

Dishonesty and stealing

Dishonesty is to act without [honesty](#). It is used to describe a lack of probity, [cheating](#),^[1] [lying](#), or deliberately withholding information, or being deliberately [deceptive](#) or a lack in integrity, knavishness, perfidious, corruption or treacherousness. Dishonesty is the fundamental component of a majority of offences relating to the acquisition, conversion and disposal of property (tangible or intangible) defined in [criminal law](#) such as [fraud](#).

The [Theft Act 1968](#) contains a single definition for dishonesty which is intended to apply to all the substantive offences. Yet, rather than defining what dishonesty is, s2 describes what it is not, allowing a jury to take a flexible approach, thus:

(1). A person's appropriation of property belonging to another is not to be regarded as dishonest:

- (a) if he appropriates the property in the belief that he has in law the right to deprive the other of it, on behalf of himself or of a third person; or
- (b) if he appropriates the property in the belief that he would have the other's consent if the other knew of the appropriation and the circumstances of it; or
- (c) (except where the property came to him as trustee or personal representative) if he appropriates the property in the belief that the person to whom the property belongs cannot be discovered by taking reasonable steps.

Handling dishonesty

The following tips can help to crack down and reduce dishonesty in your business.

Tip no. 1: Address morale issues and any concerns regarding workplace dissatisfaction.

Tip no. 2: Create systems for all accounting entries, petty cash receipts and inventory to monitor activity and prevent dishonesty.

Tip no. 3: Nip possible dishonesty in the bud before you hire by doing background checks on resumes and candidates.

Tip no.4: Keep a close eye on existing employees' interactions with their supervisors, customers and other employees.

Tip no. 5: Create a system of checks and balances and put these in writing. Include any repercussions that may accompany these behaviours (such as suspension, termination or legal action) and distribute written policies to all employees.

Handling Stealing

1

Identify the missing money or supplies. Review company accounts, bills and statements to reveal inconsistencies. Explore other explanations and potential reasons for the discrepancy -- don't automatically jump to the conclusion that an employee is stealing.

2

Watch for red flags if you can't immediately identify which employee is stealing. According to the U.S. Small Business Administration, behaviours to look out for include a preference for taking work home or working after hours without supervision, a reluctance to take time off or let others assist with job responsibilities -- so that the stealing cannot be discovered -- and unanticipated changes in the employee's behaviour.

3

Investigate the issue. Interview the suspected employee and others who may have witnessed the activity. Review documents -- bank statements, emails and check registers, for example -- and use other relevant information such as access card records, time clock data and footage from security cameras to confirm your suspicions. Remain neutral and objective while you collect the facts.

4

Discipline the employee. Consider all the mitigating circumstances, the severity of the theft, whether the theft was intentional and the amount of dishonesty involved when deciding the level of discipline to impose. In most cases, the company will likely decide to fire the stealing employee.

5

Recover the loss by referring the theft for prosecution, suing the employee, recovering through insurance or a combination of these approaches. Consider less costly alternatives to litigation -- such as a repayment agreement with the employee -- depending on the severity of the issue and the employee's willingness to cooperate. Weigh the pros and cons of legal action. For example, requiring your employees to testify in court about the theft impacts productivity on those days, but also sends a strong message to staff that the company does not tolerate employee theft and will prosecute stealing to the fullest extent of the law.

6

Implement preventative measures for the future. Identify causes for theft and increase operational controls to prevent the issue. Review policy and procedure to identify any weaknesses and enforce a zero-tolerance approach to employee theft and dishonesty. Consider cross training employees and rotating their duties so that no single employee is responsible for an operational area.

Precautions to safeguard one's property:

- When you leave your room or office, even for a moment, always keep your doors and windows locked. Do not prop open or disengage the locking system on the door or windows.
- Never leave your purse, wallet, book bag, laptop, cell phone, iPod, or other property unattended even for a moment in a public setting. If you must leave your property, leave it with someone you know, not a person studying or working in the area. Before you walk away from your property: **"stop, think and secure."**

- Never allow anyone you do not know to enter a locked building when you are entering or exiting. Do not let people “piggyback” with you! If someone does enter that you don’t recognize please call the HUPD at 617-495-1212 immediately. Do not confront them or ignore them.
- Do not hang your pocketbook or bag over the back of your chair while you are in a dining establishment or other public place. Do not place your pocketbook or bag under the table out of sight.
- Keep an updated list of all personal property that have serial numbers, especially your personal electronics and bicycles. Please note the MAC addresses on any technology that has access to the internet. This information may help detectives with their investigation.
- Download the “Find my iPhone” (works for Macs and iPods as well) app.
- Register your bicycle
- When locking your bicycle, use a steel "U" lock rather than a cable lock. Lock the frame and tire together to a stationary object. If the bike has an easily removable seat, we recommend you remove the seat and take it with you.
- If you are the victim of a theft, report it immediately to the HUPD at 617-495-1212. We are available 24 hours a day. No crime is too small to report to us.