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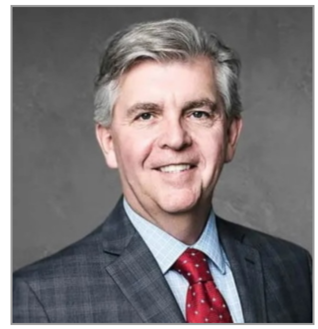
Avoiding frauds in group lottery play

By **Michael Cochrane**



Michael Cochrane

Law360 Canada (November 28, 2025, 11:27 AM EST) -- A recent Toronto criminal case involving an alleged fraud on a group of lottery players has drawn national attention. On July 2, 2025 a 70- year-old man claimed a $1 million Lotto Max Free Play win. Soon afterward a group contacted police claiming the ticket was actually owned by them and that the so-called leader of the group had defrauded then by claiming the win for himself alone.

Police investigated and found sufficient evidence of group play to justify charges against the man of theft over $5,000, fraud over $5,000 and possession of property obtained by crime. Maximum penalty? Gulp. 14 years. Grim and not to mention needing two lawyers — one for the criminal case and one for the civil.

In the many years that I have been working with lottery winners (and losers) a few red flags have popped up on a regular basis. The majority of cases involve disputes over group play. In an earlier column I set out seven tips for avoiding problems in group play. In this column I want to zero in on a couple of troubling situations I have witnessed concerning the actions of group leaders or what are sometimes called group captains.

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Given that the odds of winning the Lotto Max are 1 in 33 million, a lottery lightning strike is a once in a lifetime event and that lightning bolt does not always bring out the best in people. In fact, it can transform otherwise normal friends into mean-spirited enemies, spouses into adversaries and office workers into cubicle combatants.

Group players are placing a lot of faith in their leader when they ask them to collect and record the contributions, purchase the tickets, report to the group, manage and reinvest small cash wins and redeem free plays. It's work and it's often thankless. While some members of the group may be quite casual about the group play fun, trusting the group leader to be honest, others, well, not so much.

Regular and unfortunate members of the group are:

1. the person who is chronically late with their contribution,

2. the person who insists on giving a lump sum — often late — to cover several purchases,

3. the person who asks the leader or other group members to cover for them,

4. the person who wasn't in the office last week but has their money ready Monday morning (after the big win),

5. the person who was in the group from time to time, although sadly not the winning time, but still feels there is a moral entitlement to a share,

6. The person who insists that they are in the group when there is no record of a contribution.

So pity the poor group leader. In one case I had a few years ago, disgruntled coworkers photocopied the fraud provisions of the *Criminal Code* and placed highlighted sections on the group leader's desk inferring that he was cheating them. He was not. But how their suspicions were aroused was interesting.

But not all group leaders deserve our pity.

Group leaders who also buy personal tickets

Group leaders sometimes — actually often — purchase their own personal tickets along with their purchases on behalf of the group. Husbands and wives purchase their own tickets. Those husbands and wives may be group leaders at the office. Sorting out which ticket belongs to whom can be a challenge. Arriving at the office on Monday morning and reporting that you — or your spouse — won the Lotto Max or Lotto 649 — on their own personal ticket and not as a part of the group that you lead — is going to be a very awkward moment.

Group leaders who lead multiple groups

Early on in my introduction to lottery disputes I encountered a gentleman who was in a large office group on a regular basis. Record keeping was spotty. In the problematic situation he faced the recommended Group Play Form was only filled in after the group had won. His name was not on it. That was just the beginning of the trouble. We soon discovered that the fellow who professed to lead his group was also a group leader for several other groups of varying sizes, all within the same large factory setting. This multi-group leader and his brother (who was in some groups but not others) shared the ticket-purchasing duties for the big draws. Hundreds of tickets were being purchased but tickets were not aligned with specific groups. It was only after each draw that various groups were shown their losing tickets. When a big win finally arrived it was miraculously assigned to the smallest group he led.

So, group leaders can be responsible for a lot of trouble.

What can be done to ensure a group doesn't end up in a lawyer's office?

1. Use the Group Play Form available on lottery corporation websites.

2. Identify your group leader.

3. Treat every group play as a new group. No carryovers.

4. Observe a strict — No Pay, No Play — policy each draw.

5. If there is carryover money or a free play from one week, treat that as a new group that is identical to the previous week. Do not add new players to the group.

6. Insist that your group leader copy all group members on the tickets purchased (or even

better attach the group's tickets to the Group Play Form) before the draw. This avoids the two problems identified above — personal tickets and multi-group leaders.

7. Do not write on the tickets. It can trigger an investigation if there is interpretation needed.

8. Ensure that your group leader reports to the group in writing after every draw about free plays and small cash wins and then reconstitutes the group for the next draw. As we see in the recent Toronto criminal case, the original ticket was not the winner. It was the subsequent FreePlay that won. The group owns that Free Play.

At the conclusion of my previous column, I commented that by all means people should consider playing the lottery (within reason of course). Why not? It's fun to dream about the possibilities. Sure, the odds are one in 33 million but people win. I meet them all the time.

Michael Cochrane is Counsel to Brauti Thorning LLP in Toronto. He is the author of several family law works, including Family Law in Ontario for Lawyers and Law Clerks (Thomson Reuters), Surviving Your Divorce (6th ed) (Legal Intel) and the recent trilogy novels, Night Soil and Night Soil II: Inferno, about a nasty Toronto divorce lawyer who is so bad he's good (www.michaelcochrane.ca).

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