

# **An HR Guide to Workplace Fraud and Criminal Behaviour**

Recognition, Prevention and  
Management

**Michael J. Comer and  
Timothy E. Stephens**

Cobasco Group Limited



A **Gower** Book

*An HR Guide to Workplace Fraud  
and Criminal Behaviour*

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Recognition, Prevention and Management

MICHAEL J. COMER

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Cobasco Group Limited

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Mike Williams -

'IT DEPENDS WHETHER YOU WANT TO DO IT TEN TIMES A NIGHT,  
OR JUST SAY YOU HAVE'

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*Wm. H. W. W. W.*

THE DANGERS OF LATIN

# Foreword

by Spot the dog

## Every dog has its day

It is the ultimate irony that towards the close of his career, when the few faculties he ever had have long since evaporated, that my master – Mike Comer – should be coming into vogue. It really is a funny old world and proves that you should never have thrown out your purple flared trousers and yellow Hush Puppies because every dog has its day and what goes round, comes round. If Mr Comer can come into fashion, anything can.

It is even funnier that the man who has made a career out of being a reactionary, sexist, anti-authoritarian should be allowed to write anything intended to help human resources and other nice people. He tells me that he has more or less relented and before he pops his clogs wants to build bridges, having at long last recognized that the alliance between HR, security, audit and compliance is critical in the fight against fraud and other security risks. What is amazing is not that the aged guru should have at last come to this conclusion – which has been obvious to me for most of my life – but that he should do an about-turn without any hint of shame.

## The dangers of Latin

At a recent fraud conference, George Staple QC, a very distinguished man and a top lawyer in a leading City firm, former head of both the Fraud Panel and the Serious Fraud Office, introduced Mr Comer as ‘the international doyen of fraud specialists’ or words to that effect. Mr Comer suspects anything in Latin and was thus unsure what ‘doyen’ meant. He crawled to his feet and was about to give the distinguished QC a kick in the pants when someone pointed out that what Mr Staple had said was a compliment and wasn’t even remotely Latin. Mr Comer, being unaccustomed to compliments, took time to regain his *compos mentis* before delivering an hour’s tirade on the devastating impact that Latin has on the lives of ordinary folk. He never gives up, especially when he is wrong.<sup>1</sup>

## Putting it in writing

For those of you who have cleverly avoided having to read Mr Comer’s stuff or listen to him drone on at seminars, I should explain how I, a simple spotted mutt, ended up writing a foreword to what is supposed to be a serious textbook for humans. The truth is that no human (and especially Mr Staple) would agree to having their names associated in print with the author. It is one thing saying something fleetingly nice about the geriatric guru at a fraud conference and quite another committing it to paper. In short, I got the job because no one else would do it. *Stercus accidit*: or as they say, ‘shit happens’.

---

<sup>1</sup> I don’t think I was wrong. Just see how many times Latin phrases appear in this book

## The geriatric devil child

Through some baffling quirk of nature, Mr Comer has always seemed able to get people to tell him the truth, or at least most of it, and to do things that they would rather not do. I am sure that the people at Gower never wanted to commission him to write this book, but somehow here it is. You may be familiar with films and books on Damian, the fiendish child, and Chuckie, the devilish doll. Mr Comer is the geriatric equivalent.

## Making things happen

Things just seem to happen when Mr Comer is around. For example, the other day we were just sauntering along Victoria Street in London, minding our own business. I was hallucinating about nice juicy bones and lamp-posts and Mr Comer about his increasing band of grandchildren and his new Scotty Cameron putter when – all of a sudden – our paths were crossed by a couple of young heavies who rudely asked for fifty pence for a cup of tea. They obviously did not appreciate the dangers of interrupting the ex-guru when he is deep in thought and, after a two hour interrogation – held on the pavement in the pouring rain and in front of a growing crowd of Japanese tourists who thought they were on *Candid Camera* – the heavies confessed to three bank robberies and, worse still in Mr Comer's eyes, to being supporters of Birmingham City Football Club. Instead of getting fifty pence, the heavies face five years in the cooler. The first lesson from this is that you can always get humans and humanoids to tell the truth, providing you have a cunning plan. The second is never ask Mr Comer for money.

## Commendations and condemnations

Over the past forty years Mr Comer has interviewed many hundreds, if not thousands, of people: appearing in all shapes and sizes, nationalities and sexes in all parts of the world and in cases of varying complexities. In some he has cleared people wrongly under suspicion, but in the majority he has exposed guilty secrets by using the cunning plan described in this book. On a few occasions he has failed to get anywhere, but in a painfully extended career as an investigator and as a witness in criminal and civil courts he has been commended more times than his ass has been kicked. This is not a bad record for an investigator trapped in a time capsule in a lawyer's world.

## Learning from mistakes

As will become obvious, Mr Comer is not a qualified psychologist, accountant or even an estate agent but he has built on his GCE 'O' level certificates in scripture, woodwork and geometrical drawing to become a keen interpreter of human behaviour, learning what works and what doesn't. This book is the result of mistakes made over forty years as a practitioner and, in a very narrow way, as an academic.<sup>2</sup>

---

<sup>2</sup> Mr Comer served as a Visiting Professor at Cranfield Institute of Technology and is currently a Visiting Fellow at the Scarman Centre, University of Leicester. He is also Past President of the European Chapter of Certified Fraud Examiners and, believe it or believe it not, a member of MENSAs

## The most important lessons

In a rare burst of lucidity, Mr Comer told me that the most important lesson he has learned is that people too quickly dismiss their instincts that something is wrong. He says if something does not look or sound right, the chances are it is iffy and must be dealt with. In short, if something is too good to be true, it is. Secondly, problems do not get better by themselves and unresolved suspicions of deception leave a cloud hanging over innocent people while evil escapes unscathed. This is a very bad scene.

We dogs are totally different and if we don't like someone, we just bite them. This is a natural animal instinct but humans try to consciously control everything and would rather be deceived than face the truth. Just ask yourself: 'When did I last bite someone in anger?'

## Acknowledgements

Mr Comer has asked me to thank Mike Williams, who drew the cartoons for this book. I have never met Mr Williams although I have corresponded with him and spoken to him on the telephone. He seems a pleasant sort of bloke even though his accent is difficult to understand, the more so since he had his National Health dentures fitted. Mike Williams is what is known as a 'Scouser' and lives in the Wirral, which is perilously north of civilization, bordering even on Scotland, with all that entails. A sense of humour is essential to survive in such extremes and Mike Williams has a good one. He too is a keen interpreter of human behaviour, particularly in pubs, bars, bingo halls and bookmakers' shops which he seems to frequent a lot. He claims he only goes in them to stimulate the right hemisphere of his brain and to get ideas for cartoons, but I think he may be dissembling the truth and is really a voyeur. Anyway, if you don't like the words, I am sure you will appreciate the cartoons.

I have also been instructed to thank Patrick M. Ardis, of the Woolf Ardis law firm in Memphis, Tennessee, and David H. Price of Ealing, who were dragged in by Mr Comer to co-author *Bad Lies in Business*, which was also about deception and is fortunately out of print except for the Thai and Brazilian editions. It is to their credit that Mr Ardis and Mr Price have managed to disassociate themselves from this book, although it does contain many of the ideas they developed together.

Mr Comer also acknowledges some good work by Don Rabon of the North Carolina Justice Academy and Avinoan Sapir of LSI in Phoenix, Arizona, on the analysis of written statements. He is especially grateful to Tim Stephens on whom most of the techniques in this book have been tried and tested *ad nauseam*. However, his family seems to like him and so do dogs of the more intelligent variety.

Enjoy the book; I guarantee it will make you a happier person and far more effective in dealing with deception. It will also give you a good insight into the twisted mind of a fraud investigator, but you can pick out the good bits and ignore the rest.





HE WAS DETERMINED NOT TO BE CAUGHT IN A LIE

# Prologue

## Monkey waves

In the summer of 1999, Herman Snooks, a sandal-wearing, ginger-haired research scientist from Newbury, Berkshire – in a moment of extraordinary genius – invented an electronic device which was about the size of a ballpoint pen and emitted what he called ‘monkey waves’. These invisible and silent surges concatenated, reversed and redirected the brain’s alpha and beta waves, thereby compelling human targets to tell the truth, the whole truth and nothing but the truth, regardless of the consequences.

## Revealing the truth

It was an extraordinary invention that gave new meaning to the phrase ‘to get on the same wavelength as someone else’. Victims who were enveloped by the waves had an unflinching reaction: they blinked hard four times, scratched their noses twice and then exploded with the truth. There was no stopping them and honesty would pour out like a raging torrent. Once removed from the beams, the victims reverted to deceptive normality but, as if in their worst nightmare, they remembered every word they had said while under the influence. The way they tried to recover and explain away their eruptions of unexpurgated truth was pitiable and the panic-ridden aftermath was the most disturbing of all. Grown men turned into blubbing imbeciles.

*The truth really hurts, especially when you had no intention of telling it*

Herman tested the device on his neighbours, friends and family with astonishing results. His wife pleaded guilty to voting for New Labour and is now in a mental home, his teenage kids admitted to being multimillionaire drug pushers with massive real estate investments in Highgate and his mother-in-law confessed that she was undergoing sex change therapy and planned to become a professional wrestler. This last disclosure did not surprise Herman, but the others were shocking.

## Clever investments

Other successes followed quickly, including sudden, unexplained bursts of honesty by car salesmen, pension advisers, social security claimants and, to everyone’s total amazement, even estate agents and accountants. People could not stop themselves from telling the truth and Herman soon became very wealthy by making astute investments in all manner of honest

enterprises. He thus avoided telecoms shares. His device changed his world by guaranteeing he only reacted to the truth. He could do no wrong and every decision was a winner.

*Knowing the truth makes life easy*

## The bubble bursts

But it was all too good to be true and Herman became overconfident and went one step too far. He should have known the bubble had to burst and when it did it was in the most spectacular way imaginable. The downfall started when Herman beamed the gadget at the judge, defendants, witnesses and lawyers in a high-profile televised court case, much like the OJ Simpson trial. The tumult that followed, when justice collapsed under the unacceptable burden of the deep truth, does not bear repeating. The bottom line was that Herman was pilloried and the device seized, classified as 'top secret' and sent to the Pentagon for analysis amid great judicial and political rumblings of 'anarchy', 'communistic-inspired revolution' and 'black magic'. A few people said the device was an al-Qaeda plot to bring down Western economies by compelling accountants to tell the truth: others said the Martians were behind it. But they all thought that Herman had stockpiled better and more powerful weapons of mass detection and was a permanent danger.

## Politicians close ranks

Politicians everywhere could see the implications, were the device to become generally available. 'If we are made to tell the truth and cannot spin,' some said, 'our world, as we know it, will come to an end. This is an intolerable attack on democracy: it must be banned forthwith or even quicker.' Laboratories were commissioned to develop antidotes to the diabolical beams; pills were invented and one enterprising scientist designed a wave-proof helmet and mouth guard – much like that worn by Hannibal Lecter in *The Silence of the Lambs*. This worked well, but politicians who tested the prototype were not convinced that it conveyed the right image.

They said: 'Aren't we admitting, if we wear it, that we need it and, if we need it, aren't we acknowledging that we tell lies? What the heck shall we do? This is scandalous. It gives us no room for manoeuvre and a world without spin is not worth living in.'

Political enemies, who had agreed on nothing for decades, became as one in swearing themselves to secrecy and condemning Herman's invention. 'It's a monkey on our back', they moaned. Parliament was put into indefinite recess and some MPs went on permanent sick leave, while others disappeared on world cruises.

## London abandoned

Travel agents in London SW1 and Islington could not figure out why there was such a sudden rush of last-minute bookings for sponsored political fact-finding trips to the Himalayas and the Upper Volta. Haunts used by politicians and journalists, such as steam baths, bingo halls, massage parlours and expensive restaurants, were deserted and for the first time in over thirty

years, table one at Langan's restaurant in the West End of London was available to non-politicians. It really was that bad!

Paranoia ran wild, and people who thought they had been beamed but hadn't confessed to everything imaginable and to lots of things that weren't. Stock markets collapsed when at annual general meetings directors, who had heard secret rumours about the device and were fearful they might be beamed midway through presenting their annual results, took the safe course and told the truth about the shocking state of their businesses. Staff working in Buckingham Palace resigned in droves, but did not think even once of speaking to Max Clifford or tabloid journalists. It was that bad, it really was.

## Academia

Universities, research centres, laboratories and other repositories for academics shut their doors, forcing their occupants to seek meaningful employment as plumbers and butchers or, in one case, even as an investigator. Scientists quickly recalibrated the results of widely accepted research projects, admitting that smoking was extremely healthy, that Big Macs were highly nutritional, and that Viagra had previously hidden side effects such as multiple slipped discs and inflamed knees. Sales plunged.

But the most embarrassing scientific turnaround was from NASA, which admitted that it had never landed a rocket on the moon and that the photographs of the astronauts jumping about with flags and golf clubs had been staged in a disused warehouse in the Bronx. It really was that bad, it was. And all because of Herman.

## Authors

Gurus who had written management texts stood in queues outside bookshops to buy up entire stocks of their own works so they could be burned. Amazon.com sold out overnight. Tom Peters reissued his landmark book with the new title *In Search of Flatulence* and *The One Minute Manager* was changed to *Late is Better Than Never*. It was bad. Really bad. Fear that the truth might strike anyone down at any time created pre-emptive panic and the effect was universal. No one was safe.

## The closure

Very serious consideration, at the highest levels,<sup>1</sup> was given to having Herman assassinated. But in the end, as is often the case, common sense based on bribery prevailed and under an oath of absolute secrecy Herman was given \$50 million to destroy his invention and all plans, specifications and prototypes which, being an honest man, he did. This is probably why you have never heard of the device before now.

For readers who are interested in the ending to this story, Herman changed his name and is now living happily in Mexico with his sixth wife, Bernard. His beard has gone and he is heavily

---

<sup>1</sup> i.e. Alistair Campbell

into designer clothes, Cartier watches, polo shirts, Volvos, crocodile shoes, dark glasses and silk socks. He is sometimes mistaken for a fraud investigator and this irritates him.

## At it again

While technically in semi-retirement Herman invented an electronic collar that translates barks, mews and other sounds made by dogs, cats, rabbits and other furry and feathery creatures into plain English, Japanese and Yiddish. Don't ask why he included English and Japanese, but that's just the way it was. The beta version is working well and Herman has spent many happy hours discussing the works of Van Gogh and Rembrandt with his gerbil, Basil.

Sadly, Herman knows that the device can never be marketed commercially. *Entre nous*, the drawback is that most domestic pets are totally obsessed with their genitalia and bowel movements. Worse still, apparently innocent barks, mews, grunts and squeaks decode into awfully bad language and pets are not up to snuff on either political correctness or discretion. They are also sexually indiscriminate and spend most of their waking hours figuring out how to roger their colleagues.<sup>2</sup> To release the contraption on the open market – thereby empowering billions of pets to swear at and inform on their owners – would cause an international uproar of unparalleled proportions. And just think what the taxman would do if he could turn all domestic pets into whistle blowers; the mind boggles at the thought.

## The latest invention

You have to admit that Herman, although a brilliant inventor, is more than a tad unlucky in his selection of commercially viable ideas. He has said if he ever gets over the problems with his animal invention, he will release an even more advanced computer that will enable people to communicate effectively with their teenage kids and elderly parents. As we speak, this contraption requires the processing power of 200 paralleled Cray computers and is about the size of ten London buses. Herman is confident, given the advances in microtechnology, it can be miniaturized to fit into a pen. The truth is that most things can if you make them small enough.

This book won't fit into a pen, but it will make you almost as effective as Herman, and without the downside.

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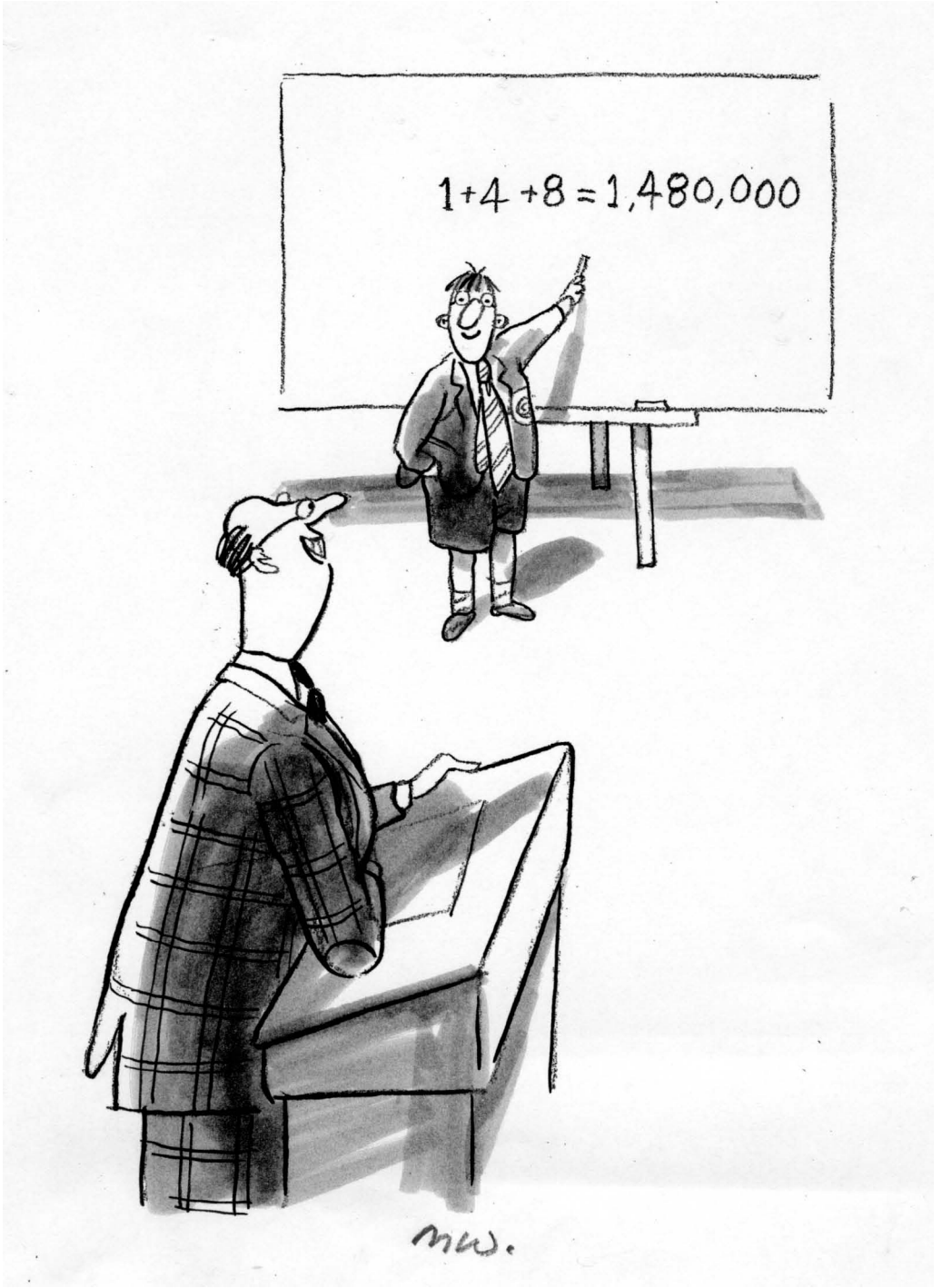
<sup>2</sup> To that extent they are much like politicians

PART

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**1**

# *The Problem of Deception*



'THAT'S IT, POTTER, YOU'LL MAKE A GREAT ACCOUNTANT'

# 1 *Introduction*

*Lies are the truth to people who don't know better*

## Lies in business

Most days of your life you are deceived. *Think about it!* No, please, really think about it. Take it on board at a conscious level: look upwards and to your left.<sup>1</sup> *Deception is a really bad scene.*

*The cheque is in the post*

### A TYPICAL DAY?

You got out of bed, read lots of lies in the newspaper; watched the breakfast show, with people pretending to be happy early in the morning; walked to the station with your neighbour who told you he had just been promoted, when you know he had been fired; caught the train, but could not get a first-class seat because the compartments were full of fare dodgers; came into the office, spoke to your colleagues who said your new employee was doing fine, when you know he is not; received a call from Bill Smith saying that he could not come to work today as he was ill; attended meetings; approved a bunch of purchase invoices for payment; signed a few

expense statements, some of which looked a bit dodgy; telephoned a customer who promised you the cheque was in the post; called your banker, but his PA told you he was in a meeting and would call you back; had lunch with a job candidate and then lost to him at golf because he cheated. You then returned home; spoke to the kids, who told you they had no homework and were going to a disco; watched television, read your emails and responded to them and then clambered into bed, pretending you had a bad migraine.

How many lies were you told during this very ordinary day? Did you do anything about them? Were any of them really important?

*The fact is that most people would prefer to be deceived than be perceived as being distrustful*

In the majority of cases, the lies you are told are insignificant, but sometimes they have very serious consequences. In his book *Rogue Trader*, Nicholas Leeson said:

<sup>1</sup> We will explain later the reason for this



BUYING TIME	
'I put the phone down. These conversations were always the same with Mary [Mary Walz was his functional manager whose career was seriously damaged by Mr Leeson's dishonesty]. She tried to give me some kind	of tough instruction, but I always deflected her so she ended with the promise of another chat tomorrow. This was fine by me. Each tomorrow I passed was another day ... I just needed to buy time.'

When Tony Railton, an auditor from Baring's head office, was sent to Singapore to sort out the trading positions, Mr Leeson said:

INCREDIBLE EXPLANATION	
'I wondered what Tony Railton had uncovered. My list of deceit was too long ... it could have been anything from the Balance Sheet to the Citibank account or to the 88888 account. I waited for him. Then the penny dropped and then the millions dropped. I realised Railton was asking me a question rather than accusing me of fraud ... and wrestling me to the ground in a citizen's arrest. If he was asking a question he might not know the answer.	"'It's a consolidation account we use, something like the gross account reporting we do for you," I said airily. This was all gobbledegook. He couldn't possibly swallow this one. I put one hand out of sight below my desk and pinched my thigh to stop myself from laughing at my own idiocy. My explanation made no sense, but it was the best I could come up with on the spot and he believed it.'

*For every credibility gap, there is a gullibility fill ...*

Fortunately you may never be confronted with someone quite like Mr Leeson but, just the same, there are hundreds of occasions every year when it would be to your advantage to extract the truth from people who don't want to tell it. Whatever job you do, your success ultimately depends on your ability to sort out the good from the bad and to deal, effectively and politely, with deception.

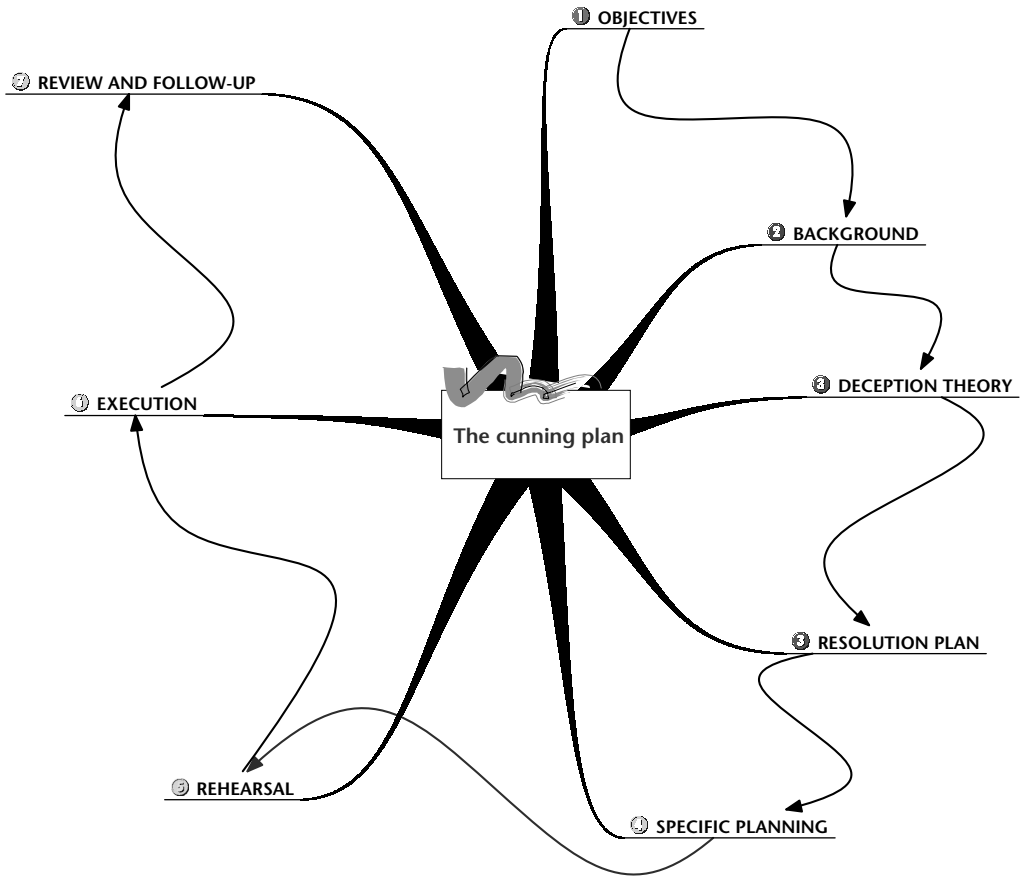
*All lies in jest, until a man hears what he wants to hear and disregards the rest<sup>2</sup>*

## The cunning plan

This book explains how and why lies are told and how you can deal with them whatever job you do. There are two main sorts of lies. The first is the achievement lie, which is told in order to lead you down the garden path so that you give a job to a bad candidate, part with your money or do something else that is against your interest. The second sort is the exculpatory lie, used to hide wrongdoing and normally told after the event, such as in a disciplinary interview or when someone is challenged for doing something wrong.

---

2    Paul Simon, *The Boxer*



**Mind Map® 1** Elements of the cunning plan

But either way, the fact is that the clues to deception are overwhelming, providing you register them at a conscious level. Once you have done this, the initiative swings in your favour. You must decide what your objectives are: do you want to deal with the lie or let it pass? If you decide to expose it you must plan and rehearse your approach and then execute it in a clinical and low-key way (see Mind Map 1). And the more you practice, the better you will become.

By working through this book, you should become almost as successful as Herman in dealing with hot air and deception in business. If you want, you will also be able to develop non-verbal methods of communicating with your pets, other humans and humanoids who don't understand plain language.

This book is intended as a practical guide primarily for human resources specialists and line managers who want to improve their performance and that of their organization based on four principles:

- Dishonesty, violence and other unpleasant behaviour is caused by humans.
- Every process, operation or asset is safe if the only people who have access to them are honest.

- Decisions will always be much more effective if they are based on the truth.
- People who act dishonestly should be identified, exposed and removed from further temptation as quickly and as quietly as possible; they should be punished and made to repay.

Good lies you can still continue to enjoy as they will do you no harm. Some of the techniques suggested in Chapters 6 and 7 are only appropriate for really tough interviews where gross deception is suspected and where the stakes are really high. The chances are that in the sorts of interviews you have to conduct you will not have to use these, but it is important that you should know about them so that you can use diluted versions in your day-to-day work.

*If you think telling the truth is difficult, try lying*

## Buying this book

If you are reading these words in a bookshop and considering whether to buy the book, remember that even if you don't plan to read it, you can still benefit greatly from buying it. The reason it has a gaudy cover and big letters is so that you can leave it on your desk or take it with you into meetings instead of your Filofax or mobile telephone. Just let everyone see it and you will have improved your chances of not being deceived by 75.876 per cent.

Better still why not buy three copies: one for the office, one for your personal use and keep the last on your golf trolley. Do this and you will increase your chances of finding the truth simply by letting people know that you are aware of the possibilities that they might try to deceive you. If you want to improve your chances of finding the truth to 98.617 per cent you should open the book in meetings, flick through the pages, look at the person you suspect might be dissembling the truth and say: 'Aaaah ... that's it. I knew it was in there somewhere'. This will unnerve most liars.

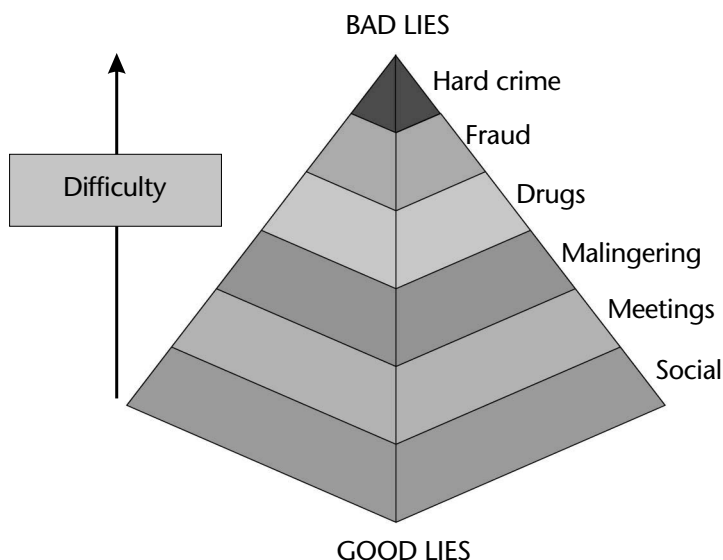
## Structure of the book

### GENERAL

This book covers lies in all shapes and sizes, and the situations in which they most commonly occur (Figure 1.1).

The book is written in a modular, mildly progressive format, in four main parts:

- Part 1 (Chapters 1 to 4) covers the *problems* of deception, both oral and written.
- Part 2 (Chapters 5 to 8) deals with *countermeasures*, from generic questions through to the policies and procedures needed to assure an honest workforce, a personal manifesto to make sure you do not go the way of the Enron directors, and how to interview people suspected of fraud.
- Part 3 (Chapters 9 and 10) contains solutions to HR problems from malingering, through to harassment and fact finding and applying the cunning plan to other situations in which deception could be a factor.
- Part 4 (Chapter 11) may be the most important of all because it applies to the rare, but very important, cases when you may be called to give evidence in court or an employment tribunal.



**Figure 1.1** Tough and easy interviews

## MIND MAPS® AND DIAGRAMS

Humans absorb information in different ways. Some prefer visual stimulation, others auditory, sensory or emotional channels. Mind Maps, which were invented by Tony Buzan (former editor of the *Mensa International Journal*, coach to both the British Olympic rowing team and chess squad, and an all-round clever clogs), are excellent tools for summarizing complex relationships in a visual format. Experience shows that highly intelligent people like Mind Maps: if you have bought this book, we are sure you will like them. If you have just borrowed it, you won't. If you want, you can download a free demonstration copy of a superb Mind Mapping program from [www.mindjet.com](http://www.mindjet.com). If you want bigger and better versions of the Mind Maps you can get them from our site at [www.cobasco.com](http://www.cobasco.com); they are free of charge and you can adapt them as you want.<sup>3</sup>

There are also lots of diagrams, 'word bites' and illustrations. Again, some people will like them and others won't. But most people remember messages in diagrams better than they do plain text, simply because their brains are hardwired to do so. If you like diagrams and other stuff, great. If not, don't worry. It probably means that your primary channel of communication is other than visual and this is not really a problem, unless you plan to become a creative accountant or fashion designer.

## TABLES

There are many tables in this book, which summarize what would otherwise be massive amounts of text. The problem with tables is that people skip over them, blank out and glaze over and thus miss important messages. We strongly recommend that you take a few minutes to read each table carefully and use a highlighter pen to mark those bits you think could be important to you.

<sup>3</sup> Providing you don't remove our copyright symbols, in which case your computer will self-destruct

*You can learn a lot from tables, if you read them*

## ADAPTING THE TECHNIQUES

The techniques in Chapters 6, 7 and 10 are directed at the most difficult interviews of all for human resources – those where serious malpractice is suspected. These are referred to as ‘tough interviews’. However, the approaches suggested may be adapted for any meeting or interview in which it is important to get the truth from people opposed to telling it.

Being able to recognize lies and to deal effectively with them is a really valuable tool, which will:

- ensure that your decisions are based on accurate information;
- avoid unpleasant surprises in your business and commercial life;
- make you more capable and confident in your job, whatever it is;
- enable you to conduct audits and special investigations more effectively;
- enable you to find the truth when dishonesty is suspected.

By understanding the nature of deception, obtaining the tools and honing your interview skills you can quickly get to the truth in 97.24 per cent of all cases and you can do so politely, in your own way and without causing controversy.

*Who knows wins*

We also hope you will find this book interesting and fun. Not everyone has a sense of humour and the idea of having fun at work may be abhorrent. This is a serious book, but humour has its place and helps you remember important points because it registers in the brain in a different way from most other memories.

## INTERVIEWING SKILLS

This book covers ‘interviewing skills’, which can be defined as:

- the capability to find the truth;
- in all situations;
- in compliance with the law and ethical standards, through specified *processes*;
- in a way which leaves everyone involved with the most *positive feelings* possible under all of the circumstances.

Interviewing skills consist of two main elements: *capability* and *understanding*.

*Capability* is based on a deep *understanding* of the nature and mechanics of deception, and the ability to be able to deal with the conflict between the liar’s:

- subconscious (which will usually try to tell the truth) and controlled consciousness (which may wish to misrepresent it);
- memory (which will know the facts) and imagination (which will distort them to suit the liar’s conscious objectives).

*The memory and subconscious are referred to as the 'two monkeys' that sit on the liar's back, constantly reminding him of the truth*

*Understanding* is the second vital element of interviewing skills, and includes:

- An *appreciation* of the questions we can ask and statements we can make to get to the truth, and especially:
  - The capability to *influence* and *persuade* the liar to the point where he loses all confidence in his ability to cope with the anxiety created by his deception.
  - The capability to *recognize* when the suspect is confronting himself with the dilemma (the 'pivotal point') of whether or not to release his anxiety by telling some or all of the truth.
  - The capability to create *rapport* and *empathy* with the suspect to enable him to resolve this dilemma by telling the truth and to clear up other matters with which he may have been concerned while retaining his *self-respect*.
- An *acceptance* of the ethical, moral and social values concerned, including:
  - human rights,
  - privacy,
  - the policies and procedures in your organization,
  - the applicable laws, rules, procedures and codes of practice against which our actions will be judged by others and, more importantly, by ourselves as professional interviewers.

The definition includes three very important words, and these are 'respect', 'rapport' and 'empathy'. Let's look at these words in more detail.

## Respect

We should always show respect for the person who tells lies, no matter how bad a person he really is, and must never become emotionally involved, through anger, sarcasm or discourtesy. Respect means honouring the suspect's legal rights and treating him fairly. It also means that you can sleep soundly at night, knowing you have done your best and have acted professionally.

## Rapport

Rapport is defined as '*the process of establishing and maintaining a relationship of mutual trust and understanding between two or more people*'. It means 'seeing eye-to eye' or 'getting on the same wavelength' as someone else. It does not mean being condescending or obsequious. We should always try to establish rapport with the subject of an interview, while remaining firmly in control.

There is overwhelming evidence that people tell more of the truth, more often, to people they believe really understand and empathize with them. As a rule, if you show someone you don't like him by what you say, how you say it, or through your body language, he will not like you, and rapport goes out the window.

Within the first few seconds of meeting someone, you will subconsciously decide – based on their 'emblems' (see Chapter 4, Table 4.9) – how your relationship will develop (see Figure 1.2).



**Figure 1.2** Who will you get on with?

To establish rapport we must take conscious control of our prejudices and first impressions. The ways in which we can consciously establish rapport are described in Chapter 5, page 133, but please remember the word: it is very important.

**Empathy**

This is another weighty word and goes a step beyond ‘rapport’, bordering on a low-level telepathy. It means that we are able to put ourselves in the other person’s shoes, appreciate how he feels and, among other things, use this understanding to bring him face to face with reality, so that he tells the truth.

Where a liar is fighting with the two monkeys of subconscious and memory and deciding whether to tell the truth or not (the ‘pivotal point’), an empathetic approach is critical. Chapter 5, page 223 says more about empathy, but remember that, like rapport, it is a really influential word. And you must have lots of it.

*Empathy is sympathy without sadness*

## THE DEEP TRUTH

Really skilful interviewers don't just find the truth about the topic in which they are interested. They find the deep truth and get a brain dump from the subject of all matters that could be of interest. Once issues of immediate concern have been dealt with, they move on to explore other areas in which the subject may have been involved or may possess knowledge of naughtiness by others.

From now on you should focus on finding the deep truth and trying to get the subject to tell you *everything* that could be important, rather than just a confession to the limited matters at hand.

*The person who confesses is a most valuable source of information on other matters*

## Disclaimers

### LEGALITY

Every reasonable effort has been made to ensure that everything in this book is legal in civilized jurisdictions (i.e. excluding Cheam and Islington) and complies with legal, human rights, privacy and other legislation. However, neither the authors, publishers or Spot the Dog can be held responsible for the outcome of any particular interview and, in really difficult cases, especially involving criminal prosecution, you should seek specific legal advice.

It is also possible that some of the techniques for finding the truth – especially if they are quoted out of context – could be offensive to liars and people who believe in tooth fairies and that the rights of crooks, cheats and ne'er-do-wells should always prevail over those of their victims. We do not apologize for this but later on we include a specific health warning because it is totally contrary to human nature to ask questions that elicit the truth. Everything we suggest is fair, ethical and directed towards finding the truth, which means clearing the innocent as well as exposing the guilty. If readers of the *Independent* and residents of Cheam and Islington don't agree, so be it.

### SEXISM AND OTHER STUFF

Women make superb interviewers, mainly because their brains have evolved more efficiently than men's (see Chapter 3, page 37). However, given that the population is divided almost equally between males and females,<sup>4</sup> it is amazing that proportionately less women are *detected* in dishonesty. This could be that they are innately more honest than men, more clever, or, more likely, both.

To simplify sentence construction, the masculine gender is used throughout and we hope this does not offend anyone.

*Smile and the world smiles with you!*

---

<sup>4</sup> Except in Cheam and Islington



## GIVING THE GAME AWAY

Some people might believe that writing books like this helps liars plan their defences and therefore should be suppressed. This is wrong and, on the contrary, the more the liar knows and becomes anxious about the clues he is emanating into the ether, the more likely he is to fail.

THE TURN IN THE BARREL	
Where a person is being questioned about dishonesty, the world ceases to exist outside the room in which the interview is taking place. Family, friends and other problems disappear into the background while the	subject focuses on surviving the interview. At this time, it is a closed world in which the more he understands, the more difficult it becomes to repress the truth.

*Liars know too much. If you think telling the truth is difficult, try lying.  
When it is your turn in the barrel, things look different*

## Misconceptions and myths about deception

### WHAT INTEREST IN SOLUTIONS?

There are few subjects which are as fraught with misconception, danger and emotion as the art of deception and the quest to identify and isolate its symptoms. Paradoxically, once symptoms have been recognized, there appears to be little interest in actually resolving them. This unwillingness to expose deception is clearly demonstrated in a recent book by a respected academic which devotes 220 pages to reviewing abstruse publications by his colleagues on the nature of lies and four and a half pages on how to resolve them!

*It is easier to identify a problem than to suggest a solution*

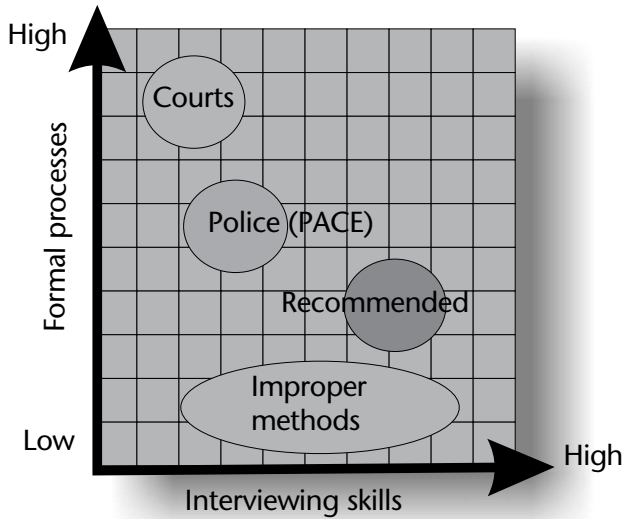
It is easy to discover when people are lying: in fact we are flooded with clues. What you do once you are put on notice is an entirely different matter, and it is in this area that the void of knowledge and lack of applied techniques are at their most extreme. No one, except for a few American investigators and lawyers, seems prepared to offer advice on how lies should be tackled and the deep truth exposed, except in the case of exculpatory lies. This is another paradox because, for the reasons explained later, it is much better to catch lies in the achievement stage, before the damage has been done.

*People want to know how to detect lies but not how to tackle them*

Getting to the deep truth can be simplified as a three-stage process:

- 1 Recognizing that a lie has been told.
- 2 Using interviewing skills to get to the deep truth.
- 3 Using a legal and morally defensible process.

Stages 1 and 3 are easy and, for this reason, everyone seems to have concentrated on them, including academics, lawyers etc., etc. Police training throughout the world is focused on



**Figure 1.3** Interviewing skills and processes

process rather than on deep-truth interviewing skills. If you don't believe this, just read the transcript of the interview with OJ Simpson (<http://simpson.walraven.org>) which from a procedural point of view was uncontentious but which had no chance of ever getting off the ground and into the deep truth.

#### *Process suppresses skills*

This is not to say that processes are not important, but they must be set against the skills and techniques necessary to get to the deep truth. Figure 1.3 shows the relationship between skills and processes and the fact that the two must work together.

Without process controls, 'skills' may go over the line into extreme areas such as violence, torture, deprivation and truth serums. However, the methods currently used by law enforcement agencies are too process-orientated and do not encourage the use of interviewing skills. The result is that the deep truth never surfaces.

Putting down in writing the skills, tools and techniques needed to get to the deep truth in all situations – involving achievement and exculpatory lies – is difficult and if there has been any applied research on the subject, it is not visible.

Many groups are involved in the detection and resolution of deception, including academics – ranging from anthropologists, psychologists, psychiatrists to zoologists – politicians, lawyers and do-gooders down to the great unwashed such as police, customs, the intelligence services, auditors and business managers. Their work is fragmented and often conflicting.

## A POTENT HEALTH WARNING

The point of the above is not just to take a gratuitous smack<sup>5</sup> at academics, lawyers and others who have the luxury of second guessing, but to issue a potent health warning. This book

<sup>5</sup> However satisfying this might be

is based on over 40 years of applied experience of both achievement and exculpatory liars, including successes, failures and many hard-learned lessons. Not every technique can be proven scientifically or measured, and in the abstract some – especially those at the pivotal point – may appear clichéd or pedestrian.<sup>6</sup> Some ideas may not be suitable for the golf club or the Women’s Institute. It is up to you to decide how you will deal with deception, but it is evil and ruins the lives of honest people. We hope this book will help you until such time as something better comes along. It should also lead you to conclude that prevention is far better than cure because once you are forced to deal with exculpatory lies it could be too late.

*Prevention is better than cure*

## Conclusions

The bottom line is that people will always answer questions and admit the truth providing you have a cunning plan and use your powers of persuasion.

UNDER-AGE DRINKER	
In an American case a man with a shotgun appeared before the cashier in a small grocery store and filled up a paper bag with the contents of the cash register. Nothing unusual in that, you say, but not satisfied with just the cash the robber saw a bottle of whisky on the shelf behind the trembling cashier and ordered him to hand it over. The cashier said he would not do so as the robber was under age. The robber claimed	he was over 21, but the cashier argued. The argument went on for a few minutes but was resolved when the robber produced his driving licence showing his name, address and photograph, proving that he was over 21. The cashier examined the licence, remembered the details, and handed over the whisky. Two hours later the robber was caught sitting in his apartment counting the cash, with the bottle unopened.

This case demonstrates that anxiety can cause people to do things they would otherwise not do. You can always get to the deep truth by using a cunning plan: someone will always give the game away.

BUZZ LIGHTYEAR	
In November 2002, the <i>Daily Telegraph</i> reported an interesting case involving the <i>Toy Story</i> character Buzz Lightyear. For those of you not involved in academia, Buzz is a small spaceman whose main catchphrase is ‘To infinity and beyond’. A thief hiding in the bushes after stealing a Buzz Lightyear toy from a shop was caught after Buzz	blurted out one of his catchphrases. Police with sniffer dogs were about to give up the chase for the thief who had set off the store’s alarm, when the intergalactic law enforcer blurted out, ‘Buzz Lightyear, permission to engage’. The thief realized the game was up when a police dog ran to his hiding place and began growling at him.

<sup>6</sup> But they usually work

The first rule of interviewing is never give up and the second is if one person won't tell you the truth, somebody else will. If you want to really find out what is going on in an organization, go to the area where smokers congregate, speak to the tea ladies or the chauffeurs or play golf with the senior managers. The world is full of Buzz Lightyears who blurt out the truth and all you have to do is to recognize it at a conscious level and then deal with it.



'THINGS HAVE NEVER BEEN THE SAME SINCE HE BOUGHT THAT  
BLOODY BOOK'

# 2 *Taxonomy*

*If at first you don't succeed, try lying*

## The basics

### WHAT IS A LIE?

A lie is a communication which the person conveying it:

- does not believe to be true; *or*
- has good reason to suspect is incorrect (*that is, wilful blindness*).

A lie is communicated with the conscious objective of misleading the victim to achieve an advantage for the liar or for someone else.<sup>1</sup> Thus, to tell a lie the liar must first know the truth. Truth is the baseline cognitive state and a lie a distortion of it.

*The liar always makes a conscious decision to lie.*

*A person lies because the truth is not to his greatest advantage*

A liar has conscious control over most of the words he utters, or the content of his story, but in all cases unconscious clues – including incongruencies in the syntax, paralinguistics, non-verbal communications and attitude – will always give the game away.

### CLUES FROM EVERY PORE

Sigmund Freud said, 'He that has eyes to see and ears to hear may convince himself that no mortal can keep a secret. If his lips

are silent, he chatters with his fingertips. Betrayal oozes out of every pore.'

*A liar will always fail against an effective interviewer*

As we shall see in Chapter 3, the human brain is hard-wired in a way that makes repression<sup>2</sup> and concealment of the symptoms of deception impossible, simply because emotions and autonomic actions driven by the lower – reptilian and mammalian – brain cannot be hidden. In simple terms we can consider a liar's memory and subconscious as two monkeys sitting on his back, chattering away, creating anxiety, and liable at any moment to blurt out the truth.

<sup>1</sup> St Augustine defined a lie as 'an intentional negation of a subjective truth'

<sup>2</sup> Unconscious concealment

CHANNELS OF COMMUNICATION

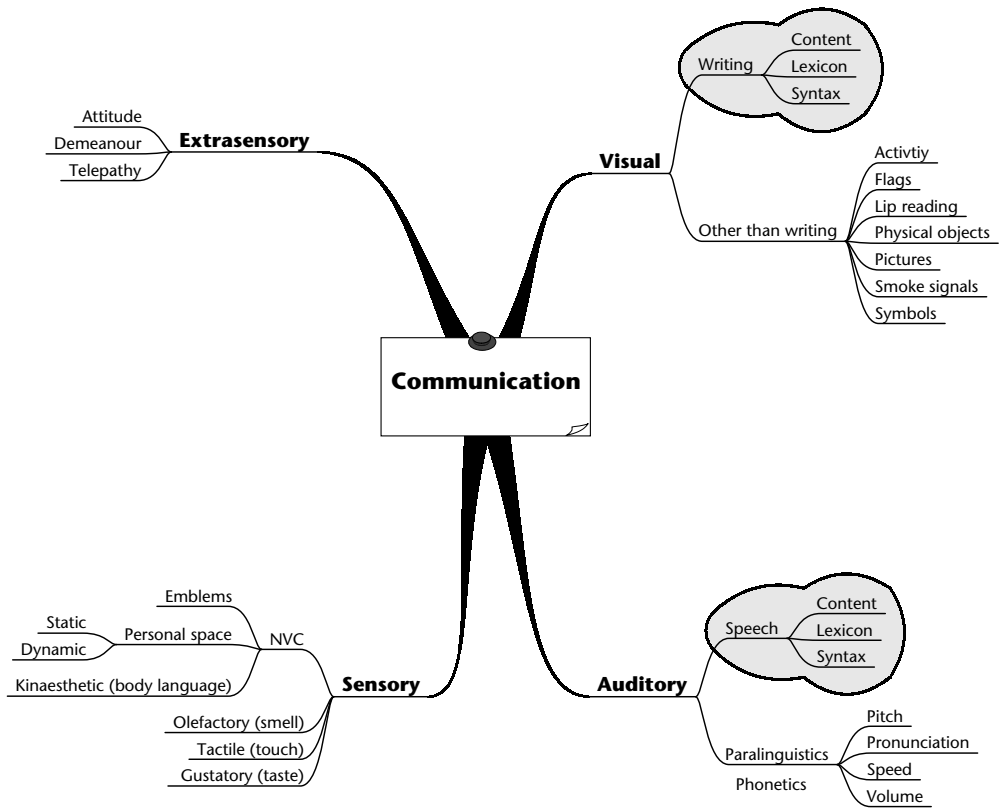
Untruths – which will have one or more critical issues – can relate to future intentions, and are thus usually classed as ‘achievement lies’, or past events, usually ‘exculpatory lies’ that can be communicated in what we will refer to as a ‘story’ (Table 2.1).

*This is the first table. Please don’t just gloss over it, but read it carefully. It is important.*

**Table 2.1**    Methods of communicating lies

Channel of communication	Delivery of the lie	
	How expressed	Examples
Verbal Consisting of content, lexicon and syntax	Speech Auditory	In face to face conversations In meetings During negotiations Over the telephone
	V I S U A L  In writing	In correspondence In forms In statements and affidavits In accounting and financial records In spreadsheets In business proposals In agreements and contracts In academic research and surveys
Non-verbal	Other than in writing	In pictures, photographs and diagrams In physical objects
		Sign language, flags, smoke signals and symbols
	Emblems	In appearance, such as clothing, hair or jewellery In appearance of an object, such as an office or a car
	Body language Kinaesthetic	Through gestures Facial expressions Proximity or personal space
	Paralinguistics Phonetics	Non- verbal sounds such as grunts and sighs Speed, tone and pitch of delivery
	Sensory	Smell (olfactory) Touch (tactile) Taste (gustatory)
	Extrasensory	Demeanour Attitude Telepathy

Channels of communication can also be summarized in the following way (see Mind Map 2).



### **Mind Map® 2** Lies and channels of communication

Mind Map 2 shows that there are four channels through which we can communicate with others, the two most important are:

- auditory (hearing);
- visual (seeing).

We will discuss these channels of communication and their significance when we talk about finding the truth in Chapter 3. However, it is important to recognize from the outset that people always communicate:

- what they intend to communicate (conscious communication);
- other things they do not intend to disclose (unconscious communication).



Unintended or unconscious disclosures – which include body language, paralinguistics, proximetics, kinetics, attitude and emotions – are very important in guiding us to distinguish truth from lies. We will return to this point later.

Often lies will be communicated through more than one channel. For example:

THE TASTY DISH	
A menu might give a written description which is nothing short of mouth-watering; the chef might tell us that the meat is delicious and arranges it so that it looks appetizing and covers it with a sweet-	smelling sauce. The waiter may provide us with a knife so sharp it would cut through concrete. Only when we start eating the meat do we realize that it tastes like an old sock and is as tough as an army boot.

Lies usually come in clusters, with signals through the different channels of communication being incongruent. The liar has no conscious control over such incongruencies.

COMPONENTS OF A LIE

A lie consists of a number of components:

- The *content*, which is the words the liar consciously selects (or fails to select) in giving his story.
- The *syntax*<sup>3</sup> or the technical construction of the sentences in the story, which is mainly driven at an unconscious level.
- The tone, volume and speed with which the explanation is given: called *paralinguistics*, again usually directed at an unconscious level.
- The *non-verbal communications* (or body language), some of which may be consciously controlled, although most come straight from the autonomic system and are instinctive.

In a truthful story all of these components are more or less compatible, but in lies there is usually a conflict between them or incongruencies which reveal the underlying untruth.

THE ALIENS	
In the mid-1970s mysterious circles and patterns appeared in fields of wheat and corn throughout the UK and the tabloids spread doom and gloom, as they do, to the effect that aliens had landed. In one case the words ‘We are not alone’ appeared in the patterns, thus confirming that aliens spoke English. Granny Smith immediately placed a curfew on her cat and Tommy Jones would not eat meat for weeks. There was great	panic and the tabloids had a field day. However, within the statement the lie is glaring, because aliens would have said ‘You are not alone’ or ‘ <i>Earthlings</i> are not alone’. The fact that the syntax included the personal pronoun ‘we’ showed that the supposed aliens included themselves in the same category as humans. Eventually, two jokers from Southampton admitted their responsibility.

<sup>3</sup> Including the person’s lexicon (or dictionary of words he uses), semantics and pragmatics (the meaning he attaches to words)

The problem with stories like the above is that humans tend to make deductions from apparent facts and thus come to the wrong conclusions. For example, the fact that the Southampton cornfields incident was a sham does not mean that all such cases fall into the same category and it is quite possible that there are aliens out there.

As we will see later the pronoun 'we' – and syntax, generally – is very important in detecting deceit. In many cases syntax conflicts with the content of the story.

## THE PRIZE WINNER

Soon after the hoax was exposed, the same Granny Smith received a very posh letter announcing, 'I am pleased to inform you that you are to receive a cash amount. We

are currently holding a corporate cheque for £50,000 and await the filing of your Winnings Claim Form.'

Read the sentence carefully and you will see that no one was saying that Granny Smith would get anything more than a 'cash amount' and certainly not the fifty thousand smackeros she expected. Incongruencies also appear between other channels of communication and particularly between content and non-verbal communication.

The truth lies in detecting small deviations and incongruencies, but the problem is that we do not think deeply enough about what we hear, see, feel or read and ignore our unconscious concerns. This is a bad mistake.

*The truth is always in the detail*

## THE COMPONENTS OF A STORY

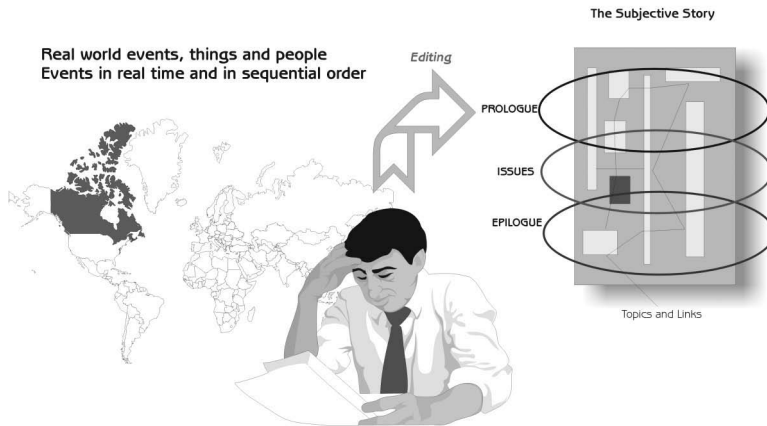
A 'story' is the total proposal, explanation, statement or answers a person gives about a particular matter and it may contain both truth and lies. They may be 'freestyle' when the person has total control over what he communicates or 'guided' when a template is provided by questions asked by an interviewer or in a form left blank for completion. As we will see later, it is often easier to find the truth in freestyle stories. Stories may be oral or written.

Freestyle, and some template, stories usually consist of a background introduction (or scene setting), factual and emotional clarification and one or more topics, scenes or events in:

- *a prologue*: the introduction to the matter concerned;
- *critical issues*: the key aspects of the proposal or explanation;
- *an epilogue*: the closing of the matter concerned.

A story, whether initially in writing or transcribed later, takes on an identity of its own, distinct from the reality it purports to represent. For example, an event that took two hours in real life may be represented in the story by one line of text or a very short oral explanation, whereas something else that was over and done with in two or three minutes may, in the mind of the subject, justify pages or hours of explanation (see Figure 2.1).

The fact that the person allocates a disproportionate number of words to a topic indicates it is very important to him: it should therefore be important to you. The same is true of the sequence in which topics are dealt with.



**Figure 2.1** Real and story or subjective time

In most truthful freestyle stories, whether written or oral, the divisions between the prologue, critical issues and epilogue are more or less equal and comments in the background consistent with emotions and the sequence of scenes or topics. In deceptive stories the prologue and epilogue may be extended, usually because the liar unconsciously prevaricates before bringing himself to address the critical issues and, when he does, he may extend the epilogue to soften its impact. Such prevarication is true of a deceptive story as a whole, for sentences within it and within answers to specific questions. For example, the pseudo-denial by Bill Clinton:

*I would like to tell the American people, and I will say it again, I did not have sex with that woman, Monica Lewinsky.*

This is an instance of an extended prologue, within an answer, and, as we will see later, it is also a subjective truth. Both are strong indicators of deception.

## Types of lies

### GOOD AND BAD LIES

Not all lies are intended to cause the victim harm.

*Example:* A doctor may understate the seriousness of an illness to reassure his patient that he will recover. A smarmy employee might compliment the boss on his new tie when it looks like a dog's blanket. A golfer may boast about the length of his drive or the fisherman the size of his catch. Such lies are unimportant and, in fact, if we always challenged them we would soon become very unpopular.

Altruistic, boastful, joking, social or *good lies* involve no serious penalties if exposed, and may even be authorized by the victim, or justified by the circumstances in which they are

communicated. If good lies don't exactly make the world go round, they do little harm either.

*Bad lies* have a negative or evil intent. They are not authorized by the victim, justified by the circumstances or expected. They are normally intended to cause damage to the victim or to someone else. Their discovery would normally result in adverse consequences for the liar. In some cases bad lies become so ingrained that they are accepted, including: 'The cheque is in the post', 'Mr Smith is in a meeting and cannot take your call, but will call you back straight away', or 'Billy is sick this morning and will not be able to come to work'. They are still damaging and should be dealt with.

*This book concentrates on bad lies*

## ACHIEVEMENT AND EXCULPATORY LIES

Lies can be told to provide the liar with a *benefit not already obtained* and these are called 'achievement lies'.

*Example:* The job candidate may claim to have a degree in zoology when he can't tell a camel from a goat, a car salesman might lie about the age of a car or the number of previous owners to get a better price, the social security claimant might feign illness when he is as fit as a butcher's dog, and the businessman might try to convince a banker that an investment is sound when it is built on sand.

*Achievement lies* are usually based on a *falsification* (rather than concealment) of what we can regard as a *central issue* in one or more of three aspects:

### 1 *Personal* misrepresentation.

*Example:*

- The liar claims to be someone he is not. This is essentially identity theft, which is an increasingly nasty problem (see [www.identitytheft.com](http://www.identitytheft.com)).
- He claims a relationship he does not have (for example, a woman claims she is the widow of President Abacha of Nigeria and has \$25 million ready to send to you).

### 2 *Physical* misrepresentation.

*Example:*

- The liar misrepresents the quality or quantity of goods being delivered.
- He deceives an insurance company over the extent of damage to his car.
- He falsifies an injury to claim compensation.

3    *Commercial or financial* misrepresentation.

*Example:*

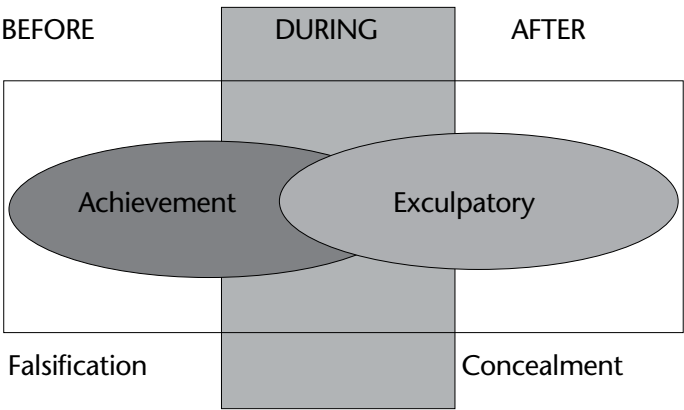
- The liar produces false accounts to obtain a loan from a bank.
- A manager overstates the results of his department.
- A potential borrower pretends to own assets he does not own.
- He exaggerates the gains to be made from an investment.
- He claims false professional or other qualifications to obtain employment.
- He inflates his performance.
- He anticipates results not yet achieved.

In such cases, liars must *create* explanations, forge or falsify documentation or *make up* falsehoods to achieve their objectives and cannot claim the right of silence. For example:

THE ESTATE AGENT	
The house was described in the glossy brochure as ‘boasting a wonderful outlook over the rolling hills with planning consent to build an observatory over the adjacent wildlife park.’ When you go to look at it, and	find that it is in the middle of an abattoir, not unreasonably you ask the estate agent to explain. He cannot respond: ‘I am saying nothing until I have first spoken to my lawyer.’

In *achievement lies*, the liar cannot refuse to answer: he has to falsify. Also, achievement lies are very dangerous for the liar, because they leave him little opportunity to provide a plausible excuse if they are detected.

*Exculpatory lies* usually occur after the liar has obtained an advantage and are necessary to justify or substantiate an earlier deception. There is a close relationship between achievement and exculpatory lies (see Figure 2.2).



**Figure 2.2** Achievement and exculpatory lies – showing that an achievement lie today may have to be explained away by an exculpatory lie tomorrow

The relationship between achievement and exculpatory lies is important, especially from a fraud prevention point of view, because the more false detail the liar can be committed to at the achievement stage, the more likely it is he will be deterred or detected. Moreover, bare-faced achievement lies may be impossible for the liar to explain later on. Ways of dealing with achievement lies are discussed in Chapter 10, page 356.

*For every exculpatory lie there has already been an achievement lie that succeeded*

## CONCEALMENT LIES AND FALSIFICATIONS

Lies can be used to *conceal* information adverse to the liar, such as responsibility for a criminal act, a bad credit record or previous deception. Concealment is used in both achievement and exculpatory lies.

*Concealment lies* are used to deceive the victim by:

- failing or refusing to answer questions;
- feigned cooperation;
- suppressing or evading the truth;
- attacking the victim, physically or verbally, as a means of deflecting his questions.

Concealment lies are the most common and the most beneficial when viewed from the position of the liar. If they are challenged, the liar is usually able to say that he misunderstood the question or forgot to mention an important detail. In 95 per cent of cases, lies occur because a person does not tell the *whole* truth. If he succeeds, the interviewer is to blame because he did not ask the right questions and press for detailed answers.

*Every concealment is a step away from the truth while every falsification is a step towards finding it*

### AN EXAMPLE OF CONCEALMENT

'I understood Michael Heseltine wanted to know whether I had a "financial relationship" with Ian Greer by which Fayed money could have found its way into my pocket ... the term "relationship" implied some element of continuity. The receipt of two single commission payments ... carrying no implication of further obligation does not constitute a "relationship". This has

been described as a semantic distinction, but I was answering the question I was asked. If I had been asked whether I had ever received a payment of any kind from Ian Greer I would have said that I had. But that was not the question.'

*Neil Hamilton MP before the Select Committee on Standards and Privileges*

In *falsifications*, the liar has to make up a story or invent details that are not true. Falsification calls for good imagination, excellent short-term memory, anticipation, composure, assertiveness and confidence. What starts out as a concealment can quickly turn when the victim challenges it, forcing the liar to falsify.

There is no excuse for a barefaced lie and a skilful liar will try to make sure that, if he is compelled to give an answer, the words he actually utters are as near to the truth as possible.

These, as we will see later, are referred to as ‘subjective truths’ and their recognition is very important in exposing deception.

REHEARSED AND SPONTANEOUS LIES

Most achievement lies are rehearsed and some salesmen are trained in delivering them.

**PENSION SWITCHES**

Thousands of British workers were persuaded to remove their pension funds from ‘earnings related’ to individual ‘money pool schemes’. Investigations revealed that	salesmen, working for apparently reputable companies, had systematically lied about the benefits of making the switch, primarily to increase their own commissions.
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A liar may also rehearse for exculpatory interviews but will still be unable to suppress all clues and incongruencies in the various channels of response. On the contrary, the fact that a liar has rehearsed his responses may make him more vulnerable to surprise questions.

DIRECT AND INDIRECT LIES

Lies may be communicated directly to the intended victim or they may be relayed through a third party who has himself been deceived.

*Example: A parent who believes incorrectly in his child’s innocence will be a fierce defender.*

LIES IN WRITING

Even when the liar has extensive time to plan and write down his untruths, he still leaves clues. This includes achievement lies, such as false business proposals, application forms, or Nigerian 4-1-9 scam letters (see the excellent site [www.ed-u.com/nigerian-scam-letters.htm](http://www.ed-u.com/nigerian-scam-letters.htm)), and exculpatory lies, such as false statements and affidavits in legal proceedings or in correspondence.

PASSIVE AND ACTIVE COLLUSION

Experience suggests that over 90 per cent of all deception involves collusion between two or more people, which can be viewed in two categories:

- *Active collusion*, in which all the people involved participate and share in the benefits and are personally liable if the dishonesty is detected.
- *Passive collusion*, in which people know of dishonesty by others but do not benefit or participate or report their suspicions and are not at risk of criminal prosecution. The Buzz Light-year example in Chapter 1 is an example of how the liar can be exposed by others, possibly inadvertently.

In most cases of fraud there will be a number of passive colluders or bystanders, most of whom do not wish to become involved or to voluntarily report their suspicions. However, they often retain detailed records, copies of correspondence, tape recordings and diaries for their own protection if they ever fall under suspicion. Establishing that such unofficial and personal records exist and obtaining them is critically important in interviews with witnesses.

## INDIVIDUAL AND TEAM LIES

Lies can be told by one person to another or they may involve groups of people who actively collude together to deceive others.

*Example:* Many employees of the failed Bank of Credit and Commerce International (BCCI) maintained false achievement lies of the bank's finances for many years. In fact, BCCI is alleged to have had a special office whose only job was to create fraudulent documentation.

Members of collusive groups usually rationalize their behaviour as acceptable and take strength from each other. They will sometimes dress, look and act alike to reinforce the bond between them. When they involve collusion, lies are usually easier to prove, simply because the people involved are scared that their associates will capitulate to save their own skins. Their fear is usually justified and someone will always inform on the others. Collusion is always a fertile ground for developing witnesses and informants.

## Why people tell lies

People tell lies because they believe at the time it is to their advantage to do so or to help someone else. Men tend to tell more self-serving lies – even good ones, such as boasting about their golfing prowess – than women, and this seems to be in their nature. Women are much more likely to lie to help someone else to prevent their feelings being hurt.

In most frauds the liar has no alternative but to lie if he wishes to achieve an advantage and a confidence trickster cannot elect to remain silent or claim the 'Fifth Amendment'. When a story is challenged, the liar has three options:

- fight;
- flight;
- appease.

Reactions to any threat are triggered by the limbic system (see page 35), are often based on fear and are, initially at least, unconscious. Neurotransmitters bursting out of the lower brain may, or may not, be refined by the upper brain before the liar says or does something, but even when he consciously tries to control his reaction, he will radiate with clues to deception.

Exculpatory lies are normally in response to a challenge and are communicated for a number of reasons. The most important is that the liar wants to give the impression of



innocence and thus appease his opponent. He knows refusal to answer will be treated with suspicion and is tantamount to a fight.

The liar answers questions because he believes he can bamboozle the interviewer by deception, evasion, concealment and all the other tools available to him. The decision to answer questions is usually taken consciously.

In some cases the liar will refuse to answer questions but will present a plausible justification for non-cooperation, the most usual being based on legal advice which he may, or may not, have taken. He may claim mental or physical incapacity or make promises to answer in the future, which he has no intention of keeping.

## The lack of an endgame

In both achievement and exculpatory lies, the liar seldom plans his endgame with precision and his thinking is essentially short term.

THE ROUNDABOUT	
A fraudster working for a bank created fictitious loans for non-existent borrowers and converted the funds to his own use. As they became due for repayment he created new and larger loans, siphoning off further	funds. When he was caught he was asked how he planned to bring the fraud to a close. He looked puzzled and said, 'I never thought about it. I was just living from day to day.'

This lack of planning for the endgame is a serious problem for the liar which can be exploited by asking the right questions at the appropriate time (see pages 216/217). It is, as they would say in Latin, his Achilles heel.

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