nepotism and without any consideration to the principle of scientific assessment which is built upon merit and competency. This causes poorness or weakness in competency, expertise, and integrity for large numbers of administrative and financial employees (Khairallah, 2004). Thus, bureaucracy outbreaks, procedures become complex, competencies intersect, and decision-making positions become more concurrent, which causes the citizen to waste time and facilitate violations due to the rigid routine and large numbers of restrains and procedures in their official and unofficial form.

Additionally, there is the length of duration that fades out in doing transactions and crosscutting powers and decision-making, hence, causing corruption practices. Such practices lie when the citizen offers bribes to get work done in a timely manner opposing to the availability of large number of administrative and financial employees who are willing to accept bribes, personal gains, conduct embezzlement at the expense of public interest (Hafnawi, 219).

- ✓ Vast Powers granted to Officials: Perhaps the statement of Ahmed Matar summarizes these factors, which narrates as “Absolute Power is an absolute Corruption.” The widening freedom of act, powers, and authorities vested in officials with no accurate restrains provide them with immunity as they can’t be held accountable, and it paves the way for them to freely seek personal gains using the money at their disposal through accepting bribes in return of what they are assigned to deliver of services for the citizens (Maddah, 2018).
- 4- Ethical and Social Causes: The importance of ethical and social factors is reflected in being a key deterrence for the human being against committing corruption, as they comprehensively address the overall values, rules and conduct which integrate to form the social and ethical legacy that generations pass. They also become a restraint for the behavior of the individual and society (Hafnawi, 2019). When everything becomes at a monetary price, the tendency to illegal physical gains heightens, along with flattering and glorifying for those who settle their position with their income increases using different means, regardless of ethical values and principles, and the illegitimacy of the sources of such money. This takes place due to the poorness of faith and God-fearing related values

leading to the outbreak of bad morals such as oppression, fraud, betrayal, physical and opportunistic ambitions. Then, the value structure falls and the ethical restraints in society weaken reaching to the governmental organizations (Al-Khader, 2018).

Consequently, financial corruption comes to live in our public life from the core of the culture which becomes hard to tackle, leading to a relative shortage in identifying facts and rights in relation to public services and programs. This intensively expose society to blackmailing and law abuse, which encourages assigned employees to use the people by expecting a bribe in return of facilitating the work required, despite the fact that these citizens are entitled to such without the urge to offer bribes. Malpractices are also represented in using social and tribal loyalty in official transactions by favoritism in the provision of services and benefits delivered by the state to a group of individuals at the expense of others.

These practices are manifested in the Arab communities which are known for overspending on luxurious items. Ibn Khaldun once said: “The basis of corruption is the possession of luxurious life in societies by rulers and ruled ones” (Haha, 213).

Based on the foregoing and what has been delivered by scholars and narrators, the causes of financial corruption crosscut as a rolling ball in their correlations. Also, they argued that the essence of corruption lies in the financial ambition and gains provided by life conditions, requirements imposed by acquired values, and absence of legislations and real will to combat corruption. All of that entails implications, results and reflections on different levels connected thereto.

2.1.3.4 Implications of Financial Corruption Outbreak

In general, Corruption, in particular financial corruption, has serious implications on different levels and fields whether economically, politically, or socially. This is because corruption is done by an individual or a group of individuals through a number of practices and means which violate laws, legislations and regulations for the purpose of personal gains and benefits at the expense of public interest. As the old saying of “Just as it is not possible to taste honey or poison placed on the surface of the tongue, even so, it is not possible for one dealing with the money of the king not to taste the money in however small a quantity” (An ancient narratives of Kuatilya, Prime Minister to the Monarch of Ancient India, 300 BC). Accordingly, the following discussion shall address the negative effects or consequences of financial corruption as an attempt to contribute to explaining the threat of this phenomenon if it continues and spreads in some country, as it puts its shadows over all development programs, financial allocations economic competency, economic prosperity, and competitive ability of the economy. This is confirmed by a number of practical reports and studies concerning an inverse relationship between competitive ability of the economy and corruption outbreak; unemployment and poverty in countries which affect economic growth, political stability, judiciary efficiency, democratic transformation, academic achievement, and income distribution (Banuri & Eckel, 2012, p. 15). These effects shall be suffered by all groups in society. The more corruption spreads, the more public institutions attempt fails in reaching progress and development at all levels, in particular the economic part. Furthermore, we seek, through this discussion, to motivate all society components and forces; sovereign entities and political parties; civil society and private sector organizations; movements; and

syndicates to join together in this grand battle against corruption and pursue the perpetrators.

These implications can be addressed from three (3) corners:

- 1- Economic Effects: The implications of financial corruption are concentrated in three economic variables, namely: Governmental spending, revenues, and economic growth. A group of variables have been examined to study the relationship between corruption and the structure of governmental spending. In doing so, it appears that corruption is an investment predatory and decreases economic growth rates, distorting the governmental spending structure. This leads to lowering the spendings allocated for public services as corruption increases the bill and cost of investments, weakening the friendly factors for investment opportunities and limit the government's revenues by assaulting its financial resources (Nbyaah, 2017).
- ✓ Reducing Economic Growth: Corruption is considered an obstacle for economic growth according to the classic economic theory where the corrupt is allowed to achieve capital accumulation through "monopolization of economic surplus" (Bouguesa, 2018). It also leads to decreasing the effectiveness of the investment cycle as corruption increases the cost of investments and projects, while lowering investments and governmental revenues. This is emphasized by studies which indicate that corruption contributes to rising the cost of projects from 20% to 80% (Hashimi, 2018). Thus, it costs the treasury of the state huge amounts due to the manipulation done on its financial resources and declines gains for all local or foreign project executors in the corrupted environment, which is represented in paying physical bribes by businessmen to license the implementation of such projects and investment activities, which is considered an additional tax that leads to limit the triggers

and opportunities of investment. Furthermore, it increases the risks for investors making them refrain from it in such environment, as it doesn't abide by law and allows violations and deviations and malpractices, which in turn lead to a decline in resources allocated for investment and distort its structure and management. It also increases its value and spendings which reflects another decline in the size of gross demand related to investment. On the other hand, corruption brings to the investment cycle foreign investment which is resulted from criminal businesses that seek to put these money and mix them in legitimate projects as an attempt to rapidly transfer them abroad under the description of a legal supply. Hence, money laundering crimes, which greatly harm national economy, spread, leading to depriving countries from hard currencies, making it circulated at high value with a decline in national currency. So, corruption stands as an obstacle before domestic and foreign investment (Khan & Chaib, 2018).

The result of such investment cycle, which suffers many corrupted practices, is represented in the uncertainty in governmental organizations, affecting its financial system with disruption. Consequently, the rates of deficit and inflation increase laying negative implications on the overall economy of the country; and the decrease in economic development leading to high rates of unemployment due to the decreasing investment rates, then, the immigration of economic competencies. This is proved by many studies which show that financial corruption outbreak lowers investment and income rates. They also indicate an existing inverse relationship between corruption and national income, economic development, investment, and spending on education (Banuri & Eckel, 2012; Seligson, 2002). In a nutshell, corruption is the first obstacle standing in the way of sustainable

development, decreasing poverty rates and good governmental performance as indicated by the International Monetary Fund in one of its reports in 2016 (Nbyaah, 2017).

- ✓ **Paucity of Governmental Revenues:** The decline of governmental revenues arising from financial corruption entails passive implications on economic performance by the practices of corruption, which are represented in accepting bribes by governmental employees so they would turn a blind eye over the estimation of due taxes or customs in relation to such activities against the due revenues, whether on income or production leading to lowering the taxation capacity of the government (Al-Khader, 2018). By shedding the light on the taxation sector being the key supplier for the treasury, corruption practices in taxation spread when some taxpayers present false tax statements with the help of taxation officials, following a deceiving method which expresses a weak capacity compared to the real achievement. On a different note, there is the honest supplier who doesn't engage in such practices and estimates revenues as they are and in accordance with the law. Here, corruption shows a violation of human rights which is represented in equality and indiscrimination, and a violation of social justice principle in two parts.

The first part assumes an equal horizontal taxing treatment to the ones who have an equal taxation ability, as this individual is being assaulted by following preferences in the taxation process. The second part adopts a vertical taxation treatment for the taxpayers who enjoy different ability in relation to tax paying, which at the end entails corruption becoming a tool to instill discrimination and distorting income and wealth distribution by violating the principle of social justice in distributing public burdens (Khamesi, 2016). Accordingly, corruption harms the culture of compliance and leads to more tax evasion cases, which makes

the state and the financial policy maker unable to fill the revenues and performs their basic functions by depriving the treasury from large amounts of revenues that are employed in developing infrastructure and public spending on public facilities. Therefore, the government becomes unable to provide public services which decreases economic growth. To tackle this, the government seeks to increase cash supply or resorts to loan option, either by its internal form in borrowing from the central bank with the implications of increasing prices which leads to high inflation rates and domestic public debt or the external borrowing with its consequences entailed of creating a foreign debt crisis which leads to the lack of financial supervision and control, hence, the financial system of the state disrupts. This is achieved to bridge the existing gap between local revenues and investments required to be executed to achieve growth and development (Banuri & Eckel, 2012; Seligson, 2002).

- ✓ **Distortion of Governmental Spending Structure:** The spreading and commonality of corruption in the state disrupt the components of governmental spending and leads to abusing its resources proportionated to cover items that are not prioritized by public spending plan for the public. These are represented in productive developmental projects. As a result, the spending steers away toward expenses of consuming nature such as promotional media; or financial allocations may go to spending on security and purchasing loyalty to protect the governing political forces and their continuity, which in turn wastes wealth and national resources (Saeed, 2019). Also, they may seek refuge in projects that create opportunities and gaps to profit from bribes or any other corrupted practices, and in such case, spending course becomes difficult to track (Khan & Chaib, 2018).

As a cherry on the top, the government may utilize public projects or bids that are based on conflict of interests in light of the spread of close-one's capitalism, in which it provides economic environment where close parties and friends of governmental officials take charge causing governmental decisions that serve and steer resources for them and the ones who enjoy power. Thus, standards governing contracts become limited to personal gain without any consideration to other standards such as quality, cost, or delivery by awarding bids or projects to accomplice entities that have mutual interests with powerful persons. Also, citizens and project owners may be forced to offer bribes to powerful persons for the sake of implementing the projects (Khamisi, 2016). In addition, the government may allocate resources for investment projects of high cost and of no feasibility or benefit to the citizen and the government, which leads to inflating the expenses of governmental purchases, which eases corruption and money embezzlement through transactions executed outside of the budget, resulting in a decrease in the financial resources available. This means reallocating money and refraining from focusing public spending on priorities, then undermining the liabilities of the state and lack of ability to provide and enhance the quality of public services such as electricity, health, and education. In turn, this widens the gap in the infrastructure.

One of the causes that create distortion in the spending structure is poor competency of resources allocated for development, hence, making wrong decisions that disrupt the market which backfires in the form of corruption in the governmental financial bodies such as taxes and customs departments, and alienating competent human resources from managing these organizations (Ishamri & Al-Fatli, 2011, p. 93). This weakens the governmental role in relation to income distribution as a result of corruption practices that monopolize benefit

resulting therefrom in a specific corrupted group, which magnifies the capital owned by such group and widens the gap between this group and others, leading to increasing public spending which has a direct correlation with corruption outbreak (Khamisi, 2016).

2- Political Implications of Financial Corruption: The implications of financial corruption on the political regimes are represented in more than one part, manifested in sovereignty, legitimacy, stability, independency in decision-making, and reputation. They include, but not limited to, the following:

- ✓ Political Instability: The consequences of financial corruption are reflected in delegitimizing the governing regimes which practice corruption, and they are expressed in many manifestations such as buying political loyalty through bribery, abuse of job or abuse of power in elections. So, corruption assaults freedom of speech of the voters, then the rights of all citizens become violated, whether they are voters or candidates. This leads to citizens refraining from engaging in the political participation and elections as a passive influence of corruption. This paves the way to governing parties which lack legitimacy (Nbyaah, 2017), vacating democracy, and limiting the components of optimal governance which are the political factor expressed by the legitimacy of the governing political forces; the administrative factor, along with the efficiency of the government in paying its dues to citizens, delivering services within the required level; and the social and economic factors where all collapse in an environment that lacks democracy as a result of absent trust in public organizations and monitoring and accountability bodies (Saeed, 2019).
- ✓ Independency of Political Decision: One of the negative traits of financial corruption at the political level is the appearance of a group of corrupted officials who lack balance in

decision-making, resulting from the concentration of power in the state's hierarchy, and lack of rule of law. As a result, decision-making process become of individual, tribal and part nature and away from the institutional and collective work, and with no basis to consult and rely on studies and research which have detailed information on decisions required to be made, their alternatives, costs, and results. In other words, they put personal gain over the interests of others with no consideration of any of the foregoing.

This is shown in cases such as when the government signs on agreements, and conventions, or requests loan from other countries or international organizations, which mostly entail penal liabilities, physical compensation, and poor international reputation, or even enduring international sanctions. Consequently, this disrupts the trust and loyalty of individuals in the governing political body and isolate the state itself before the international community and international gatherings. This leads to losing its independency in making the political decision and disrupting its sovereignty (Nbyaah, 2017).

- ✓ Overexposing and Weakening the State: Financial corruption spread in any country enables its overexposing to foreign and international forces. Its negotiation ability weakens with international corporates offering the latter bribes to the governing political elites to pass imbalanced contracts and execute developmental projects in which these corporates impose many and ruthless conditions. An example on such cases is the current events of the Arab world where corruption is spread, and the type of conditions imposed by the World Bank in relation to combating corruption or direct funding and stating supervision and oversight as key stipulation to provide aid and funding to implement projects in these countries. This arises from the concern of the Bank due to Corruption

practices that may take the grants to the pockets of the corrupts and not into the implementation of these projects (Saeed, 2019). Hence, it weakens the state and makes it lose the required support of the international podiums. This is because interests control international relations. So, powerful countries that don't suffer corruption would not be in their interest to establish ties with countries that do suffer instability in their regimes where the nature of their decisions can't be traced or anticipated (AL-Khader, 2018).

- 3- Negative Impact of Financial Corruption on Social Environment: Perhaps the statement of Ibn Khaldun "If one corrupts in ability, then in morals and faith, his humanity corrupts, and he becomes a freak in real life" summarizes the size of negative impact of corruption and its role in disrupting the system of ethical values which forms the first line of defense against corruption. Corruption spread in the state entails the consequence of becoming a public culture, which distorts the ethical conduct that controls the behaviors of citizens in public organizations and transforming human behavior into coping with corruption. Then, the values and behaviors which provide an adequate environment for corruption prevail, especially that they become socially accepted, leading to the mainstreaming of acquired values such as apathy, being irresponsible, unprofessionalism, losing the value of work, demotivation of capacities (Khamisi, 2016), lack of attention to the public right, magnifying physical achievement over the scientific one without considering the sources of money, and putting personal interest over public interests.

By doing so, chances of profiting shall be exclusive to the ones of high status leading to wasting the rights of competencies in society. As a result, these competencies shall immigrate as they lose hope in obtaining a position that is suitable to their abilities. They go

abroad looking for job opportunities. This has an impact on the economy and development of society in general. Moreover, financial corruption creates the class of illicit wealth and deepens the differences between the classes of the society (Al-Khader, 2018), and the feeling of injustice for the majority, which leads to social resentment, spread of hate between the groups of society, and poverty; and increases alienated and damaged groups, especially among women, children, and youth as a result of the absence of social justice. Also, the level of public services, such as education and health, declines due to the stolen money allocated for public spending. This brings low trust in the institutional work system in the state as citizens lose their trust put in officials and their statements. This takes away hope in reform, thus, losing the feeling of citizenship and belonging that is based on a contractual relationship between the individual and the government. Consequently, these harm the security and social situations and public stability in the country as a reflection of the high rates of crime due to poverty, ignorance, and feeling of continuous deprivation, which expose the society to the state of underdevelopment (Nbyaah, 2017).

2.2 Literature Review

The researcher tackles previous studies related to the variables of this study, and to the best of the researcher's knowledge, no prior research has been conducted on the subject with the specific variables; however, some studies that addressed one aspect of the study can be mentioned, and so the researcher has provided a summary of each prior study that includes the title of the study, the objective of the study, and the number of participants in the study. Here is a brief synopsis of the study's methodology, findings, and suggestions:

2.2.1 Financial Expertise (Forensic Accounting)

Al-Kubaisi's research (2016) aimed to illustrate the judiciary's and the forensic accountant's perspectives and the reality of forensic accounting in equitably resolving financial disputes in Jordan. The study surveyed participants' views using a descriptive-analytic approach and a questionnaire. The study found that the importance of forensic accounting and its importance in society, the availability of its data, and the eligibility of those who practice, according to the perspective of the judiciary, were at levels of 85% and 80% 80%, respectively. In comparison, it was 74%, 70%, and 81% from the perspective of forensic accountants. Also, the findings revealed a substantial disparity between the two perspectives of the parties involved with their services and applications. Accordingly, conclusions were drawn based on this analysis, the most significant of which was that the Jordanian judiciary does not seek the assistance of experienced accountants and judges in relevant cases and that the reality of forensic accounting in Jordan does not live up to the real level that forensic accounting should play in fighting fraud and forgery and achieving justice in society. Several recommendations were made based on the study's findings, including expanding university-level education and research in this area and recognizing the importance of the accountant's role in the judicial system and related institutions; as well as serving as a link between the judiciary and the forensic accounting community by creating guidelines and legislation for the field.

The study of (Islam, et al., 2011) investigated the current state of forensic accounting applications in Bangladesh and the steps that need to be made to improve the use of forensic accounting as an effective tool for combating fraud and corruption in Bangladesh. To meet

the study's aims, a questionnaire was developed. A random sample of 35 professional accountants, 15 international corporations, and 50 local groups was chosen to depict the actual scenario of forensic accounting applications in Bangladesh. The study found that forensic accounting as a fraud detection tool is essential to anti-fraud and anti-corruption activities in Bangladesh. In the absence of adequate instruments to assess, identify, and prevent fraud and corruption in Bangladesh, forensic accounting appears as one of the strategic and dynamic tools for managing all sorts of corruption.

(Alabdullah, et al., 2014) seeks to examine the effect of forensic accounting on financial corruption in Iraq. This study utilized a correlational approach, interviews, and questionnaires were used to collect data. The study demonstrated a statistically significant association between forensic accounting procedures and the ability of monitoring and auditing agencies to uncover instances of financial wrongdoing. In contrast, the bulk of audit and accounting personnel in Iraq lack knowledge and understanding of forensic accounting processes. Consequently, the current study suggests that forensic accounting approaches be incorporated into the curricula of accounting departments in Iraqi institutions at the undergraduate and graduate levels through theoretical and practical classes.

Al-Ja'bari's study (2018) aimed to present the reality of forensic accounting and the extent of its need in Palestine. It also identified the qualifications and experiences that a forensic accountant should have, along with the procedures, activities, investigation processes, and evaluation processes that can assist a forensic accountant in confronting the practice of creative accounting methods by relying on the opinions of the judiciary, internal

and external auditors of public institutions, and accountants in private practice. Using a questionnaire designed for this purpose and employing a descriptive-analytical method, the study determined that the need for forensic accounting to resolve financial cases fairly was moderate and that the courts rely on external auditors and financial arbitrators to resolve financial disputes. The results also found that the use of creative accounting methods in financial statements was typically inadequate, and the study made several suggestions that could contribute to the growth of this subject in Palestine.

Al-Madhon & Ahmed (2021): The purpose of this study was to shed light on the topic of forensic accounting by investigating the reality of the judicial field in the Gaza Strip from the judges' perspective and identifying the extent to which judges in the Gaza Strip rely on forensic accounting in the courts to resolve financial disputes. Financing issues are exacerbated by the sector's already challenging economic environment. In order to accomplish these aims, the descriptive analytical method was used, with literature reviews, articles, and other forms of specialized research serving as the backbone. A questionnaire was developed to test the study's assumptions.

According to the findings, the courts in the Gaza Strip rely heavily on the responsibility of forensic accounting when resolving financial disputes, and forensic accounting is necessary to enable judges to do their jobs. A greater emphasis is placed on the role of the judicial accountant by relevant authorities, and individuals tasked with the forensic accountant actively seek to expand their expertise in this area.

2.2.2 Financial Corruption Crimes

(Kasum, 2009): This study investigated the relationship between forensic accounting and financial crimes in third-world economies' private and public sectors. It aims to examine the scope of financial crimes in emerging nations and contrasts the private and governmental sectors to determine which sector requires forensic accounting services. A combination of the office and a pilot survey was employed. The office side consisted of the documented records of institutions that use the forensic accountant service and forms of fraud and corruption in the global economy. In addition to the statistics of development indicators from renowned international organizations, there is a third factor. As well as documents from anti-corruption agencies regarding the incidence of fraud and corruption in Nigeria.

For the pilot survey, a questionnaire was designed and distributed to a sample of accountants, lawyers, economists, bankers, contractors, engineers, other relevant professionals, and other individuals with knowledge of the Nigerian situation and subject. According to the results of the desk study, fraud and corruption are significant issues in third-world countries. Experimentally, the study indicated that forensic accountants function in both the public and private sectors. And his services are in greater demand in cases involving fraud and corruption. Then, it was suggested to strengthen forensic accounting institutes and utilize their services in the public sector of developing nations' economies.

(Brown, et al., 2012) This study examines the contribution of financial investigation to combating organized crime in the United Kingdom when used by law enforcement agencies to combat organized crime and aims to determine the additional benefits that may

result from the use of financial investigation methods, which are employed in the investigation of organized crime. This study aims to investigate the role of financial investigation throughout the complete enforcement procedure (including targeting, initial investigation, securing convictions, and recovering proceeds), by analyzing the strategies and methods of financial investigation as well as the instruments employed to combat organized crime. The study focused on qualitative research employing semi-structured interviews with persons who participated in the investigation and prosecution of sixty cases of organized crime.

Financial investigations are rarely used to discover organized crime in the first place, according to the findings of the study. It was determined that financial investigative techniques contributed to the investigation and case building by Identifying organized crime; determining the scope of the organized crime group; identifying assets; determining ownership and usage of property; proving the lifestyles of the perpetrators; tracking movements; placing individuals in certain locations at specific times and tying them to criminal activity; and establishing new crimes and offenders. In half of the reviewed cases, the financial investigation's evidence was deemed to have influenced the prosecution's case, the report said. The study revealed that financial investigation is viewed as the basis for conviction in a minority of cases. At the same time, in other instances, it helped clarify the offender's role in the case, link suspects to the main offender, or relate additional crimes to the one under investigation.

(Gale & Kelly, 2018): The research aimed to expand the evidence base for the use of financial investigation by examining how the financial investigation is used and how it can benefit UK criminal investigations, addressing some of the evidence gaps identified in the existing research literature, and employing a qualitative methodology based on semi-structured interviews with 15 investigators in the FIs and four non-financial investigators from a variety of public sector agencies, including police, customs, immigration, and civilian personnel. The interviews were subjected to objective analysis, and the study concluded that financial investigations are a vital instrument for combating serious and organized crime. It was also discovered that financial and non-financial investigators saw the financial investigation as influential, especially by broadening the scope of criminal investigations. Furthermore, it was found that financial detectives supported a vast array of criminal investigations, mainly focusing on economic crimes and asset recovery. The study found that some challenges limit the effective use of financial investigation, the majority of which are systematic, as the financial investigation is viewed as a tool to investigate economic crimes and recover assets only, despite the study's findings that the benefits of financial investigation in non-economic crimes and perhaps one other type of crime, due to the lack of awareness of financial investigation among the major stakeholders in the criminal justice system, this is the case. According to the research, resolving these obstacles will lessen their effect on the effectiveness of financial investigations. The most important of the study's recommendations is to publish the positive results that result from the use of financial investigations in criminal investigations, to conduct research to determine the impact of the financial investigation, to

encourage cooperative work, and to ensure that legislation, training, and technology available to financial investigators reflect the evolving threat posed by severe and organized crime

(Sorunke O. A., 2018): This study intends to analyze the efficiency of forensic accounting's investigative techniques in investigating and prosecuting corruption in Nigeria. A sample of investigators and prosecutors from four anti-corruption agencies in Nigeria participated in the survey-based investigation. Using a questionnaire, the sole hypothesis generated for the study was tested. The study's findings suggest a substantial positive correlation between the use of forensic accounting techniques in the investigation of corruption and the successful prosecution of corruption cases in Nigeria. The study concluded with a proposal that all anti-corruption authorities in Nigeria employ investigative practices in forensic accountability for all corruption-related investigations to produce evidence that will aid in the prosecution of corruption cases in court.

(Al-Khader, 2018): The study addressed forensic accounting and its function in curbing financial corruption. It also sought to examine the reality of forensic accounting in Sudan in terms of broad principles, areas of application, methods, and procedures used, and its role in building mechanisms of accounting work to combat financial corruption, including the role of judicial corruption practices. The study found that forensic accounting plays an essential role in restricting financial corruption practices because of what it can provide in the areas that work on collecting, analyzing, assessing, and interpreting evidence for financial cases in the form of evidence connected to the findings. as well as reducing financial corruption. The study's findings suggested several recommendations, including maximizing

the effectiveness of forensic accounting methods, which include mechanisms that aid in the detection of fraud and the reduction of corruption, and the need to establish scientific qualification programs and training courses to introduce judicial accounting, improve the performance of Sudanese auditors, and establish mechanisms to combat fraud and financial corruption. A forensic accounting unit inside the country's regulatory organizations tasked with countering financial corruption works to address financial crimes.

(Al-Juburi, 2019): Activating forensic accounting in Investigative Bodies to Reduce Financial and Administrative Corruption in Public Sector Institutions: Analytical and Exploratory Research in the Integrity Commission in Iraq. Statement of the relationship between forensic accounting and fraudulent actions and evaluation of the impact of implementing forensic accounting in Iraq on reducing financial and administrative corruption. A questionnaire was developed using the descriptive-analytical method to fulfill the research's objectives. According to the study, there are numerous instances of financial and administrative corruption, which calls for a focus on judicial responsibility and revising legislation about the Integrity Commission. For trials before the judiciary, insufficient educational and practical accomplishments and experience significantly impact the forensic accountant's effectiveness. The researcher's most essential advice is to activate forensic accounting in the Integrity Commission, an investigative body specializing in financial and administrative corruption issues, by altering the procedures for receiving and investigating corruption claims. Additionally, the study suggested appointing a judicial accountant in the courts, stipulating that the accountant in the judiciary must be scientifically and practically

qualified and have practical expertise in the field, regardless of whether they are appointed or practicing privately.

(Al-Damanhori, 2017): The purpose of the study was to identify corruption offenses that affect the state in its public institutions and which public employees can commit, as well as to define the legal character of these crimes in Palestine. The study also sought to highlight the effectiveness of internal and external control systems in minimizing and combatting corruption, emphasizing internal control systems. The paper also proposed the governance structure as a civilized means of fighting tax administration corruption. To achieve the study's objectives, the researcher employed a descriptive-analytical methodology and distributed a questionnaire to the Anti-Corruption Commission, the Public Prosecution delegated to the State SAACB, and the internal control personnel in the tax administration - Ministry of Finance. It has been determined that the existence of a governance system within the tax administration will work toward increasing state tax revenues, that the existence of an internal control unit for employees of the tax administration reduces corruption crimes, and that the existence of a tax administration internal control unit increases tax revenues. The study concluded with a list of suggestions, the most crucial of which is updating public sector internal control systems to reflect current best practices.

2.2.3 Commenting on previous studies

The majority of previous studies agree with the researcher's study in terms of the practical importance of judicial accounting, which represents a financial experience variable in light of the increase in the number of lawsuits as one of the tools to achieve the desired

goal, which is to preserve public money and reduce and combat corruption, whether at the local, regional, or international levels. However, there are some distinctions regarding the offering's comprehensiveness or restrictions.

This study differs from past studies in that, to the best of the researcher's knowledge, she explores the reality of financial experience and defines the mechanisms in place to show financial corruption offenses in a practical rather than theoretical context. As a result, this research is the first of its kind in Palestine, if not the Arab region, and is based on the perspectives of the most important parties involved, rather than a single party, and it is based on the link between variables that have not previously been addressed, as it studies the direct relationship between financial expertise and the evidence of crimes of financial corruption, and embodies financial expertise in forensic accounting and seeks to prove the validity of the representation ;utilizing a mixture between the quantitative and qualitative approaches and the use of four instruments to address the validity of hypothesis ,namely (the questionnaire, the interview, the content analysis, the approach).

2.2.4 Hypotheses

This thesis comes to examine following hypotheses:

- 1- According to judicial officers at the Anti-Corruption Commission, members of the Public Prosecution Office, and judges of the Corruption Crimes Court, financial expertise is not required to prove financial corruption offenses fairly.
- 2- According to the judicial control officers of a combatting authority, members of the prosecution, and judges of the Corruption Crimes Court, there is no relationship between

financial expert services and the results of inquiries, investigations, and prosecutions in financial corruption crimes.

- 3- According to judicial officers at the Anti-Corruption Commission, members of the Public Prosecution Office, and the Corruption Crimes Court judges, there is no relationship between the availability of financial data and documents and the procedures of financial expertise to prove crimes of financial corruption.
- 4- From the perspective of the judicial officers at the Anti-Corruption Commission, members of the prosecution, and judges of the Corruption Crimes Court, there is no relationship between the challenges (legislative, procedural, and administrative) confronting the financial expert and proving financial corruption crimes.

2.2.4.1 Study Model

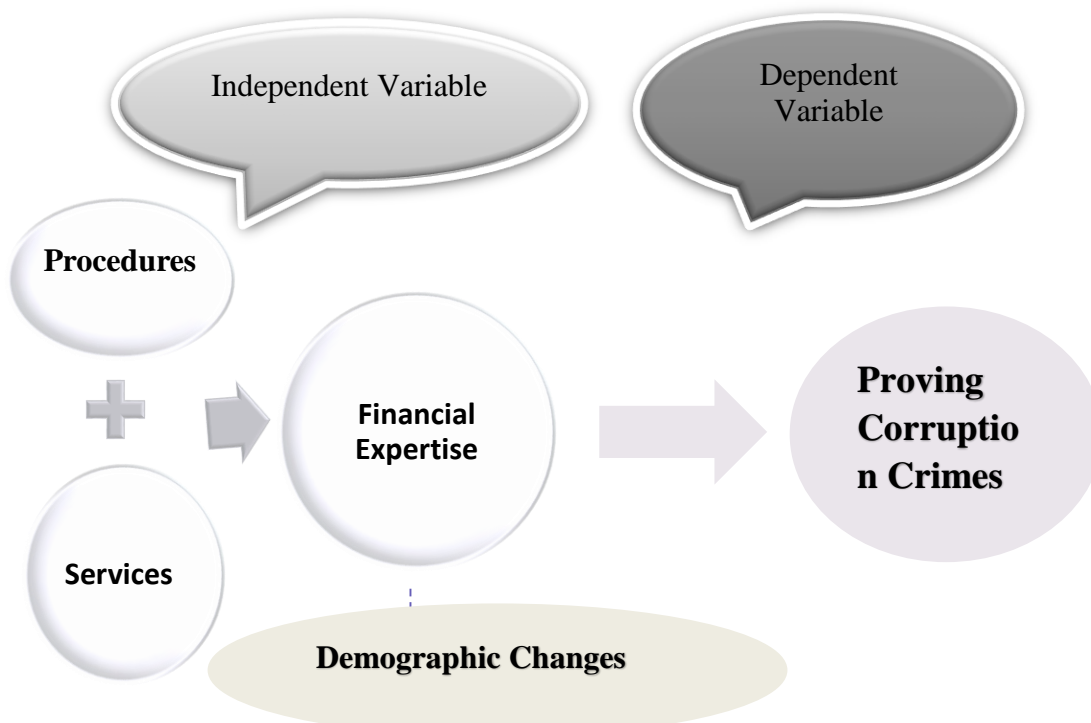


Figure (2-2) study variables. "Source: Prepared by the researcher"

Chapter Three

Financial Corruption and Anti-Corruption in Palestine

In this chapter, the Researcher addresses corruption in Palestine starting by introducing an overview of corruption, its reality, and forms, followed by presenting a corruption map in Palestine. For the purposes of explaining corruption in Palestine, the Researcher relies on annual reports concerning the state of integrity and anti-corruption; as well as a public opinion poll on corruption and anti-corruption issued by the Coalition for Integrity and Accountability (AMAN). AMAN is considered the Palestinian branch accredited by Transparency International. Furthermore, the annual reports of the Palestinian PACC, being an independent PACC specialized in anti-corruption in Palestine, are used. The Chapter also discusses the strategies for combating financial corruption and anti-corruption agencies in Palestine, closing with the stages of procedures concerning proving financial corruption crimes in the country.

3.1 An Overview of Corruption in Palestine

Corruption in the Palestinian Space has opened the way to a significant field of controversy and concern during the past years. Several reports were issued indicating the belief or the existence of corruption practices in most public services and domains. These reports include the ones issued by the Public Supervision Committee, the Palestinian Legislative Council; and other international reports, such as the Rocard Report issued by the Palestinian Center for Research and Strategic Studies; in addition to various articles and informative investigations. In light of the forgoing, the case of corruption is imposed on all Palestinian levels and platforms, hence, it became a key issue in the agenda of the governing

authorities, opposing forces, and civil society and their engagements. It is still under debate in media (Al-Zubeidi, 2001, p. 4).

This was emphasized by the Report of the Coalition for Integrity and Accountability – AMAN in 2021. The report indicates that corruption is still spread, and it stands as the key challenge from the point of view of the opinion poll participants. The report continues to express that more than two-thirds of the voters feel that the level of corruption in public institutions is still high. Besides, the majority of voters in the West Bank believe that corruption mainly lies with senior employees of the public sector, especially the ones who occupy decision-making positions, such as ministries, presidential office, and security services. On the other hand, residents of the Gaza Strip consider that the biggest opportunities are in the civil organizations and private sector, where humanitarian aid is allocated.

Moreover, and based on the perception of voters, the public services most exposed to corruption lie in appointments, promotion procedures; health services; distribution of in-kind and cash humanitarian and social aid; and college scholarships. Yet, the crimes of nepotism and favoritism; public money embezzlement; abuse of power; bribery; money laundering; and influence peddling continue to be the most spread forms of corruption. Additionally, citizens believe that the causes contributing to corruption outbreak are represented in the lack of compliance with rule of law; lack of hardness in combating senior corrupted individuals, being immune; weakness of civil society organizations; and occupation.

3.2 Corruption Causes in the Palestinian Case

Perhaps the impressions that the public has on the spread of corruption rise from exceptional factors and conditions which created an incubating environment for corruption.

Since the beginning of the state's journey toward becoming a state of institutions, many internal and external threats and challenges faced it, including:

- 1- The existing Israeli military occupation of the Palestinian Territories and its hostile policies executed in the West Bank, Jerusalem, and Gaza. These policies include settlement activities, raids, and waging wars on Gaza Strip which cause political instability and demolished infrastructure, along with the constantly stressed climate. Occupation and corruption are two sides of the same coin. Hence, occupation is deemed the most crucial challenge and trigger for deteriorating the public situation on integrity and transparency, and the main cause of corruption spread is represented in the inability of the state to impose its full sovereignty on its territories. This leads to weakening the accessibility to some areas and limits perpetrators pursuits. Also, the Paragraphs stipulated in the Oslo Accords addressing challenges are also in the list, which includes “the legal and judicial jurisdiction on residents of Jerusalem”, as the Israeli occupation stands as the biggest obstacle in front of imposing the Palestinian rule of law on residents of Jerusalem. These are manifested in the restraints of bringing in corrupted persons from areas the state has no control thereon as the interest of the occupation is clearly shown in strengthening the ability of the corrupt and protect them from being pursued (PACC, 2020).
- 2- Division between the West Bank and Gaza in 2007, and what it has created in terms of disputes and disagreements within the Palestinian society. These have been colored by political attraction leading to the duality of the institutional construction and legal frameworks between the two areas (The Coalition for Integrity and Accountability – AMAN, 2009). For example, the legal and judicial jurisdiction of the Anti-Corruption

Law of the State of Palestine should apply to all areas of the state, however, the Law is not applicable in Gaza Strip and is only limited to the West Bank. This has caused the emergence of gaps, opportunities, and motives for corruption spread.

- 3- The absence of the Palestinian Legislative Council since 2007, and not performing its role in preparing and adopting legislation, which in turn suspends the accommodation of Palestinian legislation with the UN Anti-Corruption Convention signed by the Palestinian Authority in 2014. This also affected the governance integrity keeping the government unaccountable in the West Bank and Gaza and weakening the supervisory bodies, thus, contributing to the inability to hold the government and senior officials accountable. As a result, the absence of the Legislative Council created opportunities for corruption occurrence (The Coalition for Integrity and Accountability – AMAN, 2021).

In addition, there are several causes that pave the way for creating an enabling environment and proper atmosphere for the growth of corruption in Palestine, especially in light of the transformative nature the Palestinian political regime endured and the economic dependency. These causes include the following (Al-Masri, 2010):

- 1- Paucity of institutional structure of the PA, in light of the fact that its existence is short, unless it acquires sufficient experiences related to governance management which came within a political context that suffers many complications that go from seeking liberation to institutional structure, as well as the implications of the transfer process from revolution and diaspora to the state and homeland. The interrelation has split into two directions: corruption and the paucity of public institutions. Corruption weakens the effectiveness of these institutions and vice versa. This is depicted in the poor rule of law, non-compliance

of human rights; deterioration of civil freedoms in the West Bank and Gaza Strip; the poor effectiveness of the public institutions' role (The Coalition for Integrity and Accountability – AMAN, 2021).

- 2- The absence of transparency and failure to issue a Palestinian law that guarantees the right to access information causes inaccessibility to public data and records, in particular financial logs, where the public budget endures the policy of non-transparency, and lack of engagement in its preparation and follow-up. It also hardens and weakens the role of the media in following up on the different corruption cases.
- 3- The weak role of the civil society organizations represented in accountability and supervising the governmental performance. Also, there is a lack of focus in its activities pertinent to corruption and anti-corruption, except for the Coalition for Integrity and Accountability – AMAN. Besides, they are chained with preferring the political nature over the civil one, keeping in mind that most of them get their support from foreign aid, hence, giving primacy to their agenda at the expense of national ones. This has affected their independency either in the interest of the government or the donor.
- 4- The Palestinian private sector continues to be a port for corruption, considering it is exempted from being subject to the Anti-Corruption Law unless it's a supplier for the public sector (Al-Khawaja, 2020).
- 5- The Palestinian social inheritance plays a major role in nurturing corruption in Palestine. Many Palestinians put family and tribal considerations first while delivering services. They consider preferring kins and related persons a normal practice when providing services, which paves the way to the emergence of corruption forms that the Palestinian

society tolerates. However, this is nothing but depriving others of their rights to such services, and a corruption crime punished by the law applicable in Palestine.

- 6- Poverty spread in the Palestinian society and the low wages of public employees in Palestine have created an adequate environment for corruption. This is represented in obtaining unofficial payments, such as accepting bribes for some in exchange for hiring persons who are willing to pay them to get a job that secures an income. This contributes to the emergence of endearment to officials, hence, opening the door for corruption.
- 7- The security services enjoying unofficial immunity on the infringements and violations committed by their personnel or getting penalized is subject to their internal systems away from rule of law.

3.3 Forms of Corruption in Palestine

Speaking of the general framework of corruption forms and practices, Palestine is no different from any other country in the third world. As an attempt to address corruption forms in Palestine, the Palestinian Anti-Corruption Law No. (1) of 2005 and amendments thereof classify the following crimes³ as corruption:

- 1- Bribery: It signifies the request for a bribe, accepting it, offering it whether by the person or other. Also, bribery is not limited to physical offerings. It includes a gift, promise, or any other gain furnished to carry out an entitlement, by virtue of the status, to perform an illegal act, or refrain from act personnel are supposed to do. The bribery has three features, namely: request, offering, and acceptance.

³ Law by Decree No. (37) of 2018 on the Amendment of the Anti-Corruption Law No. (1) of 2005.

- 2- Embezzlement: Any public employee who illegally takes what is assigned thereto by virtue of the job thereof; or upon an assignment to manage, collect, or maintain the trusted cash or any other governmental items by his/ her senior official; whether for own gain or some other person's interest, shall be penalized with temporary hard labor and a fine that is equal to what was embezzled, i.e., (Taking public money by a public employee falsely and by virtue of status).
- 3- Forgery: A deliberate fabrication of the truth in facts and data to be proved with the use of a deed or a plan, which has resulted in or leads to physical or moral damage. Also, to have a complete crime, such fabricated documents or deeds must be used.
- 4- Investment of Job: Every person assigned to sell, buy, or manage movable or immovable property for the state or a public administration, and he/ she commits an act of fraud in one of these tasks or violates the provisions applicable thereto, either for a personal gain, another group's; or to harm another, or that public administration, shall be punished by temporary hard labor and a fine that is equivalent to the value of the resulted harm. (The employee abusing the job for personal gain, or related ones').
- 5- Abuse of Trust: Any person, who is handed over, by way of consignment or proxy and for exhibition and return; use in a specific way; maintaining; or conducting unpaid or paid tasks, other's money, items, or any document that includes an acknowledgment or an acquittal in relation to whoever such property is found in possession; and goes discreet about such, alters it, uses it in the capacity of the owner, consumes it, or does any assaulting act or refrains from returning it to the recipient.

- 6- Lack of Diligence in Performing the Job: Every employee who underperforms, deliberately and without legit reason, the duties of the job and in the execution of his/ her line manager instructions which are based on legal provisions, and in case such results in harm to the interests of the government, the penalty shall be augmented.
- 7- Laundering money generated from Corruption Crimes: It stands for every conduct that has the intent to conceal or alter the identity of the accrued money from a corruption crime, imposing a camouflage on its real sources, making it appear as legit money.
- 8- Illicit Enrichment: Every increase in the wealth of the person who is subject to this Decree by Law, his/ her spouse, or underage children, when it doesn't conform with their resources which takes place after the assignment of the service or the implementation of the transaction, and such person fails to prove a legitimate source thereto. In other words, "It's the unjustified increase in the wealth of the public employee."
- 9- Influence Paddling: When the employee or any other, directly or indirectly, accepts any undue privilege for personal interest or any others, so he/ she would abuse the actual or supposed authority to acquire an undue gain from a public department or authority.
- 10- Abuse of Power: When an employee does or does not act, based on his/ her assignments, with the intent to acquire an undue gain for personal interest or the sake of another person or entity's. For the establishment of such crime, it is stipulated that its perpetrator enjoys a power given thereto by law.
- 11- Wasta, Nepotism, and Favoritism, which annul a right and prove an injustice: The Employee conducts a duty thereof, abstains from such, or violates any because of a

request, recommendation, or unprofessional considerations, such as political, tribal, religious, or entity affiliation.

12- Non-Disclosure of Investments, Properties, or Gains which leads to a conflict of interests: The situation where the objectivity and independency of the employee's decision are affected by a physical or moral personal interest which concerns the employee personally or one of his/ her kins or close friends; or when his/ her performance is influenced by direct or indirect considerations, or his/ her accessibility to information pertinent to that decision.

13- Obstruction of Justice: The use of physical power; threat; intimidation; promising an undue privilege, offering such, or granting to incite perjury, interfering in testimony, or the submission of evidence in procedures related to committing acts that are criminalized by the provisions of the Decree by Law herein; or the use of physical power; threat; intimidation to influence the practice of any judicial or competent law-enforcing employee in relation to his/ her official tasks which have to do with committing illegal acts in accordance with the same provisions.

In the same context, having defined corruption crimes under the Palestinian Anti-Corruption Law; and for the purposes of distinguishing such, having reviewed the Palestinian situation, and highlighting the most- spread corruption forms in Palestine, we present the polls of citizens as provided in the reports issued by the Coalition for Integrity and Accountability – AMAN against the complaints and reports on the suspicions of corruption recorded and stipulated in the annual reports of the PACC as an attempt to shed the light on the most spread forms of corruption. These include:

1- **Crime of Nepotism and Favoritism:** According to the poll carried out by the Coalition for Integrity and Accountability – AMAN (2021), this crime, in the perception of the voters, stands as the most spread crime in Palestine with percentages that vary from (22% - 26%) in the period between 2019 and 2021. The results show that 45% of the citizens, who have referred, in 2021, to public institutions to receive public service, said that they had to use Wasta (nepotism) to get that service. Speaking of causes for such and in light of their point of view, this is due to the concern of not being able to receiving that public service, overriding bureaucracy, and shortening time; in addition to their fear of being taken by another person who doesn't have the right thereto due to corruption and lack of trust in the integrity of the officials. Moreover, the widest fields of nepotism and favoritism lie in the processes of appointments and promotions in regular public jobs.

As for the reflection of the records of the PACC, the rates of complaints and reports, out of the total complaints received by the PACC and considered as a crime of nepotism and favoritism, do not exceed 6% - 9%. However, the polls indicate that more than 45% of the voters have practiced Wasta (nepotism) to receive services. Also, perhaps the reasons that prevent citizens from submitting a report on a corruption incident, according to their perception, are related to the lack of protection provided to citizens who do so and witnesses; lack of awareness on corruption and its forms; fear from retaliation; and not being convinced by the feasibility of submitting a report as no measures shall be taken against the perpetrators of corruption (The Coalition for Integrity and Accountability – AMAN, 2021). Figure (3-1) illustrates such inconsistency:

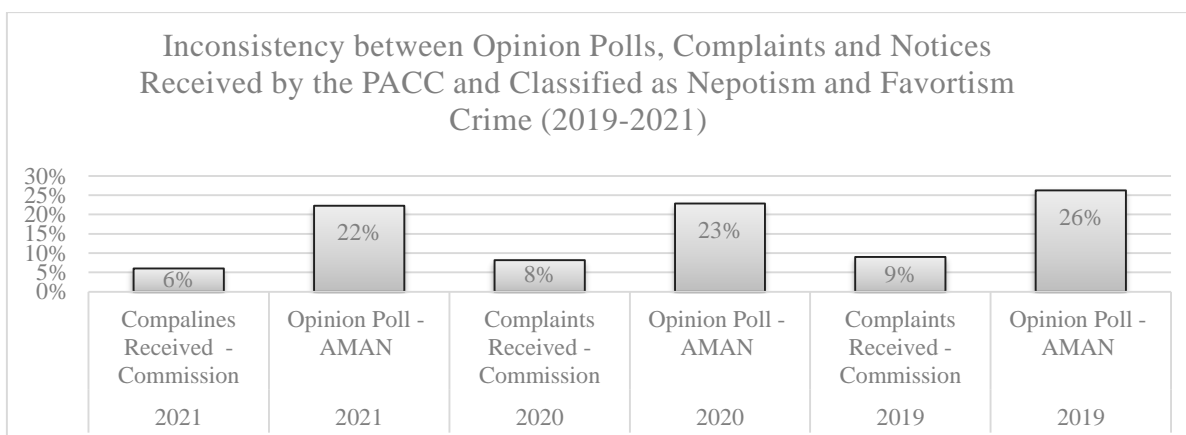


Figure (3-1): Inconsistency between Opinion Polls, Complaints, and Notices Received by the PACC and classified as Nepotism and Favoritism Crime (2019 – 2021), "Source: Prepared by the Researcher in accordance with the annual reports of the PACC and Polls on the Reality of Corruption and Anti-Corruption in Palestine (AMAN). "

To address the crime of nepotism and favoritism and explore their spread in the Palestinian context, we find that many have failed to distinguish between the help of others and nepotism which is a violation of others' rights, and an interference made for the interest of a person who is not entitled to acquire such service or appointment. In the context of the cultural and historic inheritance of the Palestinian society, it should be noted that these practices are old ones that became familiar to the Palestinian society, and date back to the time before the Palestinian Authority (PA). However, they prevail clearly after the PA was founded and became one of the concepts instilled in the mindset of the Palestinian settling to create a behavioral culture that is accepted, in particular in governmental hiring, which lacks competencies, and is based on the party nature, political and tribal affiliation, in light of lack of supervision and control needed by the General Personnel Council (GPC), leading to an inflation in a such entity that exceeds the requirements and available resources (Lahham, 2018).

2- Bribery Crime: The public opinion poll on corruption and anti-corruption in Palestine (The Coalition for Integrity and Accountability – AMAN, 2021) shows that bribery rates varied between 13% and 26% during the period 2015 – 2021. In 2021, the rate hit 16%, where 17% of participating citizens have already paid a bribe or given gifts to a public employee in exchange for a public service. Based on their perceptions, this is due to the low income of some junior public employees, pressure of need, limitation of job opportunities, and lack of accountability for senior officials which all encourage some employees who operate in the services domain to request a bribe. Also, the services of issuing official permits for abroad health treatment are more exposed to the spread of bribery, as per the opinions of a number of voters. 33% thereof have considered that granting these official permits is the one most exposed. Accordingly, the Researcher believes that these manifestations of bribery are exclusive to the Palestinian context (The Coalition for Integrity and Accountability – AMAN, 2021).

On the other hand, the projection of the records of the PACC shows that the rate of complaints classified as a bribery crime, out of total complaints received, does not exceed more than 5% from 2015 to 2021. Yet, the opinion poll of 2021 speaks of 17% of citizens having already paid a bribe. The reasons that prevent citizens from submitting a notice on a corruption incident, according to their perception, are lack of protection provided to citizens who do so and witnesses; lack of awareness of corruption and its forms; fear of retaliation; and not being convinced by the feasibility of submitting a report as no measures shall be

taken against the perpetrators of corruption (The Coalition for Integrity and Accountability – AMAN, 2021). Figure (3-2) projects such information:

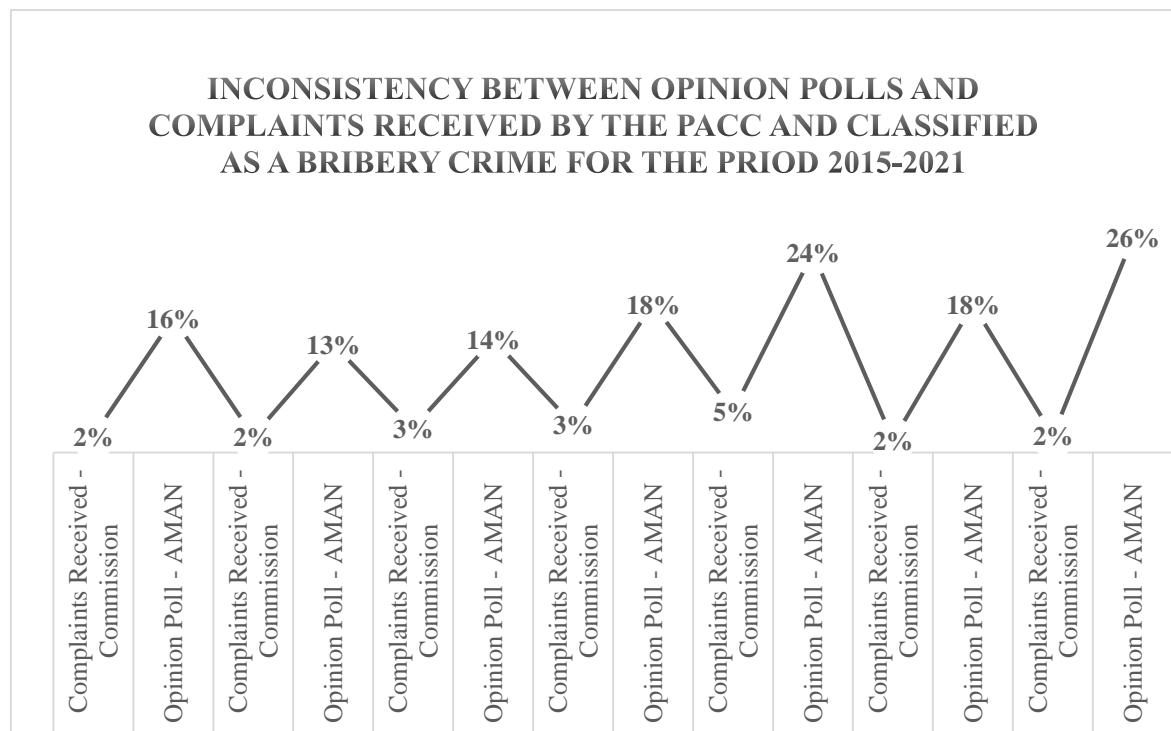


Figure (3-2): Inconsistency between Opinion Polls, Complaints, and Notices Received by the PACC and classified as Bribery Crime (2015 – 2021), "Source: Prepared by the Researcher in accordance with the annual reports of the PACC and Polls on the Reality of Corruption and Anti-Corruption in Palestine (AMAN). "

This crime is considered one of the growing crimes in recent years according to the Opinion Poll on Corruption and Anti-Corruption in Palestine (AMAN, 2021). However, the records of the PACC show it at lower rates, where the Researcher thinks that the reason thereof is that such crime is difficult to prove. As for the remaining crimes, Table (1) draws a comparison between Complaints received by the PACC and the Opinion Poll on Corruption and Anti-Corruption (The Coalition for Integrity and Accountability – AMAN) for the period 2015 – 2021.

Table (3-1) Inconsistency between complaints received by the PACC and Opinion Polls according to AMAN, classified according to the Crime during the period 2015 – 2021

[illegible]

Total	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %
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"Source: Prepared by the Researcher in accordance with the annual reports of the PACC and Opinion Polls on Corruption and Anti-Corruption in Palestine (AMAN). "

By scanning the rates provided in Table (1) hereinabove, we find that there is a state of inconsistency between the classifications of complaints received by the PACC and captured by the Opinion Poll on Corruption and Anti-Corruption in Palestine conducted by The Coalition for Integrity and Accountability – AMAN. This may be due to the lack of knowledge and awareness required in the Palestinian Anti-Corruption Law and the crimes stipulated therein. Hence, there shall be an inability to distinguish between corruption crimes, which requires the PACC and its partners to raise awareness in this regard.

For instance, and according to 2021 projections, the rate of abuse of power crime has the lion's share against the overall crimes classified and received by the PACC with a rate of 63%, where it does not exceed 12.7% in the Opinion Poll. Also, we notice that this crime, based on the records of the PACC, has low rates, and kept on that pace through the years of the PACC, then it elevated in recent years. Figure (3-3) reflects such.

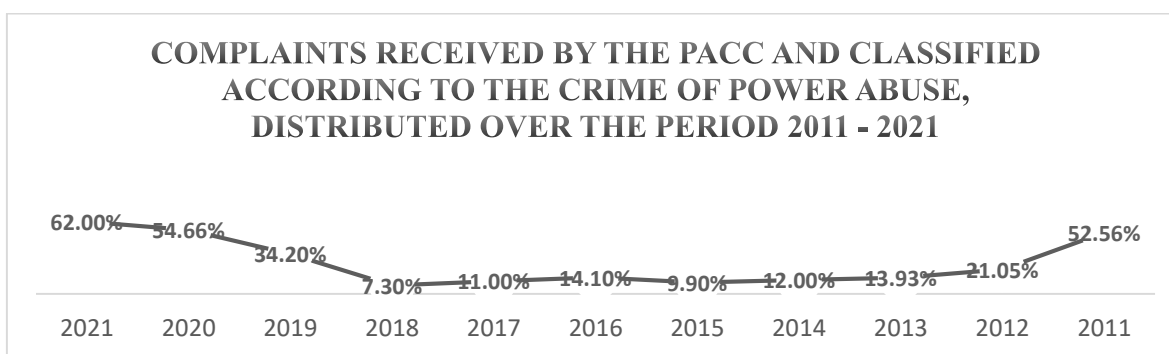


Figure (3-3): Complaints received by the PACC, distributed according to the crime of abuse of power, and distributed over the period 2011- 2021, Source: Prepared by the Researcher in accordance with the annual reports of the PACC.

To address such inconsistency seen in the abuse of power crime as shown in the records and classifications of the PACC, Mr. Osama Al-Sa'adi, head of the legal affairs unit at the PACC, stated that there were no clear and defined elements for the abuse of power crime in accordance with the Decree by Law No. (7) of 2010 which amends the Illicit Enrichment Law No. (1) of 2005. The forgoing Decree by Law considers the abuse of power crime one of the corruption crimes under Article (1) thereto. However, there was no definition of the pillars and elements of such crime. Thus, there was no clear legal classification for the acts made during the enforcement of this Decree by Law. On the other hand, after the issue of the Decree by Law No. (37) of 2018, such an issue has been addressed and tackled by defining the abuse of power and determining the elements of this crime. When reviewing the legal text of defining the crime of power abuse, we find that most of the acts classified as corruption crimes also include such crimes, leading to an increase in its rates compared to others.

The Researcher argues that the ongoing development of legislations and laws, tailored to fit with international conventions related to anti-corruption; and the lack of awareness the citizen has of such developments add confusion and ambiguity in distinguishing between the crimes. As a result, we could say that the classifications of corruption crimes spread in Palestine, depending on the citizen's polls, may not reflect the real standing. Yet, this does not deny their incapacity to classify crimes based on their impressions. This puts us in a different dimension which is the growth of the impression phenomenon in the Palestinian society as a result of deteriorating trust between citizens and the state and its governments; and the unseriousness in holding senior officers accountable for their corruption crimes.

In addition, corruption in Palestine has adopted many exclusive manifestations because of the specialty of the Palestinian case; the transferring and dependency conditions imposed by the Israeli occupation, and the constraining relationship therewith; as well as other factors that put Palestine in a special mold compared to the rest of the third world countries. This has been reflected in the practice of corruption taking place in Palestine. Such special condition creates a special type resulting from the suspicious tie that connects some Palestinians with the Israelis. Some public employees may collude with them to facilitate it. To detect some of these manifestations and images, we lay down the following:

- 1- Performing random appointments with no regard to qualifications in the public sector and with no pressing need, in violation of the Civil Service Law, Occupational Formations System, and Budget Law, with the intent to promote personal power at the expense of public money (Al-Masri, 2010). This wastes public money as payroll became more than 60% of the total public budget, causing the government administrative and financial entity inflation, and administrative and financial obesity (Zumlot, 2020).
- 2- Abuse of Public Office: Individuals of power and influence exploit their senior status to obtain privileges represented in monopolizing services and developmental projects, commercial agencies of basic products, getting entities to grant privileges, wasting public money in violation of law, such as awarding governmental lands as the case in Gaza (Kalab, 2006).
- 3- Lack of Publicity and Transparency in Governmental Tenders: By awarding bids to companies connected with officials in power through an illegitimate procedure. This

causes transferring privatization from its developmental concept to monopolizing policies that threaten the Palestinian economic growth (Al-Masri, 2010, p. 83).

- 4- Abuse of Public Money: It is represented in obtaining tax or custom exemptions, and licenses for unqualified persons or companies by violating the two Laws and regulations. In other situations, public money is abused under concepts of aid or support with no entitlement to do so (Kalab, 2006).
- 5- Money Smuggling: It is manifested in trafficking stolen money by corrupted persons outside the country. Such conduct is vindicated by using Palestinian political conditions, insecurity, and to arrange their status in case they get removed from office in the future.

3.4 Corruption Map in Palestine

Corruption and its spread became a substantive case and issue on the local and international level, obstructing the liberation process and building of the state. This is because corruption is an obstacle to Palestinian development in all political and economic fields. It also threatens the legitimacy of the state as whole (Sobovitz, 2010).

Palestine has recorded 5.2 points in the Corruption Perceptions Index, falling behind the rest of the countries (Transparency International, 2005). To explain the spread of corruption in Palestine, we discuss the extent to which corruption has spread in vital sectors in Palestine.

- 1- Corruption in Public Sector: To further explain the level of corruption exposure the public sector endures, we carried out a public opinion poll on Corruption and Anti-Corruption in Palestine issued by the Coalition for Integrity and Accountability (AMAN) for the period 2012 – 2021. The poll indicated that the rate of corruption exposure, based on the

perceptions of voters, which the public sector and local entities endure is very high. The rates vary between 52.2% - 74%. The share of the public sector of these rates is higher than the local entities. Many Palestinian believe that corruption exists in the public sector more than any other according to the opinion poll. This belief took a rate of 52%, against 16.2% for local entities (The Coalition for Integrity and Accountability – AMAN, 2021). This reaffirms the findings of the Poll carried out by the World Bank in 2011 where it indicated an agreement of public officials to state that corruption lives in the public sector more than any other sector (Chêne, 2012).

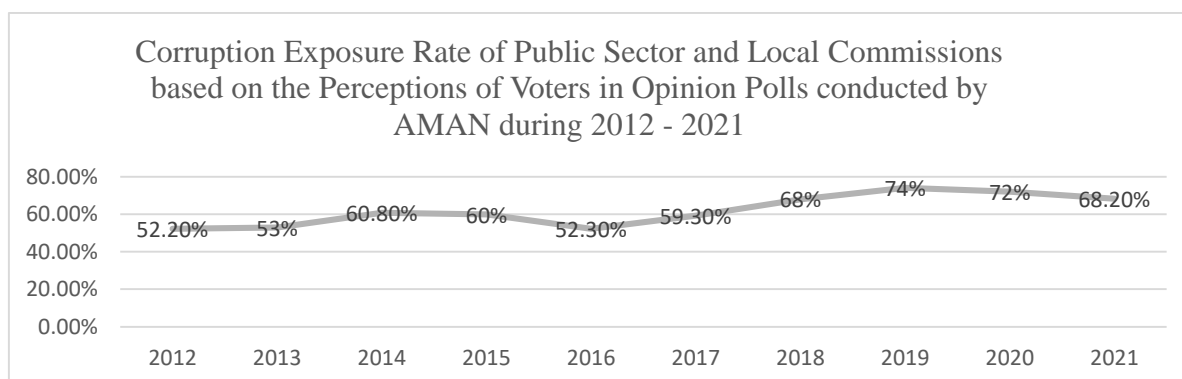


Figure (3-4): Corruption Exposure Rate of public sector and Local Commissions based on the Perceptions of Voters in Opinion Polls conducted by AMAN during 2012 – 2021, "Source: Prepared by the Researcher in accordance with the Opinion Poll on Corruption and Anti-Corruption in Palestine (AMAN). "

To interpolate the corruption situation in the Palestinian public sector, we provide the rates of complaints received by the PACC on the public sector and local entities for the period between 2012 – 2021 to read the spread of corruption therein, and their compatibility with the Opinion Poll on Corruption and Anti-Corruption in Palestine issued by The Coalition for Integrity and Accountability – AMAN for the same period. It is noted that the rates of complaints received by the PACC are focused on claiming that corruption exists mostly in

the public sector with an average of 60%, compared to 28% for local entities. To further explain, we reiterate that complaints received by the PACC on the Public Sector reached a rate of 53% in 2021, with 34% for local entities. However, the remaining sectors and other entities hold 13% of the total complaints. The bar chart in Figure (3-5) below illustrates that.

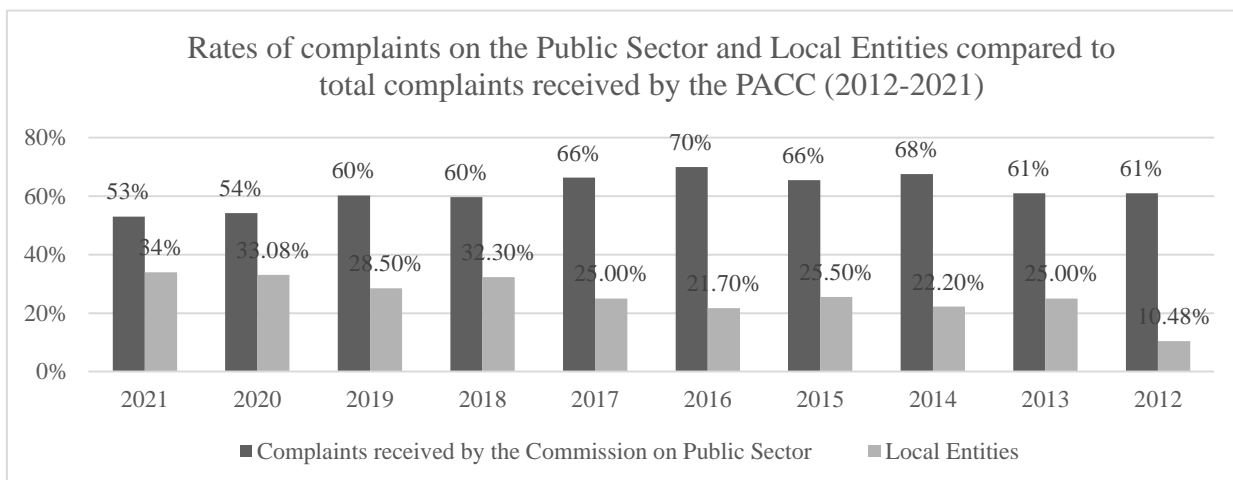


Figure (3-5): Rates of Complaints on Public Sector and Local Entities out of Complaints Total received by the PACC (2012-2021), " Source: Prepared by the Researcher and in accordance with the annual reports of the PACC".

In light of the foregoing, the Researcher argues that the formation of the corruption map, with the rates stated hereinabove based on the records of the PACC during the same period, is in conformity with the citizens' opinions that are captured by the Poll on Corruption and Anti-Corruption in Palestine executed by The Coalition for Integrity and Accountability - AMAN. Also, they agree with the perceptions of citizens according to the Poll's findings conducted by the World Bank in 2011. The Bank's reflected that the most exposed sector to corruption is the public sector. It added that less than a third of voters believe that corruption happens mostly in the private sector and civil society (Chêne, 2012). Ministries directly related to the provision of financial, health, social development, interior, and educational

services are the most exposed to corruption in the eyes of citizens, in addition to the General Administration of Crossings and Borders (The Coalition for Integrity and Accountability - AMAN, 2021).

To continue covering the features of the corruption map in the public sector, we find that the rate of complaints submitted to the PACC during 2020-2021 concerning senior occupational classes, i.e., the class of minister, first class, diplomatic service/ ambassadors, presidents, judiciary members, and prosecution, reached 13.9% in 2021 and 20% in 2020. However, the inconsistency gap is huge between the record of the PACC and the Polls which show that the class where corruption practices are focused. According to the perceptions of citizens, it is concentrated in the senior class and senior officials with high rates that vary between 76.6% - 82%, especially the persons who occupy decision-making positions in the public sector executive institutions (Ministries, Presidential office, and security services). On the other hand, only 20% of citizens believe that corruption is made by employees in lower class. The following causes may trigger such difference, which are represented in lack of citizens' trust in Palestinian officials; citizens not observing officials held accountable; regular employees being afraid of reporting senior officials (The Coalition for Integrity and Accountability - AMAN, 2021). Figure (3-6) illustrates the above.

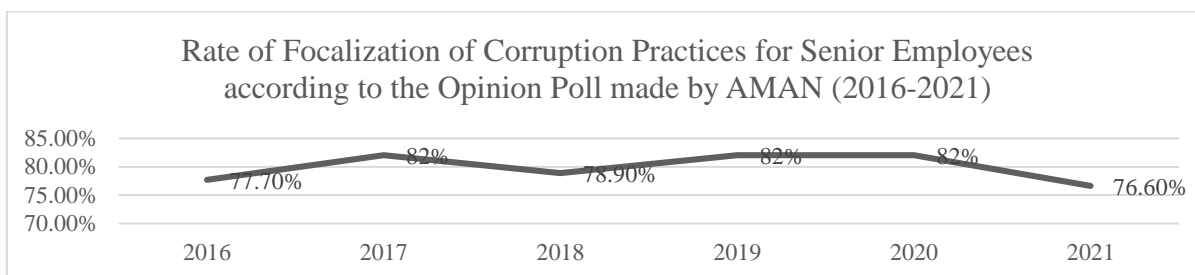


Figure (3-6): Rate of Focalization of corruption practices for senior employees according to the public opinion poll made by AMAN during the period 2016 – 2021, " Source: Prepared

by the Researcher and in accordance with the Poll on Corruption and Anti-Corruption in Palestine (AMAN). "

- ✓ Corruption in Health Sector: The Palestinian perception pertinent to this sector leans toward believing that corruption practices of nepotism and favoritism prevail. To put things in perspective, it is worth mentioning that such service holds several burdens and needs, especially in times of crisis and disasters, in particular the time of the COVID-19 pandemic. Hence, this raises many citizens' complaints about the services delivered thereby even though the government allocates a budget of 13% - 14% of the overall budget. This is higher than the budgets allocated in an advanced country. They allocate 7% compared to an underdeveloped country where only 2.4% is allocated. This highlights the irony between the size of budgets that compete advanced countries and the services delivered which are in parallel with the health services delivered in underdeveloped countries (The Coalition for Integrity and Accountability - AMAN, 2021).

This leads to the belief of citizens that the Ministry of Health is the most governmental institution exposed to corruption with a rate of 20%, according to AMAN's Poll on Corruption and Anti-Corruption in 2021. Also, the prevailing manifestations of corruption in the health sector lie in procurement, public money collection mechanisms, dealing with medical supplies, medical insurance, delivering medical services from outside the government health sector, and pharmaceutical and medical supplies companies (Daas, 2016).

- ✓ Corruption in Educational Sector: 8.1% of voters indicate, based on an opinion poll on corruption and anti-corruption in Palestine conducted by The Coalition for Integrity and Accountability - AMAN in 2021, that corruption exists in the Ministry of Education and universities scholarships.
 - ✓ Corruption in Judiciary: To further continue with previewing corruption in the public sector, we address the belief of corruption in the judiciary (Judges, Prosecution members and its personnel), where the results of the Poll show that 75% of voters, in 2021, think that there is corruption in the judiciary (The Coalition for Integrity and Accountability - AMAN, 2021). Also, corruption is deemed the basic obstacle in the works of the judiciary, and nepotism is a key issue in the judicial decision of courts according to interviewees of the report of the World Bank of 2010, which hits 50%, yet the actual practice of nepotism crime is low in the midst of court seekers based on the same report (Chêne, 2012).
- 2- Corruption in Private Sector: Opinion polls gave less importance to the spread of corruption in the private sector, but they indicate, based on the Palestinian statistic survey of 2013, that the rate of individuals who believe that nepotism exists in the private sector is 86.4% (Palestinian Central Bureau of Statistics, 2014). Moreover, the Palestinian legislator failed to detect the risk of not holding the private sector subject to the Anti-Corruption Law, which is the legislation specialized in anti-corruption in different sectors (Al-Khawaja, 2020). In addition, the report, which is internationally prepared on previewing the extent of the commitment of countries, including Palestine, to the execution of the UN Anti-Corruption Convention has raised concerns about the involvement of the Palestinian private sector in the efforts of combating corruption and

enforcing integrity and transparency measures, as well as the effectiveness of supervisory agencies on the private sector. Moreover, it sheds light on the confusion in the role of following up with corruption cases in the such sector by the PACC (The Coalition for Integrity and Accountability - AMAN, 2021).

These concerns are tied to a lack of transparency in funding for some corporates and businesses where the government has an interest or share therein. These take the forms and practices of corruption such as conflict of interests, and abuse of public office by officials connected indirectly or directly with these businesses. The manifestations of such include granting licenses for establishments in a non-transparent approach, allocating a share of their revenues, and granting privileges in certain sectors. This correlation is captured upon the establishment of the Palestinian Authority and offering monopolies in vital sectors in the country including communications and oil, hence, promoting dominance and weakening competition in the market. This is done in an environment that lacks control and supervision of such a sector, allowing space for the government to interfere and create opportunities for preferences in relation to public institutions and related to the private sector. For example, the World Bank has stated in the field of communications that it identified a potential abuse of market power, along with dominating key actors in the sector of businesses, and existing personal connections between businessmen and officials in critical fields (Chêne, 2012).

The public opinion polls on corruption and anti-corruption in Palestine, conducted by The Coalition for Integrity and Accountability - AMAN during the period 2014 – 2021, show the exposure of corruption made to this sector according to voters. Also, it illustrates the differences as they vary between 12% - 23.3% as illustrated by the bar chart in Figure (3-7)

below. In return, the rates of complaints and reports received according to the classifications of the PACC and based on its annual reports on the private sector, the persons and the private sector public and private shareholding corporates which are not subject to the law, vary from 1% to 5% with an average of 4% against total complaints received by the PACC on different sectors during the same period, as illustrated by Figure (3-8).

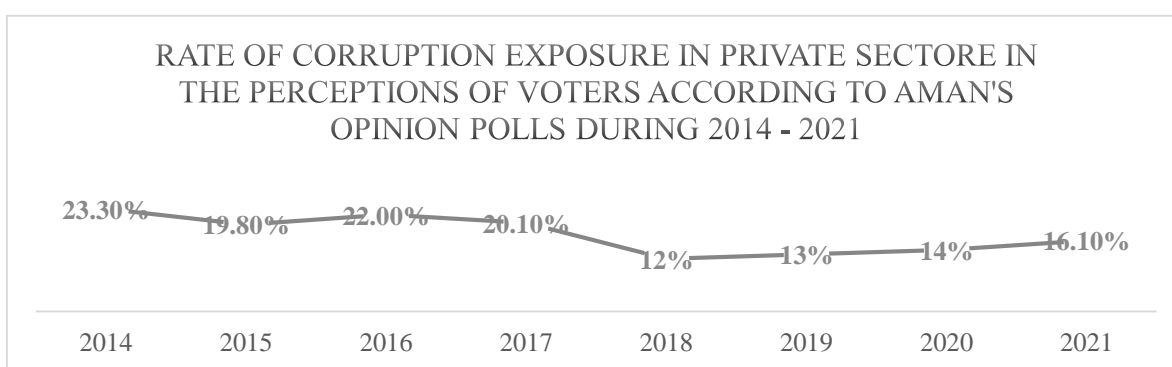


Figure (3-7): Rate of Corruption exposure in private sector based on the perceptions of voters according to AMAN's Poll during 2014 – 2021, "Source: Prepared by the Researcher and in accordance with the Poll on Corruption and Anti-Corruption in Palestine (AMAN). "

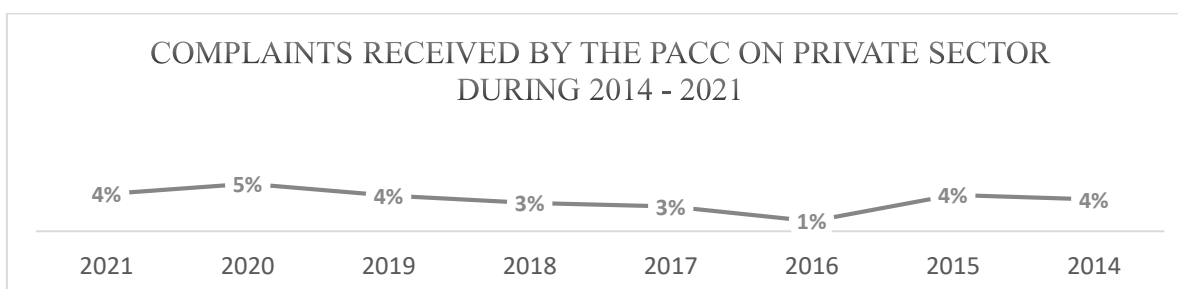


Figure (3-8): Complaints received by the PACC on the private sector during 2014 – 2021, "Source: Prepared by the Researcher and in accordance with the annual reports of the PACC".

3- Corruption in Civil Society: The polls on corruption spread in the civil society organizations in Palestine, based on a survey run by the Palestinian Central Bureau of Statistics in 2013, have shown that the percentage of individuals who believe that nepotism exists in such institutions was 86.1%. However, the poll conducted by The Coalition for Integrity and Accountability - AMAN on Corruption and Anti-Corruption in Palestine for the period 2014 – 2021 shows that such exposure, according to voters, varies from 13% to 25.7%, and Figure (3-9) illustrates that. The rates of complaints received by the PACC on civil society (Associations, syndicates, committees, councils, arbitrators, international organizations, centers, political parties, clubs, and public service institutions), and in accordance with the classifications of the PACC's annual reporting vary between 5% and 9% with an average of 7% calculated using complaints total received by the PACC on such institutions during the same period against the total for all sectors.

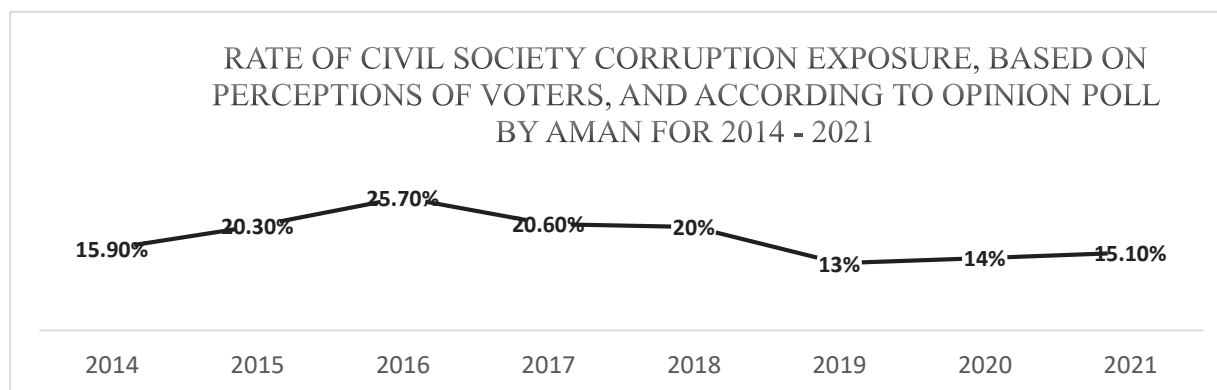


Figure (3-9): Rate of civil society corruption exposure, according to voters, and based on AMAN's Poll for the period 2014 – 2021, "Source: Prepared by the Researcher based on AMAN's Polls on Corruption and Anti-Corruption in Palestine. "

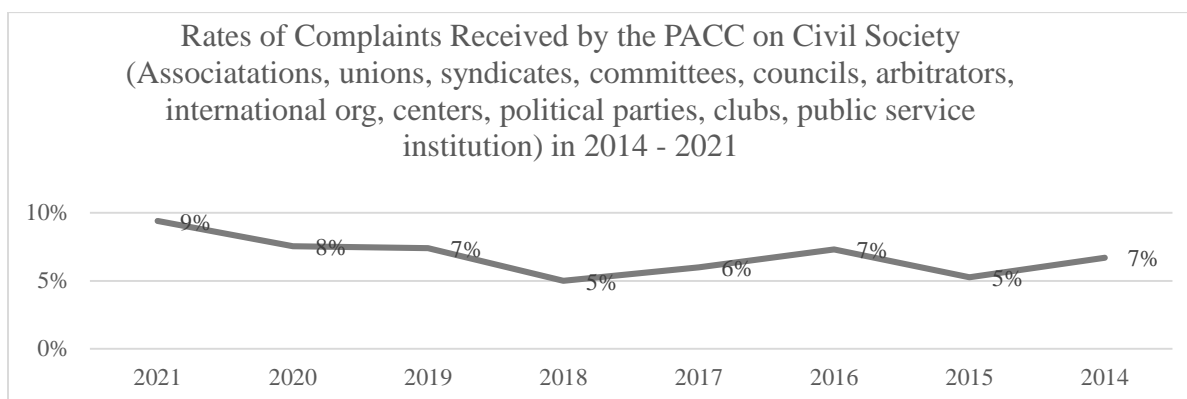


Figure (3-10): Rate of complaints received by the PACC on Civil Society for the period 2014 - 2021, "Source: Prepared by the Researcher based on the annual reports of the PACC. "

3.5 Anti-Corruption Strategies and efforts in Palestine

We discussed previously corruption in Palestine; hence, it is crucial to highlight the efforts made by the government to combat and eradicate such. The topic of corruption has risen at earlier times before the establishment of the Palestinian Authority. The efforts of anti-corruption in Palestine date back to 1997 with the report issued by the supervisory PACC in 1996. This report has made an argument and debate, forcing the Legislative Council to refer it to a special committee thereof, which resulted in the resignation of the government. Reform became a local and international requirement. In light of that, the Basic Law has been adopted and a reform plan has been made under the title of the "one hundred days plan." It included the necessity to hold elections, instill the separation of authorities, activate the role of the Ministry of Interior; unity of treasury; founding an investment fund; and addressing the role of security services in civil issues. The journey of reform and anti-corruption continues with the Palestinian Reform Program 2004 – 2005 by the decision of the government. This reform approach had its focused on the financial field; the economic and

judicial aspects; rule of law; public management; civil service; local governance; security; public local elections; education; and the issue of Illicit Enrichment Law. Then, the reform and mid-term development plan 2008-2010 took the space, which focused on regulatory and financial reform, and connecting programs and activities with the budget under a unified strategy (The Coalition for Integrity and Accountability – AMAN, 2009).

To explore the efforts of the State of Palestine on different levels in terms of anti-corruption, the Researcher based the structure of these efforts on reviewing the annual reports of the PACC; reports issued by AMAN on the National Integrity System (The Coalition for Integrity and Accountability – AMAN, 2009); the report of Combating Corruption: Constitutional Frameworks for the Middle East and North Africa (Sujit Choudhry, 2014); and the report of Overview of Corruption and Anti-Corruption in Palestine (Chêne, 2012).

3.5.1 Legal System

1- Anti-Corruption Law and Supporting Regulations: It is the key anti-corruption legislation emerging as a completion to the legislative system as an attempt to promote governance and transparency across the different sectors in Palestine. As a result, the Decree by Law No. (7) of 2010 concerning the amendment of Illicit Enrichment Law No. (1) of 2005 and Amendments thereof have been issued. By virtue of such, the Palestinian law defines and relates corruption to the crimes provided hereinabove in this study based on the provisions of the Decision. Moreover, supplementary legislations to support the Law were adopted, most importantly the Gift Regulation which was adopted and published in the Official Gazette on 26/12/2019, and the Regulation for the Protection of Whistleblowers, Witnesses, Informants, and Experts in Corruption Cases, their relatives and close

individuals. The system was adopted by the Council of Ministers and published in the Official Gazette on 28/11/2019. Also, the Disclosure of Conflict of Interests Regulation has been issued to make the Anti-Corruption Law, by virtue of the latest amendment, include the non-disclosure of conflict of interests as a corruption crime.

- 2- Financial Disclosure: The Anti-Corruption Law and other laws, such as the Judicial Authority Law, form frameworks for financial disclosures for public employees, such as the members of the Legislative Council, the President, judges, and prosecution. Moreover, not all financial disclosures of public employees are submitted to the PACC as some of them are filed to the Supreme Court, President, and the Chair of the High Judicial Council.
- 3- Civil Service Law: The Palestinian Basic Law states the necessity of issuing a law to regulate the civil service in the West Bank and Gaza. Consequently, the Civil Service Law No. (4) of 1998 was issued, which promotes anti-corruption; and prevents nepotism, conflict of interests, and abuse of office in obtaining personal gains. Also, the public code of conduct was issued and outlined by the value system of the public employee striving for enforcing the values of integrity and transparency in acquiring public jobs and the importance of disclosing conflicts of interests and gifts which a public employee may encounter.
- 4- State Audit and Administrative Control Law: The State Audit and Administrative Control Bureau Law No. (15) of 2004 and amendments thereof were issued to complete the legal system on promoting governance and integrity and to play the supervisory role and a constraint for corrupted practices in the state. This law is considered one of anti-nepotism tools, along with conflict of interests, and abuse of office in realizing personal interests.

- 5- Anti-Money Laundering and Terrorism Funding: The Decree by Law No. (20) of 2015 concerning combating money laundering and terrorism funding and its amendments were issued. Also, the Palestinian Anti-Corruption Law of 2005, according to Article (1) in Paragraph (1) thereto and having amended the Decree by Law No. (37) of 2018, criminalizes a number of acts that are considered corruption, including laundering money resulting from corruption crimes, and other aforementioned crimes, which are novel in conformity with international conventions.
- 6- Right to Access to Information Law: The Palestinian Right to Access to Information Law hasn't been adopted. It includes the adherence of officials and public employees to providing public information. The importance of such law lies in the works of the principle of the right to access to information which paves the way to the general framework for the State of Palestine on spreading and implementing the principles of integrity, transparency, and accountability which stand as the cornerstone of activating supervisory tools owned by competent agencies, including the public control over the public sector. Thus, it is seen as the decisive factor in achieving true integrity and transparency in Palestine (Dhyab, 2015). There are social calls for adopting the right to access information law in Palestine where a bill has been submitted and is pending endorsement.
- 7- Signing International and Regional Anti-Corruption Conventions: Palestine has officially joined the UN Anti-Corruption Convention 2003. It became an active member therein which entered into effect on June 2nd, 2014, and after the endorsement of the President of the State of Palestine on the Convention in April 2014. Also, the Palestinian Government confirmed its commitment in its paragraphs which was articulated via two letters

submitted to the UN Secretary-General; The first letter was forwarded in 2005, followed by the second in August of 2007. This indicates that the government is committed to accepting and abiding by its terms before the UN. According to International Law, the signing of the Convention stands as an opportunity to recover the Palestinian stolen money and bringing in wanted individuals for interrogation. However, the Convention hasn't been published in the Palestinian Official Gazette. Moreover, Palestine signed the Arab Anti-Corruption Convention on September 21st, 2010, and officially joined on May 21st, 2013. It is worth mentioning that the latter Convention entered into effect on June 29th, 2013. In conformity with the Arab Anti-Corruption Convention, in particular Articles (10/ 01), and the UN Anti-Corruption Convention of 2003, in particular Article (5/1), the State of Palestine agreed on several effective and coordinated policies and measures for combating corruption and enforcing integrity, transparency, and accountability. Such policies are based on the principle of collaboration with civil society and all related parties, starting with the preparation phase to execution and evaluation. Furthermore, Palestine is a member of the Arab Anti-Corruption and Integrity Network (ACINET) (Hamad, 2019, pp. 108 – 109).

3.5.2 Institutional System

In recent years, Palestine has witnessed a growing trend toward institutionalization of anti-corruption measures, benefitting from the regional and international trends in this regard. Arguably, the agencies of Palestine related to anti-corruption in the country are relatively institutionalized. This is read in the escalation of anti-corruption cases, whether on the level of reforms that are embodied in the unified account, terminating the phenomenon

of the so-called salaries suitcase, public spending control, to the financial system and public budget; or on the level of organizational structure which identifies and distributes powers between partners and all stakeholders pertinent to combating corruption in Palestine, which are represented in the PACC, Corruption Crimes Prosecution, Corruption Crimes Court, Ministry of Justice, High Judicial Council, and civil society organizations. It's believed that the PACC emerges as completion of such institutionalization steps, and the PACC plays a decisive role in combating corruption judicially (PACC, 2017).

3.5.2.1 PACC

An independent PACC was established under Article (3) of the Decree by Law No. (7) of 2010, which amends the Illicit Enrichment Law No. (1) of 2005⁴. This PACC was founded to be independent and specialized in anti-corruption, with an artificial personality and financial and administrative independency. It also has an allocated budget within the general budget. PACC raises awareness on corruption risks and taking preventive measures, forming the general policy of anti-corruption, and supervising implementation. It also has the competence of enforcing the law by receiving complaints on corruption, verifying them, and pursuing perpetrators.

3.5.2.1.1 Efforts of PACC⁵

To skim the efforts of the PACC through examining its jurisdiction and competencies given by virtue of the Law, considering it is an official body specialized in combating

⁴ Published in Issue No. (87) of Official Gazette on 26/06/2010.

⁵ This section, in most of its parts, is derived from the annual reports of the PACC.

corruption and enforcing preventive measures, it is considered a comprehensive model of multi-purpose entities which enjoy educational, investigative, and judicial functions. Since combating corruption is a complex process that requires an overarching strategy and approach, it complies with two main functions. The first is represented in Prevention by employing a national anti-corruption strategy; investigating corrupted entities, pursuing them in court; and neutralizing corruption opportunities in governmental institutions. The second function is the one dealing with corruption indirectly, striving for educating citizens on corruption risks to create the required support for the programs and the activities run by the PACC (Sujit Choudhry, 2014, p. 81).

3.5.2.1.1.1 Prevention: Development of National Anti-Corruption Strategies

The national anti-corruption strategies have severe importance in combating corruption, which is referred thereto by the UN Anti-Corruption Convention and promoted thereby in Article (5). Furthermore, a meeting, which included the majority of the world, was convened by the UN Office on Drugs and Crime for the agencies and entities of anti-corruption. Among the conclusions of such a meeting was issuing the Kuala Lumpur Statement on anti-corruption strategies. These strategies address the coordination of the state's efforts and controlling the progress made and its assessment. Such strategies must conform to the situation of each country and its internal consideration and challenges related to anti-corruption. The country must enjoy the political will and be constructed using a participatory approach that involves all colors of society. They are to be national property with the committed leadership that relies on knowledge production to their works are

crowned with success, and to be assessed with a good standing by Transparency International (Sujit Choudhry, 2014).

In the Palestinian context, the competencies of the PACC include making the public policy for combating corruption in collaboration with related parties; and drafting plans and programs required to implement such and supervising them. It is believed that without a complete national plan, which involves everyone in its preparation, implementation, and evaluation, the efforts of anti-corruption remain amputated and helpless. To preview the progress made in such a context, we present the following:

The PACC chaired the national efforts in preparing the national anti-corruption strategy twice, in 2012 – 2014 and 2015 – 2018, as well as a third time where a national strategy was developed through the Cross-Sectoral Plan to promote integrity and anti-corruption in 2019 for the period 2020 – 2023. The latter was prepared following the effective participatory approach with the participation of 210 individuals representing 100 official, private, and civil bodies. Moreover, the PACC engaged in preparing several supplementary and supporting strategies for the National Strategy, including Media Strategy for the Palestinian PACC in 2019, Justice Sector Strategy, the Political and Social Active Palestinian Youth Network Anti-Corruption Strategy in 2014, preparing the Strategic Directions for Palestinian Women in the Fight against Corruption in 2017 in collaboration with civil society organizations, and Strategic Directions for Promoting Integrity, Transparency, and Anti-Corruption in the Palestinian Sport Sector 2020 – 2023.

In the framework of the 1st National Anti-Corruption Strategy, 31 executive plans were subsumed, and 44 executive plans in the 2nd strategy. 64 executive plans were included

in the National Cross-Sectoral Strategy, being implemented in collaboration with various sectors in the country.

The strategy (2012 – 2014) was evaluated in 2015. According to the evaluation report, the rate of completed indexes takes 70% out of 204 indexes, which is considered by the report as a rate of good standing (National Center for Sustainable Development, 2015). On the other hand, the Strategy of 2015 – 2018 was evaluated but the report wasn't published.

Among the key challenges facing the implementation of these strategies is the lack of sufficient budgets for implementation and programs that fall thereunder with their activities and initiatives (PACC, 2021). Also, they are not being adopted by the government which are within its jurisdiction under Article (69) of the Amended Basic Law of 2003 (Hamad, 2019, p. 128).

3.5.2.1.1.1.1 Preventive Measures and Compliance

One of the main competencies of the PACC is preparing circulars illustrating the risks of corruption, nepotism, and favoritism on the state's institutions and its public administrations. Recently, the PACC adopted an anti-corruption approach that focuses on promoting preventive measures that may bridge the gaps used by the corrupt to do their acts and crimes; in addition to follow-up with the extent and level of compliance in such measures by competent and concerned entities. To address the efforts paid, we include the following studies that strive for achieving that:

- 1- Promoting integrity and governance measures and analyzing corruption risks in Land Authority, Ministry of Awqaf and Religious Affairs, Ministry of Justice (Criminal Record and Forensic Medicine), Health Sector (Insurance, Bids, and Service Procurement), four

administrations of Ministry of Transportations, Internal audit, Licensing in local entities, grants in Logistics PACC, and Quota system and pricing lists.

2- Preparing Manual for Validation Tools on Corruption Risks Management in the Palestinian Public Sector.

In light of these studies and the efforts of the PACC in the enlightenment of corruption risks in the different sectors in public organizations, the Researcher believes that they are convenient as they cover many vital sectors in the country, most importantly the Health Sector. Yet, compliance with such recommendations is what matters through processing these recommendations, observations, and the preventive measures package against any organization legally liable thereunder. These aim at bridging the gaps in the work of such institutions which leads to promoting the systems of integrity, transparency, and governance in the country. Key examples of compliance with such recommendations are the following:

- ✓ Implementing the recommendations of the study concerning governmental health insurance by establishing the electronic program, where most corruption risks can be mitigated.
- ✓ Implementing the recommendations of the study issued in 2020 on integrity and governance measures in the Palestinian Land Authority. The key recommendations therein concern the public administration of the state's property. It is worth mentioning that there is a bill under study, titled State's Property Protection and Management Law, in addition to a bill concerning the amendment of Real Estate and Land Authority Law and creating a new administration for appraisals.

3.5.2.1.1.2 Public Education

Among the competencies of the PACC is educating and enlightening society on corruption risks and their impacts on economic, social, and political development; and the ways of prevention and combating through collecting information pertinent to manifestations and forms of corruption. Hence, the PACC shares these with the entities and parties concerned with anti-corruption, locally and internationally. In addition, the PACC coordinates with the institutions of the State to promote and upgrade the measures required to combat corruption crimes, update mechanisms and means of combating; as well as it coordinates with the media to play an active role in spreading the culture of integrity and anti-corruption in the society and promoting the participation and contribution of civil society organizations and educational institutions in the anti-corruption activities. Moreover, it raises awareness of its risks and effects, while promoting the intolerance culture of corruption and the corrupt.

Raising awareness for all segments and components of society on the importance of corruption combating and its devastating impacts, which are reflected on all components of society negatively, and the importance of everyone's participation in detecting corruption and reporting the perpetrator is considered a cornerstone to construct a robust national integrity system. The focus of the PACC's efforts in achieving that is represented in the following:

- ✓ The toll targeted by the PACC in its activities reached 157,820 individuals, whether on the level of awareness on the Anti-Corruption Law No. (1) of 2005 and amendments

thereof, and its supplementary regulations; raising awareness through its media activities; or training of public employees on the code of conduct and public job ethics.

- ✓ PACC launched two courses for college students, namely: the Course of Anti-Corruption: Challenges and Solutions; and Corruption Crimes in the Palestinian Legislations Course. The number of students who registered in the two courses since the release in 2017 until 2021 exceeds 12000 students. Also, it included the concepts of integrity and transparency in many curricula, and Palestine is a leading country in this context, both internationally and regionally.
- ✓ Preparing studies on “Financial and administrative practices in civil organizations, and their compatibility with standards of transparency, integrity and anti-corruption”; three legal studies in collaboration with Institute of Law; Study on “Concept of Corruption for Palestinian Women”; Study on “Opinion of Palestinian Civil Institutions on Corruption and Anti-Corruption”; and two surveys on Corruption and its Spread in Palestine, implemented by the Palestinian Central Bureau of Statistics.

The Researcher believes that the efforts of the PACC regarding enlightening and informing citizens took a serious approach. However, these efforts were random and distracted, requiring measurement, yet they are acceptable, and they paid off in some areas which include the decline in complaints and reports received by the PACC that are dismissed due to incompetence. The Researcher also sees that this is one of the key indicators of such efforts. The PACC stated in various reports the causes of the increase in complaints and reports received and dismissed due to incompetence, which are resembled in lack of audience knowledge in the PACC and its sphere of work. So, they maintained their place with high

rates that reach 50% in the first years of the PACC. On a different note, the change is quite notable in 2018, indicating that these efforts started institutionalization, hence, its decline is an indicator of the elimination of the cause. Figure (3-11) illustrates such a finding.

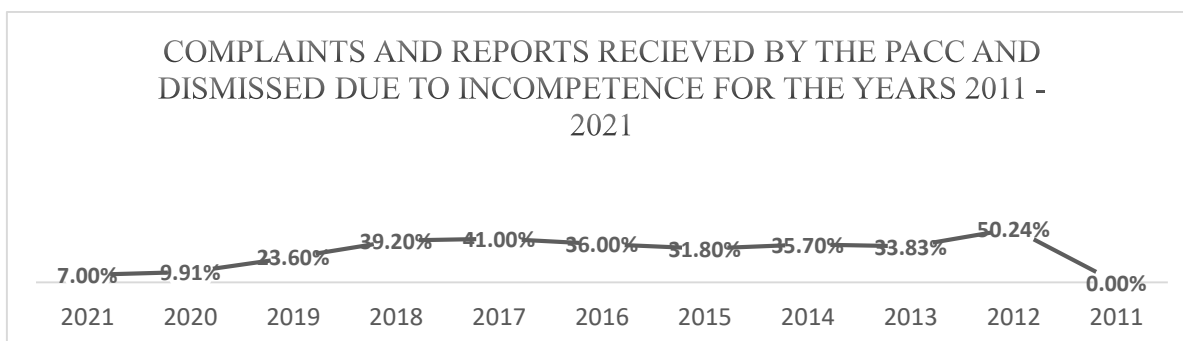


Figure (3-11): Complaints and Reports received by the PACC and classified as incompetent distributed in the years 2011 – 2021, "Source: Prepared by the Researcher based on annual reports of the PACC".

3.5.2.1.1.3 Detection, Interrogation, and Prosecuting of Corrupted Parties

3.5.2.1.1.3.1 Financial Disclosures

Among the many competencies of the PACC, by virtue of the Law, is maintaining and examining financial disclosures of the parties who are subject to the Anti-Corruption Law. The Palestinian Anti-Corruption Law agrees with the directives required by the UN Convention and the Arab Anti-Corruption Convention. Article (16/1) of the Anti-Corruption Law stipulates the submission of financial disclosures by legally liable entities.

The number of financial disclosures received by the PACC since its assignment in 2012 and to the end of 2021 reached a total of **63682** disclosures. The following figure shows the total financial disclosures submitted to the PACC based on the year of submission (PACC, 2021).

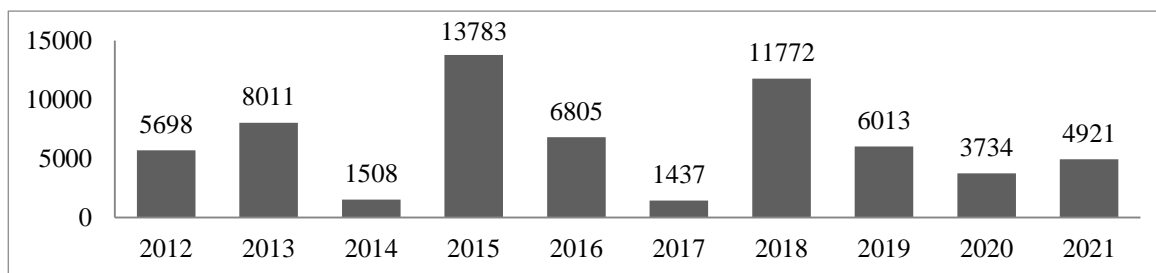


Figure (3-12): Total Financial Disclosures submitted to the PACC, " Source: Annual Report of the PACC, 2021"

3.5.2.1.1.3.2 Receiving Complaints and Reports and Evidence Collecting

Anti-Corruption Law No. (1) of 2005 and its amendments⁶, in particular, Article (9) thereto, grants the PACC the powers to receive, investigate, and follow up with the complaints and reports concerning corruption crimes. The same law gave specific powers to the judicial personnel at the PACC which enable them to conduct investigations and information collecting on corruption crimes. Furthermore, the PACC receives reports in the case of detecting suspicious corruption crimes by the State Audit and Administrative Control Bureau; any institution or agency; or ministerial investigative or disciplinary committees. The Anti-Corruption Law No. (1) of 2005 and its amendments allow the PACC, by virtue of Article (9/ 06), to conduct any required investigations and follow up with any corruption cases on its own and initiate such. To achieve that, the PACC detects, controls, and collects

⁶ Published in Issue (53) of the Official Gazette on 28/02/2005, Page 154.

the information published on the internet; social media; regular visual, audio, and written media; and other sources; as well as conducting any necessary investigations if they include corruption suspicions.

The powers concerning receiving complaints and reports, which are vested in the PACC, go in line with the powers given by virtue of Article (22/1) of the Criminal Procedure Law No. (1) of 2011 and its amendments to the judicial officers.

The legal pursuit of the perpetrators commences upon receiving the complaint or report. The PACC studies and follows up with it; collects information; conducts investigations according to its legal powers, to grasp conclusions of dismissal due to incompetency; dismissing it due to lack of evidence or referring it to the competent prosecution.

Having reviewed the statistics provided in the annual reports of the PACC during its operating period of 2010 – 2021, it is shown that it received 6215 complaints and reports⁷. The PACC referred 438 cases thereof to the Corruption Crimes Prosecution with a rate of 7% of the total after conducting investigations and validation which was carried out by its personnel in the capacity of judicial officers as stipulated in the Criminal Procedure Law No. (1) of 2015 and its amendments. These were represented in many procedures of investigations and initial interrogation. Figure (3-13) below illustrates such findings.

⁷ Some complaints and reports contained claims on more than one type of corruption crimes.

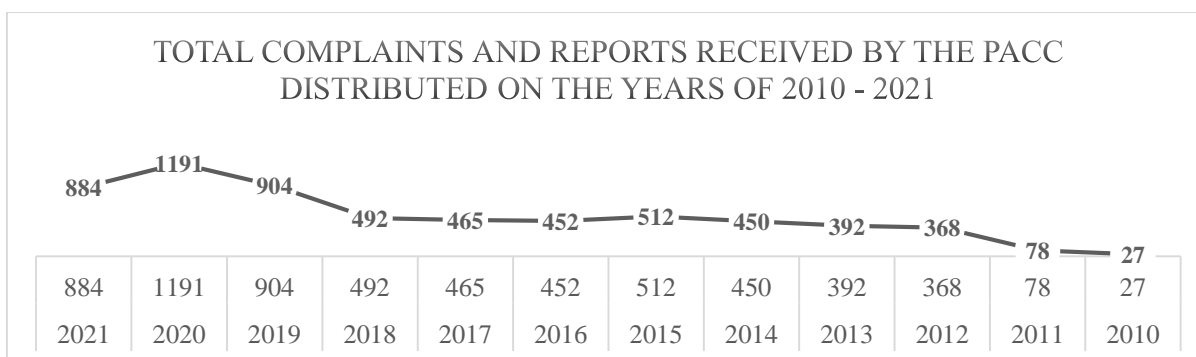


Figure (3-13): Total complaints and reports received by the PACC distributed in the years 2010 – 2021, "Source: Prepared by the researcher based on the annual reports of the PACC".

3.4.2.1. Inspection, Analysis and Preliminary Evidencing

PACC inspects complaints and reports by conducting field investigation and inquiry to collect preliminary evidence, financial analysis, and reporting. The percentage of complaints and reports of financial nature received by PACC, during the period of 2020-2021 where 162 specialized technical financial reports were issued related to 273 complaints and reports, hit a percentage of 23% of the total received in 2020, and they are 1191. On the other hand, in 2021, 108 specialized technical financial reports were issued related to 175 complaints and reports, and the percentage of the complaints and reports of financial nature reached 20% of the total received, and their toll is 884. In other words, the complaints and reports of financial nature received by PACC during 2020 – 2021 were 448 with a percentage of 22% of the total complaints and reports which are 2075 for the same period.

3.5.2.2 Public Prosecution

Under the enforcement of the Decree by Law No. (37) of 2018 concerning amending the Anti-Corruption Law No. (1) of 2005 and its amendments, a competent public prosecution was established to examine corruption crimes cases under the name of

Corruption Crimes Prosecution. This office is to work under the direct supervision of the Attorney General. In case the PACC concluded, through the investigations and evidence collection on the complaints and reports submitted, the existence of strong corruption suspicions, the president of the PACC, after running the proper examination, refers the records of evidence collection to the Attorney General to take the required procedures and refer the papers to the competent Corruption Crimes Prosecution Office, which its members according to their competencies handle the establishment of the case, commencement, defense, and representing the Attorney General before the Corruption Crimes Court, as well as taking all necessary procedures (Hamad, 2019, p. 155).

Having reviewed the statistics provided in the annual reports of the PACC, the data recorded in the prosecution log reaches 682 cases during 2010 – 2021.

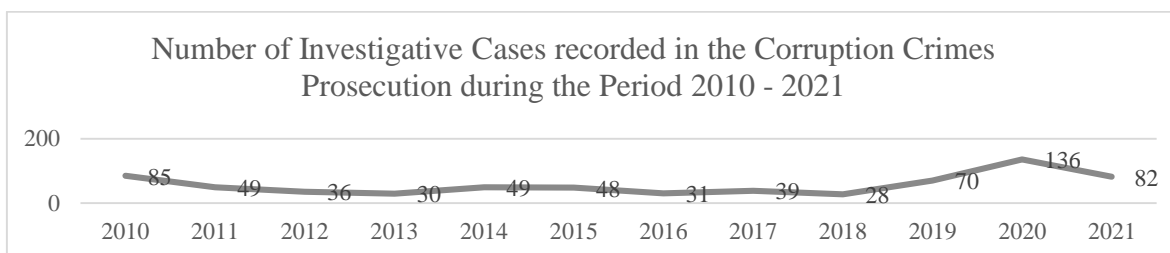


Figure (3-14): Number of Investigative Cases recorded in the Corruption Crimes Prosecution Log during the period 2010 – 2021, "Source: Prepared by the researcher based on the annual reports of the PACC. "

3.5.2.3 Judiciary

After concluding the stage of investigations and the issue of the indictment by the Attorney General on the corruption crime against the accused, the decision of the indictment is referred to the competent court. The Anti-Corruption Law states the formation of a competent court PACC to examine corruption cases since these courts enjoy the jurisdiction

to try criminal actions and to decide the conviction or innocence of the accused. This is made after evaluating the evidence by the court in light of what is submitted thereto. Such a role is referred to the court which settles criminal lawsuits in the way provided herein (Lahham, 2018).

Having reviewed the statistics provided in the annual reports of the PACC, the total registered corruption crimes cases in the log of the Corruption Crimes Court has reached 283 cases since 2010 and until 2021. 264 cases thereof have been referred to the court by the Corruption Crimes Prosecution, while only 19 cases were referred by civil courts, which were dismissed due to incompetence. The Court ruled on 208 cases, while there were deferred 75 cases up to 2022. The following Table explains such details.

Table (3-2): Works of Corruption Crimes Court since its formation and until 2021

Description	Received Cases			Rewarded Cases			Dismissal of case due to Death of the Accused	Deferred Cases to 2022
	Until the End of 2020	2021	Conviction	Innocence	Incompetency			
Number	249	34	147	37	22		2	75
Total	283			208				

"Source: Annual Report of PACC, 2021".

Having reviewed the statistics provided in the annual reports of the PACC, we find that 64% of the registered in the Prosecution logs are submitted by the PACC, while 36% are submitted by other judicial entities. On the other hand, the cases rewarded with a conviction are 59% of the total referrals. Based on these figures, we can evaluate the institutional system of Anti-Corruption and its efforts in pursuing the corrupted by a good standing. This indicates the efficiency of the investigation and evidence collection procedures applied by the PACC,

as well as the initial investigation procedures represented in the Corruption Crimes Prosecution and the final investigation procedures represented by the Ant-Corruption Court, Table (3-3), below, explains this.

Table (3-3): Efforts of Anti-Corruption in pursuit of the Corrupt during 2010 – 2021

Anti-Corruption Efforts in Pursuit of the Corrupt During 2010 - 2021							
Year	Number of Complaints Received based on PACC's Log	Number of Files Referred by the PACC after Investigation to Corruption Crimes Prosecution	Number of Investigative Cases Recorded in Corruption Crimes Prosecution's Log	Number of Cases Referred by Corruption Crimes Prosecution to Corruption Crimes Court	Number of Cases rewarded with a conviction by Corruption Crimes Court	Rate of Files Referred by PACC of Investigative Cases registered in Prosecution's log	Rate of Judicial decisions of Conviction by Corruption Crimes Court of total Referred Cases by Prosecution
2010+	105	14	134	24	6	10%	25% ⁸
2011							
2012	368	32	36	26	11	89%	42%
2013	392	14	30	19	5	47%	26%
2014	450	26	49	24	16	53%	67%
2015	512	44	48	20	28	92%	140% ⁹
2016	452	31	31	19	18	100%	95%
2017	465	39	39	21	12	100%	57%
2018	492	21	28	18	16	75%	89%
2019	904	58	70	23	20	83%	87%
2020	1191	115	136	36	10	85%	28%
2021	884	44	82	34	14	54%	41%
Total	6215	438	683	264	156	64%	59%

""Source: Prepared by the researcher. Based on annual reports of PACC"

⁸ Circulated from 2010.

⁹ Rate of Cases adjudicated is higher than the referred to the Prosecution because some of them are referred from previous years.

Corruption Detection, the pursuit of the corrupted, interrogating and suing them is not an aim, per se, rather the ultimate aim behind anti-corruption efforts is the recovery of public money to the public treasury, represented in the proceeds of crime and what has been retrieved thereof. Crime proceeds, as defined by Article (1) of the Anti-Corruption Law No. (1) of 2005 and its amendments, is all possessions resulting from or collected, indirectly or indirectly. Table (4) presents the criminal proceeds rewarded by the Palestinian judiciary in reference to the judicial decisions issued by the Palestinian Corruption Crimes Court, which the judiciary has ruled to retrieve such from the accused of corruption crimes, and they are in detail as follows:

Table (3-4): Criminal Proceeds judged to be recovered and retrieved, and the amounts returned during 2010 – 2020

Crime Proceeds Ruled to be Restituted and Total Recovered Crime Proceeds during 2010 - 2021						
Year	Crime Proceeds Ruled to be Restituted in NIS	Crime Proceeds Restituted in NIS	Crime Proceeds in JD	Crime Proceeds Restituted in JD	Crime Proceeds in USD	Crime Proceeds Restituted in USD
2017	1,052,951	528,160	0	0	0	0
2018	5,315,253	436,170	0	0	1,200	
2019	3,693,645	0	10,025	6,000	84,133	
2020	399,090	104,850	13		696,641	
2021	160,447	140,547	0	0	0	0
Total as per Currency	10,621,386	1,209,727	10,038	6,000	781,974	
Total Valuated in NIS	10,621,386	1209727	43,964	26280	2,431,939	0
Total Crime Proceeds Ruled to be Restituted Valuated in NIS	13,097,289					
Total Crime Proceeds Restituted Valuated in NIS	1,236,007					
Rate	%9					

"Source: prepared by the Researcher based on the annual reports of the PACC".

Accordingly, we could say that the anti-corruption system, represented in the Palestinian PACC and Corruption Crimes Prosecution, was able to enable the Corruption Crimes Court from issuing restitution rulings concerning the public money and to be returned to the public treasury, which was of a total of 13,097,289 NIS, in addition to restituting an amount of 1,236,007 NIS, representing 9% of Total Crime Proceeds ruled be restituted. This is in addition to retrieved money of liquidity referred to previously. Both movable and immovable property has been confiscated, which were proved to be crime proceeds.

3.6 Stages of Proving Procedures of Financial Corruption Crimes in Palestine

3.6.1 First: Stage of Evidence Collection on Financial Corruption Crimes in Palestine

This stage is not considered a criminal lawsuit procedure. It only addresses a number of leading initial procedures concerning putting the criminal lawsuit into motion. So, it is not one of the stages addressed, and it has a limited role in investigating a crime; proving its occurrence; collecting pertinent information; and preparing for interrogation, accusation, and trial (Hamad, 2019, p. 70).

3.6.1.1 Legal Framework and Duty-Bearers for Evidencing Financial Corruption Crimes in Palestine

3.6.1.1.1 Regulatory Legal Framework of Evidencing Procedures

Judicial officers Definition: Judicial officers indicates a sequence of procedures and orders adopted by judicial officer's agencies since the occurrence of the crime until the final judicial decision issue. Its procedures and works precede the procedures and work of investigation. Moreover, its tasks lie in collecting evidence that leads to validation which is required by the public prosecutor or the examining magistrate so they would reach the perpetrators. Hence, Article (19/2) of the Criminal Procedure Law stipulates that "the judicial

officers handle search and investigation on crimes and their perpetrators, in addition to evidence collection that is required for investigating the lawsuit.” (Farhan & Al-Naqeeb, 2015).

3.6.1.1.2 Duty-Bearers of Evidencing in Financial Corruption Crimes in Palestine

Corruption crimes, in general, and financial corruption, in particular, are deemed secret and discrete. As a result, it is hard to detect by public judicial officers. In light of such, many countries employ private judicial officers who have the knowledge, qualification, preparation needed, and special expertise that other public judicial officers lack (Saadoun, 2013, p. 167). This is what the Palestinian Legislator adopted as the PACC enjoys the jurisdiction of evidencing. In this regard, Article (8) of Anti-Corruption Law No. (1) of 2005 and its amendments states that” the PACC shall be responsible for 1 ... 2 ... 3. Investigating complaints submitted concerning the crime of corruption. 4. Investigating corruption suspicions made by individuals who answer to the provisions of this Decree by Law ...”, and Article (7) of the Law mentioned herein narrates that “Personnel of the PACC, who are specialized in evidence collection and taking affidavits, shall enjoy the capacity of judicial officers in the works they conduct concerning the implementation of their duties, provided that such duties are to be defined by a decision from the President of the PACC.” This is supported by Article (9) of the same Law mentioned hereinabove which determines the powers of the PACC, granting it the power of evidencing. In reference to the Amended Anti-Corruption Law, we don’t find, in its content, that it limits the works of investigation and inquiry regarding corruption crimes to the personnel of the PACC entitled with the private judicial officers officer capacity, thus, it is given to the ones who enjoy the capacity of the

public judicial officers officer as well, as such personnel also conduct search and investigation activities, along with evidence collection in all crimes in general, including corruption crimes such as Police (Hamad, 2019, Pp. 78 – 84).

3.6.1.1.3 Importance of Evidencing Works in Corruption Crimes in Palestine

(Farhan & Al-Naqeeb, 2015) has indicated the importance of evidencing in corruption crimes, and mentioned them as follows:

- 1- Providing clarification for the preliminary investigation authority since the judicial officer can employ all means to investigate and question, provided such means are legitimate, both legally and ethically. This enables the judicial officer to bridge the time gap between procedure and crime. Hence, evidential items are clearer and sounder, free of any alteration or falsification, and more reliable. So, it paves the way for the investigation authority to act either by setting the criminal lawsuit into motion or by safekeeping the papers.
- 2- Evidencing eases, the trouble of search, investigation, and information collection for the investigation authority. This is in terms of having loads of complaints and reports, some are valid, and others are false. Accordingly, this consumes time, effort, and actual capacity in relation to information collecting, and investigating financial corruption crimes, especially since the time and effort of the public prosecution, including the Corruption Crimes Prosecution, are limited and more valuable to be spent in doing such works.
- 3- Confession: Upon confessing by the accused and recording such by the judicial officers, whether the public or private officers, confession acquires an effective impact for the

judicial officer or the accused, provided that such confession applies to the terms and conditions required by the Law, including that confession is done away from interrogation.

- 4- Proving: All investigating, and evidencing works aim at grasping robust proof, so, the judicial officers organize its works and take all legitimate and legal means to achieve that. It strives to safekeeping the evidence concerning the complaint or report recorded in the minutes' report. Consequently, it is referred to the prosecution so it would be able to make the decision of putting the case into motion. It is worth noting that evidence acquired by judicial officers are physical evidential items and not legal ones and can't be considered legal unless they are within the legal framework of the legal evidence.
- 5- Organizing the minute report: Article 22/Q/4 of the Criminal Procedure Law No. (3) of 2001 stipulates that "Recording and Confirming all procedures carried out in official reports after being signed by them and concerned parties."

By following the aforementioned Article, we get the obligatory act to draft the minutes' report by judicial officers in a fashion that includes recording the procedures done during the investigation process; information collection; the time and place where the crime of financial corruption took place; and its perpetrators and related parties; their signature, whether as a witness, expert, or any other competent person.

3.6.1.1.4 Evidencing Procedures in Corruption Crimes in Palestine

Procedures of search, investigation, and evidencing require the judicial officers to use the powers vested in them under the related laws to uncover corruption crimes and prove them, including financial corruption crimes. These powers and mechanisms are performed using open and confidential sources.

A. Open Sources

Information received by the PACC is considered the first open-source thereof in following up with suspicious corruption crimes, followed by other sources, which include: witness hearings, writing affidavits of the accused, experts hearing, and obtaining data and documentation from various sources. These sources are as follows:

- 1- Information Submitted to the PACC: Information received by the PACC on corruption is fed by two streams:
 - a. Through “receiving reports and complaints on corruption crimes submitted thereto, examining and following up with them, in addition to performing investigative works, evidencing, revealing violations and infringements, evidence and information collecting, initiating interrogation, and carrying out administrative and legal procedures required in accordance with the provisions of the Law herein and related legislations.” This is stipulated by Article (9) of the Anti-Corruption Law No. (1) of 2005 pertinent to the powers of the PACC on the works of investigation and evidencing.
 - b. By detection, which is the process where an organization inquires for the possibility to access initial or secondary information, trying to get proofs and evidential items to search any discussion or talk on corruption, mismanagement, and non-observation of law in receiving public service using open sources concerning any data, information, news, articles, reports, studies, or incidents related to corruption suspicions. By the same token, Anti-Corruption Law No. (1) of 2005 and its amendments give the PACC the power to conduct investigations required by virtue of Article (9) in Paragraph (6) to follow up with any corruption crime on its own. For the purposes of achieving that, the occupational

structure of the PACC includes a detection department which is assigned the responsibility of monitoring and collecting information posted online and on social media; visual, written, and audio media; and other sources; in addition to carrying out the investigations needed if this includes corruption (Anti- Corruption PACC, 2021).

- 2- Witness Hearing: It is considered a key source in detecting corruption crimes. Hence, Article (9/3) of the Anti-Corruption Law states the power of the PACC to summon witnesses. Also, Article (22/2) of the Palestinian Criminal Procedure Law No. (3) of 2003 and its amendments narrates the power of judicial officers to hear witnesses without being under oath. This is because it would be a difficult task for the efforts of pursuing the corrupt to pay off without the assistance of witnesses, and to have them volunteer to testify in corruption crimes, where they usually abstain from reporting or testifying thereon as they fear being pursued by their officials; in addition, linking their names with such crimes, and the shame they entail (Farhan & Al-Naqeeb, 2015). Accordingly, the Palestinian Anti-Corruption Law No. (!) of 2005 and its amendments states in Article (18/2) thereto “the PACC shall provide legal, occupational, and personal protection required for whistleblowers, witnesses, experts, and their kins in corruption lawsuits against any possible assault, retaliation or intimidation.” The whistleblowers and Witnesses Protection Regulation No. (7) of 2019 defines the protection in its first Article as “the occupational, legal, and personal protection provided by the protection seeker in accordance with the situation.”
- 3- Recording the statements of the accused without interrogation: Article (7) of the Anti-Corruption Law No. (1) of 2005 and its amendments states “the PACC’s competent

personnel responsible for evidencing, investigation, and taking affidavits shall enjoy the capacity of judicial officers in the works done concerning the implementation of their duties. Also, Article (227) of the Criminal Procedure Law No. (3) of 2001 and its amendments states “the statement performed by the accused before judicial officers, in which he/ she confesses of the crime, shall be accepted in case the public prosecution submits a proof on the circumstances which such statements have been submitted and the court is convinced that it was acquired voluntarily” (Hamad, 2019, pp. 90 – 91).

- 4- **Employment of Experts:** The Palestinian Legislator has given private and public judicial officers the option to employ specialized experts and incorporate their reports without them taking the legal oath. This procedure is essential and crucial in the business of investigation, evidencing, information collecting, and identifying the technical matters which do not exist at the investigation authorities, in particular the financial matters, directing the investigation, safekeeping evidence to assist the prosecution in proving the crime by obtaining physical evidential matters (Hamad, 2019, pp. 88 – 89). Moreover, the whistleblowers and Witnesses Protection Regulation No. (7) of 2019 furnished protection for experts.
- 5- **Obtaining Data and documentation:** The judicial officer’s officer can, in corruption crimes, request any files, data, documents, or information; or their copies from the entity which has such, including the entities which consider the foregoing as confidential for circulation, in accordance with the applicable legal procedures. Furthermore, this is granted by the Palestinian Legislator under article (4/9) of the Anti-Corruption Law no. (1) of 2005.

B. Confidential Sources

1- Revealing of Banking Secrecy: Secrecy in the banking business is primary, and the exception is revealing such. Also, the Law has forbidden the reveal of any information pertinent to the banking accounts of customers unless upon their consent, or by virtue of a judicial decision.

The PACC leans toward revealing banking secrecy as a mechanism for investigation of corruption crimes, within the provisions of the law, in particular, the Palestinian Banking Law No. (2) of 2002. The PACC issues a ruling from the competent court, which is the Corruption Crimes Court through the Attorney General, to uphold the banking secrecy of the suspect and follow up his/ her financial movements, in a manner that feeds the works of judicial officers for the sake of proving the crime or examining the assets and proceeds of the crime (Farhan & Al-Naqeeb, 2015).

2- Investigation and Information Collection on the Relationships Network of Wired and Wireless Communications and Broadcast Areas:

The judicial officers at the PACC can monitor communications through such procedure and the public prosecution, by providing the reasons and justifications and upon an order from the magistrate judge. As for accessing the necessary information, including the calls list; incoming and outgoing texts pertinent to a specific person and their details, to identify the caller ID or the recipient's; and determining the broadcast towers for such calls or texts, the PACC can obtain them by submitting a request from its president to the competent authority under Article (4/9) of the Anti-Corruption Law No. (!) of 2005 (Hamad, 2019, p. 92).

- 3- Using Whistleblowers: Article (22, bis) of the Anti-Corruption Law No. (1) of 2005, and for facilitating evidence collection on crimes in this Decree by Law, states that it is permissible to apply controlled handover or a special investigation, such as e-detection and hacking upon a permit from the competent prosecution and in accordance with the Law. The evidence, reached by applying this, shall be judged in its justification as per the discretion of the court (Hamad, 2019, p. 94).
- 4- Financial Evidence: They are considered an important source for investigating corruption crimes by collecting and analyzing them. This enables experts to reveal these crimes because they support any charges that may be filed in a corruption case. Besides, conducting an investigation procedure that is complete and comprehensive to the circumstances of the accused provides sufficient information to debate and interrogate the defense witnesses, including the accomplices of the accused, in case they are called upon. Also, it helps in pressuring the accused at the preliminary investigation stage by confronting him/ her with the evidence submitted by the public prosecution. Thus, it provides the prosecution member assigned to investigate the case with the means and evidence that may be skillfully used in challenging the accused (Farhan & Al-Naqeeb, 2015).

3.6.1.1.5 Dispositions of PACC after concluding Evidencing

These dispositions are (Farhan & Al-Naqeeb, 215):

1. Non-referral.
2. Referral of file to public prosecution (An existing corruption suspicion).

3.6.2 Second: Preliminary Investigation in Corruption Crimes

3.6.2.1 Duty-Bearers of Preliminary Investigation in Financial Corruption Crimes

A preliminary investigation is the first phase in a criminal lawsuit. It is the competency of the public prosecution in Palestine to be the investigation authority¹⁰. Hence, the competent Corruption Crimes Prosecution is the vocal point between PACC and the Corruption Crimes Court which is the specialized entity concerning preliminary investigation in corruption crimes.

3.6.2.2 Procedures of Preliminary Investigation for Evidence Collection in Corruption Lawsuits, including Financial Corruption:

- A. Witness hearing.
- B. Interrogation.
- C. Assignment of Experts.

Disposition Aspects of Investigation (Amarneh, 2019):

- ✓ Referral decision.
- ✓ Dismissal of Action.

3.6.3 Third: Final Investigation in Financial Corruption Crimes

3.6.3.1 Applicable Procedures in Corruption Crimes Court

- ✓ Generally speaking, litigation procedures before the Corruption Crimes Court apply to the same procedures stipulated by Criminal Procedure Law No. (3) of 2001, unless otherwise stated in a special text in the Anti-Corruption Law where the provided texts concerning litigation before the court mentioned hereinabove are considered special texts working

¹⁰ Article (1) of Palestinian Criminal Procedure Law.

under the principle of “*Lex Specialis derogate generali*.” Also, Paragraph (3) of Article (9 bis 1) states that “..., its sessions and decision making shall apply the provisions and procedures identified by the applicable laws unless otherwise a special text is provided in this Decree by Law” (Amarneh, 2019).

- ✓ By examining the text and what concerns the role of the expert in litigation procedures, and in reference to the Criminal Procedure Law which indicates that a judge uses expertise in the trial stage to interpret an ambiguous incident that he/ she needs to uncover by using persons of competence and knowledge in the related field. the assignment of an expert is done by the public prosecution, the court, or upon the request of any litigant. Also, the court may seek more than one opinion in one case to increase certainty, as the accused may use a consultant expert (Abdulbaqi, 2015).
- ✓ It is worth mentioning that, due to the care of the Palestinian Legislator, and in light of that corruption cases examined in the Corruption Crimes Court is described with speed due to their economic impacts which threaten public money, as well as social effects due to the shame stigma they entail, it is obligatory to hasten litigation, especially if the accused is innocent following the diligence principle (Amarneh, 2019).

Chapter Four

Application Aspect of the Study

In this Chapter, the researcher provides a description of the methods and procedures followed in the application of this study. Also, the Chapter includes a specification and a description for the study methodology with a description for the population and sample of the study.

4.1 Methodology of the Study

To understand all aspects of the topic herein, and to achieve the objectives of the study, the descriptive-analytical method is adopted, which is defined as a form of analysis and organized explanation of a phenomenon or a problem the researcher desires to collect data thereon. This method is ideal for the study as it describes the complementary relationship between the variables of the study so it would be a combination of mixed methods in terms of quantitative and qualitative elements via reviewing the literature and field study.

Literature Review:

The financial expertise, represented in forensic accounting, has been examined, which stands for the theoretical part. The proving of financial corruption crimes in Palestine is manifested by previewing the evidencing and financial investigation procedures applied in Palestine, based on the applicable procedures and in accordance with the Palestinian Anti-Corruption Law and applicable laws in Palestine for PACC which are the practical part of financial expertise to draw a convergence between the two parts in the spheres, services, stages, procedures, techniques, and constituents. Examining the documentary and administrative records; and annual reports and work procedures for the departments of the

“investigation, inspection and preliminary evidencing collection” and “audit, analysis and detection.” Information was put to completion through interviews to extract what is related to the theoretical framework.

The content of information provided in the Mezan II of the High Judicial Council was analyzed, and required data was captured through interviews to cover the practical part of the study and to fulfill the objectives of this study.

Field Study: The narratives of literature on “forensic accounting” and proving financial corruption crimes were examined and read to provide a basis for formulating the study’s hypothesis. Then, information and data were collected, analyzed, and used in the hypothesis validity test by applying and analyzing a questionnaire using SPSS software based on the perceptions of private judicial officers of PACC, members of Corruption Crimes Prosecution and Judges of the Corruption Crimes Court.

4.2 Data Collection

To obtain the required data, the following sources are used:

First: Preliminary Sources:

To fulfill the objectives of the study, and examine the financial expertise and its role in proving the crimes of financial corruption in Palestine, the needed initial data are obtained using the following preliminary sources:

- 1- A questionnaire is designed and distributed on the population of the study to tackle the analytical aspects using the SPSS software and statistical tests to reach indications and indexes of value and in support of the topic herein.

2- 5 interviews were conducted during the dissemination of the questionnaire, with one interview made over phone. Each interview consumed 30 minutes, as shown in the following table

Table (4-1) illustrates the interviews

#	Name	Job title
1	Mrs, Rasha Amarneh	Advisor to the President of the PACC
2	Dr. Mustafa Farhan	Former President of Corruption Crimes Prosecution, and Sitting President of Administrative Prosecution
3	Mr. Jameel Sagideya	Former President of Corruption Crimes Prosecution, and Sitting President of INTERPOL Prosecution
4	Mr. Abdullah Nawahdah	Judicial Officer and Director of Legal Opinion Department at the PACC
5	Mr. Abdullah Hamarsheh	Judicial Officer, and a Personnel at the Complaints and Reports Department at the PACC

"Source: Prepared by the researcher."

Second: Secondary Sources:

The following secondary sources are used:

- 1- Books, college thesis, scientific studies, reports, and journals to address the theoretical framework related to the topic of the study, as an attempt to enrich the topic and conclude several findings and scientific recommendations that go in line with the purpose of this study.
- 2- Documentary and administrative record and annual reports of PACC (Organizational structure of PACC; work procedures related to departments of “investigation and inspection and preliminary evidencing collection” and “Audit, Analysis and Detection”; decision of the president of PACC No. (4) of 2020 concerning PACC’s staff appointment instructions; and job description for PACC).

3- Mezan II which is provided by the High Judicial Council to reinforce the justice watch, which refers to the judges and their assistants from prosecution, attorneys, judicial officers, personnel and any person who works in the justice sector toward achieving the integrity and independency of judiciary and assuring a fair trial for litigators, and prepare them with an advanced E-system that incubates a solid and robust base for data and information exchange between departments and courts on one hand, and authorities and related external institutions related to judicial matters on the other hand.

4.3 Population of the Study

The population for this study consists of 3 main groups concerned with the topic herein and they are the personnel of the PACC who enjoy the title of private judicial officer, the members of Public Prosecution “Corruption Crimes Prosecution”, and the judges of Corruption Crimes Court.

4.3.1 Sample of the Study

The census sample method is used as the population of the study is small and focused. It targets everyone related to producing financial expertise or its use in proving financial corruption crimes in Palestine. Based on that, the sample includes all the individuals of the population with a size of 47 persons and they are 32 private judicial officers working at PACC; 10 members of Corruption Crimes Prosecution; and 5 judges of the Corruption Crimes Court. The study aims at examining all members of the population selected.

Chapter Five

Findings of the study

(Analysis of Data and Testing of Hypotheses)

This chapter comprises of 3 discussions. The researcher introduces in the first discussion the convergence between financial expertise of PACC based on the administrative records thereof, which stands as the practical part of financial expertise; and forensic accounting examined by the study as the theoretical part to access findings to prove the validity of financial expertise representation by forensic accounting.

The second discussion offers a presentation on the results of content analysis for the data provided in Mezan II to conclude findings concerning the rulings in financial cases related to financial corruption in Palestine.

The third discussion furnishes the field study conducted by the researcher to achieve the objectives of the study through statistical analysis of the questionnaire to apply the hypotheses. This is done by answering the questions of the study and previewing the main findings of the questionnaire acquired by statistically analyzing its clauses.

5.1 Convergence¹¹

To explain the different components of forensic accounting which are examined in the theoretical framework and related to the fields, techniques, services, stages and applied procedures; and its constituents, and to validate financial expertise representation in proving financial corruption crimes in Palestine with forensic accounting, an application study is

¹¹ This whole section is derived from the work procedures of the analysis and detection department and audit, investigation, and evidencing collection department at the PACC.

made to be converged with what is provided in the theoretical part and to give a practical description on this part.

This discussion addresses the extent of applying the procedures, techniques, and stages of forensic accounting by the financial expert of PACC by running a convergence between the two; and the forensic accounting constituents that he/ she enjoys, and that he/ she provides the services and fields for the same services and fields provided by forensic accounting.

To optimally conduct this study, the administrative and documentary records of PACC are used as a base in examining the procedures manual of the departments of “Investigation and Inspection and Preliminary Evidencing Collection” and “Audit, Analysis and Detection” at PACC; and extracting what is convergent with the theoretical framework of the forensic accounting in terms of services, fields, procedures, techniques, and constituents, in addition to the interviews conducted by the researcher during the in-person distribution of the questionnaire to the private judicial officers at PACC, and members of public prosecution “Corruption Crimes Prosecution.”

Furthermore, the researcher draws a convergence for the constituents of the concerned personnel in this study, represented in the employee working at the departments of “Investigation and Inspection and Preliminary Evidencing Collection” and “Audit, Analysis and Detection” at PACC, putting the basis on the administrative and documentary record of PACC, along with the accreditation instructions for arbitrators and experts issued by the Ministry of Justice, in accordance with the Arbitration Law No. (3) of 2003 and its bylaw, and the Decision of the Minister of Justice No. (39/ A. M.) of 2012, to prove that the

examined employee is an expert under the conditions and instructions applicable in the State of Palestine.

Financial Expertise

All corruption crimes, including non-financial ones, aim at obtaining a gain or privilege directly or indirectly. Hence, all corruption crimes, the majority thereof, seek to realize a financial benefit. Some of these crimes require specialized financial expertise to assist in explaining their particulars and reveal them to serve the financial investigation prior to their submission as evidential materials before prosecution and judiciary. The importance of financial expert at PACC rises from this argument, as he/ she examines the corruption-related cases of financial nature.

Financial Expert: The employee who works for PACC and performs the duties assigned by applying the procedures of “Investigation, Inspection, and Preliminary Evidencing Collection” and “Audit, Analysis, and Detection” as he/ she holds the title of a private judiciary officer by virtue of the Palestinian Anti-Corruption Law No. (1) of 2005 and its amendments.

To refer this definition to the instructions of arbitrators and experts accreditation of the Ministry of Justice, based on the provisions of the Arbitration Law No. (3) of 2000 and its bylaw, and the Decision of the Minister of Justice No. (39/ A. M.) of 2012; and to prove that the employee examined by this study is an expert, the researcher provides the following Articles and their applicability on the aforementioned employee in Table (5-1).

Table (5-1) illustrates the convergence between administrative and documentary records of PACC and the instructions of arbitrators and experts' accreditation of the Ministry of Justice.

PACC	Ministry of Justice	Convergence
Decision of the President of PACC No. (4) of 2020 on PACC staff appointment, Article (2) stipulates in Clause (B) that the applicant of the vacancy must enclose the following documents with the job application:	Instructions of arbitrators and experts' accreditation of the Ministry of Justice based on the provisions of Arbitration Law No. (3) of 2000 and its bylaw, and the Decision of the Minister of Justice No. (39/ A. M.) of 2012, Article (6) on the conditions of an expert, which are as follows:	Convergence Aspects:
<ol style="list-style-type: none"> 1. Copy of birth certificate. 2. Copy of academic certifications obtained. 3. Copy of professional experience certifications. 4. Copy of ID or passport. 5. Copy of Non-Conviction Certificate, dissolving him/her from being charged with a felony or misdemeanour related to honour or trust. 6. Personal photo. 7. Resume. 	<ol style="list-style-type: none"> 1. To be Palestinian who enjoys civil rights. It is permissible, upon a decision from the Minister, to grant an exception for non-Palestinians according to a recommendation from the competent department and placement of deputy minister. 2. Not being discharged from service upon a disciplinary decision, unless a minimum period of 3 years is elapsed from the date of such decision. 3. Not being charged with a felony or misdemeanour or bankrupted, unless being rehabilitated. 4. To have academic and professional experiences according to the instructions of arbitrators and experts' accreditation. 5. To pass the official test of the ministry. 6. To obtain a non-conviction certificate from the Ministry of Justice¹². 	<ol style="list-style-type: none"> 1. First condition, that is required to be in an expert "To be a Palestinian", is converged with the attachments of job applications of the PACC in Point 4 which includes enclosing a copy of ID or passport. 2. 2nd, 3rd, and 6th conditions are in convergence with the required attachment number 5. 3. 4th condition is in line with the required attachments number 3 and 7 of the instructions and the job description related to occupying the job at PACC.
Organizational structure of the PACC submitted by the PACC	Instructions of arbitrators and experts' accreditation of the	Convergence Aspects:

¹² <http://www.moj.pna.ps/arbitration.aspx>

and adopted by the Council of Ministers based on Paragraph (f), Clause (1), Article (6 bis) of Anti-Corruption Law No. (1) of 2005 and its amendments has determined the minimum years of experience with 7 years for the position of section manager which is occupied most of the financial experts of the PACC.

Having reviewed the administrative records of the PACC, we find that the average of years of experience for the financial experts is 16 years. Based on the job description, they must hold a bachelor's degree in accounting or financial and administrative sciences, putting in mind that they all hold such degree, and they have attended trainings, based on annual reports related to financial expertise and financial investigation and others, which are to be mentioned later on in this discussion under financial expertise constituents section.

Ministry of Justice based on the provisions of Arbitration Law No. (3) of 2000 and its bylaw, and the Decision of the Minister of Justice No. (39/ A. M.) of 2012, Article (10) on Accreditation of Experts.

The person applies to acquire the title of expert following the literature applied to arbitrators under these instructions.

1. It is stipulated to have these qualifications:
 - a. Holds an intermediate certificate, at least, related to the category of the required expertise or obtains specialized professional certificates in the required expertise field from accredited institutions.
 - b. Enjoys a documented professional experience in the sphere of required expertise of no less than 10 years.
 - c. Enjoys the requirements stipulated for an arbitrator under the provisions of the Law and these instructions.

1. The accreditation condition in Paragraph A is converged with the job description of the position in the examined departments, and with the administrative records of the PACC which express that the experts thereof hold a bachelor's degree in accounting or financial and administrative sciences, in addition to what is stipulated in annual reports which indicate that such experts attended training courses related to the required competence.

2. Accreditation condition B converges with what is stipulated in the administrative records of the PACC where the financial expert thereat has an average of experience years that exceeds 16 years; and with the organisational structure of the PACC submitted by the PACC and adopted by the Council of Ministers, which determines a minimum of 7 years of experience for the position of section manager occupied by most of financial experts at the PACC.

"Source: Prepared by the researcher."

Having reviewed table (5-1), and the foregoing articles, we find that article (2), item (B) on the decision of the president of PACC No. (4) of 2020 has addressed Article (6) of the arbitrators and experts' accreditation instructions of the Ministry of Justice.

Moreover, the administrative and documentary records; and the organizational structure of PACC, submitted by PACC and approved by the Council of Ministers; along with the trainings attended by the financial experts stated in the annual reports, have addressed Article (10) of the arbitrators and experts' accreditation instructions of the Ministry of Justice.

Financial Expertise: It is an investigative process conducted by the financial expert working at PACC, under his/ her occupational title, whether it is an investigation; or interrogative or judicial procedure, and after being assigned by the investigation agencies which are competent in applying accounting techniques by following the work procedures of PACC and within the jurisdiction and tasks assigned. This is to access financial evidential items and to include his/ her findings in a report that encompasses the unbiased technical opinion reached thereby in service of investigations in particular, and judicial proceedings in general, whether using the report issued by the expert or his/ her testimony during the procedures of preliminary and final investigation. This is utilized in proving or refuting a financial event which may result in a crime seeking the perpetrators and achieving justice.

Financial Corruption: It is any practice made by a person who is subject to the provisions of the Anti-Corruption Law in which he/ she violates the regulatory rules and laws of the financial business of the institutions of the State of Palestine; or violates the instructions of its supervisory agencies to obtain a personal financial gain at the expense of public interest. The manifestations of financial corruptions are captured in the absence of integrity and transparency when it comes to financial dispositions; and abuse and wasting public money.

Proving Crimes of Financial Corruption: It is the means and evidence used to prove financial corruption crimes against the accused or refute them. These crimes refer to the ones stipulated in the Anti-Corruption Law and have a financial nature. This requires financial information on the suspects or involved persons to support the investigation file and expand the financial investigation scope to detect the money associated with the criminal activity and

financial corruption crimes (Bribery, embezzlement, abuse of trust, occupational investment, illicit enrichment, and laundering money resulted from corruption crimes).

5.1.1 Services of Financial Expertise

The financial expert at PACC provides numerous services in different spheres at a number of stages. Convergence is made between the “provided services” in the theoretical framework of the forensic accounting and the “services” furnished by the financial expert who works at PACC, based on the interviews carried out by the researcher with Dr. Mustafa Farhan, Mr. Jameel Sagedyeh, Mr. Abdullah Nawahda, and Mr. Abdullah Hamarsheh. These services are:

- 1- Services of Evidencing and financial Investigations: These are represented in employing inspectors of PACC in the works of the financial expert, whether it is a field inspection or a financial analysis to validate corruption suspicions against the accused. They come in the form of a report in which the financial expert puts his/ her findings and presents an unbiased financial opinion. Hence, the financial expertise and its findings is an evidential procedure and a financial investigation.
- 2- Forensic Services, in their two parts; They refer to the services of litigation support and the field of expert witness which are delivered by the financial expert in service of the preliminary investigation represented in the Corruption Crimes Prosecution. The services of the financial expert, at this stage, are either to be an expert witness in the case if it is referred by PACC in which it is considered an evidential proceeding; or to be appointed by the prosecution. He/ she performs the duties related after acquiring the required documents, in addition to examining and making an initial evaluation for the case; helping

in formulating the questions related to financial evidence, hence, assisting the member of prosecution in interrogation in case the accused is confronted with inquiries on financial data; and assisting in explaining financial matters related to the lawsuit. The financial expert presents the findings of the works done in a financial report, and he/ she becomes a witness thereupon in case of being appointed by the public prosecution. The opinion thereof is helpful for the prosecution members to establish rights and achieve justice. Furthermore, the report thereof is a means of proving and an investigative procedure. He/ she also offers the services to the Corruption Crimes Court. The role therein is in being the expert witness, which is a judicial proceeding, in case of assignment by the said court. Below, Figure (5-1) illustrates the spheres that a financial expert of PACC provides his/ her services therein.

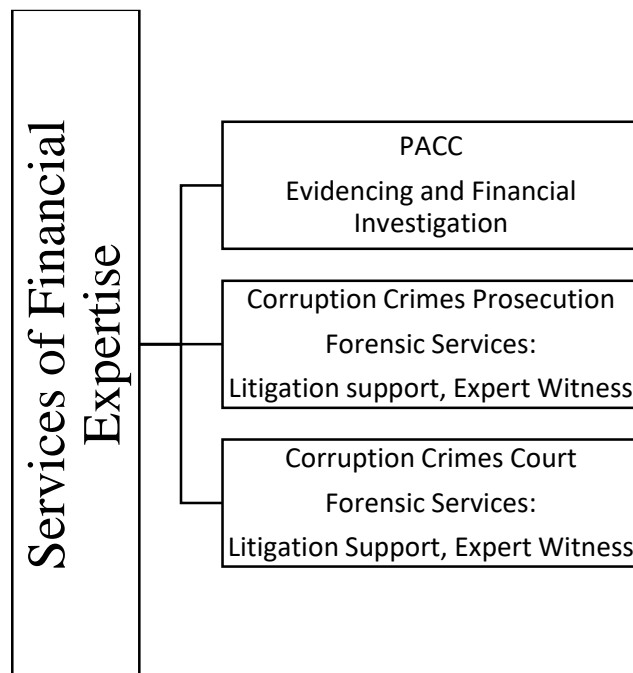


Figure (5-1) Fields of Financial Expert Services at PACC. "Source: Prepared by the researcher."

5.1.2 Procedures of Financial Expertise

After furnishing the forensic accounting procedures required for the forensic accountant to complete the duties provided in the theoretical framework, the researcher drew a convergence between them and the procedures of financial expertise at PACC used by the financial expert thereat by virtue of being a judicial officer to implement his/ her tasks, whether in the scope of the duties assigned by PACC, or upon assignment from the Prosecution Office or Judiciary, based on the proceedings of investigation and evidencing which require the judicial officers to use the power vested in them under the related laws to reveal corruption crimes and prove them, including financial corruption ones. Such powers and mechanisms are practiced via public and confidential sources and techniques. To explain these, the researcher provides the following convergence:

1- The Financial Expert Runs Public Document Reviews and Background Investigation.

The works of financial expert commences as of the receiving of the complaint or report and initiates his/ her procedures by examining the work environment of the target party and any other businesses determined by the expert to serve the investigation and evidencing purposes. This is conducted through the procedures of investigation, inspection, and preliminary evidencing by carrying out a number of proceedings within the stages of receiving the file and planning.

2- Interviews of Knowledgeable Persons.

The financial expert conducts surveying interviews in the proceedings of investigation, inspection, and preliminary evidencing, and he/ she shall access investigation

minutes and affidavits related to the suspect in the procedures of audit, analysis and detection during the stage of financial data analysis and examining bank account statements.

3- Confidential Sources.

Moreover, the financial expert in Palestine obtains information from its public sources. He/ She collects them using confidential sources and it is conducted through the proceedings of audit, analysis and detection, which require confidentiality disclosure. These procedures include the following:

- ✓ Stage of obtaining disclosure decision: The request is passed from PACC to the public prosecution to the Corruption Crimes Court, being the competent authority to issue such disclosure decision.
- ✓ Circulation of Decision Stage: The decision is circulated to the entities that are required to submit their statements.
- ✓ Stage of Obtaining Data from the concerned entities and receiving the responses thereon.

4- Laboratory Analysis of Physical and Electronic Evidence.

During the procedures of investigation, inspection, and preliminary evidencing collection at the stage of field examination and inspection and evidence collection, the financial expert has many tools pertinent to physical and laboratory analysis for the physical evidence by running procedures related to examination evidence. This compiles all information obtained by the auditor or inspector, which stands for all papers, documents, statements, reports, records, and explanatory notes acquired by the auditor through the process of examination, such as: internal audit and supervisory bureau reports; E-Systems; and technical expertise reports.

5- Physical and Electronic Surveillance.

The financial expert cannot follow up with wired and wireless communications; and voice recordings, notwithstanding the fact that according to the applicable laws in Palestine referred thereto previously, an employee who serves as a judiciary officer is authorized to do so.

Hence, we could argue that the financial expert benefits from the procedures of search, investigation and evidencing to implement the procedures of financial expertise based on its relevance. Also, the forensic accountant utilizes the procedures provided in the theoretical framework to perform his/ her tasks according to relevance.

After running the convergence, we notice that the judiciary proceedings practiced by the financial expert of PACC in the scope that goes in line with the applicable laws, being a judicial officer, he/ she would perform the works of financial evidence collection that are similar to the procedures of forensic accounting used by the forensic accountant to perform his/ her duties stipulated in the theoretical framework. Hence, I believe that the decision-maker at “PACC” made a sound judgment in granting the capacity of judicial officer to financial experts, which promotes accounting and financial expertise procedures giving them a bigger reasoning and reliability. What reinforces such opinion is article (212) of the Criminal Procedure Law which stipulates that “the minutes drafted by judicial officers, who are tasked to proving misdemeanor and offences, are reasoned in light of the proven facts until they are refuted” (Abdulbaqi, 2015, p. 419).

5.1.3 Techniques of Financial Expertise

The financial expert applies his/ her procedures to implement several techniques. These techniques were extracted from examining the work procedures of the departments of “Investigation, Inspection, and Preliminary Evidencing Collection” and “Audit, Analysis, and Detection” that are made in his/ her pursue to obtain and collect information and financial investigation; and their convergence with the techniques provided in the theoretical framework of the forensic accounting, that include but not limited to the following:

- 1- The financial expert employs the technique of Game Theory and Strategic Reasoning by risk assessment, planning reviewing process, and applying its procedures using the following:
 - A. Receiving complaint or report and its attachments; and recording the data related to the complaint, such as name of complainant and the accused, in addition to other data and complaint analysis, if available.
 - B. Examining the work environment of the accused party and making sure the applicability of examining and auditing the complaint/ report items (Existence of documented information, specific facts, and reliable details to open an investigation and examination file). These items are evaluated and weighted in terms of being able to examine such, and the feasibility of running general examination or to be classified as insignificant. These merits include distinctness of the accused party, accessibility and approachability of such party, particulars of the complaint/ report. The items to be examined and audited should include details on, for instance, name of a specific bid, project, program, revenue or expense item.

- C. Summarizing the complaint/ report: It is to be summarized in the form of items. The auditor proposes an examination mechanism for each item, along with determining the requirements to be brought to conduct the examination (documents or financial acquittal statements; secrecy listing of the accused or searching and investigating through the process of detection or via liaison officers).
 - D. The auditor identifies the mechanism of complaint/ report examination if it requires a field examination or statement hearings or to be limited to correspondences.
 - E. The auditor goes through all complaint/ report items; identifies examination samples, its risks, limitations, and requirements to be furnished to be able to perform the examination; and setting a course of action for the case.
 - F. In case the complaint/ report requires requesting documents and not a field examination, the auditor submits a request to the party being examined for these documents, data or requirements via official channels.
 - G. In case the complaint/ report requires a field examination, a team of investigators is formed, and a field examination plan is set, where the items needed to be examined and documents and requirements needed to be submitted are identified.
- 2- The financial expert employs reactive audit technique. It aims at investigating illegal or suspicious areas or activities, collecting admissible evidence to support the lawsuit, and identifying liability-bearers by running the following:
- A. Collecting examination evidence, which is collected by the auditor or inspector regrading information, such as documents and reports; results of inquiries; estimates; conclusions;

calculations processes related to examination process. Among such evidence are the following:

- 1) Reports of internal audit, supervisory bureau, external audit.
 - 2) Technical examination, computerized systems, and preparation of technical expertise reports.
 - 3) Obtaining budgets or disbursement orders.
 - 4) Secrecy listing of the accused.
 - 5) Unseal of financial acquittal related to the accused.
 - 6) Search and investigation by using informants. A judicial officer may use informant for the intent of revealing corruption crimes and their perpetrators.
 - 7) Obtaining information via detection process which investigates any news on corruption suspicions or mismanagement, or law non-compliance related to the examined file through open information sources related to corruption suspicions of the same file.
- 3- The financial expert uses the proactive audit technique. This audit seeks to examine different aspects, including running the required investigation on the complaints and claims submitted by acquiring the accounting records that are reliable, by running the following procedures:
- A. Provision of documents and requirements during the field examination. Authenticated copies should be submitted (the document sealed with the issuing institution or the department deal); or receiving the original copies of documents or books in case the auditor requires them.

4- Technique of document challenging: This technique is used to affirm the validity of the documents as some may be fabricated, amended, or omitted; or in case of lack of details in these documents. It is applied through the following procedures:

A. The auditor reviews and runs an initial study on all documents and data requested in terms of fulfillment of requirements, or they are just irrelevant documents. In case the documents fail to meet the request intended or lack of any detail, the procedure must be re-run and they are to be requested again, after being documented.

5- The financial expert uses money sources and utilization analysis technique through the following procedures:

A. Understanding the nature of bank accounts; examining them,; reviewing all accounts opening documents; in addition to running a general survey on each bank statement, duration of activity, status of account, the balances available, type of account, name of bank, name of beneficiary, and identifying the general type of the account in terms of being a business or salaries or company's account, and the general nature of the account, the authorized signatories, their terms, and mechanisms of authorization.

B. Counting all bank accounts of the parties which they are declassified in terms of banking information, their balances, incomings, sources, issued amounts, and beneficiaries; and allocating the tools and mechanisms applied on deposited or issued amounts.

C. Summary of financial deposits and withdrawals according to the withdrawal or deposit mechanism which illustrates the total financial deposits and withdrawals in details, the rate of each deposit or withdrawal transaction against the total deposits and withdrawals.

- D. Reports of financial deposits and withdrawal according to the withdrawal party/depository which explain the sources of money and depositories on one hand, and the disposition of these money and beneficiaries, on the other hand.
- 6- The financial expert employs the method of time-series to examine the details as of the start of the problem and until identifying the perpetrator. This helps forensic accountants in interpreting time linkage between events and summarizing investigations by conducting the following procedures:
- A. Identifying the opening dates of accounts and start date of the activity of these accounts, their closing dates, winding up dates if they are closed, and stating their balances.
 - B. Comparison reports which compare the trend of deposits or withdrawals throughout the years.
 - C. Detailed reports on money sources for each year which illustrate the trend of cash deposits size, by decrease or increase according to each year or month.
- 7- The financial expert uses cash liquidity technique to prove the compatibility between the need for loan and the actual available financial sources by running the following procedures:
- A. Identifying the loans given, their payment method, guarantees provided, rate of loan installment compared to the total income of the beneficiary of the account under examination; and getting acquainted with the transaction of loans, if required, which are requested via accounts and documents forms from the banks.

- 8- The financial expert uses tracking map and tables technique to show money flows or statements to detect the movement of money from its source to its recipient or utilization in collaboration with relevant parties by running the following procedures:
- A. Linking incoming amounts, deposit mechanisms, and dates with the issued amounts, deposits mechanisms, and dates.
 - B. Identifying the incoming and issued transfers from and to outside Palestine.
- 9- The Financial expert uses correlation analysis to forge a number of networks analysis which show the connections between persons, and their relevance to financial data or information, and the gene scheme technique for personal relationships between parties relevant to the case under investigation by implementing the following procedures:
- A. Calculating cheques issued from the examined accounts, in particular cheques containing endorsements and identification of beneficiaries and the entities which these cheques are endorsed therefor.
 - B. Following up some deposits and linking them with their respective withdrawals, if available, and identifying their sources and beneficiaries.
 - C. Transferred salaries according to the year, and salary crosscuttings of more than one entity, if available.
 - D. Report on withdrawn cheques and showing the first beneficiary and the withdrawing entity (indicating if they are endorsed or not).
 - E. Report on deposited cheques in the accounts and stating the depository.
 - F. Reports on financial withdrawals and deposits; and sources of money and their link with the other entities; nature of suspect's work; any other financial relationship connected to

the topic of the complaint; and identifying documents that condemn the suspect or any other relationship ... etc.

G. Statements and reports on cheques endorsed for others.

10- The financial expert uses comprehensive testing, which excludes true data and includes only false data by applying the following procedures:

A. Excluding financial movements from accounts statements which are off the examination period identified.

B. Excluding movements unnecessary for the examination and analysis process, such as bank commissions and interests, currency conversion movements (sale and purchase within accounts), sub-bifurcations of accounts which duplicate movements like cheques on collection charge and internal movements of accounts, ..., etc., and internal transfers within the account under examination or review and/ or any movements deemed insignificant in the examination process by the examiner according to the inputs of complaint.

11- The financial expert uses the technique of database creation to be guided thereby according to a proper timeline by applying the following procedures:

A. Creating a general electronic file for each complaint or case that is declassified. The file contains a sub-file by the name of every entity or person disclosed, in addition to sub-files on the names of all banks that have the accounts thereof. Inside every bank file, there are sub-files which contain bank statements, account opening document, bank response, and any other document provided by the bank.

12- The financial expert uses computer-assisted tools. The forensic accountant may be required, at any part of the procedures, to use software to process important financial data by applying the following procedures:

- A. Creating a table in Excel on Pivot Table significance for each account and all accounts according to every party.
- B. Running material examination and review on the financial movements compiled on Excel based on their deposit or withdrawal mechanism, while focusing on the provided items and particulars of the complaints submitted to PACC (Bribery, money laundering, financial connections, illicit enrichment, ..., etc.). Also, the examination should be comprehensive to all account movements.
- C. Compiled financial movements on Excel, which illustrate the depositories and withdrawal parties according to the account statement, are identified from the bank statements. However, the financial movements, which fail to show the depositories and withdrawal parties or the beneficiaries, are to be identified, examined, and allocating the supporting documents required from the banks. They are to be determined based on the expertise of the examiner/ financial analyst and his/ her study of the file and connecting the particulars of the complaint or report and affidavits with the bank accounts and movements related thereto. This is done to be of use in relation to extracting reports and identifying the connections between accounts based on date and value.
- D. The competent employee/ financial analyst creates reports in the form of Pivot Table to extract results and identify financial relationship related to the subject of the complaint.

13- The financial expert employs Net Worth Analysis technique. It is a method to estimate the net value of the individual (assets minus liabilities) at the beginning and end of the period adding non-deductible life expenses to the increase in the net worth for the period or year. In such case, the forensic accountant must identify the causes of difference as the difference in income may be considered illicit income “illicit enrichment” resulting from corruption crimes such as bribery, embezzlement, or untaxed income.

Calculating the accused worth is a tool utilized by financial expert and is considered an indirect evidence when it is difficult or impossible to identify or prove the original crime committed by the accused or suspect using direct evidence. In some cases, the suspect or intuition related thereto deliberately conceals or destroys the documents proving the original crime which led to an increase in the net worth of the suspect. Here, the financial expert applies one of the forensic accounting techniques which is the net worth analysis when exposed to such complaints, reports or practices which raise financial corruption suspicions for the purposes of determining the illegal increase value in the worth of the accused and compare it with the disclosure. This serves as indirect evidence on the corruption crime committed. The financial expert uses several sources, data and reports from PACC by connecting them with the outputs and reports of net worth analysis made.

The net worth analysis is based on 5 required fundamental pillars, which are:

- 1- Calculating net worth in a specific year at the end of the examination period.
- 2- Subtracting the net worth in a specific year at the beginning of the examination period.
- 3- Adding the expenses of the accused persons, including life and persona expenses.
- 4- Minus the income disclosed by the accused (legal income).

5- Undisclosed net worth increase is resulted.

There are 3 methods to calculate the net worth of the suspect, which include:

- 1- Cash Deposit: It is a straightforward method that contributes to proving or refuting the crime. To implement such method, you'll need to have the right to access financial records of persons. However, to do so, and to prove the illicit enrichment crime, it is required to obtain data and information from several entities. Parts of these data are classified and require a decision from the corruption crimes court such as bank and stock data. In case a corruption suspicion stands, through the works of investigation, search and evidencing, against one of the suspects in relation to a certain file, PACC, via its president, files a request of bank secrecy listing to the corruption crimes court through the public prosecution. This method is adopted when the general nature of the defendant's bank account is periodic and regular cash deposits. Then, the focus is put on such and any other disbursements made by the accused in a specific period (Accusation period or before), and all of respective bank accounts, in particular the credit cards accounts which the accused may use to cash deposit since they are hard to track or shown in bank statements.
- 2- Disbursements Calculation: This method is an indirect approach and most common used technique as financial evidence to prove conventional financial corruption crimes against the perpetrators. Usually, this method leads to a similar analysis to the one used in the deposit methods as the basis in the use of disbursements method is also the nature of the account where the public employee disburses the money which he/ she obtained as a result of bribery on daily and life expenses such as food, travels and any other expense items included and relevant. This method is based on identifying the net movable and

immovable assets and the value owned by the suspect, to be compared with the net value of the legal income disclosed for a specific period. This made after deducting the disbursement estimate for the same period. Using that, all legal income source available for the accused are evaluated. Wherever the total spending of the accused, of a particular year, exceeds the disclosed income thereof, the increase shall represent the undisclosed income, which establishes a base for any illicit activity which an accusation is made thereon. The general approach is illustrated in the following:

- ✓ Subtracting the available, disclosed, or legal income, such as the salary of the suspect and incentives and the likes.
- ✓ Equals the illegal, undisclosed, or undeclared income.

Table (5-2) Net Worth Analysis based on Disbursements.

#	Calculation Description	Calculation Source
	In-hand and in-bank cash on a certain date, such as end of year.	Bank Accounts
Minus	In-hand and in-bank cash on a certain date, such as start of year.	Bank accounts or Financial acquittals of the accused
Adding	Expenses and disbursements of the suspect for a specific period, e.g. : for a year.	Witnesses or based on security investigation reports
Equals	Otentible income or total income of the suspect for the same period, e.g. : for a year.	-
Minus	Available, disclosed, or legal income, such as the salary and incentives of the accused ... etc.	Through Financial acquittal or bank accounts or the entity transferring the salary
Equals	Illegal, undisclosed, or undeclared income	

"Source: Administrative records of PACC"

This test can be conducted on the accused for each year separately and comparing the results of the years and identifying the years which show undisclosed income and those of high amounts.

The key shortcoming of this method is focusing on calculating personal expenses and disbursements and available cash at the beginning and end of the period while neglecting and

excluding the movable and immovable assets, such as lands, real estates, stocks, corporates, cars, and some valuable items, ..., etc.

3- Assets Method: It is one of the indirect methods for tracking and analyzing. The net value can be determined in the difference between assets and deductions (liabilities) at a certain time. The financial expert uses the net value analysis when the assets or liabilities of several persons change through the examined period and when the target financial records are not available. This method is represented in the evaluation of all assets owned by the suspect in the form of cash and non-cash during a certain period; calculating, evaluating, and subtracting all liabilities or outstanding debts of the suspect; and derivation of net worth value owned by the suspect, followed by comparing the net worth with his/ her legal income to determine the net amount gained or realized from illicit or undisclosed sources.

The calculation mechanism of net worth by such technique goes as the following:

Table (5-3) Calculating Net Worth based on Disbursements Method.

#	Calculation Description	Source of Calculation
	In-hand and in-bank cash on a specific date, such as end of year (End of calculation period).	Bank accounts
Adding	Investments value, such as buying stocks during the period.	Capital Market Authority Records
Adding	Value, type, and model of vehicles purchased during the period.	Ministry of Transportations
Adding	Lands and properties purchased during the period.	Land Authority and Ministry of Finance/ General Directorate of Property Tax
Minus	Value of liabilities or outstanding debts during the same period.	Through financial acquittal or bank accounts
Equals	Net assets at the end of examination period.	-
Minus	Net assets at the start of examination period.	Obtained mostly by the financial acquittal and bank accounts
Equals	Increase value in worth.	
Adding	Total personal and private expenses during the period.	Estimated based on security investigation reports or witnesses hearing and bank accounts of some expenses
Equals	Ostensible income or total income of the suspect during the period.	-

Minus	Available, disclosed, or legal income, such as the salary and incentives of the suspect, ..., etc.	Financial acquittal, bank accounts, or the party transferring the salary.
Equals	Illegal, undeclared, or undisclosed income.	-

"Source: Administrative records of PACC"

This test can be run on the suspect for each year separately, and then comparing the results of years and determining the years which show undisclosed income and those of high amounts.

5.1.4 Stages of Financial Expertise

Having reviewed the procedures of forensic accounting in the theoretical framework and converged them with the stages run by the financial expert in the practical part, we furnish the following:

Stage I: Problem Diagnosis and Planning

Stages of financial expertise consist of planning stage which encompasses the receiving of complaint or report and its attachments; analysis of complaint and its documents, if available; and reviewing the work environment of the suspect party.

Stage II: Evidence Collection

This stage stands as the core of the financial expert work as he/ she makes sure to collect evidence which is obtained through different sources. Such evidence includes information like reports, responses to inquiries, appraisals, conclusions, calculations related to examination process. Then, he/ she shifts to processing all aspects of the problem and matches them with the complaint details. This is to polarize the grounding through the report which includes evidence.

Stage III: Evaluation of Evidence Validity

The financial expert does not apply this stage separately, rather he/ she conducts it along with the evidence collection and during the preparation of the report. Accordingly, the researcher recommends that the procedures of financial expertise of PACC should include evidence validity stage independently.

Stage IV: Preparation of Final Report

The final report of the financial expert is the last stage of the procedures where he/ she formulates a technical opinion, initiates the writing of the report, and documents the suspicions of corruption via documentation and evidence according to the following base:

- ✓ Adopting the official form and template of the examination report under an approved methodology.
- ✓ The first paragraph of the report addresses the basis which were used in writing the report; and the second paragraph presents an overview on the accused and a general summary on the complaint.
- ✓ The report includes a narration of (Examination procedures) where each paragraph deals with an item of the complaint items.
- ✓ Financial deposits and withdrawals of bank accounts according to movement type, depository, and withdrawal party.
- ✓ Aggregating the financial connections between the disclosed parties and relevant persons.
- ✓ Results of the report.
- ✓ Annexes at the end of the report to serve as a reference and documentation for what is provided in the report, such as the details of statements.

5.1.5 Constituents of Financial Expert

Based on the literature and what the forensic accountant requires of constituents that are referenced hereinabove, and by drawing a comparison with the constituents of the financial expert under examination, we provide the following:

5.1.5.1 Academic Qualification

Different studies, which are stated previously, have indicated that the forensic accountant must have a thorough qualification in several aspects to successfully perform his/her duty, most importantly accounting sciences. Accounting sciences; and knowledge of internal audit and institutional governance rules represent the main content and the solid base for the forensic accountant. Also, they are the scientific base which assist him/ her in interpreting and analyzing essential financial information. To project that on the Palestinian situation, we reiterate that the financial experts of PACC, based on the job description, must hold a bachelor's degree in accounting or financial sciences, putting in mind that they all hold such degree as shown by the administrative records of PACC.

5.1.5.2 Expertise and Training

In light of the narrative of the study, it indicates that expertise is what distinguishes the forensic accountant, and it is embodied in the actual practice of forensic accounting in the field. Moreover, expertise is the decisive tool. If expertise is to be measured by the number of years, we refer to the studies which stated that a forensic accountant must have been practiced the profession for 3 years at least. Furthermore, the expert, by virtue of the instructions of 2012, must have 10 years of experience. In relation to such, and after

reviewing the records of PACC, we conclude that the average of years of experience for the PACC's personnel "financial experts" is 16 years. To complete studying the constituents of financial expert at PACC, and in the context of training, we find that, based on its records and annual reports, the financial experts have attended more than 57 specialized training courses during 2010 – 2020. Most of these courses addressed specialized topics pertinent to financial investigation; techniques of criminal investigation in financial crimes; investigative files management; assets management; financial professional testimony; money laundering; and financial investigation on criminal proceeds and their laundering. In addition, there's an annual training plan that targets them in their sphere of competence, and a budget has been allocated for training within the PACC's budget, noting that the annual conference, which the States Parties convene to showcase their efforts, recommends the significance of training on financial investigations.

5.1.5.3 Knowledge and Skills¹³

Having examined the work procedures of experts under examination, we conclude the following skills and knowledge which the financial expert of PACC has, in light of the knowledge and skills that should be held by the forensic accountant which are found in literature. Accordingly, we provide the following:

Knowledge and skill on communication, which help the financial expert in managing interviews and obtaining crucial information. This is manifested in the following procedures:

¹³ This discussion has been adopted from the work procedures of departments of analysis and detection; and audit, investigation, and evidencing of the PACC.

- ✓ The auditor must enjoy a high level of cleverness, and be able to evaluate the situation and deal with the interrogated and examined party, as the case may require.

1- Knowledge of computer and networks, which helps the financial expert in conducting investigation related to electronic banking transactions and computerized accounting systems. The following procedures are applied therein:

- ✓ The financial expert creates reports in the form of pivot table to extract the results and identify financial connections.

2- Knowledge of internal audit systems, under the following:

- ✓ The financial expert collects examination evidence and all information acquired by the auditor or inspector, such as documents, reports, responses to inquiries, appraisals, conclusions, calculations related to examination. Such evidence includes the reports of internal audit and audit bureau. Having reviewed this procedure, we can say that the financial expert has a knowledge of internal audit systems.

3- Fundamental forensic knowledge: It encompasses basic forensic knowledge on managing and practicing professional responsibilities and laws; court proceedings; dispute resolution methods; preparing and planning cases; collecting and keeping information; discovering evidence and facts; and preparing the report and expertise certifications. Such knowledge appears through the following procedures and stages practiced by the financial expert:

- ✓ The financial expert exercises his/ her knowledge of planning, which is one of the investigation, inspection, and preliminary evidencing stage. He/ she analyses the

environment, and then tends to identify work mechanisms, and select groups for field visitation and the planning required.

- ✓ The financial expert practices his/ her knowledge in the writing of the final report to present the findings reached.
- ✓ The financial expert collects and preserves information; and discovers evidence and finds facts using different procedures and stages, which include but not limited to the following: obtaining a technical examination or computerized systems and preparing technical reports; acquiring budgets or dismissal orders regarding secrecy listing of the accused, request of financial acquittal settlement related to the accused, and using informants. They also include preserving such information, its documentation, in addition to analyzing the data, statements, and information of the accused to grasp financial evidence.

5.1.6 Conclusions

Having extrapolated the Ministry of Justice's Instructions of Arbitrators and Experts Accreditation based on Arbitration Law No. (3) of 2000 and its Bylaw, and on the Minister of Justice's Decision No. (39/ A. M.) of 2012, then converging the above with the Anti-Corruption Commission's administrative and documentary records as well as annual reports, then reviewing the financial expert's services, stages, procedures, and methods, then the final reports that enable access to financial evidence to prove financial corruption crimes in Palestine, as well as converging this with the forensic accounting theoretical framework, we conclude the following:

- 1- The used financial expert definition under study is correct and valid.

- 2- The services provided by the financial expert and the fields of these services are similar to the services and fields of forensic accounting.
- 3- The judicial procedures practiced by the financial expert at the Anti-Corruption Commission by virtue of granting said expert the judicial officer capacity are similar to the forensic accounting procedures used by the forensic accountant in the implementation of their duties.
- 4- The financial expert pursues 13 methods of forensic accountants.
- 5- The financial expert cycles through the forensic accounting stages while carrying out financial expertise works to prove financial corruption crimes. However, the Evidence Reliability Assessment stage is not done in isolation but rather during the evidence collection and report preparation stages.
- 6- The financial expert's report preparation and production methodology is similar to that of the forensic accountant in terms of the scope of and the collection of information; financial analysis and investigation; approach; restrictions on scope; results; and the financial expert's opinions documented in tables, drawings and corroborations collected, without neglecting any facts so as not to allow challenging the validity of the report.
- 7- The financial expert possesses the forensic accounting constituents, starting from academic qualification, experience, and training, as well as their knowledge and skills.
- 8- Based on the foregoing, the researcher infers and concludes that the financial expert with PACC is a forensic accountant and possesses the elements of financial expertise, starting from scientific qualification, experience, and training, passing through their knowledge and skills. They implement the procedures effectively by adopting various methods that

cover various financial corruption crimes. Moreover, the financial expert report preparation and production is reliable in terms of the scope and collection of information; investigation and financial analysis; the approach used; the limitations imposed on the scope; the results documented in tables and drawings; as well as the evidence collected, without omitting any facts for the report's integrity not to be challenged. This enables the financial expert to provide their services in the areas of inquiry, investigation, and prosecution to prove financial corruption crimes.

5.2 Content Analysis

2010-2021 data related to the study and available on the High Judicial Council's Mezan II will be analyzed.

5.2.1 Content Analysis Procedures

- ✓ The researcher contacted the Palestinian Anti-Corruption Commission (PACC) to facilitate her research mission and requested to obtain the corruption crimes' incoming data on Mezan II since the PACC's judicial officers are one of the justice guardians. PACC provided the researcher with the information answering the researcher's requested items for the purposes of achieving the objectives of this research.
- ✓ The researcher analyzed the data based on the financial corruption crimes identification that has been recognized as a basis through a literature review and interviews with: Ms. Rasha Amarneh, Dr. Mustafa Farhan, and Mr. Abdullah Nawahda. Therefore, financial cases for the purposes of preparing this research are cases where a crime is imputed to the

accused (Abuse of trust, embezzlement, illicit enrichment, bribery, money laundering, jobbery).

5.2.2 Content Analysis Steps

- 1- Identifying the total of financial cases where a judicial decision was awarded by the Corruption Crimes Court and calculating their% of the total.
- 2- Identifying the distribution of financial cases awarded a judicial decision in terms of said cases having a financial report or the lack thereof, as well as the party that prepared the report and the percentage of each party of the total.
- 3- Identifying the distribution of judicial decisions in terms of the outcome (conviction/ acquittal) in relation to the body preparing the report, as well as identifying the ratios.
- 4- Identifying the distribution of judicial decisions (conviction/ acquittal) for the financial cases lacking a financial report or in cases where we were not able to verify whether or not a financial report was available, as well as identifying the ratios.

5.2.3 Presenting Content Analysis Results

- 1- Total financial cases that have been awarded a judicial decision by the Corruption Crimes Court.

The total judicial decisions awarded by the Corruption Crimes Court from 2010 until the end of 2021 amounted to (208) judicial decisions, of which (164) financial cases related judicial decisions at a rate of (79%) of the total. The financial cases judicial decisions are distributed as follows:

Table (5-4) Total financial cases' judicial decisions awarded by the Corruption Crimes Court during the period 2010-2021

The total number of corruption crimes judicial decisions.	The number of judicial decisions related to financial cases in corruption crimes.			
	164 judicial decisions, the results of which were as follows:			
	Conviction	Acquittal	Lack of subject matter jurisdiction.	The claim lapses with the death of the defendant.
208	135	24	3	2

"Source: Prepared by the researcher."

2- Identifying the distribution of financial cases awarded a judicial decision in terms of said cases having a financial report or the lack thereof, as well as the party that prepared the report.

Table (5-5) distribution of judicial decisions in terms of the existence of a financial report or the lack thereof, as well as the party that prepared the report during the period 2010-2021.

The total number of financial cases that have been awarded a judicial decision.	Distribution of judicial decisions in terms of the availability of a financial report or the lack thereof as well as the party that prepared said report.					
	Financial report available			No financial report	Unknown	
	The Palestinian Anti-Corruption Commission.	State Audit and Administrative Control Bureau	Ministerial Investigation Committees/ Audit units	Private Financial Expert	No report.	Unknown

164	27	26	42	4	56	9
%	16.46%	15.85%	25.61%	2.44%	34%	5.49%
Total percentages		60.37%			34%	5.49%

"Source: Prepared by the researcher."

3- Identifying the distribution of judicial decisions in terms of the outcome (conviction/acquittal) according to the body preparing the report.

A. PACC prepared financial expertise reports.

Table (5-6) distribution of judicial decisions in terms of financial expertise reports prepared by the PACC and the result of the decision (conviction/acquittal) during the period 2010-2021

No. of decisions	Decision result		
27	Conviction	Acquittal	The claim lapses with the death of the defendant.
	22	3	2
%	81%	11 %	8%

"Source: Prepared by the researcher."

B. Financial expertise reports prepared by the State Audit and Administrative Control Bureau.

Table (5-7) distribution of decisions in terms of financial expertise reports prepared by the State Audit and Administrative Control Bureau and the result of the decision (conviction/acquittal) during the period 2010-2021.

No. of decisions	Decision result		
26	Conviction	Acquittal	Lack of subject matter jurisdiction.
	19	6	1
%	73%	23%	4%

"Source: Prepared by the researcher."

C. Financial expertise reports prepared by ministerial investigation committees or internal audit in entities subject to the provisions of the Anti-Corruption law.

Table (5-8) distribution of judicial decisions in terms of financial expertise reports prepared by the ministerial investigation committees or internal audit and the result of the decision (conviction/acquittal) during the period 2010-2021.

No. of decisions	Decision result	
	Conviction	Acquittal
42	38	4
%	90%	10%

"Source: Prepared by the researcher."

D. Private-Financial-Expert-prepared financial expertise reports:

Table (5-9) distribution of judicial decisions in terms of financial expertise reports prepared by a private financial expert and the result of the decision (conviction/acquittal) during the period 2010-2021.

No. of decisions	Decision result	
	Conviction	Acquittal
4	3	1
%	75%	25%

"Source: Prepared by the researcher."

4- The distribution of judicial decisions (conviction/ acquittal) for the financial cases lacking a financial report or in cases where we were not able to verify whether or not a financial report was available.

A. Financial cases that lack a financial report:

Table (5-10) distribution of judicial decisions in terms of financial cases that lack a financial report and the result of the decision (conviction/acquittal) during the period 2010-2021.

The total number of judicial decisions	Decision result		
	Conviction	Acquittal	Lack of subject matter jurisdiction.
56	44	10	2
%	78%	18%	4%

"Source: Prepared by the researcher."

B. Financial cases where the researcher could not verify whether or not a financial report was available.

Table (5-11) distribution of judicial decisions where the researcher could not verify whether or not a financial report was available and the result of the decision (conviction/acquittal) during the period 2010-2021.

The total number of judicial decisions	Decision result	
	Conviction	Acquittal
9	9	0
%	100%	0%

"Source: Prepared by the researcher."

5.2.4 Outcomes

- 1- The total judicial decisions awarded by the Corruption Crimes Court from 2010 until the end of 2021 amounted to (208) judicial decisions, of which (164) financial cases related judicial decisions at a rate of (79%) of the total.
- 2- The financial cases that contain a financial report from various authorities and have been awarded a judicial decision by the Anti-Corruption Court from 2010 until the end of 2021

amounted to 60% of the total financial cases awarded a judicial decision by the Corruption Crimes Court.

- 3- The financial cases that contain a financial expertise report prepared by the PACC and have been awarded a judicial decision by the Corruption Crimes Court amounted to 27 cases, representing 16% of the total financial cases awarded a judicial decision, and are as follows: 22 convictions at 81%, 3 acquittals at 11% and 2 where the claim lapsed with the death of the defendant at 8% of the total financial cases that contain PACC prepared financial expertise reports.
- 4- The financial cases that contain a financial expertise report prepared by the State Audit & Administrative Control Bureau and have been awarded a judicial decision by the Corruption Crimes Court amounted to 26 cases, representing 16% of the total financial cases awarded a judicial decision, and are as follows: 19 convictions at 73%, 6 acquittals at 23% and 1 lack of subject matter jurisdiction at 4% of the total financial cases that contain State Audit & Administrative Control Bureau prepared financial expertise reports.
- 5- The financial cases that contain a financial expertise report prepared by the Ministerial Investigation Committees/ Audit units in entities subject to the provisions of the Anti-Corruption law and where these cases have been awarded a judicial decision by the Corruption Crimes Court amounted to 42 cases, representing 26% of the total financial cases awarded a judicial decision, and are as follows: 38 convictions at 90% and 4 acquittals at 10% of the total financial cases that contain a financial expertise report prepared by the Ministerial Investigation Committees/ Audit units in entities subject to the provisions of the Anti-Corruption law.

- 6- The financial cases that contain a financial expertise report prepared by a Private Financial Expert and have been awarded a judicial decision by the Corruption Crimes Court amounted to Four cases, representing 2% of the total financial cases awarded a judicial decision, and are as follows: 3 convictions at 75% and 1 acquittal at 25% of the total financial cases that contain a Private Financial Expert prepared expertise report.
- 7- The financial cases that do not contain a financial expertise report and have been awarded a judicial decision by the Corruption Crimes Court amounted to 56 cases, representing 34% of the total financial cases awarded a judicial decision, and are as follows: 44 convictions at 78%, 10 acquittals at 18%, and 2 lack of subject matter jurisdiction out of the total financial cases that lacked a financial expertise report.
- 8- The financial cases awarded a judicial decision by the Anti-Corruption Court where the researcher could not verify whether or not a financial report was available amounted to 9 cases, representing 9% of the total financial cases awarded a judicial decision, and are as follows: 9 convictions at 100% of the financial cases where the researcher could not verify whether or not a financial report was available.

5.3 Field Study

Through this Chapter and having addressed the financial expertise role in proving financial corruption crimes in Palestine through convergence, evidencing the role through content analysis of the data and judicial decisions available at Mezan II, the researcher will address PACC's Judicial officers, Public Prosecution' Corruption Crimes Prosecution' as well as Corruption Court Judges' view of the role of financial expertise in proving financial corruption crimes. Therefore, the various aspects of this role are thoroughly covered through

a field study where the researcher used a 'Questionnaire.' This Chapter comprises a description of the questionnaire preparation method, the procedures taken to ensure its validity and reliability; the questionnaire delivery method; and the statistical methods used to analyze the data and extract the results.

5.3.1 Statistical Analysis of the Field Study

5.3.1.1 Study Variables

The study comprised the following demographic, independent, and dependent variables:

A. Demographic variables

- 1- Sex: It has two categories: (Male and Female.)
- 2- Age: It has four categories: (under 30, 30-45, 45-60, 60, and older.)
- 3- The academic qualification consists of four categories (diploma or less, Bachelor's degree, Master's degree, and Doctorate.)
- 4- The academic discipline consists of six categories (Law, Accounting, Finance and Banking sciences, Economics, Business Administration, and others.)
- 5- The years of experience: entail four categories (1-5 years, 5-10 years, 11-15 years, and 16 years or more.)
- 6- Occupation: entail three categories: (PACC, Public Prosecution, and Corruption Crimes Court.)

B. Independent variables

Financial expertise: consists of the following variables:

Financial Expertise Services, which are represented in the answer score/degree of the

study sample answering the items of statements of the questionnaire's second section.

Financial Expertise Procedures, which are represented in the answer score/degree of the study sample answering the items of the questionnaire's third and fourth sections' statements.

C. Dependent variable

Evidencing financial corruption crimes and financial expertise, which is the answer score to the statements in the second section (8,9,10).

5.3.1.2 Descriptive Statistics of Study Sample According to Personal Data

The sample will include everyone involved in producing financial expertise - within the operational definition laid down in this research - and using said expertise for the purposes of proving financial corruption crimes in Palestine. Therefore, the sample will comprise all members of the study community mentioned above. A census sample was used because the study community is small and focused, and the research aims to study the study population.

The sample is shown in the following Table:

Table (5-12): The distribution of the study sample according to the study variables

Variable	Categories	Number	%
Sex	Male	37	78.7
	Female	10	21.3
Age	Less than 30	8	17.0
	30-45	34	72.3
	45-60	5	10.6
	60 and older	-	-
Academic qualification:	Diploma or less	-	-

	Bachelor's degree	29	61.7
	Master's degree	16	34.0
	Doctorate	2	4.3
Academic discipline	Law	34	72.3
	Accounting	10	21.3
	Banking and Financial Sciences	2	4.3
	Economy	-	-
	Business Administration	1	2.1
Years of Experience	Other	-	-
	1-5 years	5	10.6
	5-10 years	9	19.1
	11-15 years	19	40.4
	16 years and more	14	29.8
Occupation	The Palestinian Anti-Corruption Commission.	32	68.1
	Public Prosecution	10	21.3
	Corruption Crimes Court	5	10.6
	Total	47	100.0

"Source: Prepared by the researcher."

Table (5-12) shown above demonstrates the following:

- 1- The distribution of the study sampling units according to the occupation variable is 68% judicial officers, 21% members of the Public Prosecution (Corruption Crimes Prosecution), and 10% judges.

- 2- The distribution of the study sampling units according to the sex variable is that the vast majority, whether judicial officers, members of the public prosecution, or judges, are males, at 78.7% males and 21.3% of females.
- 3- The distribution of the study sampling units according to the academic qualification variable indicates that more than 61.7% of the study population and sample hold a bachelor's degree, 34% a master's degree, and 4.3% a Doctorate.
- 4- The distribution of the study sampling units according to the years of experience variable indicates that more than 40% of them had 11-15 years of experience, and 29% had 16 or more years of experience.
- 5- The distribution of the study sampling units according to the age variable indicates that the majority of them range in age from 30 to 45 at more than 72%, and 10% from 45 to 60.
- 6- The distribution of the study sampling units according to the academic discipline variable indicates that the majority of them specialize in law, at more than 72%, and accounting at 21%.

These percentages demonstrate that the study population and sample are of high experience where their years of experience, disciplines, and academic qualifications correspond to the variables of the study. The occupation variable, nevertheless, can be explained through the theoretical framework, which clarifies that the importance of judicial officers lies in assisting prosecutors and easing and relieving their workloads as the prosecutors' time is more valuable to be spent in the investigation work. This necessarily requires a large number of judicial officers in virtue of their competence in investigating and

identifying corruption according to the powers vested in them. Moreover, procedures for proving financial corruption crimes are based on a hierarchy from PACC to the Public Prosecution and then the Judiciary system. Therefore, this hierarchy dictates that the base is higher in quantity, and the higher we go up the hierarchy, the lower the quantity.

5.3.1.3 Description of the Study Instrument

The researcher, in fulfillment of the study tasks and in pursuit of the objectives, developed a measure on the role of financial expertise in proving financial corruption crimes in order to identify the relationship between financial expertise and proving financial corruption crimes in Palestine, having reviewed and referred to the theoretical literature and past studies on this field. A questionnaire, the appropriate main instrument to obtain information and data, was prepared. The researcher then distributed the study instrument (the questionnaire) to all members of the study sample. She was also keen to distribute the questionnaire personally by reaching out to the sample members and collecting answered questionnaires by hand.

The questionnaire distributed to the sample comprised (26) statements divided into four main sections that relate to the sub-questions of the study problem. The first question aimed at identifying the extent to which the respondents need financial expertise to prove crimes of financial corruption in a just manner. The second question, however, aimed at identifying the respondents' viewpoint on the relationship between financial expertise services and the results of inquiry, investigation, and prosecution. The third question aimed at surveying the respondents on whether there is an impact of the availability of financial data on the financial expertise procedures to prove financial corruption crimes. The fourth

question, however, aimed at learning the respondents' views on the diagnosis of the impact of the legislative, procedural, and administrative challenges facing the financial expert. Table (5-13) demonstrates the respondents' responsiveness to the questionnaire.

Table (5-13) The Study Sample Size

Occupation	Distributed Questionnaires	Collected/Received Questionnaires	%
The Palestinian Anti-Corruption Commission.	32	32	100%
Public Prosecution	10	10	100%
Corruption Crimes Court	5	5	100%
Total	47	47	100%

"Source: Prepared by the researcher."

5.3.1.4 Questionnaire Components

The questionnaire consists of a letter to the respondents in which the researcher indicated the subject, purpose, and objective of the study and some relevant procedural definitions. The questionnaire was divided into two parts:

Part I: Included the study sample members' data: Demographic data and the characteristics of the studied sample in terms of (gender, age, educational qualification, scientific specialization, years of experience, and occupation.)

Part II: It included the main study variables. Part II is of four main sections that cover the study objectives through statements (items) distributed across. The main sections were as follows:

Section I: The extent to which financial expertise is needed to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view. This section comprises 7 statements and seeks to present the role of financial expertise in proving financial corruption crimes through identifying the need for said expertise in terms of the financial corruption causes and effects, the main sectors affected, the cost and time required for financial corruption crimes compared to other corruption crimes.

Section II: The degree of financial expertise's contribution and impact on the inquiry, investigation, and prosecution results from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view. This section comprises 10 statements on the contribution of financial expertise and the financial expertise services through financial investigations in order to identify additional benefits of the use of financial expertise and financial investigation services in the various fields and stages of proving financial corruption crimes when used by the authorities entrusted with addressing financial corruption crimes. This section represents the independent variable; financial expertise services.

Section III: The impact of the availability of financial data on the procedures of financial expertise to prove financial corruption crimes based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges. This section comprises 5 statements about the availability of financial data and

documents needed by the financial expert in terms of the cooperation of the relevant institutions and their responsiveness in providing financial data and documents in a timely and appropriately detailed manner. This section aims to identify the shortcomings that affect enabling the financial expert implementing procedures to reach the financial evidence to prove financial corruption crimes. This section represents the independent variable; financial expertise procedures.

Section IV: The impact of the legislative, procedural, and administrative challenges facing the financial expert affect proving financial corruption crimes, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution and Corruption Crimes Judges. This section comprises 4 statements that diagnose the key challenges facing the financial expert, which may impede the implementation of their procedures aiming at proving financial corruption crimes. This section represents the independent variable; the financial expertise procedures.

5.3.1.4.1 The Questionnaire's Scale

The sample members were asked to express their degree of agreement with the questionnaire items according to the 5-Point Likert Scale.

The scale mainly entailed (5) levels or ranges whose values range from (1-5):

Table (5-14) illustrates the Scale scores/responses				
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
5	4	3	2	1

"Source: Prepared by the researcher."

5.3.1.5 Study Instrument Validity

The validity of the measurement instrument means the extent to which it can measure what it was designed to measure. True validity, based on the Classical Test Theory' True score model', means true validity and that the instrument is truthful and free of measurement errors, whether random or systematic. The researcher verified the validity of the instrument in two ways:

5.3.1.5.1 Face Validity of the Study Instrument

The researcher carried out a number of activities for the purposes of verifying the validity of the questionnaire; meaning it can measure what it was designed to measure, and by validity, it means, on the one hand, the study instrument contains all study-required elements; and on the other hand, its statements are clear on the other hand, and is comprehensible. The questionnaire, having concluded the study's level of measurement draft, was initially presented to the dissertation supervisor to identify the relevance of the questionnaire to the topic of the research. The researcher then selected and presented the questionnaire to a number of the research sampling units and subject-matter experts who were asked to present their feedback (6)¹⁴. All surveyed provided positive remarks regarding the questionnaire's statements, as the researcher considered the reviewers' opinions and

¹⁴Annex (1) Names of the Reviewers

carried out the necessary deletion, modification, and addition in light of the proposals presented, resulting in the final form of the questionnaire.

5.3.1.5.2 Internal Consistency Reliability

The internal consistency expresses the consistency of each statement (Item) of the questionnaire with the relevant section (part). Internal consistency is measured by calculating the correlation coefficient between each statement of the questionnaire and the total score of the section they're under. The results were as follows:

Section I The extent to which financial expertise is needed to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.

Table (5-15) demonstrates that the values of the correlation matrix of the statements of the section "The extent to which financial expertise is needed to prove crimes of financial corruption in a just manner" with the total degree of the section were statistically significant, which indicates an internal consistency of the statements of the section. Therefore, the section is reliable and measures what it was designed to measure.

Table (5-15): Pearson Correlation Coefficient results between the statements of the section "The extent to which financial expertise is needed to prove crimes of financial corruption in a just manner" with the total score of the section.

Statement No.	Section I: The Need for Financial Expertise to Prove Financial Corruption Crimes in a Just Manner.	Pearson Correlation Coefficient	P-value	Comment
1	Cases of a financial nature are considered the most serious of all corruption cases.	.539**	0.000	Statistically significant

2	Cases of a financial nature occupy the largest number of corruption cases.	.293*	0.045	Statistically significant
3	Research and investigation work in corruption cases of a financial nature takes longer time compared to other corruption crimes.	.718**	0.000	Statistically significant
4	The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC.	.623**	0.000	Statistically significant
5	Public institutions and local bodies are where most of the financial corruption crimes compared are committed compared to other entities subject to the Anti-Corruption Law.	.609**	0.000	Statistically significant
6	The social and humanitarian effects of cases of a financial nature are significant compared to the other cases.	.587**	0.000	Statistically significant
7	All cases of a financial nature need to be presented to the financial expert for their opinion.	.595**	0.000	Statistically significant

*. Correlation is significant at the 0.05 level (2-tailed).

**. Correlation is significant at the 0.01 level (2-tailed).

"Source: Prepared by the researcher based on the SPSS program."

Section II: The degree of financial expertise's contribution and impact on the inquiry, investigation, and litigation results.

Table (5-16) demonstrates that the values of the correlation matrix of the statements of the section "The degree of financial expertise's contribution and impact on the inquiry, investigation and prosecution results" with the total degree of the section were statistically

significant, which indicates an internal consistency of the statements of the section.

Therefore, the section is reliable and measures what it was designed to measure.

Table (5-16): Pearson Correlation Coefficient results between the statements of the section "The degree of financial expertise's contribution and impact on the inquiry, investigation and litigation results" with the total score of the section.

Statement No.	The degree of financial expertise's contribution and impact on the inquiry, investigation, and litigation results.	Pearson		
		Correlation Coefficient	P-value	Comment
1	The court engages the expert for their opinion in financial corruption cases, where the court considers the expert's opinion, not only the report and the financial statements submitted.	.628**	0.000	Statistically significant
2	Financial expertise assists in expeditious litigation of financial corruption crimes.	.473**	.001	Statistically significant
3	The financial expert assists in understanding and formulating questions and helps in financial case questioning.	.727**	.000	Statistically significant
4	Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps identify other suspects involved in the case.	.660**	.000	Statistically significant
5	Financial expertise assists in the legal characterization of a financial corruption crime and the detection of other crimes in addition to the crime under investigation.	.663**	.000	Statistically significant
6	Financial expertise assists in the inquiry and investigation through identifying illicit assets,	.720**	.000	Statistically significant

	tracing ownership and use of property, and tracking financial movements.			
7	The application of financial expertise methods through adopting the appropriate method for each case contributes to strengthening the investigation, ensuring a solid investigation file and an effective way to secure a conviction.	.676**	.000	Statistically significant
8	There's a substantial reliance and dependence on PACC financial expert to prove financial corruption crimes.	.655**	.000	Statistically significant
9	The financial evidence is highly authoritative and reliable, and strong evidence of guilt.	.602**	.000	Statistically significant
10	Using the financial expertise in inquiry, and preliminary investigation, and judiciary leads to proving corruption crimes.	.590**	.000	Statistically significant

*. Correlation is significant at the 0.05 level (2-tailed).
 **. Correlation is significant at the 0.01 level (2-tailed).
 "Source: Prepared by the researcher based on the SPSS program."

Section III: The impact of the availability of financial data on the procedures of financial expertise to prove financial corruption crimes based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges.

Table (5-17) demonstrates that the values of the correlation matrix of the statements of the section "The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes"

with the total degree of the section were statistically significant, which indicates an internal consistency of the statements of the section. Therefore, the section is reliable and measures what it was designed to measure.

Table (5-17): Pearson Correlation Coefficient results between the statements of the section "The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes" with the total score of the section.

Statement No.	The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes.	Pearson Correlation Coefficient	P-value	Comment
1	The necessary financial data and documents are not available due to the relevant authorities' lack of cooperation.	.763**	.000	Statistically significant
2	Detailed financial statements and documents (evidence) are not available.	.719**	.000	Statistically significant
3	Financial data and documents (evidence) are not available in a timely manner.	.542**	.000	Statistically significant
4	Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides.	.629**	.000	Statistically significant
5	Financial data and documents are not available because lifting-bank-secrecy requests from the court are not always accepted.	.521**	.000	Statistically significant

*. Correlation is significant at the 0.05 level (2-tailed).

**. Correlation is significant at the 0.01 level (2-tailed).

"Source: Prepared by the researcher based on the SPSS program."

Section IV: The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes.

Table (5-18) demonstrates the values of the correlation matrix of the statements in the section "The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes" with the total degree of the section were statistically significant, which indicates an internal consistency of the statements of the section. Therefore, the section is reliable and measures what it was designed to measure.

Table (5-18): Pearson Correlation Coefficient results between the statements of the section "The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes" with the total score of the section.

Statement No.	The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes.	Pearson		
		Correlation Coefficient	P-value	Comment
1	Restricting and limiting the Judicial Control Capacity granted to the financial expert.	.789**	.000	Statistically significant
2	The lack of an expert financial definition in the judicial field and the lack of organization of the financial expert's functions within the Palestinian legislation.	.809**	.000	Statistically significant
3	PACC's financial expert job description does not condition a forensic accounting certificate.	.672**	.000	Statistically significant
4	Limited training related to financial inquiry and investigations, as well as essential judicial knowledge.	.569**	.000	Statistically significant

*. Correlation is significant at the 0.05 level (2-tailed).

**. Correlation is significant at the 0.01 level (2-tailed).

"Source: Prepared by the researcher based on the SPSS program."

5.3.1.5.3 Construct Validity

Construct validity, one of the instrument validity measures, measures the extent to which the instrument's objectives have been achieved and the correlation between each of the study sectors with the overall score of the questionnaire's statements.

It is clear, from the tables on the questionnaire sections statements' internal validity (5-15), (5-16), (5-17), (5-18), that their correlation coefficients R are significant at the significance level of 0.05 and that the questionnaire sections' statements significance level is less than 0.05. Therefore, these results confirm the reliability of the statements and the 4 sections.

Construct validity is measured to ensure the validity and consistency of the study sections with one another and their functionality to measure and address the subject of the study, as shown in the following Table:

Table (5-19) shows the correlation coefficient between the study sections' rates with the total rates of the questionnaire items

#	Sections	Pearson	p-value	Comment
		Correlation Coefficient	(sig)	
1	The role of financial	.711**	.000	Statistically significant

2	expertise in proving financial corruption crimes	Section II: The degree of financial expertise's contribution and impact on the inquiry, investigation and litigation results.	.787**	.000	Statistically significant
3		Section III: The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes.	.674**	.000	Statistically significant
4		Section IV: The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes.	.640**	.000	Statistically significant

*. Correlation is significant at the 0.05 level (2-tailed).

**. Correlation is significant at the 0.01 level (2-tailed).

"Source: Prepared by the researcher based on the SPSS program."

The previous Table (5-19) shows all the correlation coefficients for all of the questionnaire's sections and the overall scale, which demonstrates that the correlation coefficients for all sections are significant at a significance level (0.05) and range between (0.64 and 0.78). These values reflect a high degree of internal consistency and construct validity. Thus, all of the questionnaire sections are deemed valid for what they've been designed to measure. This enables the researcher to rely on these answers in achieving the objectives of the study and analyzing its results.

5.3.1.6 Reliability of the Study Instrument

The reliability means that this questionnaire will yield the same result if repeated under the same conditions. Questionnaire reliability could mean stable answers that do not change to an extreme extent if redistributed to the sample members a number of times during a defined time period. The researcher verified the reliability of the instrument by calculating the Cronbach Alpha reliability formula, which takes values ranging from zero to one. If the data is not reliable, the coefficient value would be equal to zero, and if the data is reliable, then the coefficient value would be equal to one. That is, an increase in Cronbach Alpha's coefficient means an increase in the credibility of the data, and a coefficient value less than (60.0) is evidence of a decrease in internal consistency.

The validity, however, is a measure used to find out the respondents' answers validity through their answers on a specific scale. Validity is measured through various means, the easiest of which is the square root of the coefficient. Intrinsic validity was used through the square root of the reliability coefficient Cronbach alpha. The results were as shown in Table (5-20).

Table (5-20): Demonstrates the reliability coefficients of the scale of 'The role of financial expertise in proving financial corruption crimes' through Cronbach's Alpha method.

The Section	Number of statements	Cronbach Alpha	Intrinsic Validity
The extent to which financial expertise is needed to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.	7	0.627	0.791

The degree of financial expertise's contribution and impact on the inquiry, investigation and litigation results from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.	10	0.829	0.910
The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.	5	0.626	0.791
The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.	4	0.678	0.823
Total score	26	0.835	0.913

"Source: Prepared by the researcher based on the SPSS program."

It is clear from Table (5-20) that the validity and reliability test results for all study sections are higher than (.60). These values mean that the questionnaire's sections are of a very high degree of reliability and validity. The results shown in the previous Table demonstrate that all of the questionnaire sections' stability value is high, were it reached 0.835 based on Cronbach's alpha. It can be said, since the accepted reliability coefficient in similar studies is $\alpha > .60$, that the measures employed by the study to measure the questionnaire sections enjoy a very high degree of reliability. Therefore, the researcher has confirmed the validity and reliability of the study's questionnaire and is accordingly fully confident to

analyze the results, answer the study's questions and test its hypotheses and its final form as in Table (5-21):

Table (5-21) Shows the Distribution of the Study Sections

#	Sections	Statements	Number of statements	Ratio Weight
1	Section I: The need for financial expertise to prove financial corruption crimes in a just manner.	1-7	7	27%
2	Section II: The degree of financial expertise's contribution and impact on the inquiry, investigation and litigation results. The role of financial expertise in proving financial corruption crimes	1-10	10	39%
3	Section III: The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes.	1-5	5	19%

4	Section IV: The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes.	1-4	4	15%
Total Statements of the Questionnaire's Sections			26	

"Source: Prepared by the researcher based on the SPSS program."

Table (5-22): The statistical validity and reliability of the sample responses to the questionnaire

Section	Coefficient of correlation	Reliability coefficient	Intrinsic validity coefficient
I	.711**	0.627	0.791
II	.787**	0.829	0.910
III	.674**	0.626	0.791
IV	.640**	0.678	0.823
For the questionnaire as a whole.		0.835	0.913

"Source: Prepared by the researcher based on the SPSS program."

5.3.1.7 Statistical Treatment

The researcher collected the primary data through individual interviews with the sample members. Once the data collection and revision were complete, it was entered into the database on the Statistical Package for Social Sciences (SPSS). The respondents' provided their answers on the 5-point Likert scale for each of the questionnaire statements. The

researcher also carried out the necessary statistical treatment of the data by extracting numbers, frequencies, percentages, arithmetic means, and standard deviations of the study statements. The study hypotheses were examined at the level of statistical significance of ($\alpha \leq (0.05)$) by using the following tests:

- 1- percentages and Frequencies: For the purpose of clarification between the sample categories and in the light of the categories' members' answers, the general attitudes of the sample are known for each statement. The percentage (%) is a key mathematical comparison used to clarify the percentage of general agreement as well as the relative weight of each of the sample's answers.
- 2- Arithmetic Means: This scale was used in order to find out the answers of the research sample on the movement of the scale. If the arithmetic mean of a statement is greater than or equal to the hypothetical mean (a central tendency measure), then the statement is accepted, approved, and circulated since it is of high validity and reliability. Furthermore, this proves that the study's sample attitudes are in line with the scale. If the arithmetic mean is less than (3), then it indicates that the answers are not compatible with the scale.
- 3- Standard Deviation: Measures the dispersion of values from their arithmetic means. It infers the extent of the deviation of sample answers to a statement from its arithmetic mean.
- 4- Pearson Correlation Coefficient to Measure the Degree of Correlation: This coefficient was used in order to identify the correlation between the statements of the questionnaire on the one hand and the correlation between the sections of the questionnaire on the other.

The researcher used the measure to calculate the internal consistency and the construct validity of the questionnaire.

- 5- Reliability Test: Reliability was tested by validating the study instrument by presenting it to a group of reviewers who provided a number of observations, as well as by using Cronbach's Alpha to measure the reliability of the questionnaire statements.
- 6- One-sample T-Test to test the independent hypotheses of the study. The test is used to see if there are significant differences between the sample mean and the hypothesized mean value of 3.0. The relation is statistically significant at the significance level ($\alpha \leq (0.05)$).
- 7- Coefficient of determination R^2 to identify the proportion of the variance for an independent variable that's explained by a dependent variable.
- 8- The researcher chose a significance level of 5%, and a P-value less than 0.05 was considered statistically significant.
- 9- A Likert 5-point scale was chosen for data analysis.

5.3.2 Presenting Questionnaire Results

This requirement includes a presentation of the study results and their analysis by carrying out statistical treatments for the data collected from the study questionnaire. Statistical Package for the Social Sciences (SPSS) was employed to obtain the study results that will be presented and analyzed in this requirement to answer the study questions and highlight the key results of questionnaire statements analysis.

5.3.2.1 Questionnaire Statements Analysis

The variable that expresses the respondents' choices according to Likert 5-point scale is an ordinal scale, and the numbers that will be entered into the program are considered weights. The arithmetic mean will be calculated, reflecting the respondents' agreement degree on the four sections' statements since it reflects four intervals (1-2), (2-3), (3-4), and (4-5). Then when dividing 4 intervals by 5 weights, we get a length of 0.80. The researcher, to answer the study questions, adopted the following levels of agreement:

Table (5-23): Illustrates the degrees of 'the role of financial expertise in proving financial corruption crimes'

Degree of Agreement	Arithmetic mean	Relative Weight of the Arithmetic Mean	Agreement Measure
Strongly Disagree	1.00-1.80	Less than 36%	No Agreement
Disagree	1.81-2.60	36% - 52%	Low Agreement
Neither Agree nor Disagree	2.61-3.40	52% - 68%	Medium/average Agreement
Agree	3.41-4.20	68% - 84%	High standing
Strongly Agree	4.21-5.00	84% - 100%	Extremely High standing

"Source: Prepared by the researcher based on the SPSS program."

Grade 3, for the purposes of assessing the answers, was considered the average, which represents 60% of the study scale. To provide the descriptive analysis of the questionnaire statements and to answer the question, the arithmetic mean, the standard deviation, the relative weight, the frequencies, and the order of each of the section statements were calculated to find out the opinions of the study sample on each statement. Then the combined statements, the standard deviation, and consistency in the answers are analyzed and

calculated to find out the extent of the study groups (categories) agreement or disagreement about each section's statements.

5.3.2.1.1 Results of the Study Questions

5.3.2.1.1.1 Aggregate/Combined Analysis

The analysis of the sample answers on the four sections, considering the sample as one unit without taking into account the three constituent categories of said sample.

Results of the answer to the first sub-question: To what extent is there a need for financial expertise to fairly prove financial corruption crimes from the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?

In order to answer the question, the arithmetic mean, standard deviation, relative weight, frequencies, and the order of each statement of the section "the extent to which financial expertise is needed to prove crimes of financial corruption in a just manner" were calculated based on the analysis of the sample answers on the section considering the sample as one unit without taking into account the three constituent categories. The results were as shown in Table (5-24):

Table (5-24): Illustrates the arithmetic means and the standard deviations for 'the extent to which financial expertise is needed to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view'.

	Statements	Frequency	Responses	Arithmetic	Standard	%	Standing
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State ment No		%	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree				
1	Cases of a financial nature are considered the most serious of all corruption cases.	F	0	1	0	20	26	4.51	0.62	90%	Very high
		%	0%	2%	0%	43%	55%				
3	Research and investigation in corruption cases of a financial nature take longer time compared to other corruption crimes.	F	0	1	1	24	21	4.38	0.64	88%	Very high
		%	0	2%	2%	51%	45%				
5	Public institutions and local bodies are where most of the financial corruption crimes compared are committed compared to other entities subject to the Anti-Corruption Law.	F	1	1	0	30	15	4.21	0.75	84%	Very high
		%	2%	2%	0%	64%	32%				
4	The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if	F	0	1	10	21	15	4.06	0.79	81%	High
		%	0	2%	21%	45%	32%				

	the financial expertise was not carried out by PACC.										
2	Cases of a financial nature occupy the largest number of corruption cases.	F	0	4	3	30	10	3.98	0.79	80%	High
		%	0%	9%	6%	64%	21%				
6	The social and humanitarian effects of cases of a financial nature are significant compared to the other cases.	F	0	4	3	30	10	3.98	0.79	80%	High
		%	0	9%	6%	64%	21%				
7	All cases of a financial nature need to be presented to the financial expert for their opinion.	F	1	6	5	20	15	3.89	1.07	78%	High
		%	2%	13%	11%	43%	32%				
Section I: The Need for Financial Expertise to Prove Financial Corruption Crimes								4.15	0.44	83%	High

"Source: Prepared by the researcher based on the SPSS program."

It is evident from the following Table (5-24):

- 1- The majority of the sample attitudes were positive towards the need for financial expertise in proving financial corruption crimes, which was evident through the frequency distribution of the study sample answers and were towards the 'Agree' Level on the Likert 5-point scale.

2- The arithmetic averages of the study sample answers to the section “extent is there a need for financial expertise to fairly prove financial corruption crimes from the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges” ranged between (4.51-3.89). The general arithmetic mean, based on the general average of the sample members' answers to all of the section's statements, was (4.15), and therefore it is greater than the arithmetic mean value of the measuring instrument, which is equal to (3). The answers to this section scored a percentage of (83), a High Standing, and a standard deviation of (0.44), which expresses the respondents' agreement to a large extent that there is a need for financial expertise, and it is of significance to proving financial corruption crimes.

This need and importance are further highlighted by the answer to the section's statements, all of which ranked high and very high. The order of the statements was as follows:

Rank I: The statement: "Cases of a financial nature are considered the most serious of all corruption cases" with an arithmetic mean of (4.51), a 90 percent, a very high standing, and a standard deviation of 0.62, which indicates consistency in the answers and that the attitudes of the majority of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Extremely Agree' Level.

Rank II: The statement: 'Research and investigation works in corruption cases of a financial nature take longer time compared to other corruption crimes' with an arithmetic mean of (4.38), 88 percent, a very high standing, and a standard deviation of 0.64, which

indicates consistency in the answers and that the attitudes of the sample were positive towards the 'Agree' Level.

Rank III: The statement: "Public institutions and local bodies are where most of the financial corruption crimes compared are committed compared to other entities subject to the Anti-Corruption Law." with an arithmetic mean of (4.21), 84 percent, a very high standing, and a standard deviation of 0.75, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank IV: The statement: "The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC." with an arithmetic mean of (4.06), 81 percent, high standing, and a standard deviation of 0.79, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank V: The statement "Cases of a financial nature occupy the largest number of corruption cases." with an arithmetic mean of (3.98), an 80 percent, high standing, and a standard deviation of 0.79, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale and were towards the 'Agree' Level.

Rank V 'Duplicate': The statement "The social and humanitarian effects of cases of a financial nature are significant compared to the other cases." with an arithmetic mean of (3.98), an 80%, high standing, and a standard deviation of 0.79, which indicates consistency

in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank VI: The statement "All cases of a financial nature need to be presented to the financial expert for their opinion." with an arithmetic mean of (3.89), 78 percent, high standing, and a standard deviation of 1.07, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Secondly: Results of the answers to the study's second question, which states:

What is the link between financial expertise services and the findings of investigations and litigation in Palestine, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?

In order to answer the question, the arithmetic mean, standard deviation, relative weight, frequencies, and the order of each statement of the section "The degree of financial expertise's contribution and impact on the inquiry, investigation and prosecution results from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view" were calculated. The results were as shown in Table (5-25):

Table (5-25): Illustrates the arithmetic means and the standard deviations for 'The degree of financial expertise's contribution and impact on the inquiry, investigation and prosecution results' in descending order.

Statement	Statements	Frequency	Responses	Arithmetic	Standard	%	Standing Measure
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		%	Strongly	Disagree	Neither Agree nor Disagree	Agree	Strongly				
4	Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps identify other suspects involved in the case.	F	0	0	1	20	26	4.53	0.55	91%	Very high
		%	0%	0%	2%	43%	55%				
6	Financial expertise assists in the inquiry and investigation through identifying illicit assets, tracing ownership and use of property, and tracking financial movements.	F	0	0	1	27	19	4.38	0.53	88%	Very high
		%	0%	0%	2%	57%	40%				
2	Financial expertise assists expeditious litigation of financial corruption crimes.	F	0	1	0	27	19	4.36	0.61	87%	Very high
		%	0%	2%	0%	57%	40%				
3	The financial expert assists in understanding and formulating questions and helps in financial case questioning.	F	0	2	3	21	21	4.3	0.78	86%	Very high
		%	0%	4%	6%	45%	45%				
8		F	0	0	1	31	15	4.3	0.51	86%	

	There's a substantial reliance and dependence on PACC financial expert to prove financial corruption crimes.	%	0%	0%	2%	66%	32%				Very high
7	The application of financial expertise methods, by adopting the appropriate method for each case, contributes to strengthening the investigation, ensuring a solid investigation file and an effective way to secure a conviction.	F	0	1	1	30	15	4.26	0.61	85%	Very high
		%	0%	2%	2%	64%	32%				
9	The financial evidence is highly authoritative and reliable, and strong evidence of guilt.	F	0	2	3	26	16	4.19	0.74	84%	High
		%	0%	4%	6%	55%	34%				
10	Employing financial expertise in inquiry, preliminary investigation, and prosecution leads to proving corruption crimes.	F	0	2	2	29	14	4.17	0.7	83%	High
		%	0%	4%	4%	62%	30%				
1	The court engages the expert for their opinion in financial corruption cases,	F	0	1	6	26	14	4.13	0.71	83%	High
		%	0%	2%	13%	55%	30%				

	where the court considers the expert's opinion, not only the report and the financial statements submitted.										
5	Financial expertise assists in the legal characterization of a financial corruption crime and the detection of other crimes in addition to the crime under investigation.	F	1	4	2	24	16				
		%	2%	9%	4%	51%	34%	4.06	0.96	81%	High
Section II: The degree of financial expertise's contribution and impact on the inquiry and investigation.								4.27	0.43	85%	Very high

"Source: Prepared by the researcher based on the SPSS program."

It is evident from the following Table (5-25):

- 1- The majority of the sample's attitudes were positive towards 'The degree of financial expertise's contribution and impact on the inquiry, investigation and prosecution results from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view' through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.
- 2- The arithmetic averages of the study sample answers on the section 'The degree of financial expertise's contribution and impact on the inquiry, investigation and prosecution results from PACC's judicial officers, Public Prosecution members and Corruption Crimes

Judges' point of view' ranged between (4.53-4.06). The general arithmetic mean, based on the general average of the sample members' answers to all of the section's statements, was (4.27), and therefore it is greater than the arithmetic mean value of the measuring instrument, which is equal to (3). The general arithmetic mean for this section was higher than that of the other sections at a 85%, a very High Standing, and a standard deviation of (0.43), which expresses the respondents' agreement to a large extent.

The answers to the statements in this section clarify the relationship between financial expertise services and the results of inquiries, investigation, and prosecution results in terms of the degree of contribution and impact. All of the statements ranked high and very high, and the statements ranks in descending order are as follows:

Rank I: The statement: "Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps identify other suspects involved in the case." with an arithmetic mean of (4.53), a 91% rate, a very high standing, and a standard deviation of 0.55, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Extremely Agree' Level.

Rank II: The statement: "Financial expertise assists in the inquiry and investigation through identifying illicit assets, tracing the ownership and use of property, and tracking financial movements" with an arithmetic mean of (4.38), an 88% rate, a very high standing, and a standard deviation of 0.53, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank III: The statement "Financial expertise assist expedited litigation of financial corruption crimes." with an arithmetic mean of (4.36), an 87-% rate), a very High standing, and a standard deviation of 0.61, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank IV: The statement "Financial expertise assist expedited litigation of financial corruption crimes" ranked IV with an arithmetic mean of (4.30), an 86-% rate, a very High standing, and a standard deviation of 0.78, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards 'Extremely Agree' Level and 'Agree' Level.

Rank IV 'Duplicate': The statement: 'There's a substantial reliance and dependence on PACC financial expert to prove financial corruption crimes' with an arithmetic mean of (4.30), a 86% rate, a very High standing, and a standard deviation of 0.51, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank V: The statement "The application of financial expertise methods, by adopting the appropriate method for each case, contributes to strengthening the investigation, ensuring a solid investigation file and an effective way to secure a conviction" ranked V with an arithmetic mean of (4.26), an 85% rate, a very High standing, and a standard deviation of 0.61, which indicates consistency in the answers and that the attitudes of the sample were

positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank VI: The statement "The financial evidence is highly authoritative and reliable, and a strong evidence of guilt." ranked VI with an arithmetic mean of (4.19), an 84% rate, and a standard deviation of 0.74, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank VII: The statement "Employing financial expertise in inquiry, preliminary investigation and prosecution leads to proving corruption crimes" was with an arithmetic mean of (4.17), an 83% rate, and a standard deviation of 0.70, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank VIII: The statement "The court engages the expert for their opinion in financial corruption cases, where the court considers the expert's opinion not only the report and the financial statements submitted." with an arithmetic mean of (4.13), an 83% rate, and a standard deviation of 0.71, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank IX: The statement "Financial expertise assists in the legal characterization of a financial corruption crime and the detection of other crimes in addition to the crime under investigation" ranked last with an arithmetic mean of (4.06), an 81 percent rate, and a

standard deviation of 0.96, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Thirdly: Results of the answer to the study's third question, which states:

What is the impact of the availability of financial data on the procedures of financial expertise to prove financial corruption crimes based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?

In order to answer the question, the arithmetic mean, standard deviation, relative weight, frequencies, and the order of each statement of the section "The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view" were calculated based on the analysis of the sample answers on the section considering the sample as one unit without taking into account the three constituent categories.

The results were as shown in Table (5-26):

Table (5-26): Illustrates the arithmetic means and the standard deviations for 'The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes' in descending order.

Statement No.	Statements	Frequency	Responses					Arithmetic Mean	Standard Deviation	%	Agreement Measure
		%	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree				

4	Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides.	F	1	3	7	30	6	3.79	0.83	76%	High
		%	2%	6%	15%	64%	13%				
3	Financial data and documents (evidence) are not available in a timely manner.	F	0	3	12	26	6	3.74	0.77	75%	High
		%	0%	6%	26%	55%	13%				
2	Detailed financial statements and documents (evidence) are not available.	F	0	9	14	21	3	3.38	0.87	68%	Moderate
		%	0%	19%	30%	45%	6%				
1	The necessary financial data	F	0	11	16	15	5	3.3	0.95	66%	Moderate
		%	0%	23%	34%	32%	11%				

	and documents are not available due to the relevant authorities' lack of cooperation.										
5	Financial data and documents are not available because lifting- bank-secrecy requests from the court are not always accepted.	F	3	19	13	10	2	2.77	1	55%	Moderate
		%	6%	40%	28%	21%	4%				
Section III: The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes.								3.4	0.56	68%	Moderate

"Source: Prepared by the researcher based on the SPSS program."

It is evident from the following Table (5-26):

- 1- The majority of the sample's attitudes were positive towards “the impact of the availability of financial data on the procedures of financial expertise to prove financial corruption crimes based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges” through the frequency distribution of

the sample answers according to the Likert 5-point scale and were towards the 'Agree' Level.

- 2- The arithmetic averages of the study sample answer to the section 'The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view' ranged between (3.79-2.77). The general arithmetic mean, based on the general average of the sample members' answers to all of the section's statements, was (3.40), and therefore it is greater than the arithmetic mean value of the measuring instrument, which is equal to (3). The general arithmetic mean for this section was the lowest than that of the other sections at a percentage of (68), an Average Agreement, and a standard deviation of (0.56), which expresses most of the sample respondent categories' agreement.

The answers to this section's statements clarify the impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes. All of the statements ranked high and average, and the statements ranks in descending order are as follows:

Rank I: The statement "Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides." with an arithmetic mean of (3.79), a 76% rate, and a standard deviation of 0.83, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank II: The statement "Financial data and documents (evidence) are not available in a timely manner." was with an arithmetic mean of (3.74), a 75% rate, and a standard deviation of 0.77, which indicates consistency in the answers and that the attitudes of the sample were positive evidenced through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank III: The statement "Detailed financial statements and documents (evidence) are not available." was with an arithmetic mean of (3.38), a 68% rate, and a standard deviation of 0.87, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank IV: The statement "The necessary financial data and documents are not available due to the relevant authorities' lack of cooperation." was with an arithmetic mean of (3.3), a 66% rate, and a standard deviation of 0.95, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Neither Agree nor Disagree' Level.

Rank V: The statement "Financial data and documents are not available because lifting-bank-secrecy requests from the court are not always accepted." with an arithmetic mean of (2.77), which is lower than the hypothesized mean of the study (3), lower than the general average of the section's statements (3.4) and even lower than that of all of the questionnaire's statements. The statement had a 55 percent rate and a standard deviation of 1, which indicates consistency in the answers and that the attitudes of the sample through the

frequency distribution of the sample answers according to the Likert 5-point scale were towards the 'Don't Agree or Disagree' Level.

Fourth: Results of the answer to the study's fourth question, which states:

To what extent do the legislative, procedural, and administrative challenges facing the financial expert affect proving financial corruption crimes, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution and Corruption Crimes Judges?

In order to answer the question, the arithmetic mean, standard deviation, relative weight, frequencies, and the order of each statement of the section “the legislative, procedural, and administrative challenges facing the financial expert affect proving financial corruption crimes, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution and Corruption Crimes Judges” were calculated based on the analysis of the sample answers on the section considering the sample as one unit without taking into account the three constituent categories.

Table (5-27): Illustrates the arithmetic means and the standard deviations for 'The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes' in descending order.

Statement No.	Statement	Frequency	Responses					Arithmetic Mean	Standard Deviation	%	Agreement Measure
		%	Strongly Disagree	Disagree	Neither Agree nor	Agree	Strongly Agree				
4	Limited training related to financial inquiry and investigations, as well as essential judicial knowledge.	F	1	5	5	30	6	3.74	0.9	75%	High
		%	2.00%	11%	11%	64%	13%				
3		F	1	3	17	17	9	3.64	0.94	73%	High

	PACC's financial expert job description does not condition a forensic accounting certificate.	%	2%	6%	36%	36%	19%				
2	The lack of a financial expert definition in the judicial field and the lack of organization of the financial expert's functions within the Palestinian legislation.	F	1	7	12	21	6	3.51	0.98	70%	High
		%	2%	15%	26%	45%	13%				
1	Restricting and limiting the Judicial Control Capacity granted to the financial expert.	F	2	12	9	17	7	3.32	1.14	66%	Moderate
		%	4%	26%	19%	36%	15%				
	Section IV: the impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes.							3.55	0.71	71%	High

"Source: Prepared by the researcher based on the SPSS program."

It is evident from the following Table (5-27):

- 1- The majority of the sample's attitudes were positive towards “the legislative, procedural, and administrative challenges facing the financial expert affect proving financial corruption crimes, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution and Corruption Crimes Judges” through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.
- 2- The arithmetic averages of the study sample answer to the “the legislative, procedural, and administrative challenges facing the financial expert affect proving financial corruption crimes, based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution and Corruption Crimes Judges” ranged between (3.74-3.32). The general arithmetic mean, based on the general average of the sample members' answers to

all the section's statements, was (3.55), and therefore it is greater than the arithmetic mean value of the measuring instrument, which is equal to (3) and at a percentage of (71), and High standing.

The answers to this section's statements clarify the impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes. All of the statements ranked high and average, and the statements ranks in descending order are as follows:

Rank I: The statement "Limited training related to financial inquiry and investigations as well as essential judicial knowledge." was with an arithmetic mean of (3.74), a 75-% rate, and a standard deviation of 0.90, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank II: The statement "PACC's financial expert job description does not condition a forensic accounting certificate." was with an arithmetic mean of (3.64), a 73% rate, and a standard deviation of 0.94, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Neutral to Agree' Level.

Rank III: The statement "The lack of a financial expert definition in the judicial field and the lack of organization of the financial expert's functions within the Palestinian legislation" was with an arithmetic mean of (3.51), a 70% rate, and a standard deviation of 0.98, which indicates consistency in the answers and that the attitudes of the sample were

positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

Rank IV: The statement "Restricting and limiting the Judicial Control Capacity granted to the financial expert." was with an arithmetic mean of (3.32), a 66-% rate, and a standard deviation of 1.14, which indicates consistency in the answers and that the attitudes of the sample were positive through the frequency distribution of the sample answers according to the Likert 5-point scale, and were towards the 'Agree' Level.

5.3.2.1.1.2 Partial (detailed) Analysis

Based on analyzing each independent answer of the three sample categories (PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges) to the questionnaire's four sections.

Section I: The extent to which financial expertise is needed to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.

The following Table (5-28) demonstrates the opinions of the workplace categories regarding the need for financial expertise to prove financial corruption crimes in a just manner.

Table (5-28): Illustrates the arithmetic means, the standard deviations, the agreement level, and the rank for 'the extent to which financial expertise is needed to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view', in descending order

Statement	The Palestinian Anti-Corruption Commission (PACC).	Public Prosecution	Corruption Crimes Court
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	Arithmetic mean	Standard Deviation	%	Rank	Arithmetic mean	Standard Deviation	%	Rank	Arithmetic mean	Standard Deviation	%	Rank
Cases of a financial nature are considered the most serious of all corruption cases.	4.5	0.67	90%	1	4.6	0.52	92%	2	4.4	0.55	88%	1
Cases of a financial nature occupy the largest number of corruption cases.	3.94	0.84	79%	7	4.2	0.42	84%	3	3.8	1.1	76%	3
Research and investigation works in corruption cases of a financial nature take longer time compared to other corruption crimes.	4.31	0.69	86%	2	4.7	0.48	94%	1	4.2	0.45	84%	2
The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC.	4.09	0.82	82%	5	4.1	0.88	82%	5	3.8	0.45	76%	3
Public institutions and local bodies are where most of the financial corruption crimes are committed compared to other entities subject to the Anti-Corruption Law.	4.16	0.85	83%	3	4.4	0.52	88%	3	4.2	0.45	84%	2
The social and humanitarian effects of cases of a financial nature are significant compared to the total of those of the other cases.	4.13	0.71	83%	4	3.7	0.95	74%	7	3.6	0.89	72%	4
All cases of a financial nature need to be presented to the financial expert for their opinion.	3.97	1.09	79%	6	3.8	1.14	76%	6	3.6	0.89	72%	4
Total	4.16	0.48	83%	2	4.21	0.4	84%	1	3.94	0.13	79%	3

"Source: Prepared by the researcher based on the SPSS program."

The data in Table (5-28) refer to the following:

The statements will be analyzed from the point of view of each category:

- From the point of view of the Palestinian Anti-Corruption Commission (PACC) Judicial officers:
 - 1- Based on the overall average of the responses to this section, this sample category ranked second for its need for financial expertise to prove financial corruption crimes, with an arithmetic mean of (4.16), at 83%, with a high rating.
 - 2- The statement 'Cases of a financial nature are considered the most serious of all corruption cases' ranked first from this sample's category perspective, with an arithmetic mean of 4.5, at 90%, and with a very high rating. The judges and PACC's judicial officers agreed on this statement regarding the degree of importance, giving it the first rank.
 - 3- The statement 'Cases of a financial nature occupy the largest number of corruption cases' ranked last from this sample's category perspective, with an arithmetic mean of 3.94, at 78%, and with a high rating.
 - 4- The statement 'The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC' ranked second among PACC's Judicial officers after the Public Prosecution, with an arithmetic mean of 4.09, at 81% with a high rating.
 - 5- The statement 'All cases of a financial nature need to be presented to the financial expert for their opinion' ranked last in regard to its section's statements. This statement has the highest arithmetic mean by the PACC's Judicial officers of 3.97 at 79% and a high rating.
 - 6- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of the members of

this category towards the causation importance of these statements. It is noted that the values of these deviations are the highest among all these categories.

- From the point of view of the Public Prosecution (Corruption Crimes Prosecution) Members

- 1- Based on the overall average of the responses to this section, this sample category ranked first for its need for financial expertise to prove financial corruption crimes, with an arithmetic mean of (4.21), at 83%, with a very high rating.
- 2- The statement 'Research and investigation works in corruption cases of a financial nature takes longer time compared to other corruption crimes' ranked first to this category with an arithmetic mean of 4.7 at 94% and a very high rating.
- 3- The statement "The social and humanitarian effects of cases of a financial nature are significant compared to the total of those of the other cases" ranked last from this category point of view, with an arithmetic mean of (4.13), 83%, and a high rating.
- 4- The statement 'The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC.' ranked first to this category compared to the other categories with an arithmetic mean of 4.1 at 82% and a very high rating.
- 5- The statement 'All cases of a financial nature need to be presented to the financial expert for their opinion' ranked second to this category compared to the other categories, with an arithmetic mean of 3.8 at 76% and a high rating.
- 6- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's

members towards the causation importance of these statements. It is noted that the values of these deviations are the average among all of these categories.

- From the Corruption Crimes Court Judges' point of view
 - 1- On the basis of the overall average of the responses to this section, this sample category ranked third for its need for financial expertise to prove financial corruption crimes, with an arithmetic mean of (3.94), at 83%, with a high rating.
 - 2- The statement 'Cases of a financial nature are considered the most serious of all corruption cases' ranked first from this sample's category perspective, with an arithmetic mean of 4.4, at 88%, and with a very high rating. The judges and PACC's judicial officers agreed on this statement in terms of the degree of importance, giving it the first rank.
 - 3- The statement 'The social and humanitarian effects of cases of a financial nature are significant compared to the total of those of the other cases' came in the last rank, where the Judges and Public Prosecution "Corruption Crimes Prosecution" members agreed on the degree of importance of this statement giving it the last rank. The statement 'All cases of a financial nature need to be presented to the financial expert for their opinion' also ranked last from this category's perspective. These two statements were equal with the arithmetic mean of 3.6, at 72%, and with a high rating.
 - 4- The statement 'The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC.' ranked last to the Corruption Crimes Judges category compared to the other categories with an arithmetic mean of 3.8, at 76% and a high rating.

- 5- The statement 'All cases of a financial nature need to be presented to the financial expert for their opinion' ranked last to the Corruption Crimes Judges category compared to the other categories, with an arithmetic mean of 3.6 at 72% and a high rating.
- 6- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the lowest among all of these categories, referencing a high consistency between the answers of the members of this category.

Section II: The degree of financial expertise's contribution and impact on the inquiry, investigation, and prosecution results.

Table (5-29): illustrates the arithmetic means for 'The degree of financial expertise's contribution and impact on the inquiry, investigation and prosecution results from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view', in descending order

Statement No.	The Palestinian Anti-Corruption Commission (PACC).				Public Prosecution				Corruption Crimes Court			
	Arithmetic mean	Standard Deviation	%	Rank	Arithmetic mean	Standard Deviation	%	Rank	Arithmetic mean	Standard Deviation	%	Rank
The court engages the expert for their opinion in financial corruption cases, where the court considers the expert's opinion, not only the report and the financial statements submitted.	4.03	0.74	81%	6	4.5	0.71	90%	3	4	0	80%	2
Financial expertise assists in expeditious litigation of financial corruption crimes.	4.34	0.65	87%	3	4.5	0.53	90%	3	4.2	0.45	84%	1
The financial expert assists in understanding and formulating questions and helps in financial case questioning.	4.38	0.71	88%	2	4.5	0.71	90%	3	3.4	0.89	68%	4
Financial expertise helps link people to the crime, identifies the nature of the accused's role in the	4.56	0.56	91%	1	4.7	0.48	94%	1	4	0	80%	2

case, and helps identify other suspects involved in the case.												
Financial expertise assists in the legal characterization of a financial corruption crime and the detection of other crimes in addition to the crime under investigation.	4.06	0.98	81%	5	4.5	0.53	90%	3	3.2	1.1	64%	5
Financial expertise assists in the inquiry and investigation through identifying illicit assets, tracing ownership and use of property, and tracking financial movements.	4.34	0.55	87%	3	4.7	0.48	94%	1	4	0	80%	2
The application of financial expertise methods, by adopting the appropriate method for each case, contributes to strengthening the investigation, ensuring a solid investigation file and an effective way to secure a conviction.	4.31	0.54	86%	4	4.4	0.52	88%	4	3.6	0.89	72%	3
There's a substantial reliance and dependence on PACC financial expert to prove financial corruption crimes.	4.25	0.51	85%	5	4.5	0.53	90%	3	4.2	0.45	84%	1
The financial evidence is highly authoritative, reliable, and strong evidence of guilt.	4.31	0.64	86%	4	4.3	0.64	86%	5	3.2	1.1	64%	5
Employing financial expertise in inquiry, preliminary investigation, and prosecution leads to proving corruption crimes.	4.06	0.76	81%	5	4.6	0.52	92%	2	4	0	80%	2
Total	4.27	0.4	85%	2	4.52	0.39	90%	1	3.78	0.29	76%	3

"Source: Prepared by the researcher based on the SPSS program."

The statements will be analyzed from the point of view of each category. The following Table (5-29) indicates that

- From the point of view of the Palestinian Anti-Corruption Commission (PACC) Judicial officers:

1- On the basis of the overall average of the responses to this section, 'The degree of financial expertise's contribution and impact on the inquiry, investigation, and prosecution,' this sample category ranked second for its agreement on the section compared to other categories with an arithmetic mean of 4.27, at 85%, with a very high rating.

- 2- The statement 'Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps identify other suspects involved in the case' ranked first among all of this section's statements per this category's point of view with an arithmetic mean of 4.56, at 91% and a very high rating. PACC's judicial officers and the Public Prosecution "Corruption Crimes Prosecution" members agreed on this statement in terms of the degree of importance, giving it the first rank.
 - 3- The statement 'The court engages the expert for their opinion in financial corruption cases, where the court considers the expert's opinion not only the report and the financial statements submitted' ranked last among all of the section's statements per this category's point of view with an arithmetic mean of 4.03, at 80% and a high rating.
 - 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the highest among all of these categories.
- From the point of view of the Public Prosecution (Corruption Crimes Prosecution) Members
 - 1- On the basis of the overall average of the responses to this section, 'The degree of financial expertise's contribution and impact on the inquiry, investigation, and prosecution,' this sample category ranked first for its agreement on the section compared to other categories with an arithmetic mean of 4.52, at 90%, with a very high rating.
 - 2- The statement 'Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps to identify other suspects involved in the case, as

well as the statement 'Financial expertise assists in the inquiry and investigation through identifying illicit assets, tracing the ownership and use of property, and tracking financial movements' ranked first among all of this section's statements per this category's point of view with an arithmetic mean of 4.7, at 94% and a very high rating. PACC's judicial officers and the Public Prosecution "Corruption Crimes Prosecution" members agreed on the importance of the statement 'Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps identify other suspects involved in the case' giving it the first rank in terms of the degree of importance.

- 3- Whereas the statement 'The financial evidence is highly authoritative and reliable, and a strong evidence of guilt' ranked last among all of the section's statements from this category's point of view with an arithmetic mean of 4.3, at 86% and a very high rating. The Judges and the Public Prosecution "Corruption Crimes Prosecution" members were in agreement on giving the statement the last rank.
- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the average among all of these categories.

- From the Corruption Crimes Court Judges' point of view

- 1- On the basis of the overall average of the responses to this section, 'The degree of financial expertise's contribution and impact on the inquiry, investigation, and prosecution,' this sample category ranked last for its agreement on the section compared to other categories with an arithmetic mean of 3.78, at 75%, with a high rating.

- 2- The statement 'Financial expertise assist expeditious litigation of financial corruption crimes', as well as the statement 'There's a substantial reliance and dependence on PACC financial expert to prove financial corruption crimes' ranked first among all of this section's statements per this category's point of view with an arithmetic mean of 4.2, at 84% and a very high rating.
- 3- Nevertheless, the statement 'Financial expertise assists in the legal characterization of a financial corruption crime and the detection of other crimes in addition to the crime under investigation.', as well as the statement 'The financial evidence is highly authoritative and reliable, and strong evidence of guilt.' ranked last among all of this section's statements per this category's point of view with an arithmetic mean of 3.2, at 64% and a moderate rating. The Judges and the Public Prosecution "Corruption Crimes Prosecution" members were in agreement on giving the statement 'The financial evidence is highly authoritative and reliable, and strong evidence of guilt' the last rank.
- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the lowest among all of these categories, referencing a high consistency between the answers of the members of this category.

Table (5-30): The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view', in descending order

Statement No.	The Palestinian Anti-Corruption Commission (PACC).				Public Prosecution				Corruption Crimes Court			
	Arithmetic	Standard	%	Rank	Arithmetic	Standard	%	Rank	Arithmetic	Standard	%	Rank

The necessary financial data and documents are not available due to the relevant authorities' lack of cooperation.	3.44	0.98	69%	4	3	0.84	60%	4	3	0.71	60%	1
Detailed financial statements and documents (evidence) are not available.	3.5	0.8	70%	3	3.2	1.03	64%	3	3	1	60%	1
Financial data and documents (evidence) are not available in a timely manner.	3.75	0.67	75%	2	4.1	0.74	82%	1	3	1	60%	1
Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides.	3.97	0.65	79%	1	3.6	1.07	72%	2	3	1	60%	1
Financial data and documents are not available because lifting-bank-secrecy requests from the court are not always accepted.	2.94	1.05	59%	5	2.2	0.79	44%	5	2.8	0.84	56%	2
Total	3.52	0.48	70%	1	3.22	0.34	64%	2	2.96	0.13	59%	3

"Source: Prepared by the researcher based on the SPSS program."

The statements will be analyzed from the point of view of each category. The following Table (5-30) indicates the following:

- From the point of view of the Palestinian Anti-Corruption Commission (PACC) Judicial officers

1- On the basis of the overall average of the responses to this section, 'The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes,' this sample category ranked first for

its agreement on the section compared to other categories with an arithmetic mean of 3.52, at 70%, with a high rating.

- 2- The statement 'Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides', ranked first among all of this section's statements per this category's point of view with an arithmetic mean of 3.97, at 79% and a high rating.
- 3- The statement 'Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides' ranked last among all of this section's statements per this category's point of view with an arithmetic mean of 2.94, at 58% and a moderate rating.
- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the highest among all of these categories.

• From the point of view of the Public Prosecution (Corruption Crimes Prosecution) Members

- 1- On the basis of the overall average of the responses to this section, 'The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes' ranked second from this category's point of view with an arithmetic mean of 3.22, at 64%, with a moderate rating.
- 2- The statement 'Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides' ranked first

among all of this section's statements per this category's point of view with an arithmetic mean of 4.1, at 82% and a high rating.

3- Whereas the statement 'Financial data and documents are not available because lifting-bank-secrecy requests from the court are not always accepted' ranked last among all of this section's statements per this category's point of view with an arithmetic mean of 2.2, at 44% and a very low rating.

4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the average among all of these categories.

- From the Corruption Crimes Court Judges' point of view

1- On the basis of the overall average of the responses to this section, 'The impact of the availability of financial data and documents on the implementation of financial expertise procedures in proving financial corruption crimes', ranked third from this category's point of view with an arithmetic mean of 2.96, at 59%, with a moderate rating.

2- Statements 1, 2, 3, and 4 had the same arithmetic mean of 3.00 at 60 percent and a moderate rating.

3- The statement 'Financial data and documents are not available because lifting-bank-secrecy requests from the court are not always accepted.', ranked last among all of this section's statements per this category's point of view, with the lowest arithmetic mean of 2.8, at 56% and a moderate rating.

- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the lowest among all of these categories, referencing a high consistency between the answers of the members of this category.

Table (5-31): The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members and Corruption Crimes Judges' point of view', in descending order

Statement No.	The Palestinian Anti-Corruption Commission (PACC).				Public Prosecution				Corruption Crimes Court			
	Arithmetic mean	Standard Deviation	%	Rank	Arithmetic mean	Standard Deviation	%	Rank	Arithmetic mean	Standard Deviation	%	Rank
Restricting and limiting the Judicial Control Capacity granted to the financial expert.	3.5	1.08	70%	3	2.8	1.23	56%	4	3.2	1.3	64%	2
The lack of a financial expert definition in the judicial field and the lack of organization of the financial expert's functions within the Palestinian legislation.	3.66	0.9	73%	2	3.1	1.2	62%	3	3.4	0.89	68%	1
PACC's financial expert job description does not condition a forensic accounting certificate.	3.69	0.97	74%	1	3.6	0.97	72%	2	3.4	0.89	68%	1
Limited training related to financial inquiry and investigations, as well as essential judicial knowledge.	3.69	0.93	74%	1	4.2	0.63	84%	1	3.2	0.84	64%	2
Total	3.63	0.68	73%	1	3.43	0.75	69%	2	3.3	0.86	66%	3

"Source: Prepared by the researcher based on the SPSS program."

The statements will be analyzed from the point of view of each category. The following Table (5-31) indicates the following:

- From the point of view of the Palestinian Anti-Corruption Commission (PACC) Judicial officers

- 1- On the basis of the overall average of the responses to this section, 'The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes,' this sample category was the most supportive, ranking first for its agreement on the section compared to other categories with an arithmetic mean of 3.63, at 72.6%, with a high rating.
- 2- The statement 'Limited training related to financial inquiry and investigations as well as essential judicial knowledge', ranked first among all of this section's statements per this category's point of view, expressing the administrative challenges and is in line with the section's results in terms of its ranking with an arithmetic mean of 3.69, at 73% and a high standing, which comes in line with the Public Prosecution in terms of order.
- 3- Whereas the statement 'Restricting and limiting the Judicial Control Capacity granted to the financial expert.', ranked last among all of this section's statements per this category's point of view and is in line with the section's results in terms of its ranking with an arithmetic mean of 3.5, at 70% and a high rating, higher than that of all of the sample categories.
- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's

members towards the causation importance of these statements. It is noted that the values of these deviations are the highest among all of these categories.

- From the point of view of the Public Prosecution (Corruption Crimes Prosecution) Members

- 1- On the basis of the overall average of the responses to this section, 'The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes' ranked second from this category's point of view with an arithmetic mean of 3.43, at 68.6%, with a high rating.
- 2- The statement 'Limited training related to financial inquiry and investigations as well as essential judicial knowledge' ranked first among all of this section's statements per this category's point of view with an arithmetic mean of 4.2, at 84% and a high rating, higher than that of all of the sample categories for the section. This statement was in line with the section results as well as PACC's Judicial officers Officer's ranking.
- 3- Whereas the statement 'Restricting and limiting the Judicial Control Capacity granted to the financial expert.' ranked last among all of this section's statements per this category's point of view with an arithmetic mean of 2.80, at 56% and a moderate rating.
- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values of these deviations are the average among all of these categories.

- From the Corruption Crimes Court Judges' point of view

- 1- On the basis of the overall average of the responses to this section, 'The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes' ranked third from this category's point of view with an arithmetic mean of 3.3, at 66%, with a moderate rating.
- 2- The legislative challenges in the statement 'The lack of a financial expert definition in the judicial field and the lack of organization of the financial expert's functions within the Palestinian legislation' as well as the administrative challenges in the statement 'PACC's financial expert job description does not condition a forensic accounting certificate' ranked first among all of the section's statements per this category's point of view with an arithmetic rating of 3.4, at 68%, and a moderate degree. This statement was viewed differently by PACC and Public Prosecution consideration and answers.
- 3- Moreover, the statement "Restricting and limiting the Judicial Control Capacity granted to the financial expert" ranked last among all of this section's statements from this category's point of view, which was in line with the views of PACC and the Public Prosecution in terms of ranking. The statement "Limited training related to financial inquiry and investigations as well as essential judicial knowledge" ranked last among all of this section's statements from this category's point of view, with an arithmetic mean of 3.2, at 64%, and a moderate degree, where its rank according to this category was different from that of PACC and the Public Prosecution.
- 4- The relative convergence of the standard deviations associated with the arithmetic means of all the statements indicates a relative consistency between the views of this category's members towards the causation importance of these statements. It is noted that the values

of these deviations are the lowest among all of these categories, referencing a high consistency between the answers of the members of this category.

5.3.2.2 Research Hypothesis Testing

One Sample T-Test was used to test the extent of acceptance or rejection of the study's hypotheses on the basis that the hypothesized mean is 3, and that the relationship is statistically significant at the level ($\alpha \leq (0.05)$).

The coefficient of determination R^2 was used to identify the proportion of the variance for an independent variable (Financial expertise services, reflected by the sample responses to the second section) that's explained by a dependent variable (Proving financial corruption crimes, reflected by the study sample responses to the statements in the second section (8,9, and 10)).

Research Hypotheses

First hypothesis:

H1₀ - Null hypothesis: There is no requirement for financial expertise to prove crimes of financial corruption in a just manner from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.

H1_A - PACC Judicial officers, Public Prosecution members, and judges need financial expertise to prove financial corruption crimes in a just manner.

Second hypothesis:

H2₀ - Null hypothesis: There is no relation between financial expertise services and the inquiry, investigation, and prosecution of financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Judges' point of view.

There is a relationship between financial expertise services and the inquiry, investigation, and prosecution of financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Judges' points of view.

Third hypothesis:

H3₀ - Null hypothesis: There is no relation between the availability of financial data and financial expertise procedures in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Judges' points of view.

H3_A - There is a relation between the availability of financial data and financial expertise procedures in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Judges' points of view.

Fourth hypothesis:

H4₀ - There is no relation between the (legislative, procedural, and administrative) challenges facing the financial expert and proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.

H4_A - There is a relation between the (legislative, procedural, and administrative) challenges facing the financial expert and proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view.

Research Hypothesis Testing

Table (5-32): One-Sample Test		
One-Sample Test		Conclusion
Hypotheses	Test Value = 3.00	

	t	Df	Sig. (2- tailed)	Mean Difference	95% Confidence Interval of the Difference		
					Lower	Upper	
H1	17.881	46	0	1.1462	1.0171	1.2752	The null hypothesis is rejected the alternative hypothesis is accepted.
H2	20.293	46	0	1.2681	1.1423	1.3939	The null hypothesis is rejected the alternative hypothesis is accepted.
H3	4.816	46	0	0.3957	0.2303	0.5612	The null hypothesis is rejected the alternative hypothesis is accepted.
H4	5.35	46	0	0.5532	0.345	0.7613	The null hypothesis is rejected the alternative hypothesis is accepted.

T-TEST /TESTVAL=3.00 /MISSING=ANALYSIS /VARIABLES=H1, H2, H3, H4
/CRITERIA=CI (.95)

"Source: Prepared by the researcher based on the SPSS program."

First hypothesis

One Sample T-Test was used on the basis of the required confidence interval and the degree of error associated with it, let's say at a maximum, it should not exceed 5% for social issues, to test the acceptance or rejection of each of the study's hypotheses. On the basis that the relationship is statistically significant at the level ($\alpha \leq (0.05)$), and since the rule stipulates that the null hypothesis is rejected if the calculated t-value is higher than the t-distribution value (T tabulated). That is, the level of significance (T) or the level of the observed

significance is equal to (0.00), which is less than the level of significance that was considered for the purposes of this study (0.05). Therefore, we reject the first null hypothesis and accept the alternative hypothesis: "PACC's Judicial officers, the Public Prosecution members, and the Corruption Crimes Court judges need financial expertise to prove financial corruption crimes in a just manner."

Second hypothesis

We reject, based on the details provided in the first hypothesis, the second null hypothesis and accept the alternative hypothesis "There is a relationship between financial expertise services and the inquiry, investigation, and prosecution of financial corruption crimes from PACC's judicial officers, Public Prosecution members and Corruption Crimes Court Judges' point of view."

The researcher, to identify the level of the financial expertise services impact on proving financial corruption crimes, used a Simple linear regression, as shown in the following Table (5-33):

Table (5-33) ANOVA Test Results						
ANOVA ^a						
Model		Sum of Squares	Df	Mean Square	F	P-value
1	Regression	5.341	1	5.341	39.640	.000 ^b
	Residual	6.063	45	.135		
	Total	11.404	46			
Dependent variable Proving financial corruption crimes						
Independent variable: Financial Expertise Services						

"Source: Prepared by the researcher based on the SPSS program."

It is evident from Table (5-33) that the simple linear regression method in comparing the impact of the independent variable on the dependent variable is appropriate, where the F-value of the (ANOVA) was statistically significant at 39.640 and a P-value of 0.00, which is less than the significance level of 0.05 as shown in Table (5-33).

Table (5-34) demonstrates the results of a simple regression analysis among financial expertise services on proving financial corruption crimes.

Model Summary						
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	R Square Change	F Change
1	.684 ^a	0.468	0.457	0.36707	0.468	39.64

Dependent variable: Proving financial corruption crimes

The independent variable: financial expertise services

"Source: Prepared by the researcher based on the SPSS program."

The previous Table (5-34) shows that the correlation coefficient Remounted to 0.684, which is a medium direct relationship, while the Adjusted Coefficient of Determination (Adjusted R-squared) scored 0.468, meaning that 46.8% of the change in proving financial corruption crimes is due to the influence/impact of the variable 'financial expertise services', and the rest 36.8% is due to other factors affecting the dependent variable 'proving financial corruption crimes.'

The researcher attributes this to that the respondents may rely on multiple evidential materials in proving financial corruption crimes, namely confession, the testimony of witnesses; statements of an accused against another accused; experience; and written proofs and leads. Therefore, there are other factors that affect proving financial corruption crimes.

Third hypothesis:

We reject, based on the details provided in the first and second hypotheses, the third null hypothesis and accept the alternative hypothesis "There is a relation between the availability of financial data and financial expertise procedures in proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Court Judges' point of view."

Fourth hypothesis:

We reject, based on the details provided in the first, second, and third hypotheses, the fourth null hypothesis and accept the alternative hypothesis "There is a relation between the (legislative, procedural, and administrative) challenges facing the financial expert and proving financial corruption crimes from PACC's judicial officers, Public Prosecution members, and Corruption Crimes Judges' point of view."

Chapter six

Discussion of Findings and Recommendations

This chapter discusses the key results reached in Chapter 5, starting with the questions of the study through interpreting and analyzing the paragraphs related to the questionnaire, and measuring its conformity and difference with previous studies and the theoretical framework. This is done to formulate conclusions and recommendations in order to contribute to putting practical applications to solve the problem of the study.

To address such endeavor, the chapter lays in its first portion a discussion on the study's findings, followed by the key recommendations identified.

6.1 Discussion of Findings

To understand the role played by financial expertise in proving financial corruption crimes in Palestine, the results of the main study tool shall be discussed, represented in the questionnaire based on the perceptions of the judicial officers of the PACC, members of public prosecution "Corruption crimes Prosecution", and the judges of the Corruption Crimes Court. The discussion also poses interpretation and analysis thereof in light of the conclusions reached by the researcher by applying convergence. It also confirms or dismisses such results by analyzing the content of the data and judicial decisions provided in Mezan II program, their conformity or divergency with literature and previous studies which addressed financial expertise and its role in proving financial corruption crimes.

The need for financial expertise to prove financial corruption crimes in a fair manner, based on the perception of judicial officers of the PACC, members of Public Prosecution and Judges:

In light of the results of Table (5-24), it is clear to the researcher that there is a need for financial expertise to prove financial corruption crimes in a fair fashion from the points of view of judicial officers of PACC, members of public prosecution, and judges, and based on the perception of the sample individuals as a single unit with an arithmetic mean of (4.15) and a ratio of 83%, giving it a high standing and positive agreement in the answers given to the level of (Agree), and based on the general average of answers for this section for each group of the sample's groups shown in Table (5-28). The members of public prosecution were the most supportive of the need of financial expertise in proving financial corruption crimes with a ratio of 84%, followed by judicial officers of PACC with a ratio of 83% and judges with 78%. The result conforms with the results of the following studies: (Al-Ja'bari, 2018; Al-Khatem, 2019; Rady & Al-Rawazqee, 2018; Burghol, 2015; Alabdullah, et al., 2014; Islam, Rahman & Hossan, 2011; Al-Madhon & Ahmed, 2021; and Al-Kubaisi, 2016).

The researcher refers that the majority of the surveyed persons are specialized in law with a percentage that exceeds 72% of the total sample according to Table (5-12). Thus, they need financial expertise in relation to proving financial corruption crimes as it outpaces their competencies. The analysis made by the researcher on the information content provided in Mezan II conforms such findings as the percentage of the judicial decisions issued by the Corruption crimes Court on financial cases since 2010 and up to 2021 is 79% of the total judicial decisions for the same period.

It comes to sight from the results of the surveyed persons that financial expertise is needed to prove financial corruption crimes ranks first because cases of financial nature are considered the most dangerous of the total corruption cases with a percentage of 90%. This

is justified because the surveyed are specialized and have a high understanding that financial corruption weakens the resources of governments and leads to requisition of public money by transferring resources allocated for development to the pockets of corrupted officials, which agrees with the theoretical framework. The material presented by the Researcher in the Chapter of Corruption in Palestine which indicates that the Corruption crimes Court was able to issue judicial decisions stipulating the retrieval of public money to state's treasury which reached the amount of 13,097,289 NIS.

The results of the surveyed indicate that “public institutions and local commissions are of the biggest sectors where financial corruption crimes are committed, compared to other entities subject to the Anti-Corruption Law” with a ratio of 84%. The researcher justifies these findings by referring that these institutions, in most part, are service providers, hence, are more exposed to financial corruption. Also, some of these, such as local commissions, lack control and governance of their work, such as powers separation. The information provided in Corruption in Palestine chapter by the researcher implies these results since the ratio of complaints and reports submitted to the PACC are focused on suspicions or claims on the existence of corruption cases, mostly in public sector with an average of 60%, and 28% for the local commissions during the period 2012 – 2021.

Moreover, the results of the surveyed suggest that the need for financial expertise is represented in the fact that “cases of financial nature constitute the largest number among corruption cases” with a ratio of 80%. The results of the content analysis made by the Researcher confirms such, which indicate that the numbers of financial cases have reached 164 rewarded financial cases out of 208 rewarded cases.

The results of the surveyed show that “social and humanitarian implications of financial-nature cases are plenty compared to the total cases” with a percentage of 80%, which is due to the fact that the surveyed are specialists with high understanding of corruption effects discussed in the theoretical framework, in terms of excessive social and economic costs, not to mention they weaken the governments abilities to fulfil their commitments in the scope of human rights, service providing, and enhancing lifestyle of their citizens. It is worth mentioning that the most affected groups by the disastrous consequences of corruption are vulnerable groups, such as women, children, persons with disabilities, old persons, poor people, and persons who belong to minorities. This in light of the fact that such groups require special care, in particular in the field of receiving public services and social care services. By the same token, corruption affects human rights, and exponentially affects those groups, by directing resources allocated to tackle their issues and combating poverty towards the pockets of the corrupted officials.

Furthermore, the results of the surveyed indicate that the need for financial expertise stands because “the work of search and investigation in corruption cases of financial nature consumes longer time compared to other corruption crimes” with a percentage of 88%. The researcher justifies this by the convergence made and what this procedure requires of documented information, specific facts and details to be based thereon to reach the reliable financial evidence which makes the work of search and investigation in cases of financial nature consume longer time compared to other corruption cases, in terms of examination evidence, which are: internal audit, audit bureau, and external audit reports; technical examination or computerized systems; preparation of technical expertise reports; obtaining

budgets or dismissal orders; request of secrecy listing for the accused; settlement of financial acquittals related to the accused; search and investigation through informants; and acquiring information by tracking process.

Based on the results of respondents in relation to financial expertise on its cost and need for a financial expert, their opinions indicate that “financial cost of investigating financial corruption crimes exceeds the investigation cost for corruption cases if financial expertise is attracted from outside the PACC” with a percentage of 81%. The justification of such result is that the financial expert under examination in this study is the employee who works at the PACC and performs the tasks assigned by implementing the procedures of “investigation, inspection, and preliminary evidencing” and “audit, analysis, and detection.” We have indicated in the theoretical framework that the PACC is an independent commission specialized in combating corruption, with a budget allocated from the state’s. Hence, it is less costly because the works of financial expertise are part of the works of PACC. However, in case the expertise is presented by a private expert, it shall be an additional cost incurred by the state. What confirms such information is that the results of this paragraph are derived based on the perception of the prosecution being the highest among the groups of the sample with a percentage of 82%, which by virtue of the vested powers and investigation authorities under applicable laws in Palestine referred thereto in the theoretical framework, has the authorization to appoint whoever deemed proper to perform the tasks of the financial expertise from different relevant parties.

The results of the respondents pertinent to “all cases of financial nature submitted to the financial expert to have an opinion thereon” are of the least significance with a percentage

of 78%. This is justified by the fact that there are some financial cases do not require financial expertise, and what affirms this are the results of the content analysis which indicate that the total financial cases rewarded and issued by the Corruption Crimes Court, and do not encompass financial expertise report are 56 cases with a percentage of 34% of the total rewarded financial cases.

By such analysis, the researcher answers the first question and is able, throughout the results of the study, to validate the first hypothesis which entails that the judicial officers of the PACC, members of Public Prosecution, and judges need financial expertise to prove financial corruption crimes in a fair manner. Additionally, the importance of financial expertise and the need thereof rise in light of the many cases of financial nature, their risk and implications on society; taking place mostly at public institutions and commissions; and its high cost if it is derived from outside PACC; not to mention the need of investigation agencies and judges for a financial expert to present opinion on financial case, being off their competences.

Level of Contribution and Effect of Financial Expertise Services on Results of Investigations and Litigation

In light of the results projected by Table (5-25), it is clear to the researcher that financial expertise contributes to and affects the results of investigations and litigation based on the perception of the sample's individuals as a single unit, where the general arithmetic mean of answers reaches (4.27) with a ratio of 85%, and a very high standing, as the answers are leaning to the level of (Agree). This result goes in line with the result of the following studies: (Brown, et al., 2012; Kasum, 2009; Gale & Kelly, 2018; Sorunke O. A., 2018; Al-

Khader, 2018; Al-Juburi, 2019; Al-Madhon & Ahmed, 2021; Al- Kubaisi, 2016; and Al-Ja'bari, 2018).

On the basis of the general average of answers in this section for each group of the sample's, which is projected in Table (5-29), the members of public prosecution, who are the most supportive for the level of contribution and effect of financial expertise services in relation to results of investigation and litigation, recorded a percentage of 90%, followed by the judicial officers of PACC with 85%, and the judges of the Corruption Crimes Court with 76%.

To interpret these results, the researcher relies on the conclusions of the convergence made which indicate that the financial expert of PACC enjoys the constituents of financial expertise, starting with the academic qualification, experience, and training, to examining his/ her knowledge, skills, and the implementation of the procedures efficiently by applying various techniques that include the different financial corruption crimes. Also, the methodology of preparing and producing the report of the financial expert is reliable in terms of the scope and collection of information, investigation, financial analysis, method used, restraints imposed on the scope and results documented by tables, graphs and evidential materials collected, without neglecting any facts so challenging the report reliability is avoided. Hence, it enables him/ her to present the services and contribute and affect the results of the investigations and litigation.

The researcher interprets that the members of public prosecution are the most supportive ranking first among all groups. This is because the competencies of the public prosecution under the Criminal Procedure Law are audit and supervision on judicial officers.

Also, the judicial officers are affiliates of public prosecution under an occupational affiliation (Abdulbaqi, 2015, p. 152). In reference to having the financial expert holding the title of judicial officers, he/ she is in contiguity with the prosecution, whether in the stage of investigation or after being assigned as an expert witness, being an investigative procedure. This is indicated by the researcher in the convergence section, considering that the prosecution is the point of contact between PACC and the Court, which is referred thereto in the Chapter of Financial Corruption in Palestine. Hence, the Prosecution has a vast acquaintance in the work of investigation done by PACC, and the litigation procedures in court. Accordingly, the research concludes that the members of public prosecution are familiarized with the role played by the financial expert in the different stages, and the level of contribution to the results of investigations and litigation more than any other components of the sample.

The results of the information content analysis provided on Mezan II and acquired by the researcher affirm such. The analysis indicates that the percentage of financial cases rewarded by the Corruption Crimes Court which include a financial report from different parties recorded 60% of the total financial cases rewarded by the same.

The results of the surveyed show that financial expertise contributes to and affects the results of investigation and litigation at first level in terms of “linking persons to the crime and identifying the nature of the defendant’s role in the case; and it helps in revealing other suspects who are involved in the case” with a percentage of 91%. This result conforms with the results of the following studies: (Brown, et al., 2012 and Al-Khader, 2018).

The researcher refers such by depending on the results of convergence which illustrate that the financial expert of PACC employs the techniques of forensic accounting, including the correlation analysis, to perform multiple networks analysis that shows the connections between persons, and their relevance to financial data or information; and the gene scheme technique of personal relations between parties relevant to the investigated case, which in turn enables the investigation and litigation agencies to prove financial corruption crimes by having the financial expert applying the following procedures:

- ✓ Identifying the cheques issued from the reviewed accounts, cheques containing endorsements in particular; and determining the beneficiaries on the face of the cheque and the parties which the cheques are endorsed thereto.
- ✓ Tracking some deposits and linking them with relevant withdrawals, if available; and identifying their sources and beneficiaries.
- ✓ Transferred salaries according to the year and crosscuttings of salaries from more than one party, if available.
- ✓ Financial connection between parties and accounts.
- ✓ Withdrawn cheques report and showing the first beneficiary and withdrawal party (Indicating if there are endorsed or not).
- ✓ Deposited cheques report in accounts and showing the depository.
- ✓ Financial withdrawals reports; reports of financial deposits; money sources and its connection with other parties and the work nature of the suspect; any other financial connection related to the topic of the complaint; identifying document that criminalize the suspect and any other affiliation, ..., etc.

- ✓ Statements and reports on cheques endorsed for others.

The results of the surveyed show that financial expertise has a contribution and an effect on the outcomes of investigations and litigation at the second level in terms of “financial expertise assists in investigation through identifying the illegal assets; determining ownership and the use of properties; and tracking financial movements” with a percentage of 88%. This result agrees with the results of the following studies: (Brown, et al., 2012 and Gale & Kelly, 2018).

To explain these results, and based on the convergence, the financial expert of PACC employs the techniques of forensic accounting, including the Net Worth Analysis to determine the illegal income, and uses the tracking map and tables to show the money flow or statements in the process of tracking the money from its source to the recipient; or by employing them in collaboration with relevant parties by applying the following procedures:

- 1- Linking the incoming amounts, their deposit mechanisms, and dates with the issued amounts, their deposit mechanisms, and dates.
- 2- Identifying the incoming and issued transfers from and to outside Palestine.

What reaffirms these results is that the conclusion of this paragraph is confirmed by the perception of the investigation and evidencing party, represented in the judicial officers of PACC, which is indicated in the Financial Corruption in Palestine Chapter, reaching 87% and ranking thirdly among all paragraphs of the section. On the other hand, the results of the party assigned for investigation, represented in prosecution, is 94%, ranking first compared to all paragraphs in the section.

The results of the respondents indicate that “financial expertise assists in the speed of litigation concerning financial corruption crimes in court” with a percentage of 87%, which goes in line with the results of both (Sorunke, 2018 and Al-Juburi, 2019).

The researcher justifies that as judges may not be acquainted with accounting and financial terminology, hence, the financial expert aids in explaining financial matters related to the case and interpreting documents by contributing their specialized knowledge leading to swift litigation. This conforms with the theoretical framework. What confirms such result is this paragraph ranks first compared to other paragraphs in the section with a percentage of 84% at a very high level, based on the perception of the judiciary which is the competent authority in relation to litigation in court.

The results of the surveyed reveal that “the financial expert helps in understanding and formulating the questions; and assists in interrogation related to the financial court” with a percentage of 86%. This result agrees with the results of (Al-Khader, 2018; Sorunke, 2018).

The researcher justifies the foregoing on the basis of the conclusions of the convergence which illustrate that the services of the financial expert provided for the preliminary investigation are embodied in exploring and preliminarily assessing the case; assisting in formulating the questions pertinent to financial evidence, hence, helping the member of prosecution at a later time in interrogation if the accused is confronted with inquiries relevant to financial data; and assisting in explaining financial matters relevant to the case. The latter is confirmed as the paragraph takes 90% based on the perception of the prosecution, which is the competent party in investigation and interrogation, which is reflected thereupon in the Chapter of Financial corruption in Palestine.

The results of the surveyed show that “the financial expert at PACC is considerably relied thereupon” with a percentage of 86%. To justify such results, the conclusions of convergence, conducted by the researcher, indicate that the financial expert at PACC has the constituents of financial expertise starting with the academic qualification, experience, training, knowledge, and skills. The conclusions acquired by the researcher confirms such results through the analysis of data content provided on Mezan II, where the financial cases rewarded by the Corruption Crimes Court that include a financial expertise report and sourced from PACC were 27 cases, with a percentage of 16% of the total financial cases rewarded, and they are categorized as follows: 22 convictions with a ratio of 81%; 3 acquittals with a ratio of 11%; and two judicial rulings due to the claim lapse with the death of the defendant with a ratio of 8% of the total financial cases that encompass financial expertise reports and PACC stands as their source. These results are projected despite the novelty of PACC compared to other relevant institutions, which is refereed thereto in the Chapter of Financial Corruption in Palestine. Moreover, these results project the effectiveness of the services provided by financial expert, which is illustrated by the conviction ratio that reaches 81%. The results are confirmed as they are interpreted based on the perception of the prosecution which ranks the highest among the groups of the sample with a ratio of 90%. By virtue of the powers vested in the prosecution under laws applicable in Palestine, the prosecution can assign whoever is deemed fit to perform the duties of financial expertise from the different relevant parties, which is referred thereto in the Chapter of Financial Corruption in Palestine.

It is evidenced by the results of the respondents that “the application of financial expertise techniques, when employing the suitable technique, contributes to supporting investigation, which in turn builds up a solid investigation file and guarantees an effective method to secure conviction” with a ratio of 85%. This agrees with the findings of the following studies: (Al-Juburi, 2019; Al-Khader, 2018; and Sorunke, 2018).

The researcher refers the forgoing by building on the conclusions of the convergence drawn thereby, which indicate that the financial expert utilizes copious techniques that address different financial corruption crimes. It is evident that he/ she uses more than 13 techniques, such as the Net Worth Analysis. This is applied in the illicit enrichment crimes. He/ she also employs the tracking map and tables to show the money flow or statements when tracking the movement of the money, which is mostly used in money laundering crimes cases.

Such findings are confirmed since this paragraph scored the highest with a percentage of 88%, based on the perception of the prosecution, compared to the rest of the groups. The prosecution is the entity which PACC refers investigation files thereto by virtue of the law provided in the Financial Corruption in Palestine Chapter. A Percentage of 86% is scored based on the perception of the judicial officers of PACC, where PACC, under the anti-Corruption Law, enjoys the power of evidencing in corruption crimes.

The results of the sample’s individuals show that “the financial evidence is of high reliability and a powerful conviction proof” with a percentage of 84%, which agrees with the findings of the following studies: (Sorunke, 2018 and Al-Madhon & Ahmed, 2021).

The researcher shows, based on the Criminal Procedure Law, that the most important evidential matters are testimonies; statements of a defendant against another defendant; and written evidence and leads. As a result, the judge must extract the evidence which helps him/her to understand the incident to be proofed (Abdulbaqi, 2015, p. 387). This indicates the diversity of corroboration methods which depend on the gratification of the judge. However, the results show that the perception of the judiciary in this paragraph is 64% with a moderate level.

The results of the surveyed show that “using the financial expertise in investigation, preliminary investigation, and judiciary leads to proving corruption crimes” with a percentage of 83%. This result conforms with the results of (Sorunke, 2018).

The researcher identifies this because this paragraph measures, in a comprehensive manner, the results of financial services projected on investigations and litigation, which are represented in the final result that leads to corroboration of the crime. This is confirmed in light of the convergence between this paragraph and the results of the section for all paragraphs.

The results of respondents indicate that “the court seeks for the expert to present his/her opinion on the lawsuits of financial corruption, where the court is not sufficient with the reports and financial data submitted” with a percentage of 83%. This result goes in line with the findings of the following studies: (Al-Madhon & Ahmed, 2021; Al-Khader, 2018; Al-Kubaisi, 2016; and Al-Ja’bary, 2018).

The researcher asserts, based on the conclusions of the convergence, that this is due to the reliability of the methodology used in the preparation and production of the report by

the financial expert being converged with the theoretical framework in terms of the scope and collection of information; investigation; financial analysis; used approach; restrictions imposed on the scope, results and opinions of the financial expert documented in tables, graphs, and the corroboration evidence collected, without neglecting any facts to avoid the possibility of challenging the validity of the report. Also, the narration of the report is written in a clear, simple, and accurate language. This is confirmed by having this paragraph as the least among all the sample's groups for the same paragraph with a percentage of 80%. This entails that the judiciary uses the financial expert as an expert witness because he/ she is a qualified person able to present an opinion on a lawsuit in cases of financial nature; and articulating if these infringements or violations are based on evidential matters related to accounting or audit. He/ she testifies on the results reached, which conforms to the theoretical framework.

The results of the respondents show that the paragraph "the financial expertise helps in the legal characterization of a financial corruption crime and the revealing of other crimes, in addition to the crime under investigation and review." This ranks last with a percentage of 81%, agreeing with the results of (Brown, et al., 2012).

The researcher refers this, based on the Criminal Procedure Law, that the characterization of criminal incident falls under the jurisdiction of the court (Abdulbaqi, 2015, p. 123). This is interpreted by the results of this paragraph, based on the perception of the judges, which is the least among the groups of the sample concerning the same paragraph and for all paragraphs with a percentage of 64%.

To identify the level of contribution and effect of financial expertise services in each field, the researcher conducts her discussion from the perception of each group of the sample separately, who represent jurisdiction and of direct connection with the services under the applicable laws in Palestine. The researcher concludes that the financial expert **provides** forensic services in its two parts: litigation support and expert witness domains. This is evident by the following:

The services of financial expertise in the field of expert witness and the judiciary are represented in the first paragraph, “the court seeks the expert to present his/ her opinion on the lawsuits of financial corruption, when the court is not sufficient with the report and financial data submitted.” The second paragraph entails “the financial expertise helps in having swift litigation on financial corruption crimes in court”, where the results of the respondents of the Corruption Crimes Court judges got an arithmetic mean of 4.00, with a percentage of 80%, and a high standing with an arithmetic mean of 4.2 with a percentage of 84%, respectively. It ranks third compared with the groups of the sample, while the prosecution group ranks first with a percentage of 90%, followed by the judicial officers of PACC in second place with a percentage of 81%.

On the other hand, the third paragraph that narrates the financial expert helps in understanding and formulating the questions; and assists in interrogation related to the financial court”; and fourth paragraph “financial expertise helps in linking persons to the crime and identifying the nature of the defendant’s role in the case; and it helps in revealing other suspects who are involved in the case” to represent the services of financial expertise for the investigative agencies manifested by the prosecution members which is expressed

with a very high level with an arithmetic mean of 4.5 and 4.7, and a percentage of 90% and 94%, respectively; also, with a very high level for both paragraphs, and in the first rank among all groups. The group of judicial officers of PACC ranks second with a percentage of 88% and 91%; and the judges of Corruption Crimes Court ranks third with a percentage of 86% and 80%.

It is evidenced by the results of the respondents that the financial expert delivers the services of financial investigation and evidencing through the fifth paragraph that states “financial expertise helps in the legal characterization of a financial corruption crime and the revealing of other crimes, in addition to the crime under investigation and review”; and the sixth paragraph “financial expertise assists in investigation through identifying the illegal assets; determining ownership and the use of properties; and tracking financial movements” expresses the services of financial expert in investigations. Relatively, the group of public prosecution members ranks first with a percentage of 90% and 94%, respectively, recording a very high level. Subsequently, the group of judicial officers of PACC ranks second with 81% and 86%, with a high and very high levels, respectively. This is followed by the group of Corruption Crimes Court judges which ranks last with 64% and 80%, respectively.

Furthermore, the seventh paragraph “the application of financial expertise techniques, when employing the suitable technique, contributes to supporting investigation, which in turn builds up a solid investigation file and guarantees an effective method to secure conviction” represents the services of financial expertise in the investigations of the judicial officers of PACC. Such group scored a percentage of 86% with a very high level, ranking second, while

the public prosecution group ranks first with 90% and a very high level. This leaves the group of corruption crime court judges in last place with 72%.

The following paragraphs express the corroboration of financial corruption crimes, which the researcher examines from the perception of each group of the samples. Paragraphs 8, 9 and 10 express the corroboration of financial corruption crimes directly as shown in the following:

Paragraph 8 “the financial expert at PACC is considerably relied thereupon” comes to identify the contribution of the financial expert of PACC, being examined, to the results of investigations and litigation directly, and the extent of dependency thereon by these entities. The results show that the public prosecution relies on the financial expert of PACC more than any other group, making it in first place with a very high level, with a percentage of 90%, followed by the judicial officers of PACC in second place with a very high level and a percentage of 85%. This leaves the judges of corruption crimes court in last place, which scored a very high level with a percentage of 84%.

Paragraph 9 “the financial evidence is of high reliability and a powerful conviction proof” represents the output of the financial expert work and effect on the reporting, investigations, and litigation. The group of judicial officers of PACC ranks first with a percentage of 86% and a very high level, followed by the public prosecution in second place with 86% and a very high level, and the judges of corruption crimes court in third place, with 64% with a moderate level.

Paragraph 10 “using the financial expertise in investigation, preliminary investigation, and judiciary leads to proving corruption crimes” represents the most direct

statement on the role of financial expertise in proving financial corruption crimes as it incorporates the three stages of proving. In relation to such, the group of public prosecution members ranks first with a percentage of 92% and a very high level, while the judicial officers of PACC ranks second with 81% and a high level, followed by the judges of corruption crimes court in third place with 80% and high level.

Through this analysis, the researcher answers the second question, and she was able, based on the results of the study, to validate the second hypothesis which proves an existing relationship between the services of financial expertise and the results of investigations and litigation in financial corruption crimes. Furthermore, she diagnoses the financial expertise illustrating the significance of the financial expert at PACC in proving financial corruption crimes and contributes to setting a base to evaluate the performance of financial experts who work at PACC by diagnosing their services.

Effect of Financial Data and Documents availability on the Application of Financial Expertise Procedures in Proving Financial Corruption Crimes

Based on the results of Table (5-26), it is clear for the researcher that there is an impact for financial data and documents on the application of financial expertise procedures in pricing financial corruption crimes from the perception of the sample's individuals as a single unit. The general arithmetic means of answers scored (3.4) with a ratio of 68% and a moderate degree and a positive agreement in answers towards the level of (Agree). Moreover, on the base of the general average of the answers on this section for each group, which is illustrated by Table (5-30), the judicial officers of PACC are the most supportive for the effect of financial data and documents availability on the application of financial expertise

procedures in proving financial corruption crimes where the arithmetic mean reaches a ratio of 70%, followed by the prosecution with 64%, and the judges with 59%.

The researcher interprets that, notwithstanding the fact that all sample groups are involved in enabling the expert to access financial data and documents, PACC, due to competence, maintains more contact with the institutions and entities which, under law, must furnish financial data and documents than any other. This is because the financial expert is part of the sample and the scope of PACC work, hence, stating that the perception of PACC is closer to reality, and there is lack of data in terms of entity, procedures, time, and details required which obstructs the expert in applying his/ her procedures and is reflected upon the proving of the financial corruption crimes.

It is evidenced by the results of the respondents that the main obstacle pertaining to the availability of financial data and documents to allow the financial expert to apply the procedures is “financial data and documents are not furnished by their sources directly and require complex procedures relevant to different parties and entities”, with a percentage of 76% and a high standing. The researcher justifies this through the convergence run on the procedures applied so the financial expert may obtain financial data and documents, which may require a secrecy listing decision. Such request is submitted to the Public Prosecution through PACC, and then to the Corruption Crimes Court. Subsequently, the decision is circulated to the entities which the data is required therefrom, then obtaining such data and the responses related to such entities, in addition to applying any other procedures relevant to the financial expertise proceeding. Considering the forgoing, the diversity of the entities makes the access to financial data and documents complicated. This confirmed in light of

such paragraph, upon the perception of judicial officers of PACC scored the highest with a percentage of 79% among the groups of the sample, and for the same paragraph and all paragraphs. However, the public prosecution members group ranked second with a percentage of 72%, followed by the judges of the Corruption Crimes Court in third place with 60%.

The results of respondents indicate that “financial data and documents are not provided in a timely-manner” with a percentage of 75% and a high standing. The results of this paragraph are confirmed, based on the perception of judicial officers of PACC, when they scored 75%, ranking second among all groups. The group of public prosecution comes first with a percentage of 82%, and the judges in third place with 60%.

The results of the sample’s individuals show that “financial data and documents (evidence) are not provided with sufficient details” with a percentage of 68%. This is confirmed based on the perception of judicial officers of PACC which scored the first place with 75%. The members of public prosecution come second with 64%, followed by the judges’ group with 60% in third place.

It is clear from the results of the respondents that “financial data and documents required are not provided as a result of failure of relevant parties to cooperate” with a percentage of 66%. The answers of the sample’s individuals were towards (Neutral) level. The researcher justifies: There is no cooperation from the relevant parties, hence, financial data and documents are not furnished for the financial expert to apply his/ her procedures to prove financial corruption crimes. This affects the availability of such data and documents. The results of such paragraph are confirmed by the perception of the judicial officers of

PACC which ranks first with a percentage of 69%, while both remaining groups of prosecution and corruption crimes court agree with a percentage of 60%.

The results of the surveyed indicate that “financial data and documents are not available because the listing bank secrecy requests are not always approved by court.” It ranks last with an arithmetic mean of (2.77), which is less than the hypothetical mean (3). The researcher justifies: The result is closer to being neutral and unbiased. The listing bank secrecy requests are always approved by court; thus, financial data and documents are provided for the financial expert to implement his/ her procedures in proving financial corruption crimes. Yet, it is referred to the effectiveness factor of the listing bank secrecy request procedures and the competency of the relevant parties in making their decision on the listing bank secrecy. PACC uses the bank listing bank secrecy request as a mechanism of investigation concerning corruption crimes, under the provisions of the law, in particular the Palestinian Banks Law No. (2) of 2002. PACC issues a decision from the competent court, represented in the Corruption crimes Court via the Attorney General to bank-secrecy-list the suspect and track his/ her financial movements, in a fashion that serves the judiciary to corroborate the crime or track criminal assets and proceeds (Farhan & Al-Naqeeb, 2015). The results of this paragraph are confirmed as all arithmetic means of the groups are less than the hypothetical mean (3), hence, less than the acceptable percentage of 60%, under the perception of the judicial officers of PACC which scored 59%, and the public prosecution 44%, and the judges 56%.

The researcher concludes through the level of the answers pertinent to Corruption Crimes Court judges that the effect of financial data and documents on the application of

financial expertise procedures in proving financial corruption crimes that it is on a neutral level.

Following this analysis, the researcher answers the third question. Moreover, and based on the results of the study, she corroborates the third hypothesis which reflects that there is an impact for the availability of financial data and documents on the application of financial expertise procedures in proving financial corruption crimes. Additionally, she identifies the shortcomings as the procedures of financial data and documents availability are complex. Besides, they are not furnished in a timely manner, nor in sufficient details, with no cooperation from relevant parties. The effectiveness of financial expertise procedures in tackling the shortcomings detected via answering this question, and analyzing the paragraphs of this section shall provide procedures of investigation inspection, collection of preliminary evidence; procedures of audit, analysis, and tracking that are more inclusive, thorough, and correlated with corroboration, investigation, and lawsuits. Moreover, it shall enhance the mechanisms of investigation and active investigation tools in a way that achieves effectiveness and efficiency, discarding the possibility of uncertainty. It also directs to the effectiveness of financial expertise services which leads to accessing evidential matters in lawsuits to prove financial corruption crimes, restoring public money to the national economy, since the recovery of criminal money is the core of the anti-corruption system, hence, contributing to achieving the economic and development goals of the state.

These results disagree with the results of the study of (Al-Kubaisi, 2016). The findings of this study show that the financial data and documents are available in terms of details, quality, timing, and cost in a manner that resolves disputes or settles cases of financial

nature at a fair approach. Such disagreement is interpreted by the researcher in the correlation of this study with the financial corruption crimes, opposing to Al-Kubaisi's which addresses financial issues in a general manner, where it referenced that corruption crimes are secret, complex and discrete, with many sides to become a crime that is hard to reveal.

Also, there is a difference in the sample as the study of Al-Kubaisi targets the forensic accountant and judges as two separate samples. However, this study has a more inclusive sample by including all parties relevant to producing and using financial expertise. They are targeted as a single sample to represent the stages of uncovering and proving financial corruption crimes. This is confirmed by the result of the paragraph "financial data and documents (evidence) are not furnished in a timely-manner" based on the perception of the public prosecution members, which ranks first with a ratio of 82%. On the other hand, Al-Kubaisi's fails to acquire the opinions of such group. In addition, the study of Al-Kubaisi was conducted in Jordan, while this study examines the financial expertise in Palestine, hence, there's a specialty for each country in terms of law and procedures applicable.

"Impact of (Legislative, Procedural, and Administrative) Challenges that face the Financial expert in Proving Financial Corruption Crimes"

Based on the results of Table (5-27), it is evident to the researcher that there is an impact for the administrative, procedural, and administrative challenges that face the financial expert in proving financial corruption crimes in the eyes of the sample's individuals as a single unit, with an arithmetic mean of (3.55), and a ratio of 71%, obtaining a moderate standing and a positive agreement in the answers toward the level (Agree). On the basis of the general average of the answers for this section for each group, illustrated in Table (5-31),

the judicial officers of PACC are the most supportive for the impact for the administrative, procedural, and administrative challenges that face the financial expert in proving financial corruption crimes with a percentage of 73%, followed by the public prosecution with 69%, and judges with 66%.

The researcher indicates that the judicial officers of PACC is the most supportive among all groups because the financial expert is part of the sample and PACC is the scope of work. Hence, it provides the notion that the perception of judicial officers of PACC, and in relation to this subject, is closer to reality, especially there are some procedural and administrative challenges related to the scope of work.

It is evidenced by the surveyed that the biggest challenge facing the financial expert in proving financial corruption is “the limited trainings related to financial investigations and fundamental forensic knowledge” with a percentage of 75%. This agrees with the results of (Al-Juburi, 2019 and Al-Khatem, 2019).

The researcher refers that to the existing administrative challenges which are represented in the fact that the financial expert does not sufficiently attend trainings related to financial investigation and forensic knowledge, which guarantees that forensic expertise cope with all developments taking place in the field of financial investigations on the grounding that the different financial corruption crimes are in constant evolution. This requires coping techniques that goes in line with such acceleration and advancement, so the financial expert can perform his/ her duties and procedures successfully, which is reflected on the effectiveness and efficiency of financial expertise and its role in proving financial corruption crimes. These results agree with the theoretical framework herein.

The result of this paragraph is confirmed in light of the perception of judicial officers of PACC, which ranks second among all groups, and first compared to other paragraphs with a percentage of 79%. The public prosecution group ranks first among all groups of the sample with 84%, followed by the Corruption Crimes Court judges with 64% in third place.

The results of the sample's individuals show that there are administrative challenges represented in "The job description at PACC doesn't stipulate for a financial expert to hold a degree in forensic accounting", with a percentage of 73%. This is confirmed when the results of this paragraph, based on the perception of judicial officers of PACC ranks first among all groups with 74%, followed by the judges of corruption crimes court in second place with 73%, while the members of public prosecution "Corruption crimes prosecution" ranks third with 72%.

The researcher refers this to the understanding which the surveyed individuals have on the importance of forensic accounting and its role in elevating the effectiveness and efficiency of financial expertise procedures, which require PACC to make sure that its current experts hold a degree in forensic accounting; in addition to reconsider the procedures of appointment and to include concepts of forensic accounting in its job descriptions. This is due to the direct role thereof in elevating the effectiveness and efficiency of financial expertise procedures at PACC, which in turn affects the proving of financial corruption crimes. These results are in line with the theoretical framework.

The results of respondents show that there are legislative challenges which are manifested in "lack of definition for the financial expert in the judicial domain, and the regulation of his/ her work within the Palestinian legislations" with a percentage of 70%,

which stands as a challenge for the effectiveness and efficiency of financial expertise in general. The researcher argues that lack of definition for the financial expert, conditions, lack of legal reference leaves the work of financial expertise with no restraints, nor regulation, allowing the work and procedures of financial expertise to be influenced, which affects the proving in the final image. These results agree with the theoretical framework.

The results of this paragraph are confirmed based on the perception of the judicial officers of PACC, which ranks first among all groups of the sample with a percentage of 73%, followed by the corruption crimes court judges in second place with 68%, while the public prosecution members group ranks third with 62%.

The researcher indicates that the surveyed individuals consider the importance of defining the financial expert and regulating the work thereof within the legislative system in Palestine due to its role in setting the required conditions and restraints to practice the profession. As a result, it is reflected positively on the efficiency of financial expertise procedures, hence, affects the corroboration of financial corruption crimes.

The results show the impact of the challenges in their procedural form which is embodied in the results of the sample's individuals on "limiting the powers of judicial officers vested in the financial expert", which ranks last, with a moderate standing and a ratio of 66%. additionally, the answers of the individuals of the sample are toward the level of (Agree). The researcher claims and based on the theoretical framework in relation to the evidencing procedures in corruption crimes in Palestine, it is evident by the convergence made and the presentation of financial expertise procedures that there are some powers which are not practiced by the financial expert due to the work procedures and job descriptions that

limit his/ her powers, such as “Writing the statements of the accused without interrogating them.” To further explain this, in case the complaint or the case is of financial nature, the affidavit or statement made by the defendant before the financial judicial officers is more correlated with the case, since he/ she is the most capable to understand its nature and particulars being competent thereon. Accordingly, failing to practice these powers is one of the challenges facing the financial expert in relation to enabling him/ her to apply the requirements of financial expertise procedures to access the financial evidence, thus, affecting the process of proving the financial corruption crimes. This requires reviewing the limitation of powers on the applicable procedures by the financial expert of PACC in a way that guarantees the practice of these, as they have an impact on increasing the effectiveness and efficiency of financial expertise by expanding the scope of procedures in a manner that goes in line with the powers vested in the financial expert in the capacity of a judicial officer, under the applicable laws in Palestine. This eventually contributes to proving the financial corruption crimes.

Even though the results of this paragraph are moderate and closer to the hypothetical mean (3.00), based on the perception of the sample as a single unit, it has scored an arithmetic mean of 3.5, higher than the hypothetical mean (3.00) with a percentage of 70%, based on the perception of the judicial officers of PACC, which ranks first among all groups of the examined sample. The judges of corruption crimes court come in second place with 64%, while the public prosecution group is in third place with 56%, and the arithmetic mean is 2.97 which is less than the hypothetical mean of the study (3.00).

Upon the results, the researcher reads that the judicial officers of PACC and the judges of the corruption crimes court support granting the financial expert the powers of judicial officers and refrain from limiting such as they assist in applying the work of financial expertise effectively and efficiently. Also, they affect the work of the financial expert and the accessibility to the financial evidence which helps to prove the financial corruption crimes. However, the public prosecution doesn't consider that limiting the powers of judicial officers pertinent to the financial expert obstructs the application of procedures, and they support limiting such powers.

Through this discussion, the researcher answers the fourth question of the study, and validates the fourth hypothesis which indicates a link between the legislative, procedural, and administrative challenges facing the financial expert in proving financial corruption crimes. Moreover, overriding these challenges shall lead to providing more effective and efficient investigation, inspection, preliminary evidencing, audit, analysis, and tracking procedures.

6.2 Conclusion

The entities involved in anti-corruption in Palestine are in need for financial expertise to prove financial corruption crimes, being out of their competencies. Moreover, the services of financial expertise contribute to and affect the results of investigations and litigation since the financial expert enjoys the constituents of financial expertise, applies his/ her procedures effectively through copious techniques which include the different financial corruption crimes; and the methodology of preparing and producing his/ her report is reliable, hence, enabling him/ her to provide the services, contribute to, and influence the results of investigations and litigation.

Considering the party with the most exposure to the financial expert and acting as a point of contact between PACC and the judiciary, we find, based on the perception of the public prosecution “Corruption Crimes Prosecution”, that the financial expert at PACC is relied on more than any other concerning the financial corruption crimes, and the financial cost of investigation financial corruption crimes is less when conducted by PACC.

However, when considering the most competent party on the matter, represented by the judicial officers of PACC, the financial expert delivers his/ her services in the spheres of financial evidencing and investigation. Also, considering the same factor with the members of public prosecution “Corruption crimes Prosecution”, the financial expert delivers services in the field of financial investigations. Furthermore, when considering the judges and public prosecution for the same, the financial expert delivers forensic services in its two parts, namely: litigation support and expert witness.

We conclude that the privilege of PACC within the institutional system of anti-corruption is portrayed in the financial expertise through the services of financial evidencing and investigation in relation to financial corruption crimes.

Considering the most competent party on the matter, we argue that the evaluation of financial data and documents availability, based on the perception of judicial officers of PACC, is the closest to reality. This is embodied in the fact that these financial data and documents are not furnished for the financial expert, which obstructs him/ her in applying the procedures. As a result, it affects the accessibility to financial evidence which leads to proving the financial corruption crimes in Palestine in light of the complexity of procedures applied for acquiring them from their sources, not to mention that they are not delivered on

time, nor by the required details. In addition, there is no collaboration between the relevant parties.

We summarize that there are challenges facing the financial expert in the application of procedures related to proving corruption crimes. Besides, we find that the perception of judicial officers of PACC is the fairest and an interpretation of the actual reality. Furthermore, there are administrative challenges representing in that the financial expert does not attend trainings pertaining to financial investigation and forensic knowledge at a sufficient pace that guarantees the work of financial expertise coping with all developments of financial investigations. In addition, the job description at PACC fails to stipulate that the financial expert must hold a degree in forensic accounting, making the administrative challenges affect the knowledge and constituents of financial expert. Consequently, it affects the effectiveness of his/ her procedures during the endeavor of accessing financial evidence to prove financial corruption crimes.

We also conclude that the judicial officers at PACC and the judges support the idea of granting the financial expert the powers of judicial officers and refraining from limiting them. This is under the justification that these powers help him/ her in applying his/ her procedures and accessing to financial evidence, which helps in proving the financial corruption crimes. This is not the case with the public prosecution members as they do not believe that limiting the powers of judicial officers for the financial expert obstructs the application of his/ her procedures. They support the limitation of these powers.

We conclude that the employee, who works at PACC and performs the duties by applying the procedures of “investigation, inspection, end preliminary evidencing” and

“audit, analysis, and tracking” by obtaining the capacity of private judicial officers under the Palestinian Anti-Corruption Law No. (1) of 2005 and its amendments, is a financial expert. Likewise, the financial expert of PACC is a forensic accountant practicing 13 techniques of “forensic accounting” his/ her procedures are converged with its procedures; and he/ she enjoys the constituents of forensic accountant.

We summarize that the forensic accounting is a tool used to reveal and mitigate financial corruption. Also, it is connected to the efforts of anti-corruption. The forensic accounting is seen as one of the strategical and dynamic instruments employed to manage all corruption types in light of the lack of effective measuring, uncovering, and preventing tools for the financial corruption in Palestine.

6.3 Recommendations

- 1- Circulating the positive outputs that result from the use of financial expertise in investigations and litigation; and publicizing the significance of financial expertise to PACC, members of public prosecution, and judges of corruption crimes court to raise awareness on the efforts of financial expert and his/ her outputs.
- 2- Developing indexes for anti-corruption efforts that explain the role of financial expertise in proving financial corruption crimes, such as classifying the number of financial complaints submitted to PACC; financial cases registered in the corruption crimes prosecution records; financial cases filed to the judiciary, and classifying them based on the inclusion of financial expertise, and the entity which prepared the report; cases which includes testimony of financial expert in court; and cases where judges relied on financial expertise in their proving.

- 3- Raising awareness on the work of PACC which targets the parties relevant to providing financial data and documents; circulating the impact of making these financial data and documents available on time and supported with the required details to bridge the gap resulting from the non-cooperation between PACC and these relevant entities; and creating an automated program that enables the financial expert to access financial data and documents.
- 4- Reviewing the procedures of acquiring such documents and data from their sources by a joint team of relevant parties, to make these procedures more flexible, subject to the applicable laws in Palestine.
- 5- Elevating the capacities and competencies of financial experts in financial investigation and fundamental forensic knowledge by furnishing a diploma that covers these aspects; ensuring that the available trainings of financial experts reflect the evolving threat of financial corruption crimes; and providing trainings relevant to forensic accounting.
- 6- Analyzing the judicial ruling, minutes of corruption crimes court sessions; and identifying the questions raised by the judge to the financial expert and putting them in a manual to rely on in expanding the forensic knowledge of financial expert, and the litigation procedures; and circulating it to relevant parties.
- 7- Reviewing the appointment procedures of the “investigation, inspection, and preliminary evidencing” and “audit, analysis, and tracking” departments at PACC. Also, the appointment criteria should include that the financial expert must have knowledge in forensic accounting.

- 8- Reviewing job descriptions and the SOPs of the “investigation, inspection, and preliminary evidencing” and “audit, analysis, and tracking” departments at PACC so that they allow the financial expert to practice the judicial officers powers; and the inclusion of evidence validity stage separately in the procedures of financial expertise at PACC.
- 9- Encouraging the collaborative work between key partners in the system of anti-corruption; contextualizing the relationships between anti-corruption parties at PACC to intra-regulate their work at the procedural level, such as signing a memorandum of understanding between PACC and public prosecution to set the groundings and restraints of day-to-day work concerning promoting the collaboration and expanding the delegation cope for the judicial officers in the field of preliminary investigation, similar to the so-called “memorandum of understanding between the Police and Public Prosecution.”
- 10- Recommending to the Palestinian legislator the importance of defining the financial expert; regulating the work of financial expertise in the judicial field; applying Article (77) of the Decree by Law No. (40) of 2020 concerning amending the Judicial Authority Law No. (1) of 2002, which stipulates that the expertise affairs shall be regulated before civil courts by virtue of a regulation to be issued therefor; the importance of issuing instructions to be issued by the Ministry of Justice, under the Anti-Corruption Law and based on the crimes stated therein, and the Criminal Procedure Law and Penal Law, concerning the conditions of appointing the expert in the field of forensic accounting; and to base in relation to the foregoing on the constituents of forensic accounting in terms of skills and knowledge in general, which are referred to by the researcher in this study; and considering the professional code of conduct for accountants.

11-The researcher recommends to the parties of competence and relevant entities the significance of including a curriculum titled “forensic accounting” in the Palestinian universities. This is to be taught for the graduate and postgraduate levels through the theoretical and practical chapters. Such curriculum includes in one of its chapters the procedures and techniques applicable, and practical cases retrieved from the real-life expertise of the anti-corruption entities in Palestine, and such entities to contribute to the development of such curriculum.

6.4 Future Research

A recommended progression for such study is that researchers should conduct more studies on the impact of financial expertise on a specific financial corruption crime, such as illicit enrichment or money laundering; or thoroughly examine the financial expertise itself, and in a more inclusive approach for all entities, followed by a comparison between them so these entities would benefit from the strength and weakness points, as well as identifying more details on its role in proving financial corruption crimes in Palestine in general. Furthermore, we direct potential researchers and scholars to conduct more research to determine the effect of financial expertise on proving financial corruption crimes, compared to the other independent variables, which are confession, testimonies of witnesses; defendant hearings against another; written evidence and leads. Finally, we recommend that researchers should conduct studies on financial expertise and its impact on corroboration from the perception of a specific group, using different statistical tools.

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Appendices

Appendix No. (1)

Names of the Reviewers

#	Name	Academic Degree
1	Dr. Tareq Ashour	Professor in Economy – Bir Zeit University
2	Mrs. Rasha Amarneh	Advisor to PACC President
3	Dr. Iyad Al-Sharbati	Former Law Professor – Al-Quds University
4	Mr. Abdullah Nawahda	Professor in Law – Modern University College
5	Mr. Amer Sa'abneh	Financial Expert at PACC

Appendix No. (2)**English Version of Questionnaire****Questionnaire**

Faculty of Graduate Studies

Date: /06/ 2022

Master's in strategic planning and fundraising

Dear,

Through this study, the student aims at obtaining a master's degree in strategic planning and fundraising, under the title "The Role of Financial Expertise in Proving Crimes of Financial Corruption in Palestine."

Accordingly, please answer the paragraphs of the following questionnaire. Kindly note that the information to be provided shall be maintained as confidential, and employed for scientific research purposes only, so I kindly request that you answer accurately, objectively, and transparently.

It stands for the person who works for the Palestinian Anti-Corruption Commission (PACC) and conducts his/ her duties by implementing the procedures of "investigation, inspection, and collection of preliminary evidence"; and "auditing, analyzing, and detecting" by virtue of the granted title of being a private forensic officer under the Palestinian Anti-Corruption Law No. (1) of 2005 and its amendments.

A Financial Expertise is the investigation process that the financial expert carries out for the PACC, under the occupational title, whether it is investigative work; or an interrogative or judicial procedure, after being assigned thereto by the investigation agencies which are

specialized in applying the accounting techniques by following the work procedures of PACC. This is done within the limits of the related powers and tasks and striving to access financial evidence. The results of his/ her work are put in the report that comprises the unbiased technical opinion reached in service of the investigations particularly, and the judicial procedures in general, whether through the report issued by the expert or the testimony given during the procedures of preliminary and final investigation. This is to prove or refute a financial event that may result in a corruption crime so they would reach the perpetrators of the financial corruption crimes and achieve justice.

Thank you for your collaboration,

Student: Rana Salaheddin.

Supervisor: Dr. Nasir Abdul Kareem.

First Section: Demographic Variables

The First Section consists of information on the respondent employee. Please mark (X) in front of the suitable answer:

Sex:	Male <input type="checkbox"/>		Female <input type="checkbox"/>	
Age	Less than 30 <input type="checkbox"/>	30 – 40 <input type="checkbox"/>	45 – 60 <input type="checkbox"/>	60 and above <input type="checkbox"/>
Academic Degree	Diploma and less <input type="checkbox"/>	Bachelor <input type="checkbox"/>	Master's <input type="checkbox"/>	PhD. <input type="checkbox"/>
Academic Major	Law <input type="checkbox"/>	Accounting <input type="checkbox"/>	Financial & Banking Sciences <input type="checkbox"/>	<input type="checkbox"/> Economy <input type="checkbox"/> BA <input type="checkbox"/> Other
Years of Experience	1 – 5 <input type="checkbox"/>	5 – 10 <input type="checkbox"/>	11 – 15 <input type="checkbox"/>	16 and above <input type="checkbox"/>
Work Sector	Anti-Corruption Commission <input type="checkbox"/>		Public Prosecution <input type="checkbox"/>	Anti-Corruption Court <input type="checkbox"/>

Second Section:

Please Mark (X) in front of the suitable answer:

First: To what extent is there a need for financial expertise to fairly prove financial corruption crimes from the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges?

#	Statement	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
1	Cases of a financial nature are considered the most serious of all corruption cases.					
2	Cases of a financial nature occupy the largest number of corruption cases.					
3	Research and investigation work in corruption cases of a financial nature takes longer time compared to other corruption crimes.					

4	The financial cost of investigating financial corruption cases exceeds that of investigating other corruption cases if the financial expertise was not carried out by PACC.					
5	Public institutions and local bodies are where most of the financial corruption crimes compared are committed compared to other entities subject to the Anti-Corruption Law.					
6	The social and humanitarian effects of cases of a financial nature are significant compared to the other cases.					
7	All cases of a financial nature need to be presented to the financial expert for their opinion.					

Second: The degree of financial expertise's contribution and impact on the inquiry, investigation and litigation results based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges.

#	Statement	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
1	The court engages the expert for their opinion in financial corruption cases, where the court considers the expert's opinion, not only the report and the financial statements submitted.					
2	Financial expertise assists in expeditious litigation of financial corruption crimes.					
3	The financial expert assists in understanding and formulating questions and					

	helps in financial case questioning.					
4	Financial expertise helps link people to the crime, identifies the nature of the accused's role in the case, and helps identify other suspects involved in the case.					
5	Financial expertise assists in the legal characterization of a financial corruption crime and the detection of other crimes in addition to the crime under investigation.					
6	Financial expertise assists in the inquiry and investigation through identifying illicit assets, tracing ownership and use of property, and tracking financial movements.					
7	The application of financial expertise methods through					

	adopting the appropriate method for each case contributes to strengthening the investigation, ensuring a solid investigation file and an effective way to secure a conviction.					
8	There's a substantial reliance and dependence on PACC financial expert to prove financial corruption crimes.					
9	The financial evidence is highly authoritative and reliable, and strong evidence of guilt.					
10	Using the financial expertise in inquiry, and preliminary investigation, and judiciary leads to proving corruption crimes.					

Third: The impact of the availability of financial data on the procedures of financial expertise to prove financial corruption crimes based on the perceptions of judicial officers at PACC, members of Corruption Crimes Prosecution, and Corruption Crimes Judges.

#	Statement	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
1	The necessary financial data and documents are not available due to the relevant authorities' lack of cooperation.					
2	Detailed financial statements and documents (evidence) are not available.					
3	Financial data and documents (evidence) are not available in a timely manner.					
4	Financial data and documents are not made available directly from their sources and require complex procedures related to various parties and sides.					
5	Financial data and documents are not available because lifting-bank-secrecy requests from the court are not always accepted.					

Fourth: The impact of the (legislative, procedural, and administrative) challenges facing the financial expert in proving financial corruption crimes.

#	Statement	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
1	Restricting and limiting the Judicial Control Capacity granted to the financial expert.					
2	The lack of an expert financial definition in the judicial field and the lack of organization of the financial expert's functions within the Palestinian legislation.					
3	PACC's financial expert job description does not condition a forensic accounting certificate.					
4	Limited training related to financial inquiry and					

	investigations, as well as essential judicial knowledge.					
--	---	--	--	--	--	--

End

Appendix No. (3)

Arabic Version of Questionnaire



استبانة

التاريخ: 2022/06/

كلية الدراسات العليا

ماجستير تخطيط استراتيجي وتجديد أموال

حضرة السيد/ة _____ المحترمين:

تحية طيبة وبعد

تهدف الطالبة من اجراء الدراسة الى نيل درجة الماجستير في برنامج التخطيط الاستراتيجي وتجديد الأموال وذلك تحت عنوان: " دور الخبرة المالية في اثبات جرائم الفساد المالي".

بناءً عليه، يُرجى التكرم بالإجابة على فقرات الاستبانة التالية، شاكرين لكم حسن تعاونكم، وتُلفت انتباهكم بأن المعلومات التي ستقدمونها ستكون سرية، وأنها ستوظف لأغراض البحث العلمي فقط؛ لذا أمل منكم الإجابة بدقة وحيدة وشفافية.

يقصد بالخبير المالي: الموظف الذي يعمل لدى هيئة مكافحة الفساد ويقوم بمهامه من خلال تنفيذ إجراءات "التحري والتفتيش وجمع الاستدلالات الأولية" و"التدقيق والتحليل والتعقب" عن طريق منحه صفة الضبط القضائي الخاص بموجب قانون مكافحة الفساد رقم (1) لسنة 2005 وتعديلاته.

الخبرة المالية: هي عملية التحري التي يقوم بها الخبير المالي لدى هيئة مكافحة الفساد، بصفته الوظيفية سواء كانت عمل تحري، أو كانت اجراء تحقيقاً أو قضائياً بعد تكليفه من جهات التحقيق المختصة لتنفيذ الأساليب المحاسبية عن طريق اتباع اجراءات سير العمل لدى الهيئة في حدود الصلاحيات والمهام المنوطة، للوصول الى الادلة المالية وتضمن نتائج اعماله في تقرير يشمل الرأي الفني المحايد الذي توصل اليه، لخدمة التحريات خاصة والإجراءات القضائية عامة سواء من خلال التقرير الصادر عن الخبير او من خلال شهادة هذا الخبير اثناء إجراءات التحقيق الابتدائي والنهائي وذلك لغايات إثبات أو نفي واقعة مالية قد ينتج عنها جرم من جرائم الفساد للوصول إلى مرتكبي جرائم الفساد المالي وتحقيقاً للعدالة.

شاكرين لكم حسن تعاونكم

الطالبة: رنا صلاح الدين.

المشرف: الدكتور نصر عبد الكريم.

القسم الأول: المتغيرات الديمغرافية

يتكون القسم الأول من معلومات خاصة بالموظف المجيب، يرجى وضع إشارة (x) أمام العبارة المناسبة لإجابتك:

الجنس:	ذكر <input type="checkbox"/>	انثى <input type="checkbox"/>
العمر	<input type="checkbox"/> أقل من 30	<input type="checkbox"/> 30-45 <input type="checkbox"/> 45-60 <input type="checkbox"/> 60 وأكثر
المؤهل العلمي	<input type="checkbox"/> دبلوم فأقل	<input type="checkbox"/> بكالوريوس <input type="checkbox"/> ماجستير <input type="checkbox"/> دكتوراه
التخصص العلمي	<input type="checkbox"/> قانون	<input type="checkbox"/> محاسبة <input type="checkbox"/> علوم مالية ومصرفية <input type="checkbox"/> اقتصاد <input type="checkbox"/> إدارة <input type="checkbox"/> أخرى
سنوات الخبرة	<input type="checkbox"/> 1-5 سنة	<input type="checkbox"/> 5-10 سنة <input type="checkbox"/> 11-15 سنة <input type="checkbox"/> 16 سنة فأعلى
قطاع العمل	<input type="checkbox"/> هيئة مكافحة الفساد	<input type="checkbox"/> النيابة العامة <input type="checkbox"/> محكمة جرائم الفساد

القسم الثاني

الرجاء وضع إشارة (x) داخل مربع الإجابة المناسبة:

أولاً: مدى الحاجة للخبرة المالية لإثبات جرائم الفساد المالي بصورة عادلة من وجهة نظر مأموري الضبط القضائي لدى هيئة مكافحة الفساد وأعضاء النيابة العامة والقضاة.

الرقم	العبارة	موافق جداً	موافق	محايد	غير موافق	غير موافق تماماً
1	القضايا ذات الطبيعة المالية تعتبر الأخطر من إجمالي قضايا الفساد.					
2	القضايا ذات الطبيعة المالية تشكل العدد الأكبر من بين قضايا الفساد.					

3	تستغرق أعمال البحث والتحري في قضايا الفساد ذات الطبيعة المالية وقتاً أطول مقارنة بغيرها من جرائم الفساد.				
4	التكلفة المالية للتحقيق في قضايا الفساد المالي تفوق تكلفة التحقيق في قضايا الفساد الأخرى إذا ما تمت الخبرة المالية من خارج هيئة مكافحة الفساد.				
5	تعد المؤسسات العامة والهيئات المحلية من أكبر القطاعات التي يرتكب فيها جرائم فساد مالي مقارنة بغيرها من الجهات الخاضعة لقانون مكافحة الفساد.				
6	الآثار الاجتماعية والإنسانية للقضايا ذات الطبيعة المالية كبيرة مقارنة بمجموع القضايا الأخرى .				
7	تحتاج جميع القضايا ذات الطبيعة المالية الى عرضها على الخبير المالي لإبداء الرأي حولها.				

ثانياً : درجة مساهمة وتأثير خدمات الخبرة المالية على نتائج التحريات والتحقيقات وفي المقاضاة من وجهة نظر مأموري الضبط القضائي لدى هيئة مكافحة الفساد وأعضاء النيابة العامة والقضاة.

الرقم	العبارة	موافق جداً	موافق	محايد	غير موافق	غير موافق تماماً
1	تستعين المحكمة بالخبير لتقديم رأيه في دعاوى الفساد المالي حيث لا تكتفي المحكمة بالتقرير والبيانات المالية المقدمة.					
2	تساعد الخبرة المالية في سرعة التقاضي في جرائم الفساد المالي في المحكمة.					

الرقم	العبارة	موافق جداً	موافق	محايد	غير موافق	غير موافق تماماً
3	يساعد الخبير المالي في فهم وصياغة الأسئلة وتقديم المساعدة في الاستجواب المتعلق بالقضية المالية.					
4	تساعد الخبرة المالية في ربط الأشخاص بالجريمة وتحديد طبيعة دور المتهم في القضية، وتساعد في الكشف عن مشتبه بهم آخرين متورطين في القضية.					
5	تساعد الخبرة المالية في التكيف القانوني لجريمة الفساد المالي والكشف عن جرائم أخرى بالإضافة إلى الجريمة قيد التحري أو التحقيق.					
6	تساعد الخبرة المالية في التحري والتحقيق من خلال تحديد الأصول غير المشروعة، وفي تحديد ملكية واستخدام الممتلكات وفي تتبع الحركات المالية.					
7	يساهم تطبيق أساليب الخبرة المالية باعتماد الأسلوب المناسب لكل قضية على حدة في تدعيم التحري بما يوفر بناء ملف تحريات قوي وطريقة فعالة لتأمين الإدانة.					
8	يتم الاعتماد على الخبير المالي لدى هيئة مكافحة الفساد في اثبات جرائم الفساد المالي بشكل كبير.					
9	يعتبر الدليل المالي ذو حجية وموثوقية عالية ودليل ادانة قوي.					

الرقم	العبارة	موافق جداً	موافق	محايد	غير موافق	غير موافق تماماً
10	الاستعانة بالخبرة المالية في التحري والتحقيق الابتدائي والقضاء يؤدي الى إثبات جرائم الفساد.					

ثالثاً: أثر توفر البيانات والمستندات المالية على تنفيذ إجراءات الخبرة المالية في إثبات جرائم الفساد المالي من وجهة نظر مأموري الضبط القضائي لدى هيئة مكافحة الفساد وأعضاء النيابة العامة والقضاة.

الرقم	العبارة	موافق جداً	موافق	محايد	غير موافق	غير موافق تماماً
1	لا تتوفر البيانات والمستندات المالية اللازمة نتيجة عدم تعاون الجهات ذات العلاقة.					
2	لا تتوفر البيانات والمستندات المالية (الأدلة) بالتفاصيل المطلوبة.					
3	لا تتوفر البيانات والمستندات المالية (الأدلة) بالوقت المناسب .					
4	لا تتوفر البيانات والمستندات المالية من مصادرها مباشرة وتحتاج الى إجراءات تتسم بالتعقيد متعلقة بأطراف وجهات مختلفة.					
5	لا تتوفر البيانات والمستندات المالية لأن طلبات رفع السرية المصرفية من المحكمة لا تحظى بالقبول دائماً.					

رابعاً: أثر التحديات (التشريعية، الإجرائية، الإدارية) التي تواجه الخبير المالي في اثبات جرائم الفساد المالي من وجهة نظر جهات مأموري الضبط القضائي لدى هيئة مكافحة الفساد وأعضاء النيابة العامة والقضاة.

الرقم	العبارة	موافق جداً	موافق	محايد	موافق غير موافق تماماً
1	تقييد صلاحيات الضبط القضائي الممنوحة للخبير المالي.				
2	عدم وجود تعريف للخبير المالي في المجال القضائي وتنظيم لأعماله ضمن التشريعات الفلسطينية .				
3	لا يشترط الوصف الوظيفي لدى هيئة مكافحة الفساد في متطلباته حصول الخبير المالي على شهادة المحاسبة القضائية.				
4	محدودية التدريبات المتعلقة بالتحريات و التحقيقات المالية والمعارف القضائية الأساسية .				

انتهى،،

Appendix No. (4)

Mission Letter the Supreme Judicial Council

Arab American University

Faculty of Graduate Studies



الجامعة العربية الأمريكية

كلية الدراسات العليا

22/6/2022

السادة مجلس القضاء الاعلى المحترمين

تسهيل مهمة بحثية

تحية طيبة وبعد،

تهديكم كلية الدراسات العليا في الجامعة العربية الأمريكية أطيب التحيات، وبالإشارة الى الموضوع أعلاه، تشهد كلية الدراسات العليا في الجامعة أن الطالبة رنا أنور نمر محمد والتي تحمل الرقم الجامعي 20172748 هي طالبة ماجستير في برنامج التخطيط الاستراتيجي وتجنيد الاموال وتعمل على رسالة الماجستير الخاصة بها بعنوان:

"دور الخبرة المالية في اثبات جرائم الفساد المالي تحت اشراف الدكتور نصر عبد الكريم، نأمل من حضرتكم الإيعاز لمن يلزم لمساعدتها للحصول على المعلومات اللازمة للدراسة، علماً أن المعلومات ستستخدم لغاية البحث فقط وسيتم التعامل معها بغاية السرية، وقد أعطيت هذه الرسالة بناءً على طلبها.

وتفضلوا بقبول فائق الاحترام

عميد كلية الدراسات العليا

د. نوار قطب



Page 1 of 1

Jenin Tel: +970-4-2418888 Ext.:1471,1472 Fax: +970-4-2510810 P.O. Box:240
 Ramallah Tel: +970-2-2941999 Fax: +970-2-2941979 Abu Qash - Near Alrehan
 E-mail: FGS@aaup.edu ; PGS@aaup.edu Website: www.aaup.edu

Appendix No. (5)

Mission Letter Public Prosecution

Arab American University
Faculty of Graduate Studies



الجامعة العربية الأمريكية
كلية الدراسات العليا

22/6/2022

السادة النيابة العامة الفلسطينية المحترمين

تسهيل مهمة بحثية

تحية طيبة وبعد،

تهديكم كلية الدراسات العليا في الجامعة العربية الأمريكية أطيب التحيات، وبالإشارة الى الموضوع أعلاه، تشهد كلية الدراسات العليا في الجامعة أن الطالبة رنا أنور نمر محمد والتي تحمل الرقم الجامعي 20172748 هي طالبة ماجستير في برنامج التخطيط الاستراتيجي وتجنيذ الاموال وتعمل على رسالة الماجستير الخاصة بها بعنوان:

"دور الخبرة المالية في اثبات جرائم الفساد المالي تحت اشراف الدكتور نصر عبد الكريم، نأمل من حضرتكم الإيجاز لمن يلزم لمساعدتها للحصول على المعلومات اللازمة للدراسة، علماً أن المعلومات ستستخدم لغاية البحث فقط وسيتم التعامل معها بغاية السرية، وقد أعطيت هذه الرسالة بناءً على طلبها.

وتفضلوا بقبول فائق الاحترام

عميد كلية الدراسات العليا

د. نوار قطيب



Page 1 of 1

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E-mail: FGS@aaup.edu ; PGS@aaup.edu Website: www.aaup.edu

Appendix No. (6)

Mission Letter Anti-corruption commission

Arab American University

Faculty of Graduate Studies



الجامعة العربية الأمريكية

كلية الدراسات العليا

22/6/2022

السادة هيئة مكافحة الفساد المحترمين

تسهيل مهمة بحثية

تحية طيبة وبعد،

تهديكم كلية الدراسات العليا في الجامعة العربية الأمريكية أطيب التحيات، وبالإشارة الى الموضوع أعلاه، تشهد كلية الدراسات العليا في الجامعة أن الطالبة رنا أنور نمر محمد والتي تحمل الرقم الجامعي 20172748 هي طالبة ماجستير في برنامج التخطيط الاستراتيجي وتجنيد الاموال وتعمل على رسالة الماجستير الخاصة بها بعنوان:

"دور الخبرة المالية في اثبات جرائم الفساد المالي تحت اشراف الدكتور نصر عبد الكريم، نأمل من حضرتكم الإيعاز لمن يلزم لمساعدتها للحصول على المعلومات اللازمة للدراسة، علماً أن المعلومات ستستخدم لغاية البحث فقط وسيتم التعامل معها بغاية السرية، وقد أعطيت هذه الرسالة بناءً على طلبها.

وتفضلوا بقبول فائق الاحترام

عميد كلية الدراسات العليا

د. نوار قطب



Page 1 of 1

Appendix No. (7)

Questions Furnished during Interviews

Name	Job Title	Questions	Interview Objective
Mrs. Rasha Amarneh	Advisor to PACC President	What are the financial corruption crimes?	Identify financial corruption crimes to refute the financial cases submitted on MEZAN II system.
Dr. Mustafa Farhan	Former President of Anti-Corruption Prosecution, Current President of Administrative Prosecution	What are the financial corruption crimes? What are the services of PACC's financial expert provided to Anti-Corruption Prosecution?	Identify financial corruption crimes to refute the financial cases submitted on MEZAN II system. For the purposes of converging the services and fields of forensic accounting and the services and fields of PACC's financial expert.
Mr. Jameel Sajdeyh	Former Prosecution Office Head at Anti-Corruption Prosecution. Current "Head of the International Judicial Cooperation Prosecution	What are the services of PACC's financial expert provided to Anti-Corruption Prosecution?	For the purposes of converging the services and fields of forensic accounting and the services and fields of PACC's financial expert.
Mr. Abdullah Nawahdeh	Judicial Officer, Head of Legal Opinion Dept. at PACC	What are the financial corruption crimes? What are the services of PACC's financial expert provided to PACC's judicial officers?	Identify financial corruption crimes to refute the financial cases submitted to MEZAN II system. For the purposes of converging the services and fields of forensic accounting and the

			services and fields of PACC's financial expert.
Mr. Abdullah Hamarsheh	Judicial Officer, Employee at Complaints dept. at PACC	What are the services of PACC's financial expert provided to PACC's judicial officers?	For the purposes of converging the services and fields of forensic accounting and the services and fields of PACC's financial expert.

الملخص

مع تصاعد جرائم الفساد المالي المعروضة على الجهات التحقيقية في فلسطين، والتي تتطلب خبرة مالية متخصصة في جرائم الفساد المالي لا تتوافر في هذه الجهات وتتجاوز اختصاصها، أصبح هناك ضرورة لاستكشاف دور الخبرة المالية في إثبات جرائم الفساد المالي في فلسطين. لذلك، هدفت هذه الدراسة إلى توضيح أهمية الخبرة المالية ومدى الحاجة لها ولخدماتها ومساهمتها في نتائج التحريات والتحقيقات والنقاضي لإثبات جرائم الفساد المالي، ودراسة أهمية وجود الخبير المالي لدى هيئة مكافحة الفساد وأثر توفر البيانات والمستندات المالية والتحديات التي يواجهها في إثبات جرائم الفساد المالي من وجهة نظر مأموري الضبط القضائي لدى هيئة مكافحة الفساد وأعضاء نيابة جرائم الفساد وقضاة محكمة جرائم الفساد.

ولتحقيق أهداف الدراسة، أستخدم أسلوب المقاربة بين الجانب النظري والعملي واستُكملت المعلومات من خلال المقابلات. كما تم استخدام تحليل المضمون للبيانات الواردة على برنامج (الميزان 2) وُحُدَّت البيانات المطلوبة عبر المقابلات.

وأُستخدِم المنهج الوصفي التحليلي للبيانات التي تم استقاؤها عبر استبانة، كأداة رئيسة للدراسة، طُبِّقَت على عينة من مأموري الضبط القضائي الخاص لدى هيئة مكافحة الفساد وأعضاء نيابة جرائم الفساد وقضاة محكمة جرائم الفساد، التي شكلت مجتمع الدراسة وتم اختيار العينة بطريقة الحصر الشامل. حيث ورَّعت 47 استبانة وتم استرجاعها جميعها. ولمعالجة الجوانب الإحصائية تم استخدام برنامج (SPSS) الإحصائي.

خُلِصَت الدراسة إلى استنتاجات عبر المقاربة، إلى أن الموظف الذي يعمل لدى هيئة مكافحة الفساد ويقوم بتنفيذ إجراءات التحري والتفتيش وجمع الاستدلالات الأولية والتدقيق والتحليل والتعقب هو خبير مالي ومحاسب قضائي.

كما توصلت الدراسة، عبر تحليل المضمون، إلى أن نسبة القضايا المالية المفصلة بحكم قضائي هي 79% من إجمالي الأحكام الصادرة عن محكمة جرائم الفساد لجميع القضايا. ونسبة القضايا المالية المفصلة بحكم قضائي التي تحتوي على تقرير مالي من مختلف الجهات هي 60% من إجمالي القضايا المالية المفصلة بأحكام.

وتوصلت نتائج الدراسة من خلال تحليل الاستبانة إحصائيًا إلى أن مأموري الضبط القضائي لدى هيئة مكافحة الفساد وأعضاء نيابة جرائم الفساد وقضاة محكمة جرائم الفساد بحاجة للخبرة المالية لإثبات جرائم الفساد المالي بصورة عادلة بنسبة 83%، وأن أعضاء نيابة جرائم الفساد هم الأكثر تأييدًا وحاجة للخبرة المالية.

وتوصلت الدراسة إلى أنه يوجد علاقة تأثيرية بين خدمات الخبرة المالية ونتائج التحريات والتحقيقات والمقاضاة في جرائم الفساد المالي، كما أنها تساهم وتؤثر على نتائج التحريات والتحقيقات والمقاضاة من وجهة نظر أفراد العينة بنسبة 85%. وكان أعضاء النيابة الأكثر تأييدًا. وتوصلت إلى أن الخبرة المالية تساهم في ربط الأشخاص بالجريمة وتحديد طبيعة دور المتهم في القضية، وتساعد في الكشف عن مشتبه بهم آخرين متورطين في القضية، وأنه يتم الاعتماد على الخبير المالي لدى هيئة مكافحة الفساد في إثبات جرائم الفساد المالي بشكل كبير، وكانت النيابة الأكثر اعتمادًا عليه.

وتوصلت إلى أن هناك أثرًا لتوفر البيانات والمستندات المالية على تنفيذ إجراءات الخبرة المالية في إثبات جرائم الفساد المالي من وجهة نظر المبحوثين بنسبة 68%، وكان مأموري الضبط القضائي الأكثر تأييدًا. وتوصلت إلى أن البيانات والمستندات المالية لا تتوفر من مصادرها مباشرة وتحتاج إلى إجراءات تتسم بالتعقيد متعلقة بأطراف وجهات مختلفة.

وتوصلت إلى أن هناك أثرًا للتحديات (التشريعية، الإجرائية، الإدارية) التي تواجه الخبير المالي في إثبات جرائم الفساد المالي من وجهة نظر المبحوثين بنسبة 71%. وكان مأموري الضبط القضائي الأكثر تأييدًا. وأكبر تحدٍّ هو محدودية التدريبات المتعلقة بالتحريات والتحقيقات المالية والمعارف القضائية الأساسية. وتوصلت إلى أن مأموري الضبط القضائي والقضاة يؤيدون منح الخبير المالي صلاحيات الضبط القضائي وعدم تقييدها، في حين أن النيابة تؤيد تقييد صلاحياته.

وفي ضوء هذه النتائج، قدمت الدراسة توصيات، أهمها نشر النتائج الإيجابية الناجمة عن استخدام الخبرة المالية في التحريات والتحقيقات والمقاضاة، ورفع الوعي لدى الجهات ذات العلاقة بأهمية وأثر توفر البيانات والمستندات المالية في إثبات جرائم الفساد المالي، وتوفير دبلوم للخبراء الماليين في التحقيقات المالية والمعارف القضائية الأساسية، وتوصية المشرع بتعريف الخبير المالي وتنظيم أعمال الخبرة المالية، وتوصية أصحاب الاختصاص بإدراج مساق المحاسبة القضائية في الجامعات الفلسطينية.

الكلمات المفتاحية: الخبرة القضائية؛ الخبرة المالية؛ الفساد المالي؛ جرائم الفساد المالي؛ الإثبات.