

**REASONS FOR WHITE-COLLAR ABUSE OF FINANCIAL SUPPORT  
PACKAGES DURING THE COVID 19 PANDEMIC: A CONVENIENCE  
THEORY APPROACH**

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**ABSTRACT**

Convenience theory is an emerging theoretical perspective to explain the phenomenon of white-collar crime. This article presents a one-sided theoretical study of convenience themes that emerged for white-collar offenders during the Covid-19 pandemic by abuse of governments' emergency support packages for business enterprises. Special motives, special opportunities, and special willingness for deviant behavior in abuse of financial aid occurred during the pandemic. Stronger motives – both based on possibilities and threats – are discussed. The opportunity was mainly rooted in rule complexity linked to external lack of control and guardianship. The willingness has many convenience themes including rationality, learning, justification, and neutralization. The one-sided approach of white-collar crime enablers during the pandemic in abuse of public funding needs to be supplemented by discussion of white-collar crime barriers during the pandemic in future research.

Keywords: Covid-19; convenience theory; rule complexity; white-collar crime.

## **INTRODUCTION**

The Covid-19 pandemic was a public health emergency of international concern starting in 2020. The pandemic “led governments around the world to take drastic action and implement a wide range of proactive and reactive measures to limit the spread of the disease” (Payne et al., 2021: 1). There were travel restrictions and border controls, quarantine requirements for those infected, social isolation and distancing requirements for almost everyone, and the closure of diverse services, businesses, and educational facilities. The new situation globally created convenient opportunities for criminals (Kennedy et al., 2021: 494):

From the very beginning of the Covid-19 crisis, criminals sought to take advantage of the lack of information available regarding the virus, misinformation coming from official and unofficial sources, and disinformation spread via the internet and social media channels. When the corona virus Covid-19 spread to Norway, the country closed down most sectors on March 12, 2020. The wealthy Norwegian state provided financial compensation to businesses as well as individuals. Some explored and exploited the compensation arrangements because they found it convenient. They had a convenient motive, a convenient opportunity, as well as a convenient willingness for deviant behavior. The convenient motive was the fear of bankruptcy despite receipt of some legitimate compensation from the state. The convenient motive was also greed, to be able to climb the hierarchy of needs. The convenient opportunity was the lack of controls and guardianship as the state based its payments on trust to be able to provide financial support quickly to victims of the close-down already in April 2020. The convenient willingness was the attribution of guilt to the state that had closed down the economy and the society. The convenient willingness was also the assumption that a number of other people and businesses did abuse the financial compensation arrangements as well. Already after a

month into the pandemic, the Norwegian national authority for investigation and prosecution of economic and environmental crime detected Covid-related fraud (Langved and Klevstrand, 2020).

This kind of wrongdoing is in line with the theory of convenience suggesting that a strong motive, an attractive opportunity, and a high-level willingness for deviant behavior increase the likelihood of misconduct and crime. Covid-related fraud schemes were detected all over the world (e.g., Kennedy et al., 2021).

This article addresses the following research question: *What kind of special motives, special opportunities, and special willingness for deviant behavior by white-collar offenders in abuse of financial support packages occurred during the Covid-19 pandemic?*

This article maintains that the concept of convenience may help understand the wrongdoing at the top of organizations. The purpose of the article is to provide a theoretical foundation for future research based on a multi-dimensional explanation of white-collar offending. This perspective, which is composed of three interrelated themes of motivation, opportunity, and willingness, suggests that individuals more likely to commit white-collar crime are differently oriented to convenience as a factor in the choice to engage in illegal behavior. Individuals become more oriented toward convenience as the motive becomes stronger, as the opportunity improves, and as the willingness to engage in deviant behavior becomes more intense. Thus, perception of convenience should differ between those who view white-collar crime as more acceptable and those who view it as less acceptable.

## **COVID-19 FRAUD**

A variety of Covid-19 frauds developed quickly during the pandemic, including fraud schemes that did not target public financial support packages. Kennedy et al. (2021) studied frauds that targeted consumers and that were related in some way to the virus. They

looked at sale and distribution of fake virus-related products such as counterfeit testing kits, some of which were destined for healthcare facilities. Fake preventive medicines and treatments against the virus were marketed to consumers. Counterfeit versions of legitimate goods essential to health and safety infiltrated the legitimate supply chain. Some virus-related scams did not involve products or services, but rather attempts to make consumers turn over personal information or money without ever receiving anything in return.

In our perspective of white-collar abuse of financial support packages, two examples from the United States and Norway respectively can illustrate the issues. A California couple was sentenced for \$20 million in Covid fraud, where they had abused the government support package of emergency and relief loans for threatened businesses (Løvik, 2021). The couple had created fictive companies with fake payment checks and income statements in 151 loan applications (Hernandez, 2021):

A California couple was sentenced to prison for illegally obtaining more than \$20 million in Covid-19 relief funds – but authorities need to catch them first. Richard Ayvazyan, 43, was sentenced to 17 years behind bars and his wife, 37-year-old Marietta Terabelian, received a six-year sentence in federal prison on Monday for conspiracy, bank fraud and money laundering, according to the Department of Justice. The two are on the run from authorities and were sentenced in absentia. Federal officials said they cut off their tracking bracelets on August 29, federal officials said. During the sentencing, US District Judge Stephen V. Wilson said he could not recall a fraud case conducted in such a “callous, intentional way without any regard for the law”. Wilson described Ayvazyan as “an endemic, cold-hearted fraudster with no regard for the law” and someone who “views fraud as an achievement”. The judge also sentenced Ayvazyan’s brother, Artur, 41, to five years in prison. On June 25, a federal jury found Richard Ayvazyan, Artur Ayvazyan and

Terabelian guilty of one count of conspiracy to commit bank fraud and wire fraud, 11 counts of wire fraud, eight counts of bank fraud and one count of conspiracy to commit money laundering. Richard Ayvazyan and his brother were also convicted of aggravated identity theft. The FBI is offering a reward of up to \$20,000 for information leading to the arrest of Richard Ayvazyan and Terabelian.

By December 2021, the Norwegian police had 80 Covid fraud cases on their table. One of the cases that lead to conviction was a couple who made up a list of cancelled concerts as well as a closed-downed parking garage (Haram, 2021):

By inflating his own and his spouse's income in a manipulated tax return form, the man in his 50ies incorrectly reported millions in turnover in companies that were without operations. In this way, he imposed a sky-high tax burden on himself and his wife, but at the same time he was given the opportunity to take advantage of the corona support schemes that the state launched in April 2020. The convicted man in his 50ies registered several companies in different districts to make control difficult. A recent ruling from the Oslo district court states: Despite the fact that "the frauds do not have a very professional character", the convict, by establishing different companies in different tax regions, has tried to "minimize the risk of being exposed/arousing suspicion". Through several companies, he tried to get the Cultural Council to pay out more than NOK 13 million as a result of canceled concerts. He did the same to the Norwegian Lotteries Authority, which he tried to defraud for almost six million. A total of 17 applications were sent for compensation for concerts that "there was no reality behind", the Oslo district court writes in the verdict.

First, the convicted has used several different associations and companies to commit economic crime, both in his own and in the name of the spouse. Secondly, the applications have been developed in line with the new requirements that came in the

regulations, including requirements for the events to be traceable, says police lawyer Anders Orerød at Økokrim (Norwegian national authority for investigation and prosecution of economic and environmental crime) to VG.

The economic support package in Norway led to a very profitable year 2020 for many companies in the cultural sector such as entertainment groups. Folkvord et al. (2022) found that 57% of the companies that received government funding had better bottom-line results in 2020 than in previous years. Half of those companies that improved their results had their best year ever in 2020.

In Australia, the economic response package for businesses was called “jobkeeper”. Australian government’s jobkeeper payments helped keep Australians in jobs and supported businesses affected by the significant economic impact of the Covid-19 pandemic (Treasury, 2021):

In the first phase of JobKeeper (30 March to 27 September 2020), eligible businesses and not-for-profits were able to receive \$1,500 (before tax) per fortnight per employee to cover the cost of wages. During the extension phase of JobKeeper (28 September – 28 March 2021), the payment was tapered and targeted to those businesses that continued to be significantly affected by the economic downturn. Businesses were required to reassess their eligibility with reference to their actual turnover. In the extension phase the payment was reduced and paid in two rates:

- From 28 September 2020 to 3 January 2021, the payment rate was \$1200 per fortnight for employees who worked 20 hours or more a week on average in the reference period and \$750 for employees who worked less than 20 hours a week on average in the reference period.
- From 4 January 2021 to 28 March 2021, the payment rate was \$1000 per fortnight for employees who worked 20 hours or more a week on average in the reference period

and \$650 for employees who worked less than 20 hours a week on average in the reference period.

In Norway, the general compensation arrangement for businesses covered 85 percent of fixed, unavoidable costs in companies that have had a turnover loss of 30 percent or more, compared to the year 2019. The compensation was dependent on the size of the turnover loss. The compensation was first limited to NOK 4 million and then NOK 7.5 million for a two-month period. If a company was profitable during this period, the company was required to repay some of the compensation received (Regjeringen, 2022).

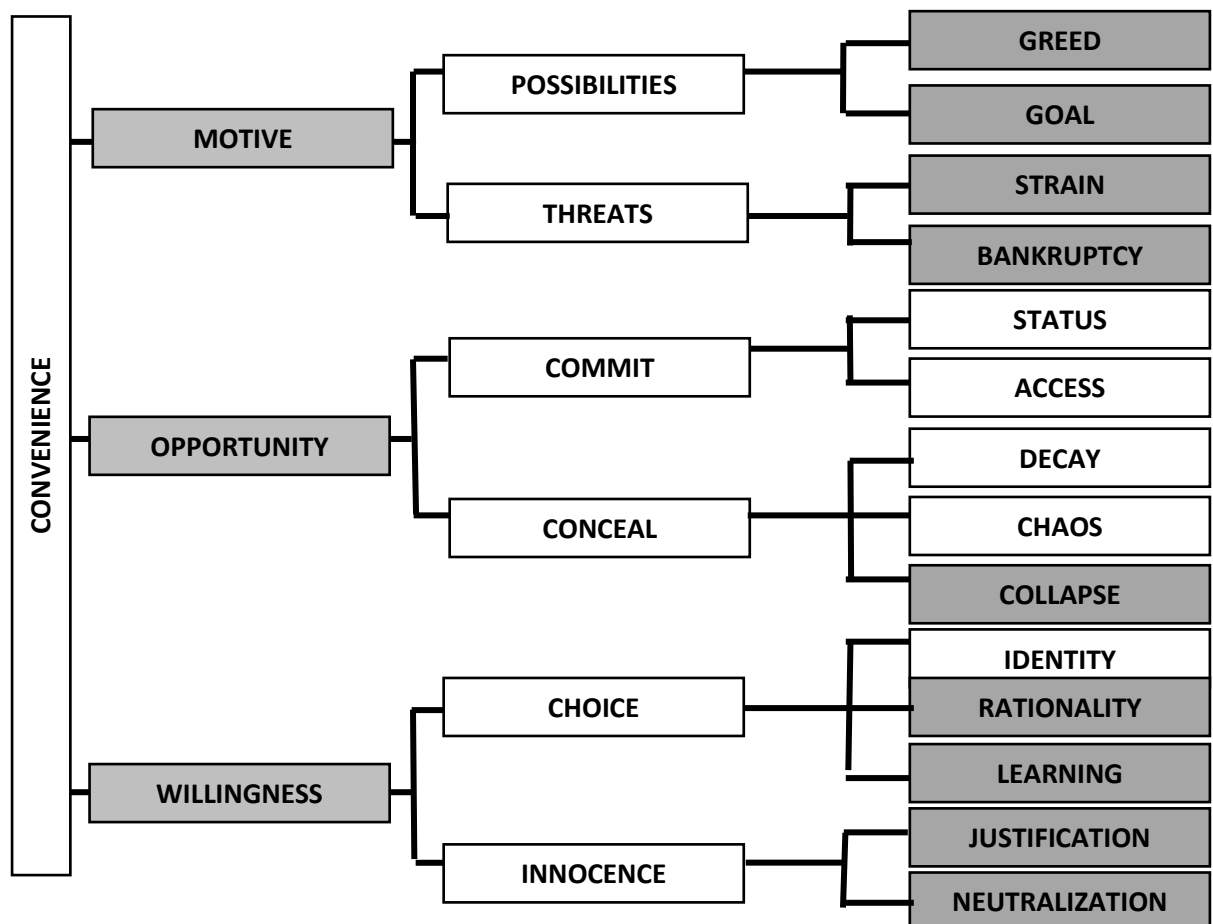
## **THEORY OF CONVENIENCE**

Convenience theory is an emerging theoretical perspective to explain the phenomenon of white-collar crime where convenience was first introduced as a core concept by Gottschalk (2017). Recently, the theory has been evaluated (e.g., Chan and Gibbs, 2020; Hansen, 2020; Oka, 2021; VasIU, 2021; VasIU and Podgor, 2019) and applied by several scholars such as Asting and Gottschalk (2022), Braaten and Vaughn (2019), Dearden and Gottschalk (2020), Desmond et al. (2022), Stadler and Gottschalk (2021), and Qu (2021). The structural model of convenience theory is illustrated in Figure 1. The motive is dichotomous in possibilities and threats, the opportunity is dichotomous in committing crime and concealing crime, and the willingness is dichotomous in choice and innocence. The motive along the convenience dimension of possibilities for individuals might be greed and for organizations the achievement of goals. The motive along the convenience dimension of threats for individuals might be avoidance of strain and for organizations the avoidance of bankruptcy.

High social status and legitimate access to resources make it convenient to commit crime. Organizational decay in the form of institutional deterioration, organizational chaos

in the form of lacking overview and guardianship, and market collapse caused by rule complexity, cartels, and crime networks make it convenient to conceal crime.

Willingness can be based on choice or innocence. Choice is a conscious decision to commit crime, while innocence is a perception of lacking a role in wrongdoing. A conveniently oriented individual in a trusted position with a stronger deviant identity, stronger rational mind, or a stronger differential association has a higher level of willingness to get involved in financial crime. A conveniently oriented individual in a trusted position with a stronger ability to justify wrongdoing or a stronger ability to deny guilt has a higher level of willingness to get involved in financial crime.



**Figure 1** *Structural model of white-collar crime convenience*



There are a total of 14 convenience themes in the structural model of white-collar crime on the right-hand side in Figure 1. The theoretical challenge in the following is to identify those themes that are impacted by the Covid-19 pandemic. The theoretically identified convenience themes are marked in grey boxes and discussed in the following. The identified themes represent special motives, special opportunities, and special willingness for deviant behavior by white-collar offenders in abuse of financial support packages that occurred during the Covid-19 pandemic.

### **FINANCIAL MOTIVE**

Some business individuals seized the opportunity for financial gain as a possibility during the pandemic. The greed perspective might derive from a need to restore the perception of equity and equality (Leigh et al., 2010; Cullen et al., 2020)). The equity perspective then as a motive suggests that a person compares his or her outcome during the pandemic to the outcome before the pandemic. The potential reduction in outcome is caused by the state and needs to be compensated. The offender blames the state for having caused reduced freedom to conduct business. While there is no threat to the offender, the offender nevertheless has a motive for fraud to compensate for the unjust restriction treatment by the state.

The greed perspective can also derive from the need to satisfy the desire to help others as social concern (Agnew, 2014). Many suffered losses during the pandemic, and the offender might want to help and thus moving beyond the assumption of simple self-interest. However, as argued by Paternoster et al. (2018), helping others can be a self-interested, rational action.

Some businesses seized the opportunity for financial gain as a possibility during the pandemic to reach ambitious business goals. While the compensation package only

intended to make each business stay alive, businesses had their own strategic plans with objectives that needed to be achieved. Goalsetting is often perceived in a positive light, meaning that ambitious goals increase performance (Locke and Latham, 2013). The state has created barriers to the achievement of goals. Therefore, the enterprise needs to commit fraud to compensate for the gap in resources to achieve goals. There might be an escalation of commitment to goals where decision-making in the face of negative state restrictions and uncertainty surrounding the likelihood of goal attainment cause even stronger dedication to goals. In many organizations, ends justify means (Campbell and G6ritz, 2014).

The pandemic caused strain from uncertainty by lock-down. The strain perspective emphasizes strains and stressors that increase the likelihood of crime, the negative emotions (including anger) resulting from those strains that create pressure for corrective action (Thaxton and Agnew, 2018). Strains are events and conditions that individuals dislike. Strains lead to negative emotions and thereby create pressure for corrective action. Strain triggers negative emotional states such as anger, fear, or depression, with anger being potentially the most criminogenic emotion. Crime is one possible corrective action (Froggio and Agnew, 2007).

An increased fear of falling from a high-status position resulting from the lock-down can cause wrongdoing (Piquero, 2012). The fear of falling perspective suggests that people in leading positions are afraid of the consequences of failure and therefore try to survive in their privileged positions by applying various means. The fear of falling perspective thus suggests that the motivation for financial crime by white-collar offenders is the fear of losing what one has worked so hard to achieve (Benson and Chio, 2020).

The threat of bankruptcy was real as lock-down occurred. Threats are associated with urgency, difficulty, and high stakes (Chattopadhyay et al., 2001). Threats involve a

negative situation in which loss is likely and over which one has a fair amount of control. The threat of corporate collapse and bankruptcy might cause exploration and exploitation of illegal avenues to survive, where moral panic can occur (Kang and Thosuwanchot, 2017). The survival of the corporation can become so important that no means come across as unacceptable in the current situation where the state carries the blame.

Both individual and corporate responses to possibilities and threats can result from rational self-interest (Pillay and Kluvers, 2014). During the pandemic, offenders might assume that the risk of detection is low. The rational choice model considers incentives and probability of detection. This applies to both private and professional life. Human behavior finds motivation in the self-centered quest for satisfaction and avoidance of suffering (Hirschi and Gottfredson, 1987). If the individual assesses economic crime as an attractive action in the form of gain now (profit for realization of current ambitions) compared to probable future cost (punishment, isolation, loneliness), and the individual prefers to avoid the use of more time and effort to solve problems preventing realization of ambitions, then convenience theory says that crime will probably occur.

### **ORGANIZATIONAL OPPORTUNITY**

Some offenders have a status implying that they are almost too big to fail and too powerful to jail (Pontell et al., 2014). Status is an individual's social rank within a formal or informal hierarchy, or the person's relative standing along a valued dimension (Kakkar et al., 2020). In our perspective of special opportunities from the pandemic, there seems to be no convenience issues from status as illustrated in Figure 1. Similarly, there seems to be no convenience issues from legitimate access to resources to commit crime (Benson and Simpson, 2018). Furthermore, the pandemic seems to have no influence on organizational decay in the form of institutional deterioration (Barton, 2004; Donk and Molloy, 2008) and

no influence on organizational chaos in the form of lacking overview and guardianship (Chan and Gibbs, 2022).

Collapse caused by rule complexity seems to be the only relevant issue in the opportunity structure of concealing wrongdoing as rule complexity prevents compliance. Rule complexity can create a situation where nobody is able to tell whether an action represents a criminal offense (Lehman et al., 2020). It is impossible to understand what is right and what is wrong. Some laws, rules, and regulations are so complex that compliance becomes random, where compliance is the action of complying with laws, rules, and regulations such as the support scheme. The regulatory legal environment is supposed to define the boundaries of appropriate organizational conduct. However, legal complexity is often so extreme that even specialist compliance officers struggle to understand what to recommend to business executives in the organizations. The financial support packages were suddenly introduced as an emergency measure where rules seemed to change frequently regarding issues such as who was entitled and not entitled, what was relevant to get compensated, and how to apply for relief loans and direct subsidies.

It might seem surprising that not organizational decay in the form of institutional deterioration or organizational chaos in the form of lacking overview and guardianship are relevant convenience issues in light of the pandemic. The reason is that both issues relate to internal situations in organizations. If convenience theory was extended to include lack of external overview and guardianship in an outside-in perspective, then such convenience themes would become relevant as well as answers to the research question in this article.

## **PERSONAL WILLINGNESS**

The extent of deviant identity is a convenience theme that has no connection to the outside situation such as government restrictions on the business. Therefore, this theme is

illustrated blank in Figure 1. For example, the phenomenon of narcissistic identification with the business (Galvin et al., 2015), where company money seems to be identical to personal money, has nothing to do with government pandemic policies.

The economical dimension of convenience theory applied the rational self-interest motivation. The rational choice approach also applies to the willingness in the behavioral dimension of convenience theory. The rational choice assumption about offending is based on a normative foundation where advantages and disadvantages are subjectively compared (Müller, 2018). When there is no perceived likelihood of detection or punishment, then there is no deterrence effect to prevent offences (Comey, 2009). The economic model of rational self-interest is all about weighing up the pros and cons of alternative courses of action. The pros in favor of fraud were stronger than the cons against fraud for many business enterprises.

Learning to adapt to a new situation was certainly a convenience theme during the pandemic as indicated in Figure 1. The offender mind is a result of personal differential association as suggested by Sutherland (1983). The differential association perspective suggests that potential offenders make a choice where they associate with those who agree with them, and distance themselves from those who disagree. This perspective suggests that whether individuals engage in white-collar crime or not depends on their socialization within certain peer groups. In an elite setting, interactions with deviant others promote criminal activity. The essence of differential association is that criminal behavior is learned, and the main part of learning comes from within important personal groups. Exposure to the attitudes of others that either favor or reject turbulent legal codes influences the attitudes of the individual. The individual will go on to commit crime if the person exposes himself or herself more to attitudes that favor law violation than to attitudes

that favor abiding the law (Wood and Alleyne, 2010). Learning from others is an active process where a belief quickly settled that others were doing the same during the pandemic.

In a justification, the actor admits responsibility for the act in question but denies its pejorative and negative content (Schoen et al., 2021: 730):

People use justification mechanisms to protect their sense of self. People who sincerely believe that they are a specific kind of person but routinely demonstrate behaviors that indicate otherwise may avoid cognitive dissonance and maintain their sense of self by using justification mechanisms that allow them to “explain away” their behavior.

The explain-away approach for fraud during the pandemic is convenient since negative life events were caused by the government. The perspective of negative life events suggests that events such as divorce, accident, lack of promotion, and cash problems can cause potential offenders to consider white-collar crime a convenient solution (Engdahl, 2015). As argued by McGloin et al. (2021: 740), “a core tenet of the social sciences is that the actions of others can fundamentally change decision-making and behavior”. Innocent justification seems to resonate in many descriptions of offending where group settings incentivize the decision to offend. Group settings can make offending more convenient (i.e., less risky) and more rewarding. Some are willing to commit crime only if other people started doing so first. People who would otherwise not offend, and people who have a low tendency to offend when alone can have a greater willingness to do so in a group setting. Offending might here be a rational choice that seems convenient to justify.

The final theme in Figure 1 is neutralization. It is a matter of lack of or removal of guilt feeling. In fact, white-collar offenders during the pandemic might have felt being victims of government restrictions. There are a number of neutralization techniques suggested by Sykes and Matza (1957) and others that might fit the minds of offenders during the pandemic. First, offenders can refuse damage from the fraud, as they might

claim that there was no visible harm for their actions. Similarly, offenders can refuse victim from crime as they might claim that nobody suffered from their actions. Furthermore, offenders might justify crime by higher loyalties as it was according to expectations such as goal achievement.

## **DISCUSSION**

The Covid-19 pandemic had all kinds of interesting economic impacts that were not all negative. During the pandemic, fewer people went to their regular places to work, and more people stayed at their homes during working hours where they organized various forms of home offices. At daytime then more homes were occupied by residents and the opportunity for property crime like home burglary was reduced for potential offenders. As argued by Rorie et al. (2022), when people spend less time outside their homes, they are less likely to be victimized both personally as well as in terms of property crime like home burglary. In Australia, property crime like home burglary dropped significantly during the pandemic (Payne et al., 2021: 1):

Drawing upon theories from environmental criminology, this study examines officially recorded property crime rates between March and June 2020 as reported for the state of Queensland, Australia. We use ARIMA modeling techniques to compute 6-month-ahead forecasts of property damage, shop theft, residential burglary, fraud, and motor vehicle theft rates and then compare these forecasts (and their 95% confidence intervals) with the observed data for March through to June. We conclude that, with the exception of fraud, all property offence categories declined significantly.

Similar to this property crime observation, it is imaginable that some aspects of white-collar crime by abuse of financial support packages make offenses less convenient. It is conceivable that there are special motives, special opportunities, and special

willingness for compliance by potential white-collar offenders to avoid abuse of financial support packages that occurred during the Covid-19 pandemic. Therefore, it is not obvious that there was a rise in white-collar crime during the pandemic compared to situations before and after the pandemic. It is thus an interesting avenue for future research to study both enablers and barriers to Covid-19 fraud related to government support packages.

## **CONCLUSION**

This article has presented a one-sided theoretical study of convenience themes that emerged for white-collar offenders during the Covid-19 pandemic by abuse of governments' emergency support packages for business enterprises. Special motives, special opportunities, and special willingness for deviant behavior in abuse of financial aid occurred during the pandemic. Stronger motives – both based on possibilities and threats – were identified. The opportunity was mainly rooted in rule complexity linked to external lack of control and guardianship. The willingness has many convenience themes including rationality, learning, justification, and neutralization.

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