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Forensic and psychological aspects of fraud offender

Introduction

The paper presented was elaborated within the publication of a subchapter of the dissertation thesis – *Criminalistic and Multidisciplinary Aspects of Insurance Fraud*. The selected multidisciplinary aspects addressed by the author in the thesis include a forensic and psychological perspective and an approach to the issue of fraud.

The author of the paper submitted is convinced that study of the personality, psychology and motivation of a perpetrator of fraud is important and has a positive impact on the elucidation of this kind of crime.

The first part of the paper defines basic terms related to the issue elaborated - fraud, fraud perpetrator and personality psychology.

The second part of the paper deals with typology of the perpetrator of fraud according to the selected forensic-psychological and partly criminological aspects. The author draws on the results of selected foreign research of available Czech and foreign literature related to the issue.

Psychological features of personality and motivation of an individual are important factors which undoubtedly determine the perpetrator's actions. A hypothesis has been established within the paper; it will be verified or falsified in its conclusion.

Hypothesis: *In their psychological profile/characteristics, a perpetrator of fraud differs from the law-abiding citizen.*

The following methods were used to process the paper: analytical, synthetic and comparative. New information was taken from consultations with experts and practice.

Defining basic terms

Fraud

From a criminalistic point of view, fraud is considered to be a separate type of crime, belonging to property criminality. It is criminal activity considered to be very dangerous due to the amount of damages incurred, qualifications of perpetrators and increase of impact of this kind of criminal activity. Frauds are present within the area of general criminality (§ 209 of the Criminal Code) and economic criminality (§ 210, § 211, § 212 of the Criminal Code). Fraud, according to § 209 of the Criminal Code, is generally characterised by the following criminal law legislation:

- *"Those who enrich him/herself or any other person by misleading someone else, those who take advantage of someone's mistake or conceal essential facts..."*

In the case of extraordinary or special types of fraud which are classified in economic crime, the legal definition of the fact in issue is more complex. The reason

for this is to ensure that the criminal law allows law enforcement authorities to apply clearly and comprehensively the criminal law interpretation of an atypical fraudulent activity in special financial areas. We talk about the areas: insurance, credit and subsidy ones.

Unlawful acting of a particular type of fraud, credit fraud (§ 211 of CC) and subsidy fraud (§ 212 of CC) are simply defined as:

1. The interpretation of false or grossly distorted information or blocking of essential information.
2. The use of funds obtained for a purpose other than the intended one.

In connection with insurance fraud (§ 210 of CC), we understand infringement to mean:

1. The interpretation of false or grossly distorted information or blocking of essential information.
2. The act of causing or fabricating an event and maintaining an event triggered by insurance action.

Perpetrator of fraud

A perpetrator of fraud is the person who, through his/her actions, has fulfilled the features of facts in use of criminal law as defined in § 209 - § 212. Preparation is a criminal action.

Fraud perpetrators are often associated with various distinctive abilities and personality features, such as: maximum use of intellect of perpetrator, high level of communicativeness, ability to convince to gain trust and ability for operational improvisation in connection with current circumstances. It should be said that perpetrators of fraud according to § 209 differ in personality features from perpetrators of special types of frauds according to § 210 - § 212.

However, in case of insurance fraud, the personality features are not so distinctive so that the fraudster can be uniquely identified in preventive manner. Several joint entities and correlations have been found in the investigation, including those which allow certain prediction of insurance fraud. However, from a general point of view, we can say that an insurance fraud perpetrator does not significantly deviate from the standard, which means that he/she is not particularly distinctly different from an ordinary, law-abiding citizen.

Psychology of personality

Psychology describes personality as an individual unit of behaviour and experience, and at the same time a unique arrangement of psychic processes, conditions and characteristics. Also, personality can be understood as a relatively permanent arrangement of biological, social and psychological characteristics in a unique unit. The basic features are: integrity and uniqueness. Personality structure forms an individual basis for behaviour and experience which gets updated as the situation develops. There are different theoretical opinions about components which form the basic personality structure. British citizen born in Germany, H. J. Eysenck, is one of the most prominent representatives; he considers these basic structural components: intelligence, temperament, character and body building. Psychoanalysis,

led by Sigmund Freud, assumes only three basic components: Id (instinct), Ego (I, psychic component where acquired experience is present, as well as rational, reason, purposeful judgements and attitudes; it considers actions and their consequences); and Superego (personal morale).

There are two basic approaches to identifying personality structure: statistical and clinical.

a) Statistical approach

In principle, personality components must be measured using psychodiagnostic test methods. The statistical approach divides the personality into the following components:

- aa) *Abilities* – psychic characteristics / assumptions which make it possible to adopt certain activities, e.g. intelligence, social intelligence and creativity.
- ab) *Features of personality* – internal personality dispositions which are manifested in human behaviour, e.g. introversion/extroversion, stability/lability, dominance/submissiveness, affiliation/hostility, self-confidence/underestimation and self-control/lack of self-control.
- ac) *Temperament* – set of innate characteristics manifested in human reactions in different situations. Especially during onset and course of emotional reactions and by the force of their expression. Temperament is dependent on: central nervous system and neurohormonal regulation.
- ad) *Character* – set of relationship characteristics which form the morale of an individual, e.g. relationship to oneself, relationship to people and society, relationship to work, relationship to nature and the world.

b) Clinical approach

The clinical approach seeks to get the maximum amount of data about an individual; there is an emphasis on capturing the individuality of an individual. It affects the characteristics of personality which condition the resulting behaviour. The following components and abilities are used to describe the personality: self-viewing and viewing for others; subjective assessment of people, things and situations; individual expectations; self-control and behavioural strategies.

Forensic psychology uses the BASIC ID method of the American psychologist, R. Lazarus, who designed a model of 7 personality levels which provide a compelling description of an individual for the purposes of forensic diagnostics and therapy. These levels are listed below.

BASIC ID

1. behaviours – visible behaviours;
2. affective processes;
3. sensations – senses;
4. images – imagination;
5. cognitions;
6. interpersonal relations;
7. drugs – biological aspects and functions.

Personality dynamics clarifies the current personality interaction with surrounding influences and environmental conditions. Forensic psychology examines the different

ways in which people behave and experience as a product of interaction between personality and the environment.

Typology of fraud perpetrator

Forensic psychology deals extensively with the issue of investigating the fraud perpetrator; forensic psychology attempts to describe the types of behaviour and experience of the perpetrator and his/her personality features.

In general, anyone can be a fraudster. From a psychological point of view, perpetrators of fraudulent behaviour are generally not exceptional. Perpetrators do not, to the same extent, consider themselves to be law-abusive; they regard their actions as a demonstration of abnormal intelligence. They perceive an injured physical person as a culprit; the perpetrator paradoxically attributes the fault to the injured person, claiming that the injured person is guilty for his/her situation due to the fact that he/she is not intelligent enough, and that he/she has agreed and practically deserves it. In the case of an injured legal entity (insurance company, bank), the offender does not feel guilty because the injured entity has large assets, which means that the damage caused is negligible. From the perspective of the perpetrator, it may also be the action of revenge if he/she previously had a negative experience with a subject from the same or similar field (bank, insurance company). In this case, the perpetrator does not distinguish between individual entities.

Perpetrator and his/her perception

The psychological investigation of the nature of defrauders is difficult due to impossibility to escape the ways of committing crime,¹ absence of pieces of evidence at the scene of the crime, lack of a tangible sample of the perpetrator's behaviour in relation to the injured entity or subject of the attack (intensity of violence used – murder). Personality diagnosis can only be done in direct contact with the suspect. When investigating the motivation to commit a criminal offence, we attach great importance to cognitive scripts;² these are the perpetrator's imaginations of himself/herself and others. Fraudsters are characterised by two kinds of perceptions, which are quite different (opposite). Both kinds intersect only in ruthlessness and ignorance towards other people, as defined in the following:

- a) *Increased self-esteem* – strong selfishness, high self-confidence, belief in one's own extraordinary intelligence and uniqueness; thus entitling permission to meet one's own needs, without the interference of others,
- b) *Reduced self-esteem* – this is caused by perpetrator's life problems, long-term frustration; the perpetrator holds a low opinion himself/herself.

The perpetrator uses empathy for utilitarian function – ability to move into the mind of another person and anticipate his/her reaction, without compassion.

¹ FIALKA, Marek; Ludmila ČÍRTKOVÁ, Martin KLOUBEK a kol. *Podvody, zpronevěry, machinace (možnost prevence, odhalování a ochrany před podvodným jednáním)*. Praha: Armex Publishing, 2005. p. 116.

² The same source, p. 119.

Typology of perpetrator

German criminologist, E. Naas, conducted a study in which he dealt with the analysis of personality on a selected sample of convicted perpetrators. In conclusion to his study, he made quite general findings: only a small number of fraudsters showed a low level of intelligence; instead, above-average intelligence was present as well; unstable employment and financial circumstances of individuals; most offenders started their criminal career at the age of pp. 21-25; it was usual that they committed other crimes in parallel with fraud.¹ German psychologists developed an overview of the five basic profiles of a perpetrator of *external* fraudulent behaviour which results in own enrichment:

1. *Perpetrator recommitting primitive frauds*

- He/she commits small frauds; not only dealing with frauds, but also committing other property crimes. He/she causes significant damage; he/she is careless.

2. *Perpetrator recommitting more sophisticated frauds*

- Frauds are committed in a more complex way and with the aim of gaining higher profit. He/she uses social ties to obtain information or his/her accomplices are employees of the victim.

3. *Crisis perpetrator*

- The perpetrator is in a difficult financial situation; criminal history is not necessary.

4. *Occasional perpetrator*

- He/she utilises advantageous situations; the premise of committing crime is the prerequisite that the potential profit outweighs the risk of failure and feelings of bad conscience. There is a conflict of motives and attitudes.

5. *Psychotic type of perpetrator (internal opinion)*

- This is the least represented group of perpetrators; they are characterised by a high degree of falsehood, need for exciting experiences and possibly psychopathic personality. Dealing with fraud is a form of abreaction – relaxation.²

Fraudulent behaviour can be classified according to perpetrator's relation towards the injured (*internal and external* fraudulent behaviour). *Internal* fraud is related to the dishonesty of employees who are affected by situational pressures (financial situation, efforts to immediately increase living standards, etc.). Also, level of internal control of the organisation is an important factor, which depends on whether it is effective and sufficiently preventive. A further significant motive for committing fraudulent actions by an internal offender may be dissatisfaction and hatred towards the injured party. The perpetrator feels hurt, which evokes hatred towards the injured. Exemplary reasons include: ignoring work performance and inadequate evaluation of the employee / perpetrator's activities. A perpetrator perceives fraud as revenge for discrimination; the above-mentioned cases occur among lower- or middle-class employees. On the other hand, the motives of the employees who ranked higher are different. Here, it is about

¹ STOFFERS, Kristian F. Psychopathologie des Betruges. *Kriminalistik*. 1998, No. 3, p. 180.

² STOFFERS, Kristian F. Psychopathologie des Betruges. *Kriminalistik*. 1998, No. 3, p. 183.

career advancement, gaining high profit and the need to prove own excellence. This segment of perpetrators may show signs of psychopathic personality; psychologist L. Čírtková, following the example of foreign literature, classifies these perpetrators as corporate psychopaths.

German criminologist, B. Bannenberg,¹ deals with description of profiling of criminals of „white collar“.² She distinguishes the perpetrators as occasional ones – this can be anyone under certain conditions and at any time; the second type is a structural perpetrator. The perpetrators of a structural type are divided into two groups:

- perpetrators with the typical personality of a fraudster,
- visibly inconspicuous perpetrators.

The first group consists of individuals who do not usually achieve a certain level of qualification, but who skilfully demonstrate and pretend that they are in possession such a qualification. They are capable manipulators and manage to play various roles. They commit criminal activities of a similar nature in the long run and repeatedly; there are numerous criminal records related to fraudulent actions appearing in their criminal registries. The perpetrators are not disturbed by their conscience; they harshly pursue their own profits.

Overall, visibly inconspicuous perpetrators prevail among the perpetrators of a structural type. Mostly, they are men with a good work position, having no criminal history, but with an extreme aspiration and career ambition entering their lives. The main motive lies in gaining general recognition and acceptance by others. They know the mechanism of frauds very well and they can exploit it. They believe they are acting in the interest of their institution and deserve a bonus; they do not feel guilty and do not consider their actions to be unlawful. They primarily differ from the first type of structural perpetrators by the fact that they do not have first-plan criminal tendencies; an individual has to go through a certain development before accepting a criminal path.

Individual stages of criminal development can be divided as follows:³

- career beginning – legal ways to achieve private and work goals (conform behaviour);
- confrontation with difficulties – failures and complications of systemic or individual nature;
- searching for options – perceiving illegal opportunities to realise attractive goals;
- achieving success at the expense of dishonest practices - success and feelings of victory, escalation of self-confidence and untouchability, desire for further success suppresses fear of revelation;

¹ BANNERBERG, Britta. *Wer ist ein typischer Korruptionstäter?* Scheinwerfer 63, 2014, 19, Mai, p. 5. [online]. [quoted on 10. 6. 2015]. Available in: https://www.transparency.de/fileadmin/pdfs/Rundbriefe/Scheinwerfer_63_II_2014_Psychologische_Aspekte.pdf

² Criminality of so-called 'white collars' = white collar crimes

³ ČÍRTKOVÁ, Ludmila. Psychologické profily pachatelů kriminality bílých límečků. In: *Zborník príspevkov z Medzinárodnej vedeckej konferencie konanej v dňoch 2. – 3. 10. 2014. „Súčasná spoločenská kríza a jej negatívne prejavy“*. Akadémia policajného zboru v Bratislave, 2014. s. 3-4.

- application of neutralization techniques – perpetrator does not perceive his actions as unlawful.

An empirical study on motivation of economic crime perpetrators was published in 2008 by representatives of the Pforzheim University¹ in cooperation with the PwC Audit and Consulting Company.² The study is concluded with an effort to classify perpetrators according to their psychological characteristics. The data were taken from 13 interviews with convicted perpetrators and a detailed analysis of 60 criminal files. The authors classified the perpetrators by personality into 5 groups. The first three types are so-called 'primary corporate criminals', e.g. the initiators who act deliberately, of their own will and in an active manner. The remaining 2 types are called 'secondary corporate criminals', i.e. those who are easily manipulable, exploitable and vulnerable to blackmail.

1. *Egocentric visionary*

- he/she has a high level of intelligence; he/she has visions and tries to enforce them. Egocentric visionaries want to be primarily successful; they sacrifice their life energy to their careers; they are strikingly ambitious, rational and work hard to achieve their goals. On the other hand, they are characterised by lacking emotions and empathy; they strive for personal benefit. They achieve their goals even by violation of rules, regulations and laws. They prefer a luxury lifestyle; the intoxication of achieving the goal soon diminishes and then it is time to set up a higher goal. This empirical profile is considered to be the most consistent with the usual stereotypes of perpetrators of economic crime.

2. *Frustrated visionary*

- an intelligent person who aims at achieving highly ambitious goals and who goes beyond his/her control. He/she tries to achieve something extraordinary; it is especially about his/her ideals, not egocentrism. If there is a long-term failure to fulfil the ideals, there comes a feeling of dissatisfaction and disbelief; there is frustration, which results in committing crime.

3. *Narcissist visionary*

- narcissistic features also occur in an egocentric and frustrated visionary; but they are negligible when compared with a narcissistic visionary. A narcissistic visionary is characterised by the fact that he/she has an overly high opinion about himself/herself and demands respect of others. He/she persistently deals with himself/herself and presents himself/herself as a great manager; he/she exaggerates his/her achievements or lies about them. Personal criticism irritates him/her; he/she is not capable of losing gracefully.

4. *Dependent perpetrator*

- a dependent perpetrator is emotionally dependent on social relationships; he/she is not able to stay alone, and fears the loss of his/her position and social ties. He/she

¹ CLEFF, T., LUPOLD, L., NADERER, G., VOLKERT, J. *Tätermotivation in der Wirtschaftskriminalität*. Beiträge der Hochschule Pforzheim. Dezember 2008, No. 128, pp. 1–47 [online]. [quoted on 10. 6. 2015] Available in: <https://www.hs-pforzheim.de/De-de/Hochschule/PforzheimerBeitraege/Documents/Nr128.pdf>

² PricewaterhouseCoopers International Limited.

passively accepts the decisions of important people around, even if he/she has to commit an offence against the law.

5. Naive perpetrator

- He/she does not show signs of high intelligence; he/she blindly accepts the goals and values of others and tries to fulfil them. He/she is not able to assert him/herself; he/she differs from visionary types. He/she gets into problematic situations because of his/her naivety; he/she does not commit wrongful actions deliberately; he/she proceeds without thinking while in crisis situations.¹

Specific aspect of motivation of the first three groups of individual types of perpetrators is their quasi-motive = money; they use this motive as a tool to satisfy their internal needs. (egocentrist - independence and luxury; frustrated visionary - self-fulfilment; narcissist - self-fulfilment, self-affirmation). In the case of secondary perpetrators (the latter two types), these are external motives, such as assurance of the existence of him/herself and family; maintaining the current position and social ties.

Fraudsters can generally be *divided according to the relationship between them and the victim*. Australian criminologists, Grabosky and Duffield, based their work on this division:²

- fraud against the organisation is committed by a director or a senior employee of the company;
- fraud against the organisation is committed by a client or a common employee;
 - typical relationship in committing insurance fraud;
- fraud committed against another person, so-called "face to face";³
- fraud committed against a number of individuals through electronic media (indirect contact with the victim).

Fraud planning can be expressed through a four-phase model: perceiving opportunities and creating a procedure – risk and profit assessment – decision-making – action.⁴

Theory of so-called 'corporate psychopaths'

The new term was quickly established in literature and researches, so-called *corporate psychopath*.⁵ This term is practically an alternative for the so-called "white

¹ ČÍRTKOVÁ, Ludmila. Psychologické profily pachatelů kriminality bílých límečků. In: *Zborník príspevkov z Medzinárodnej vedeckej konferencie konanej v dňoch 2. – 3. 10. 2014. „Súčasná spoločenská kríza a jej negatívne prejavy“*. Akadémia policajného zboru v Bratislave, 2014. s. 3-4.

² DUFFIELD, G., GRABOSKY, P. *Red flags of fraud*. Trends & issues in crime and criminal justice. No. 200. Australian Institute of Criminology. 2001. [online]. [quoted on 10. 6. 2015]. Available in: <http://www.aic.gov.au/publications/current%20series/tandi/181-200/tandi200.html> pp.1–2

³ English translation: from face to face; analogy – from eye to eye.

⁴ ČÍRTKOVÁ, Ludmila a kol. *Podvody, zpronevěry, machinace (možnost prevence, odhalování a ochrany před podvodným jednáním)*. Praha: Armex Publishing, 2005, pp. 125.

⁵ BODDY, CLIVE R. *The implications of corporate psychopaths for business and society: An initial examination and a call to arms*. Australasian Journal of Business and Behavioural

collars criminals". A psychopath is not a person with serious personality and behavioural disorder who is unable to live normal life; he/she disrupts his/her working career. A corporate psychopath is a person who works in corporation; he/she is self-confident, egocentric and opportunistic; he/she does not follow the rules and acts absolutely shy-free; he/she becomes a predator. At the same time, he/she is highly manipulative and charismatic.¹ This profile is prerequisite for rapid career growth and also for committing frauds and other financial-economic criminality. There is a theory saying that high growth of corporate psychopaths in senior management positions and their fraudulent behaviour led to the global financial crisis in 2008.²

Forensic psychology responds to the situation by creating forensic-psychological tools to allow selecting a potential corporate psychopath; and on the other hand, forensic psychology tries to create a diagnostic tool to filter out an honest and reliable employee. After successfully locating and using a sufficiently effective diagnostic tool, there come other scientific disciplines led by human resources management and psychology for the purpose of preventive and directional management of such employees.

Criminogenic and protective factors

The criminal behaviour of an individual is directly influenced by several types of factors involved in foreign research and studies. Above all, it is a criminological issue; however, psychology and forensic psychology also have an irreplaceable role right here.

Causal conditionality of criminal behaviour is multiple; there are risk factors conditioning the emergence and development of criminal behaviour (risky X protective). Risk factors work in individual life stages; none of them can be seen as a clear cause of criminal behaviour, nor should any of them be neglected. Declared factors can be used to a certain extent to predict a potential offender; but there is a high risk of labelling, e.g. danger of a self-fulfilling prediction.³ This theory is based on a large number of domestic and foreign studies related to individual correlations of individual factors to criminal behaviour.

We divide the risk factors according to level of investigation into: general (crime as phenomenon), specific (types of crime) and particular (individual crime). Another variant is the division into subjective factors (personality) and objective factors (social - family, school, etc.).

Sciences, 2005 [online]. [quoted on 10. 6. 2015] Available in:

<http://www.stempeldrang.nl/uploads/4/8/5/5/4855530/psychopath.pdf>. pp. 30–40.

¹ ČÍRTKOVÁ, Ludmila. *Psychologické profily pachatelů kriminality bílých límečků*. In: Zborník príspevkov z Medzinárodnej vedeckej konferencie konanej v dňoch 2. – 3. 10. 2014. „Súčasná spoločenská kríza a jej negatívne prejavy“. Akadémia policajného zboru v Bratislave, 2014. p. 5.

² BODDY, Clive R. The corporate psychopaths theory of the global financial crisis. *Journal of Business Ethics*. Journal No. 10551, 2011, pp. 255–259.

³ BLATNÍKOVÁ, Š. NETÍK, K. *Predikce vývoje pachatele*. 1st edition Prague: Institut pro kriminologii a sociální prevenci, 2008. pp.11–42.

Overview of risk factors:¹

1) *External risk factors*

- at the level of society; economic, political, cultural, environmental and social.

2) *Independent risk factors*

- there may be particular individual factors which may already be classified under a different group of risk factors and can be mixed together, but they may also be among the risk factors separately and confirm their independence. Favourable economic situation X Incorrect education and supervision of parents.

3) *Individual risk factors*

- behaviour of an individual and his/her personality characteristics

a) *Low Intelligence*

- low intelligence is an important predictor of criminal behaviour and can be identified very early.

One research project confirming the hypothesis of criminality dependence on the low intelligence of an individual was published in the American Journal of Family Therapy, where its authors demonstrated that the low level of intelligence (IQ) at the age of 4 successfully predicted later juvenile delinquency.² There are many similar research projects with the same or similar result, which determines the risk rate of low intelligence alone or in correlation with another factor or more factors.

b) *Empathy*

- ability of empathy is an important personality feature; its deficiency is directly related to criminal behaviour, especially against individuals. There are no prospective longitudinal studies aimed at mapping correlations between childhood empathy levels in the context of committing criminal actions in the future.
- Jolliferoová and Farrington³ have developed a systematic overview of 35 studies comparing the results of empathy tests with official records of delinquent or criminal behaviour. They found out that the low level of cognitive empathy (ability to understand the feelings of others) was significantly related to committing crime at a general level; this theory is not probable in the context of committing frauds. Fraudsters are characterised by the specificity that their level of cognitive empathy is at a very high level. The low level of emotional empathy (co-experience of the feelings of others) was associated with criminal activity only weakly. Another conclusion is that the relation between low empathy and criminal behaviour

¹ The same source, pp. 13–37.

² KASLOW, Florence W., et al. *Family law issues in family therapy practice: Early intelligence scores and subsequent delinquency: A Prospective study*. American journal of family therapy, 1990. pp. 197–208.

³ JOLLIFFE, Darrick; FARRINGTON, David P. *Empathy and offending: A systematic review and meta-analysis*. Aggression and violent behaviour, 2004, pp. 441–476.

was strongly weakened after elimination of factors of intelligence or socio-economic status.¹

c) Impulsivity

- impulsive behaviour is the tendency to react rapidly without reflection; in terms of committing crime in general, especially violent and property crimes; without a doubt, this personality feature is one of the most critical. Impulsive disorders may include kleptomania, pyromania, etc.
- according to the General Theory of Crime by Gottfredson and Hirschi, people with a low level of self-control have strong tendency towards impulsivity, which is manifested in personality features such as egocentricity. It also results in risky behaviour, in sensation seeking and in the immediate satisfaction of egocentric needs. Gottfredson and Hirschi² define the basic chain of factors which led to committing a criminal act, according to their opinion: *highly impulsive personality – lack of self-control – weak social ties – criminal opportunity*. If all the individual units of the chain are met, they say that each individual can sooner or later commit a crime, with high probability. Forensic psychology created a number of psychological techniques, personality questionnaires, and projective tests to determine the impulsivity of personality.
- in terms of committing an economic crime, I do not think that this factor would be primary and important in any way.

4) Family risk factors

- according to Farrington:³ family crime, large family, ways of raising children, abuse and neglect of children, incomplete families.

Each risk factor is directly responsible for the perpetrator's decision to commit a crime; each is unique in its own way and it is directed to specific types of crime; various combinations of factors affect the perpetrator's behaviour. The opposite of criminogenic factors is represented by protective factors; these are basically their opposite.

Conclusion

This paper has aimed to process selected domestic and foreign sources, including selected scientific research and use of own experience and knowledge of the issue, in order to effectively summarise the available information related to the selected topic. *Forensic-psychological aspects of a fraud perpetrator* – and specification of findings, recommendations and proposals which would help to solve the issue in question. This paper has also aimed to briefly define the selected terms

¹ BLATNÍKOVÁ, Š. NETÍK, K. *Predikce vývoje pachatele*. 1st edition Praha: Institut pro kriminologii a sociální prevenci, 2008, p. 21.

² GOTTFREDSON, M. HIRSCHI, T. *A general theory of crime*. Stanford: University Press, 1990. pp. 1–313.

³ FARRINGTON, David P. *Childhood risk factors and risk-focused prevention*. The Oxford handbook of criminology, 2007 [online]. [quoted on 4. 6. 2015] Available in: <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.329.7432&rep=rep1&type=pdf>; pp. 602–640.

from a criminal-law, criminological and criminalistic point of view; create a typology of perpetrator of fraud and, last but not least, draw attention to the topicality of the given issue.

In the beginning of the paper, the hypothesis was put forward that a perpetrator of fraud must necessarily be individually differentiated in any way from an individual complying with the law. The established hypothesis cannot be completely disproved, nor confirmed. By verifying the hypothesis, it was found out that it is partly disprovable and **can be disproved as a whole**. A perpetrator of fraud (in general) can be anyone who fulfils certain basic criteria; the perpetrators are not exceptional; they do not consider themselves as perpetrators; they do not feel guilty and they see an injured person as guilty. However, some specific *characteristics* can be mentioned, such as increased or decreased self-esteem. There are also certain *criminogenic factors* which may predispose an individual from committing fraud: external, independent, individual and family-based ones. It is important to state that, despite extensive specification of a fraud perpetrator, it is not possible to determine unequivocally and with certainty that an individual has committed or will commit a fraud crime.

The issue is still very new and rapidly developing; there is a large area to improve prevention, using forensic-psychological knowledge. Prominent psychologists and work teams of individual scientific institutions should be actively interested in improving the current condition and they should strive to develop better tools for the psychological profiling of fraudsters.

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RESUMÉ

První část článku obsahuje nezbytné vymezení vybraných základních pojmů problematiky – podvod, pachatel podvodu a psychologie osobnosti.

Druhá část příspěvku se zabývá typologií pachatele podvodu dle vybraných forenzně psychologických a částečně kriminologických aspektů. Autor vychází z výsledků vybraných zahraničních výzkumů a rešerše dostupné tuzemské i zahraniční literatury k dané problematice.

Klíčová slova: Podvod, pojistný podvod, pachatel, psychologie osobnosti, typologie pachatele, forenzní psychologie, vnímání pachatele, kriminogenní faktory, protektivní faktory, teorie korporátních psychopatů.

SUMMARY

The article aims at addressing the forensic-psychological aspects of a perpetrator of fraud – basic terms, selected typology of fraud perpetrator according to selected forensic-psychological and criminological aspects.

The first part of the article includes necessary definitions of selected basic terms of the issue – fraud, fraudster and psychology of personality.

The second part of the paper deals with the typology of the perpetrator of fraud according to the selected forensic-psychological and partly criminological aspects. The author draws on the results of selected foreign research of available Czech and foreign literature related to the issue.

Keywords: Fraud, insurance fraud, perpetrator, psychology of personality, perpetrator typology, forensic psychology, perception of perpetrator, criminogenic factors, protective factors, theory of corporate psychopaths.