

Dean Newlan
Partner



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Dean is a forensic accounting specialist with more than twenty years experience. He was appointed to McGrathNicol in January 2006 after leading KPMG's forensic practice in Melbourne for eleven years. Prior to this, Dean spent several years in KPMG's Corporate Recovery Division following ten years service with the Victoria Police.

Dean's forensic experience includes investigation into major corporate collapses, fraud and misconduct in business generally, quantification of loss in commercial disputes, complex funds tracing and fraud and misconduct control.

Dean is one of three independent members of the Audit Committee of the Municipal Association of Victoria and is currently Chair of the Committee. He lectures in Forensic Accounting at under-graduated and post-graduate level at the University of Melbourne and for CPA Australia.

He was the Chair of the Working Party formed by Standards Australia that produced Australia's Fraud and Corruption Control Standard (AS 8001-2008).

Experience

Industry Sector Experience

Investigation experience

- Led an investigation into the theft of \$8.2 million by two directors of a foreign-owned construction company specialising in major infrastructure projects;
- Seconded to the Victorian Department of Justice, Building Industry Task Force to investigate collusive tendering in the Victorian Building Industry;
- Undertook an investigation into the misappropriation of \$5.0 million by a senior executive of a major agricultural supplier;
- Investigation into the theft of \$2.5 million by the CFO of a major insurer;
- Undertook an assignment for the Firearm Reform and Compensation Program for the Victorian Department of Justice;
- Reviewed probity controls of a major Victorian Government Department in the context of its interaction with the Victorian building sector;
- Provided investigative services in relation to fraud and other improper behaviour within a Victorian based home appliance retailer;
- Provided expert evidence in relation to a significant fraud involving the sale of forged tickets to a major sporting event; and
- Appointed to trace and recover funds misappropriated from a publicly listed Australian corporation and prepared several detailed affidavits in support of the company's claim ultimately valued at \$2.05 million.

Expert witness experience

- Assistance to the Law Institute of Victoria in relation to the quantification of the largest ever claim on the Solicitors' Guarantee Fund and assistance in the mediation of that claim – this assignment involved the tracing of funds through a law firm trust account to the value of more than \$25 million and assistance in a mediated settlement of the matter;
- Expert advice in relation to a dispute arising out of a hedging contract for the future supply of wheat;
- Secondment to the Victorian Department of Justice, Building Industry Task Force to investigate collusive tendering in the Victorian Building Industry – this matter involved producing a number of reports highlighting and quantifying 'unsuccessful tendering fees' by winning tenderers;
- Appointment as a 'shadow expert' in a family law matter involving an assessment of financial position and income of the applicant – this assignment involved a detailed examination of bank accounts, property records, income summaries, trust distributions etc;
- Provision of expert advice in a family law matter involving the quantification of the spending patterns of one of the parties over a period of several years;
- Quantification of profits to be accounted for in relation to unauthorised use of a registered trademark in the automotive industry;
- Expert report in relation to a dispute involving the claimed failure to pay the residual value of a terms contract for the purchase of a salary packaging business;
- Quantification of royalties paid and payable to a European based software developer in connection with unauthorised use of software in Australia;
- Quantification of unpaid royalties in connection with a theatrical production in Australia on behalf of the US based owner of the production rights;
- Tracing of funds valued at more than \$80 million and giving expert evidence in connection with a claim by more than 300 investors in relation to the funding of a feature film including giving expert evidence at the trial of the matter;
- Quantification of loss arising from a fraud valued at \$8.2 million by two directors of a foreign-owned subsidiary;
- Expert report in relation to a dispute involving sale of leased vehicles by a vehicle lessor;
- Expert evidence in relation to a significant fraud involving the sale of forged tickets to a major sporting event;
- Quantification of past and future loss of earnings in relation to the unilateral termination of a maintenance contract;
- Quantification of loss arising from a shareholder dispute involving the dismissal of the Managing Director by a majority of shareholders;
- Reporting as to the financial position of a fruit cooperative at the time of its insolvency in the context of a dispute between the cooperative and a major supplier;
- Preparation of an expert report in relation to the theft of more than \$19 million from an Australia wide retailer;
- Providing an expert opinion in relation to a claim for past and future economic loss arising from the supply of contaminated stock feed;
- Providing an expert opinion in relation to a claim for negligence arising out of the valuation of a service station business; and
- An assignment to trace and recover funds valued at \$2.05 million misappropriated from a publicly listed Australian corporation involving the preparation of several detailed affidavits in support of the plaintiff's claim including a calculation of primary loss and penalty interest claimable.

Qualifications

Master of Corporate Law, RMIT University (2001)
 Bachelor of Commerce, University of Melbourne (1979)
 Certified Practising Accountant (CPA)
 Associate member of the Institute of Chartered Accountants in Australia