

Fraud Examination Reports in Corrupt Countries: A Comparison of White-Collar Crime Convenience

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Abstract

The theory of convenience suggests that financial threats and possibilities, organizational opportunities to commit and conceal wrongdoing, as well as personal willingness for deviant behavior determine the likelihood of white-collar crime. When there is suspicion of white-collar crime, public and private organizations tend to hire fraud examiners from audit firms and law firms to reconstruct past events and sequences of events. This article links findings in fraud examination reports regarding crime convenience to the extent of corruption in the respective countries. Research results suggest that white-collar crime convenience increases as the extent of crime in a nation increases. The empirical research presented in this article is exploratory with a number of shortcomings that need to be addressed in future studies.

Keywords: White Collar Crime, Fraud, Corruption

Introduction

The research presented in this article attempts to link a global corruption index to the extent of white-collar convenience based on a limited number of available fraud examination reports from various countries. The article aims to apply convenience theory by developing an exploratory study of the cases of examined crime across 18 jurisdictions. Methodologically, the research engages in a quantitative analysis in the form of regression of findings in examination reports linked to ranks in the corruption index. This article represents the first attempt to measure convenience in white-collar crime.

Transparency International is a global movement working in over one hundred countries to end the injustice of corruption. They define corruption as the abuse of entrusted power for private gain. This definition is broad and covers various forms of financial crime. The definition is applied in the corruption index that Transparency International publishes every year. An interesting research question is whether fraud examination reports from various countries might indicate varying crime convenience depending on the countries' rank in the index. Fraud examination reports are written by private investigators at audit firms and law firms that are hired by client organizations in private and public sectors to reconstruct past events and sequences of events (Gottschalk, 2020; King, 2021;

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Meerts, 2020). Reports are the property of client organizations that pay for the work and reports are normally kept secret and confidential, often in relation to law enforcement, the media, as well as the public (Gottschalk and Tcherni-Buzzeo, 2017). Very seldom, reports are accessible for the purpose of research. However, this research was successful in retrieving reports from eighteen countries that vary on the index from number one (Denmark and New Zealand) to number 149 (Nigeria) and number 170 (Congo).

A theoretical perspective to study the extent of crime convenience is the theory of convenience for white-collar crime (Braaten and Vaughn, 2019; Dearden and Gottschalk, 2020; Stadler and Gottschalk, 2021).

This article presents exploratory research attempting to link crime convenience by suspected white-collar offenders to the extent of corruption in the country. The research hypothesis suggests that crime convenience increases as corruption increases. While crime convenience is concerned with a phenomenon at the organizational level, the extent of corruption is a phenomenon at the national level.

The article starts by presenting the theory of convenience with its convenience themes. Next, fraud investigation reports from several countries are introduced. Then a convenience scale is applied before research results are presented. Finally, the shortcomings of the current research are discussed.

Crime Convenience

The convenience triangle suggests that a financial motive, an organizational opportunity, and willingness for deviant behavior make financial crime convenient for white-collar offenders. Convenience is a relative concept concerned with the efficiency in time and effort as well as reduction in pain and solution to problems in legitimate versus illegitimate ways (Engdahl, 2015). A convenient individual is not necessarily neither bad nor lazy. On the contrary, the person can be seen as smart and rational (Sundström and Radon, 2015). Furthermore, Agnew (2014: 2) suggested that “crime is often the most expedient way to get what you want”, and “fraud is often easier, simpler, faster, more exciting, and more certain than other means of securing one’s ends”.

Convenience orientation refers to a person’s or persons’ general preference for convenient maneuvers. A convenience-oriented person is one who seeks to accomplish a task in the shortest time with the least expenditure of human energy (Berry et al., 2002; Farquhar and Rowley, 2009). Chen and Nadkarni (2017: 34) found that many chief executive officers can be characterized by time urgency where they have the feeling of being chronically hurried:

Time urgency is a relatively stable trait. Time-urgent people are acutely aware of the passage of time and feel chronically hurried. They often create aggressive internal deadlines and use them as markers of the timely completion of team tasks. They regularly check work progress, increase others' awareness of the remaining time, and motivate others to accomplish commitments within the allotted time.

The convenience triangle is based on the fraud triangle (Cressey, 1972), which suggests three conditions for fraud: (1) incentives and pressures, (2) opportunities, and (3) attitudes and rationalization. However, there are three distinct differences. First, convenience is a relative concept, indicating that offenders have the option of alternative actions to reach their goals that do not represent illegitimate behavior. While the fraud triangle suggests that opportunities will stimulate crime, the convenience triangle suggests that relative opportunities will stimulate crime. There is no reason to commit crime, even if there are many opportunities, as long as alternative convenient decisions may lead to the same result. It is the extent of relative convenience, and not the extent of opportunity, that determines whether an offense is attractive. A very conveniently oriented decision-maker may resort to illegal activities when legal activities are slightly more stressful. A less conveniently oriented decision-maker may try intensely to solve problems and explore opportunities without violating the law.

Second, it is in the organizational setting where offenders have access to resources so that opportunity arises to commit and conceal crime. While the fraud triangle emphasizes opportunity in general, the convenience triangle concentrates on the privileged position that offenders can abuse to commit and conceal crime. There is trust and lack of control, obedience and fear, which create convenient opportunities. The convenient opportunity derives from legitimate access to resources in a trusted position without guardians, where resources are enablers to carry out activities that are not available to others. Opportunity convenience emerges because of an organizational structure and an organizational culture where members of the elite may feel above the law.

Third, a white-collar offender can influence the organizational opportunity over time (Benson and Simpson, 2018). Therefore, opportunity in convenience theory is a dynamic rather than a static condition. By collecting decision rights, by controlling information flows, and by authoritarian leadership styles a potential offender develops an opportunity space that grows over time. Whether intentional or not, the opportunity space changes over time as a reaction to the potential offender's behavior.

This article applies a structural model of convenience theory with fourteen convenience themes (Gottschalk, 2022). Offender profiling occurs when some of

the fourteen themes are identified as relevant for a suspected white-collar offender. This is exemplified later in the article.

A combination of motive, opportunity and willingness determine the extent of white-collar crime convenience as illustrated in the structural model in Figure 1.

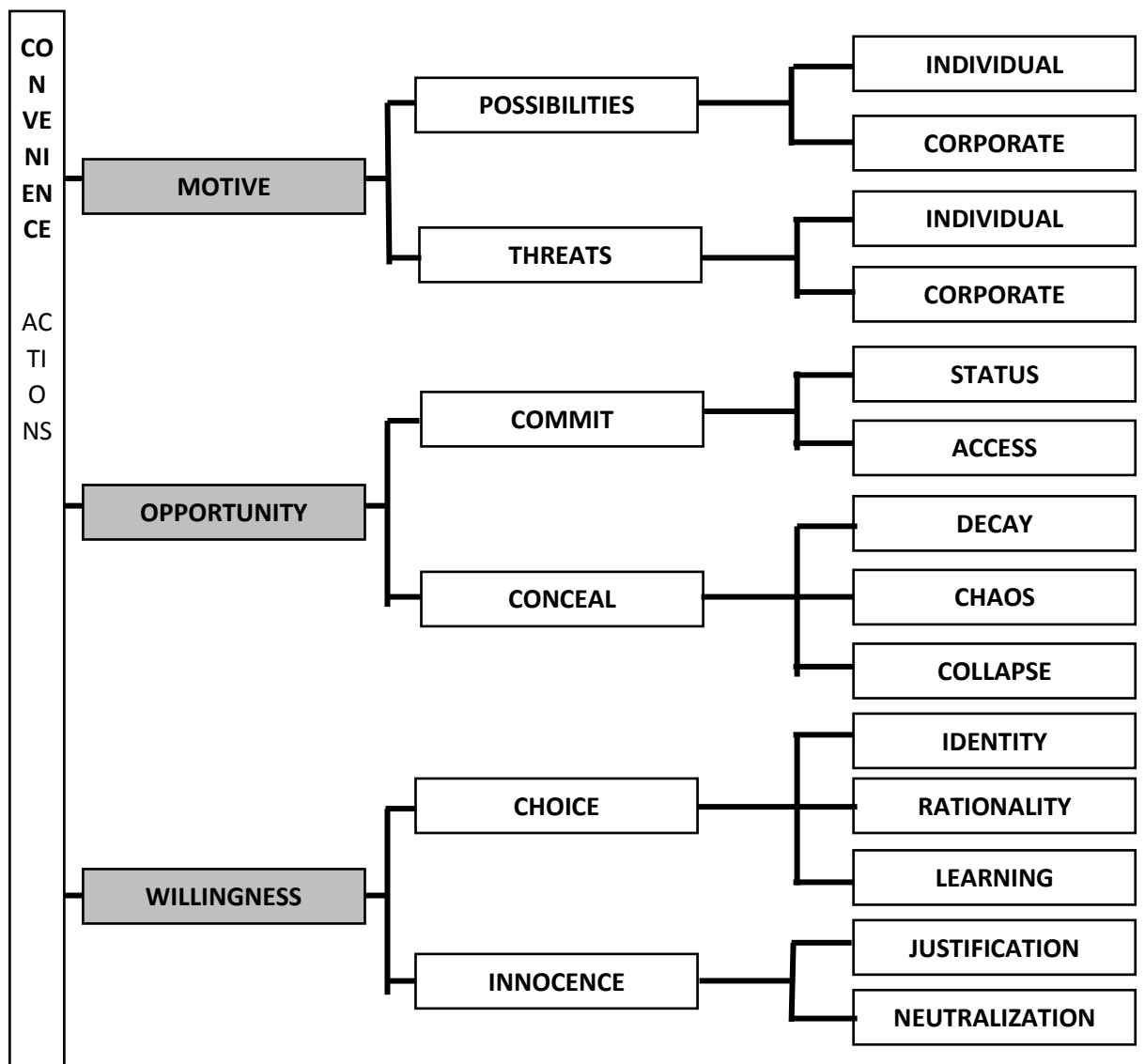


Figure 1 Structural model of convenience theory

In the financial motive dimension, profit might be a goal in itself or an enabler to exploit possibilities and to avoid threats. Possibilities and threats exist both for individual members of the organization as well as for the organization as a whole. It is convenient to exploit possibilities and to avoid threats by financial means.

In the organizational opportunity dimension, convenience can exist both to commit white-collar crime and to conceal white-collar crime. Offenders have high social status in privileged positions, and they have legitimate access to crime resources. Disorganized institutional deterioration causes decay, lack of oversight and guardianship cause chaos, while criminal market structures cause collapse.

The personal willingness for deviant behavior focuses on offender choice and perceived innocence. The choice of crime can be caused by deviant identity, rational consideration, or learning from others. Justification and neutralization cause the perceived innocence at crime. Identity, rationality, learning, justification, and neutralization all contribute to making white-collar crime action a convenient behavior for offenders.

As illustrated in the figure, there are fourteen potential themes that might contribute to a profile of the white-collar offender.

Global companies tend to adapt to local market conditions when they consider crime-as-a-choice strategy. Grabosky and Shover (2010) discuss how crime as a choice can receive higher attention because of higher relative attractiveness compared to alternative legitimate paths. Crime as a choice implies that where “a decrease in the availability or attractiveness of legitimate opportunities will normally increase the attractiveness of illegal opportunities” (Coleman, 1987: 424). German technology company Siemens used legitimate means in their domestic marketing, but resorted to corruption in countries like India and Thailand. Norwegian fertilizer producer Hydro used legitimate means in their domestic market, but resorted to corruption in countries like Libya. Swedish bank Swedbank as well as Danish bank Danske Bank prevented money laundering incidents in their domestic market, but did let it happen in their Eastern European markets. Such examples suggest that crime convenience is higher in countries with higher levels of corruption as studied in the following.

Investigation Reports

The first investigation report in Table 1 is from Austria that ranks as number 15 on the corruption index. The International Biathlon Union is headquartered in Salzburg in Austria. Biathlon is a winter sport that combines cross-country skiing and rifle shooting. It is treated as a race, with contestants skiing through a cross-country trail whose distance is divided into shooting

rounds. Major biathlon nations include France, Russia, Sweden, and Norway. Biathlon is a very popular sport among spectators, both present at shooting stadiums and in front of television screens all over the world. The business of biathlon events has grown significantly in recent decades, and rumors of both corruption and doping have flourished for several years in the media.

Russian doping whistleblower Grigory Rodchenkov told the media about organized doping of Russian athletes at the Sochi Winter Olympics (Ruiz and Schwartz, 2016). He had been the head of Russia's national anti-doping laboratory (Pelley, 2018). Rodchenkov's allegations were confirmed by the independent McLaren report, leading to Russia's partial bans from the 2016 Summer Olympics and 2018 Winter Olympics. Rodchenkov's allegations and the McLaren findings led to an investigation particularly targeted at the management at the International Biathlon Union (IBU). When the IBU report was released (ERC, 2021), the New York Times wrote about it under the heading "Hunting trips, sex, and cash: How grooming biathlon's leader paid off for Russia: An investigation accuses biathlon's longtime president of accepting gifts from Russians and then doing the country's bidding as a doping scandal swirled" (Panja, 2021):

The president of the International Biathlon Union told the police that the young woman who had come to his hotel in Moscow was a prostitute, but he was hazy on the details. He did not remember the date or even who had paid for her services, he said, but it had assuredly not been him. The president, Anders Besseberg, had led biathlon's governing body for more than two decades by then, and he was accustomed to receiving gifts from his Russian hosts. Like a chocolate on his pillow or a gift bag placed on a chair in his hotel room, the company of a young woman during a trip to a World Cup biathlon event was not uncommon.

And for decades, according to a report commissioned by biathlon's new leadership, Besseberg repaid the Russian favors by doing the country's bidding – defending its athletes, assailing its critics and even blocking efforts to root out doping by its teams. The yearlong effort to groom Besseberg, and later his top deputy, was so effective that at the height of Russia's state-run doping scandal one Russian official boasted to a colleague that the country had little to fear in biathlon – a grueling endurance sport that combines precision shooting with cross-country ski racing – because he had Besseberg "under his control".

Fraud examiners found Besseberg greedy and status-oriented, as illustrated by an incident related to a possible hunting trip in Canada (ERC, 2021: 64):

Mr. Besseberg was unable to produce for the criminal authorities any evidence that he paid any of the expenses of these hunting trips himself.

Jim Carrabre said that before the Vancouver Olympics in 2010, Anders Besseberg was in Canada and “since we knew that he is a passionate hunter, we offered to organize a hunt in Canada for him. Besseberg was extremely interested and asked us if we would pay for it. We said no, we (the Canadian Biathlon Union) would only organize the hunt. He would have to pay for the hunt himself. Besseberg then lost interest in the hunt.

The above description of the first investigation serves to illustrate what fraud examinations are all about. Table 1 lists the other investigations that focused on various issues such as embezzlement, kickbacks, money laundering, accounting fraud, customer fraud, and business email compromise. For example, fraud examiners from Kroll (2017: 11) start their executive summary concerning bank fraud in Moldova with the following sentences:

Our investigation to date has identified contemporaneous and independent documentary evidence that indicates that the Three Moldovan Banks were subjected to a large, coordinated fraud, which took place over at least three years, and intensified in 2014, ultimately resulting in their collapse.

The fraud examiners investigated suspected fraud that involved the issuing of hundreds of loans to seemingly co-operating companies. They found some evidence that the loan funds ended up at a laundering mechanism in Latvia. Afterwards, most of the money returned to Moldova to repay existing loans and to allow the continuation of lending, while at least USD six hundred million disappeared to other destinations.

Country	Rank	Investigation	Investigator
Austria	15	Biathlon President corruption	ERC (2021)
Bangladesh	246	Save the Children embezzlement	Inspector General (2012)
Canada	11	Pelham public project fraud	KPMG (2017)
Congo	170	Mercy Corp local kickbacks	Henze et al. (2020)
Denmark	1	Danske Bank money laundering	BruunHjejle (2018)
Germany	9	Wirecard accounting fraud	KPMG (2020)
Ghana	75	BioFuel license corruption	Kluge (2009)
Iceland	17	Samherji corruption in Namibia	Kleinfeld (2019)
Japan	19	Toshiba accounting fraud	Deloitte (2015)
Moldova	115	Moldova bank fraud	Kroll (2017)
Netherlands	8	VimpelCom corruption in Uzbekistan	Sands (2019)
New Zealand	1	Fuji Xerox customer fraud	Deloitte (2017)
Nigeria	149	National petroleum fraud	PwC (2015)
Norway	7	Business email compromise	PwC (2020)

Sweden	3	Swedbank money laundering	Clifford Chance (2020)
Switzerland	3	FIFA World Cup corruption	Garcia (2014)
USA	25	Lehman Brothers bankruptcy	Jenner Block (2010)
Vietnam	104	Embassy housing rental fraud	Duane Morris (2016)

Table 1 *Corruption index ranks, reports and investigators in select countries*

It is important to emphasize that the cases and countries are merely based on the availability of the fraud examination reports. The selected countries do not constitute a random and representative sample of all countries in terms of geographic location or economic development. Using the national corruption level to predict an arbitrarily-picked case's convenience structure has obvious analytical limitations. As emphasized in this article, a random investigation report from each country combined with a national corruption score is thus no obvious proof of the relationship. Nevertheless in the perspective of exploratory research, it is interesting to establish whether white-collar crime convenience increases as the extent of crime illustrated by corruption in a nation increases.

Convenience Scale

To determine the extent of crime convenience in each of the eighteen cases in Table 1, a two-step procedure was applied. First, dominant convenience themes were identified for motive, opportunity, and willingness respectively. Next, the extent of convenience for the dominant themes was assessed on a scale from 1 (not convenient) to 10 (very convenient). Scale development was inspired by multidimensional service convenience scales in the marketing literature (Seiders et al., 2007).

Again, we use the first case from Austria as example. President Besseberg had individual possibility to benefit from Russian generosity. His motive to exploit Russian generosity does not seem very strong and is thus assessed with a score 6 in Table 2. His opportunity structure to receive Russian favors was based on his high status and thus strong importance to the Russians that leads to an assessment with a score of 9 in the table. His ability to claim innocence and deny wrongdoing was based on justification, where the strength of justification is assessed with a score of 6.

The method of assessment is a qualitative review of the content of each fraud investigation report. Content analysis is any methodology or procedure that works to identify characteristics within texts attempting to make valid inferences (Bell et al., 2018; Braaten and Vaughn, 2019; Patrucco et al., 2017). Content analysis assumes that language reflects both how people understand their surroundings and their cognitive processes. Therefore, content analysis makes it

possible to identify and determine relevant text in a context (McClelland et al., 2010).

Country	Motive	Opportunity	Willingness
Austria	Individual possibility 6	Commit: Status 9	Innocence: Justification 6
Bangladesh	Individual possibility 8	Conceal: Chaos 9	Choice: Learning 9
Canada	Corporate possibility 4	Commit: Access 4	Innocence: Neutralization 4
Congo	Corporate possibility 9	Conceal: Collapse 8	Choice: Learning 8
Denmark	Corporate possibility 4	Conceal: Decay 5	Innocence: Neutralization 2
Germany	Corporate threat 9	Conceal: Collapse 5	Choice: Identity 9
Ghana	Corporate threat 9	Conceal: Collapse 8	Choice: Rationality 8
Iceland	Corporate possibility 5	Conceal: Collapse 3	Innocence: Neutralization 3
Japan	Corporate threat 4	Conceal: Decay 4	Choice: Rationality 7
Moldova	Corporate possibility 8	Commit: Status 9	Choice: Identity 8
Netherlands	Corporate possibility 5	Conceal: Decay 3	Choice: Rationality 4
New Zealand	Corporate possibility 6	Commit: Access 6	Choice: Rationality 5
Nigeria	Corporate threat 8	Conceal: Collapse 8	Choice: Learning 7
Norway	Corporate threat 3	Conceal: Chaos 3	Choice: Rationality 8
Sweden	Corporate possibility 4	Conceal: Decay 5	Innocence: Neutralization 2
Switzerland	Individual possibility 7	Commit: Status 8	Innocence: Justification 6
USA	Individual threat 8	Conceal: Status 8	Innocence: Justification 6
Vietnam	Individual possibility 9	Commit: Access 5	Choice: Rationality 7

Table 2 *Extent of convenience for motive, opportunity and willingness*

It is important to emphasize the exploratory nature of the convenience scale applied here. There is certainly a need in future research to clarify the standards with which values will be assigned to each theme. For example, why the IBU president's motive in exploiting Russian generosity gets a score of 6 instead of 7 has a random basis of qualitatively thinking that the motive might be much stronger by an alternative offender. A concrete coding scheme would be necessary in future research to show that the value assignments are not a result of subjective judgments as is the case in the current research.

Research Results

Examining the relationship between corruption in various countries and crime convenience in organizations in those countries is a matter of correlation analysis as well as regression analysis. The data for such analyses are listed in Table 3. The first column lists the various countries. The second column sums up

the extent of convenience from the previous table. The final column repeats the suspected white-collar crime in each case.

Correlation analysis between the second and the third column in Table 3 results in a correlation coefficient of .568*, which indicates a strong correlation with a significance at the 0.05 level (2-tailed). This result implies that there is a strong positive relationship between the convenience of crime and the extent of crime internationally.

Country	Rank	Convenience	Investigation
Austria	15	6+9+6 = 21	Biathlon President corruption
Bangladesh	246	8+9+9 = 26	Save the Children embezzlement
Canada	11	4+4+4 = 12	Pelham public project fraud
Congo	170	9+8+8 = 25	Mercy Corp local kickbacks
Denmark	1	4+5+2 = 11	Danske Bank money laundering
Germany	9	9+5+9 = 23	Wirecard accounting fraud
Ghana	75	9+8+8 = 25	BioFuel license corruption
Iceland	17	5+3+3 = 11	Samherji corruption in Namibia
Japan	19	4+4+7 = 15	Toshiba accounting fraud
Moldova	115	8+9+8 = 25	Moldova bank fraud
Netherlands	8	5+3+4 = 12	VimpelCom corruption in Uzbekistan
New Zealand	1	6+6+5 = 17	Fuji Xerox customer fraud
Nigeria	149	8+8+7 = 23	National petroleum fraud
Norway	7	3+3+8 = 14	Business Email Compromise
Sweden	3	4+5+2 = 11	Swedbank money laundering
Switzerland	3	7+8+6 = 21	FIFA World Cup corruption
USA	25	8+8+6 = 22	Lehman Brothers bankruptcy
Vietnam	104	9+5+7 = 21	Embassy housing rental fraud

Table 3 *Crime convenience as dependent and corruption rank as independent variables*

In regression analysis, corruption index ranking is applied as the independent variable that might predict convenience extent as the dependent variable. Regression analysis results in an adjusted R square of .282 where there regression equation is significant at .01. The constant starts at 16,046 as illustrated in Figure 2. The slope is .019 as indicated by the standardized coefficient. Thus, the significance of corruption rank as predictor of convenience extent results in a slack climb rather than a steep climb in convenience.

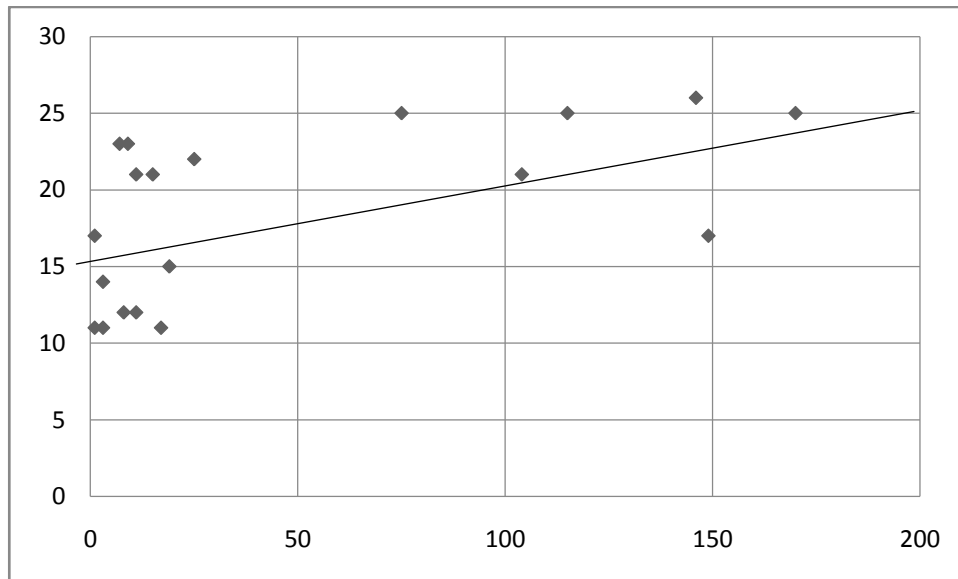


Figure 2 *Corruption rank as predictor of convenience extent*

Discussion

The obvious shortcoming of this exploratory research has to be emphasized. While it is intuitively straightforward that crime convenience might increase as crime is more common in the country, that is, a causal link from corruption rank on convenience extent might exist, a random investigation report from each country combined with a national corruption score is no obvious proof of the relationship. Nevertheless, fraud investigation reports create anecdotal insights into white-collar crime convenience depending on the jurisdiction and thus on the crime convenience in relation to how common crime is in that country. As illustrated in a similar study by Weiss et al. (2021) regarding international differences in the perception of the ‘American Dream’, various approaches taken to the measurement of national culture can result in entirely different conclusions regarding the relationships between culture and crime. They emphasized the need for further theoretical and methodological development when conducting studies of cross-national crime rates. Similarly, this exploratory research regarding the relationship between white-collar crime convenience and the general tendency of financial crime in terms of corruption on a cross-national basis needs further theoretical as well as methodological development. This is in line with the argument of Gottfredson (2021: 28):

Contemporary research from around the world provides a body of consistent findings, making it an indispensable tool for the evaluation of

crime theory. To be valid, general theories of crime must now be able to accommodate the results of this cross-national research.

An important perspective so far neglected in this article is crime seriousness. It might be argued that corruption and other forms of financial crime are not only more common, but implicitly less serious in countries with a lower rank on the corruption index.

Even within countries, the perceived seriousness of white-collar crime might vary. At the lower end of seriousness, Alcadipani and Medieros (2020) found that white-collar crime tends to be perceived as and treated as corporate irresponsibility and not as misconduct, wrongdoing, offending, or law violation. Generally, when detection of crime occurs, an issue of public opinion about seriousness emerges (Cullen et al., 2009; Rosenmerkel, 2001; Unnever et al., 2009). Cullen et al. (2020) studied public opinion about white-collar crime, and they found public willingness to punish white-collar offenders. However, they found that public opinion about inflicting punishment on white-collar criminals varies depending on clarity of culpability, typical harm, violation of trust, and need to show equity. If a detected offender is successful in disclaiming responsibility for crime by not being culpable, then the preference for punitive action declines. The offender can claim one or more of the conditions of responsible agency did not occur.

In addition to the neglected crime seriousness, variation in convenience orientation between cultures might also explain crime differences between nations. Convenience orientation is conceptualized as the value that individuals and organizations place on actions with inherent characteristics of saving time and effort as well as avoiding strain and pain. Convenience orientation can be considered a value-like construct that influences behavior and decision-making. Mai and Olsen (2016) measured convenience orientation in terms of a desire to spend as little time as possible on the task, in terms of an attitude that the less effort needed the better, as well as in terms of a consideration that it is a waste of time to spend long hours on the task. Convenience orientation toward illegal actions increases as negative attitudes towards legal actions increase. The basic elements in convenience orientation are the individual attitudes toward the saving of time, effort and discomfort in the planning, action and achievement of goals. Generally, convenience orientation is the degree to which an individual or a group of individuals are inclined to save time and effort to reach goals.

Conclusion

The convenience of white-collar crime depends on motive, opportunity, and willingness. As indicated in the exploratory research presented in this article,

the convenience of white-collar crime might also depend on the extent of financial crime, such as corruption, in the country.

In a nation where corruption is more common, it seems that white-collar crime is slightly more convenient. Since convenience is a relative concept, where crime-as-a-choice is the dominating perspective, the relative attractiveness of illegitimate versus legitimate actions determine future actions. Potential offenders have the option to choose legitimate rather than illegitimate paths to solve problems and gain from possibilities. As emphasized in the discussion section, shortcoming in this study needs to be addressed in future research.

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