

**Job Class Profile: Investigation Officer (Securities/Insurance)****Pay Level: CG-40 Point Band: 916-949**

Factor	Knowledge	Interpersonal Skills	Physical Effort	Concentration	Complexity	Accountability & Decision Making	Impact	Development and Leadership	Environmental Working Conditions	Total Points
Rating	7	6	3	4	6	5	5	2	3	
Points	327	100	19	19	180	108	103	43	32	931

**JOB SUMMARY**

The Investigation Officer (Securities/Insurance) performs investigative and enforcement work in relation to the acts and regulations governing the financial services industry.

**Key and Periodic Activities:**

- Examines written complaints and accompanying documentation. Makes initial contact and interviews the complainant to review evidence which is material to the investigation. Takes statements from the complainant.
- Assesses the validity of the complaint through a preliminary review of evidence gathered, with the Manager. If the complaint is determined to be unfounded or out of the jurisdiction, the complainant is notified and the file is concluded. If further investigation/action is warranted a plan for the case is implemented by the Investigator.
- Researches the background of the persons or entities accused of acting contrary to public interest, through criminal, civil, divisional, internet or other sources.
- Identifies, contacts, and interviews witnesses obtaining statements and securing material of evidentiary value to the investigation which may be unprotected or secured through production orders under privacy restriction or the rules of evidence.
- Obtains search warrants to access evidence.
- Identifies, logs, and secures evidence gathered in a manner and place where it is inaccessible to anyone other than the Investigator until such time as it is admitted in formal administrative proceedings or in criminal court.
- Interviews the individuals accused in a controlled setting for the purpose of obtaining inculpatory evidence of the offence under investigation.
- Follows-up on information derived from interviewing the accused which may be substantive in any prosecutorial undertaking.
- Reviews all evidence acquired during the course of the investigation and evaluates substances to establish if there is sufficient grounds to warrant administrative action by the administrator enabled by statute, or the laying of criminal charges by the Investigator. Researches legal precedent by conferring with the Department of Justice Civil Division or Criminal Division.
- In matters relating to administrative authority, compiles a detailed and concise report of the investigation detailing the nature of the complaint, objectives, the evolution of the investigation, and a summary to allow the Superintendent or Registrar to make a fair finding and take appropriate action.
- Prepares reports for the crown attorney on criminal matters.
- Ensures orders and notices are properly served on the interested parties to the hearing.
- Ensures appropriate facilities are arranged for the hearing, sufficient copies of materials to be entered as evidence are available to interested parties, and that the proceedings are properly

**Key and Periodic Activities:**

- recorded and original recording and records are sealed and securely stored in a restricted environment.
- Ensures the Superintendent/Registrar is provided with a copy of the hearing or a transcript thereof and any documents entered as evidence.
- Ensures police caution is administered to any individual who is also the subject of a quasi-criminal or Criminal Code investigation, and if they are not represented, that they are informed of their right to have legal counsel present.
- During a criminal trial, ensures the Crown receives all relevant evidence in a timely manner, enters exhibits through the offering of evidence, ensures witnesses are subpoenaed, and assists the Crown during the course of the trial.
- Liaises and develops relationships with other provincial law enforcement agencies including financial services regulatory enforcement entities in Canada and internationally as well as the RCMP, RNC, Canada Revenue Agency, Canada Post, and other law information agencies in Canada and Internationally.
- Maintains records of investigations, case status, prosecutorial proscription start/end dates, and statistics.
- Remains current with criminal and civil litigation standards and changes including legal precedents as they relate to enforcement.
- Participates in training programs.
- Participates and acts as a member of the Canadian Securities Administrator's Enforcement Committee (CSA) and sub-committee.
- Maintains currency with the law enforcement computer forensic community with a primary focus on security and encryption techniques, decryption, mirroring, and web capturing software and techniques.

**SKILL****Knowledge****General and Specific Knowledge:**

- In-depth knowledge of the commercial crime, investigative techniques, and provincial statutes (acts and regulations) specific to the Division's enforcement mandate.

**Formal Education and/or Certification(s):**

- Minimum: Undergraduate Degree in Business, Law, or Economics, or a professional accounting designation.

**Years of Experience:**

- Minimum: 4-5 years experience.

**Competencies:**

- Ability to apply investigative techniques, problem definition and resolution skills, computer skills, analytical and assessment skills, and the ability to use audio and video recording devices.

**Interpersonal Skills**

- A range of interpersonal skills used include listening to information from others, asking questions to gather information, providing routine and complex information/direction to others, conducting formal interviews, coaching or mentoring, gaining the cooperation of others to complete work or to address issues, dealing with angry/upset people, and providing expert advice or counselling to others.

- Examples: (1) Conducting interviews is part of the investigation process for the purpose of obtaining information. (2) Investigators possess knowledge and training in the area of evidence handling and provide training to individuals involved in other areas of enforcement as well as coaching and mentoring. (3) Facilitate/moderate meetings for the purpose of providing direction in a complex investigation. (4) Give presentations to groups such as addressing fraud related activities with seniors or retirement groups. (5) Dealing with individuals who are upset either by phone or in person. Investigators are trained to deal with these situations and utilize listening skills and a professional manner to diffuse situations.
- The most significant contacts are with: (1) Manager for daily briefing of significant investigations and communicating issues which require attention. (2) Complainants to update on the progress of their investigation, gather information, etc. (3) Peers to discuss file matters, or to obtain or provide advice and to share information in furtherance of case management.

## EFFORT

### Physical Effort

- The demands of the job occasionally result in fatigue, requiring periods of rest.
- Lifting objects up to 25 lbs. is required.
- Fine finger precision work is required; sitting is required when working on computer or driving.
- Standing and walking to perform tasks is occasionally required.
- Examples: Investigators travel to various parts of the province during the course of investigations. Essential equipment (i.e. document scanner, laptop computer, portable printer, files, camera equipment, etc.) is transported with the Investigator and is moved/lifted frequently during an investigation.

### Concentration

- **Visual** concentration is required for computer use while conducting research, data input, multi-document and data review and analysis.
- **Auditory** concentration is required when transcribing and reviewing digitally recorded interviews. Accuracy with transcription is extremely important. Dialects, poor diction, and fractured pronunciation often requires repeated rethreading.
- **Repetition** requiring alertness occurs when entering financial data which is extracted from hardcopy documents into spreadsheets often involving excessive repetition and significant focus and alertness.
- **Time pressures/deadlines** occurs as issues arise during the course of an investigation which require urgent, time restricted action such as a freeze order on funds held with a financial institution to ensure the funds remain static.
- **Lack of control over the work pace** occurs when performing an investigation in remote areas where there are a number of victims/witnesses and travel to and from each meeting is significant, requiring long hours to accommodate the clients for interviews.
- **Eye/hand coordination** is required for computer use in the construction of timeline charts and labeling photographs for evidence.
- **Exact results and precision** is required when Officers must extract concise, exact, and relevant information when conducting interviews and when reviewing interview recordings as it may be used as evidence.

### Complexity

- Work tasks are highly technical, diverse, and involve a wide variety of situations and responsibilities. Problems may be addressed through the application of standardized solutions/processes or may require analysis and development of complex solutions.
- Each investigation requires careful planning and assessment. Complex matters require principled problem solving skills, reliance upon past generations of alternate solutions as well as developing new solutions. Deciding who should be interviewed, in what order, is critical to evidence gathering and the successful outcome of an investigation. It is important only to disclose need-to-know information to a witness to protect the integrity of the investigation. The objective is to gather sufficient evidence to warrant a conviction with or without the accused admission of guilt.
- When addressing typical challenges or problems, may reference departmental policy, provincial statutes (Acts and Regulations), the Department of Justice Law Library, Rules of Evidence, Evidence Act, Commercial Crime Investigation (RCMP) training and research material, training manuals, Supreme Court Decisions, Managers and other experienced investigators within the enforcement community.

## RESPONSIBILITY

### Accountability and Decision-Making

- Work tasks are moderately prescribed or controlled.
- Authority to analyze, structure, investigate, and report findings of complaints relating to the financial services industry; conduct formal and informal interviews in the furtherance of an investigation; correspond with senior executives of entities within the financial services industry during investigations; issue subpoenas under investigative orders; apply and execute production orders and search warrants from the courts; travel throughout the jurisdiction to facilitate investigations and attend court under an annual journey authorization; execute orders issued under legislative authority (i.e. Superintendent of Securities) and maintain and preserve evidentiary and material relevant to those orders; and liaise with law enforcement agencies.
- Supervisory approval is required when initiating a formal investigation; overnight or extended travel outside the jurisdiction; taking administrative action with respect to seizing licenses; laying quasi-criminal or criminal charges in a court of jurisdiction; purchasing equipment; and overtime.
- Discretion and judgement must be exercised within predetermined limits and procedures when extended work hours are required with in-field investigations where a situation develops compromising evidence and formal approval cannot be sought, or when initiating a preliminary investigation where a matter of urgency is reported or evidence may be at risk.
- A high level of discretion and judgement must be exercised when determining if a warrant is required, what material is required, and how the warrant is to be executed. Discretion and professional judgement are key in determine who, why, and how with respect to interviews as strategies associated with this process are critical.

### Impact

- Generally has the most significant impact within the immediate work area, department, outside the organization, on clients/general public, and on processes, information, finances, and corporate image. Investigations resulting in cancellation of a license will affect the livelihood of the individual and depending on the severity of the offence, may immensely restrict or prevent the individual's ability to work in the financial services industry. If complaints are not properly investigated the public may unnecessarily be exposed or subjected to financial injury

through continuation of unethical or fraudulent acts. Information gained through an investigation may alert the regulator, the financial services community and the public to unethical activities or practices which may affect the markets and potentially result in financial injury to the consumer. Information may also be helpful to enforcement agencies in other jurisdictions.

- Invalid, improperly processed information may prejudice an investigation to the extent that the integrity of future investigations may be perceived as compromised, resulting in continued consumer exposure to unethical or illegal activity, financial loss, and degrading confidence of the industry and Government.
- Work is monitored through quality production and the reporting process. Investigators complete an investigation and report the results to the Administrator who decides what action is to be taken based on the evidence presented.
- Identification and resolution of errors normally occurs within one week of problem identification.

#### **Development and Leadership of Others**

- There is no supervision of staff.
- Mentors less experienced investigators and provides occasional counsel to individuals in other areas of the Division seeking assistance or interpretation.
- Complex investigations require the involvement of more than one investigator or one investigator and examiners. The lead investigator coordinates the investigation, gives direction, assigns responsibilities, ensures evidence is properly collected and drafts the report of investigation.

## **WORKING CONDITIONS**

#### **Environmental Working Conditions**

- There is no requirement for safety precautions or equipment.
- There is a limited likelihood of minor cuts, bruises, abrasions, injury, or illness causing disability through motor vehicle accident or physical assault.
- Exposure to lack of privacy, travel, unusual or distracting noise, dangers or threats, and adverse weather conditions.
- Examples: Open office work environment contributes to noise and lack of privacy, the potential of assault/threats exist during or following an investigation, and exposure to weather during travel for investigations.