

Regulating Corporate Criminal Liability

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[The Changing Role of Criminal Law in Controlling Corporate Behavior](#) Jul 27 2019 This report addresses the use of criminal sanctions to control corporate behavior—prosecutions both of corporations and of employees for actions taken on corporations’ behalf. The authors describe the current state of the use of criminal sanctions in controlling corporate behavior, describe how the current regime developed, and offer suggestions about how the use of criminal sanctions to control corporate behavior might be improved.

[Corporate Criminal Liability and Prevention](#) Oct 22 2021

Corporate Criminal Liability Oct 02 2022 With industrialization and globalization, corporations acquired the capacity to influence social life for good or for ill. Yet, corporations are not traditional objects of criminal law. Justified by notions of personal moral guilt, criminal norms have been judged inapplicable to fictional persons, who ‘think’ and ‘act’ through human beings. The expansion of new corporate criminal liability (CCL) laws since the mid-1990s challenges this assumption. Our volume surveys current practice on CCL in 15 civil and common law jurisdictions, exploring the legal conditions for liability, the principles and options for sanctioning, and the procedures for investigating, charging and trying corporate offenders. It considers whether municipal CCL laws are converging around the notion of ‘corporate culture’, and, in any case, the implications of CCL for those charged with keeping corporations, and other legal entities, out of trouble.

[Assets, Crimes and the State](#) May 05 2020 Organised crime, corruption, and terrorism are considered to pose significant and unrelenting threats to the integrity, security, and stability of contemporary societies. Alongside traditional criminal enforcement responses, strategies focused on following the money trail of such crimes have become increasingly prevalent. These strategies include anti-money laundering measures to prevent ‘dirty money’ from infiltrating the legitimate economy, proceeds of crime powers to target the accumulated assets derived from crime, and counter-terrorist financing measures to prevent ‘clean’ money from being used for terrorist purposes. This collection brings together 17 emerging researchers in the fields of anti-money laundering, proceeds of crime, counter-terrorist financing and corruption to offer critical analyses of contemporary anti-assets strategies and state responses to a range of financial crimes. The chapters focus on innovative anti-financial crime measures and assemblages of governance that have become a feature of late modernity and on the ways in which individual nation states have responded to anti-money laundering and counter-terrorist financing requirements in light of their specific social, political, and economic contexts. This collection draws on perspectives from law, criminology, sociology, politics, and other disciplines. It adopts a much-needed international approach, focusing not only on expected jurisdictions, such as the United States and United Kingdom, but also on analysis from countries such as Qatar, Kuwait, Iran, and Nigeria. The authors stand out for their fresh and original research, which places them at the cutting edge of the subject. This book provides a comprehensive, insightful, and original study of an important and developing field for academics, students, practitioners, and policymakers in multiple jurisdictions.

The Perspectives Of Corporate Criminal Liability Mar 15 2021 It will aim at reviewing the position of the concept of corporate criminal liability in the different legal systems of the world specially in India. This book is also relevant for management and business students as it better deals with business law and management issue. It lays down the rationale and an analysis of the procedural and substantive difficulties that were and continue to confront us in imposing liability for corporate crimes. It deals with recent judicial development in this very field .It attempts to: 1.To offer a more comprehensive approach to the problem of corporate, management, and commercial area 2.To Study interdisciplinary examination of corporations and corporate behaviour. 3.To enrich the study of law, management, social science, and labour field.

Regulating Corporate Criminal Liability Sep 01 2022 Corporate Criminal Liability is on the rise worldwide: More and more legal systems now include genuinely criminal sanctioning for legal entities. The various regulatory options available to national criminal justice systems, their implications and their constitutional, economic and psychological parameters are key questions addressed in this volume. Specific emphasis is put on procedural questions relating to corporate criminal liability, on alternative sanctions such as blacklisting of corporations, on common corporate crimes and on questions of transnational criminal justice.

Corporate Criminal Liability in Nigeria Dec 12 2020 In relation to Nigeria, this book attempts to proffer answers to the following liability questions: what rationale, if any, exists to justify the imposition of criminal liability on corporations?

[Corporate and White Collar Crime](#) Oct 29 2019 `This timely collection contains contemporary case studies and critical analyses by leading writers in the study of white collar corporate crime. It makes an invaluable contribution to the 'criminology of the corporation'" - Professor Hazel Croall, Glasgow Caledonian University Corporate and White Collar Crime is an essential overview of this diverse subject area and encourages students to develop a broad understanding of the topic. Aimed primarily at undergraduate and postgraduate students in Criminology, Criminal Justice and Business and Management Studies, the book will cross-over into many other disciplines including Law and Social Policy. "This is an innovative and multidisciplinary analysis of corporate and white collar crime that is both theoretically and empirically rich. The text serves as a poignant reminder why research involving the powerful must be a central part of criminological inquiry and why this book is essential reading." Professor Reece Walters, The Open University "Again and again, pension funds are pillaged, investors fleeced, commuters killed, workers maimed, and communities poisoned. Why is it that so few of these acts are defined as crimes, and why is it that, even when they are, prosecution is so rarely effective? Corporate Crime and White Collar Crime addresses these very questions through its rigorous, well-developed analysis and its wide ranging empirical focus - on Europe, North America, Asia and beyond. The book can help all of us to re-examine our understanding of the nature of crime and of criminals, and to reassess the costs as well as the benefits of our current economic, political and social order." Professor Frank Pearce, Queen's University, Canada

Corporate Crime and Punishment Jun 25 2019 “Professor Coffee's compelling new approach to holding fraudsters to account is indispensable reading for any lawmaker serious about deterring corporate crime.” —Robert Jackson, former Commissioner, Securities and Exchange Commission In the early 2000s, federal enforcement efforts sent white collar criminals at Enron and WorldCom to prison. But since the 2008 financial collapse, this famously hasn't happened. Corporations have been permitted to enter into deferred prosecution agreements and avoid criminal convictions, in part due to a mistaken assumption that leniency would encourage cooperation and because enforcement agencies don't have the funding or staff to pursue lengthy prosecutions, says distinguished Columbia Law Professor John C. Coffee. “We are moving from a system of justice for organizational crime that mixed carrots and sticks to one that is all carrots and no sticks,” he says. He offers a series of bold proposals for ensuring that corporate malfeasance can once again be punished. For example, he describes incentives that could be offered to both corporate executives to turn in their corporations and to corporations to turn in their executives, allowing prosecutors to play them off against each other. Whistleblowers should be offered cash bounties to come forward because, Coffee writes, “it is easier and cheaper to buy information than seek to discover it in adversarial proceedings.” All federal enforcement agencies should be able to hire outside counsel on a contingency fee basis, which would cost the public nothing and provide access to discovery and litigation expertise the agencies don't have. Through these and other equally controversial ideas, Coffee intends to rebalance the scales of justice.

Negotiated Justice and Corporate Crime Sep 08 2020 This book argues that there is a strong normative argument for using the criminal law as a primary response to corporate crime. In practice, however, corporate crimes are rarely dealt with through criminal sanctioning mechanisms. Rather, the preference – for both prosecutors and corporates – appears to be on negotiating out of the criminal process. Reflecting this emphasis on negotiation, this book examines the use of Civil Recovery Orders and Deferred Prosecution Agreements as responses to corporate crime, and discusses a variety of UK case studies. Drawing upon legal and criminological backgrounds, and with an emphasis on the conceptual frameworks of ‘negotiated justice’ and ‘legitimacy’, the authors examine the law,

policy and practice of these enforcement responses. They offer an original, theoretically-informed analysis which is accessible to practitioners and researchers.

Research Handbook on Corporate Crime and Financial Misdealing Nov 22 2021 Jennifer Arlen brings together 13 original chapters by leading scholars that examine how to deter corporate misconduct through public enforcement and private interventions. Scholars from a variety of disciplines present both theoretical and empirical analyses of organizational and individual liability for corporate crime, liability for foreign corruption, securities fraud enforcement, compliance, corporate investigations, and whistleblowing. This Research Handbook also highlights promising avenues for future research.

Criminal liability in regulatory contexts Jun 05 2020 In this consultation paper, the Law Commission sets out the case for reducing the scope for criminal law to be used in regulated fields such as farming, food safety, banking and retail sales. Criminal sanctions should only be used to tackle serious wrongdoing and it is out of proportion for regulators to rely wholly on the criminal law to punish and deter activities that are merely 'risky', unless the risk involved is a serious one. There has been a steep increase in the number of criminal offences created since the late 1980s to penalise risk-taking. The areas regulated cover a wide range of risk-posing activities, and involve millions of people and thousands of businesses. By turning to civil penalties for minor breaches, regulators could reduce costs to themselves and the criminal justice system by £11 million a year. In some cases, criminal prosecution can cost almost twice what the courts obtain in fines. The paper proposes that: (i) regulatory authorities should make more use of cost-effective, efficient and fairer civil measures to govern standards of behaviour; (ii) a set of common principles should be established to help agencies consider when and how to use the criminal law to tackle serious wrongdoing, and (iii) existing low-level criminal offences should be repealed where civil penalties could be as effective. Where criminal offences are created in regulatory contexts, they should require proof of fault elements such as intention, knowledge, or a failure to take steps to avoid harm being done or serious risks posed.

Corporate Criminal Liability and Prevention Mar 27 2022 The book instructs corporate counsel on how to adopt forward-looking compliance policies that can prevent criminal liability and how to mitigate the severity of penalties when they are unavoidable.

Corporate Bodies and Guilty Minds Jan 25 2022 We live in an era defined by corporate greed and malfeasance—one in which unprecedented accounting frauds and failures of compliance run rampant. In order to calm investor fears, revive perceptions of legitimacy in markets, and demonstrate the resolve of state and federal regulators, a host of reforms, high-profile investigations, and symbolic prosecutions have been conducted in response. But are they enough? In this timely work, William S. Laufer argues that even with recent legal reforms, corporate criminal law continues to be ineffective. As evidence, Laufer considers the failure of courts and legislatures to fashion liability rules that fairly attribute blame for organizations. He analyzes the games that corporations play to deflect criminal responsibility. And he also demonstrates how the exchange of cooperation for prosecutorial leniency and amnesty belies true law enforcement. But none of these factors, according to Laufer, trumps the fact that there is no single constituency or interest group that strongly and consistently advocates the importance and priority of corporate criminal liability. In the absence of a new standard of corporate liability, the power of regulators to keep corporate abuses in check will remain insufficient. A necessary corrective to our current climate of graft and greed, *Corporate Bodies and Guilty Minds* will be essential to policymakers and legal minds alike. “[This] timely work offers a dispassionate analysis of problems relating to corporate crime.”—Harvard Law Review

Regulating Corporate Criminal Liability Jun 29 2022 Corporate Criminal Liability is on the rise worldwide: More and more legal systems now include genuinely criminal sanctioning for legal entities. The various regulatory options available to national criminal justice systems, their implications and their constitutional, economic and psychological parameters are key questions addressed in this volume. Specific emphasis is put on procedural questions relating to corporate criminal liability, on alternative sanctions such as blacklisting of corporations, on common corporate crimes and on questions of transnational criminal justice.

Corporate Crime in China Apr 15 2021 Corporate crime in China has garnered worldwide attention and in the recent years we have witnessed positive legislative and administrative efforts by the Chinese government to prevent corporate misdeeds. This book first defines the meaning of corporate crime in China and answers the basic questions of what corporate crime is through real life cases. Then, it introduces the history of corporate crime and reviews academic studies through these key questions. The book also discusses the scope of corporate crime, the basis of corporate criminal liability, the criminal liability of State organizations, the corporate compliance programs and corporate criminal liability and the procedural issues. The book also provides suggestions from a comparative perspective by referring to the latest global developments on corporate crime. In the concluding chapter, the book discusses the goals of corporate crime prevention policy and comes up with feasible reform proposals with a brief summary on the existing problems of the current policies through a macro perspective. There is no existing book that deals with the legislation and criminal justice practices of corporate crime in China and this book will help to shed insight into the subject.

Deferred Prosecution Agreements Aug 20 2021 'Deferred Prosecution Agreements' is a topical guide to the brand new regime for addressing corporate liability in England and Wales. It provides a straightforward account of the development of the new rules, and will be essential for all those at the nexus of corporate crime and prosecution.

When Business Kills Nov 30 2019 This book aims to explain in clear, accessible language, the approach taken by government to corporate offending resulting in a fatality in both the United Kingdom and the United States. The key provisions of the statutory offense of corporate manslaughter, introduced into the United Kingdom in 2008, are examined, and set in context through a consideration of their relationship with prosecution for fatalities at work via the Health and Safety at Work etc Act 1974. Further contextualization is made through comparison with the current position in the United States, highlighting both similarities and differences in approach to occupational fatalities. The range of potential penalties is discussed with particular focus on the sentencing guidelines that apply after February 2016. Concluded corporate homicide cases are reviewed in order to assess the current regime in terms of financial penalties and to shine light on the evolving approach of the prosecuting authorities and the courts to these offenses.

Corporate Criminality and Liability for Fraud Feb 23 2022 Through a rational reconstruction of orthodox legal principles, and reference to cutting-edge neuro-science, this book reveals some startling truths about the criminal law, its history and the fundamental doctrines that underpin the attribution of criminal fault. While this has important implications for the criminal law generally, the focus of this work is the development of a theory of corporate criminality that accords with modern theory of group agency, itself informed by advancements in contemporary philosophy and social science. The innovation it proposes is the theoretical and practical means by which criminal fault can be attributed directly to the corporate actor, where liability cannot or should not be reduced to its individual members.

Prosecutors in the Boardroom Sep 28 2019 Who should police corporate misconduct and how should it be policed? In recent years, the Department of Justice has resolved investigations of dozens of Fortune 500 companies via deferred prosecution agreements and non-prosecution agreements, where, instead of facing criminal charges, these companies become regulated by outside agencies. Increasingly, the threat of prosecution and such prosecution agreements is being used to regulate corporate behavior. This practice has been sharply criticized on numerous fronts: agreements are too lenient, there is too little oversight of these agreements, and, perhaps most important, the criminal prosecutors doing the regulating aren't subject to the same checks and balances that civil regulatory agencies are. *Prosecutors in the Boardroom* explores the questions raised by this practice by compiling the insights of the leading lights in the field, including criminal law professors who specialize in the field of corporate criminal liability and criminal law, a top economist at the SEC who studies corporate wrongdoing, and a leading expert on the use of monitors in criminal law. The essays in this volume move beyond criticisms of the practice to closely examine exactly how regulation by prosecutors works. Broadly, the contributors consider who should police corporate misconduct and how it should be policed, and in conclusion offer a policy blueprint of best practices for federal and state prosecution. Contributors: Cindy R. Alexander, Jennifer Arlen, Anthony S. Barkow, Rachel E. Barkow, Sara Sun Beale, Samuel W. Buell, Mark A. Cohen, Mariano-Florentino Cuellar, Richard A. Epstein, Brandon L. Garrett, Lisa Kern Griffin, and Vikramaditya Khanna

Corporate Criminal Liability Nov 03 2022 The fourth edition of *Corporate Criminal Liability* has been thoroughly revised, expanded and updated to explain the criminal process from the perspective of the corporate defendant with a scholarly analysis of the principles of corporate liability. In particular, it provides expert discussion on the latest practice on DPAs, issues with identification theory and delegation, questions of jurisdiction, and sentencing. The work also explains specific offences such as insolvency restrictions, Companies Act offences, and corporate manslaughter. New to this edition: Considers all key cases since the last edition including the Barclays case on corporate identification; Reviews practice in deferred prosecution orders (DPOs) after investigations into Rolls Royce and Tesco; A fully updated Appendix table as a 'quick reference' guide to specific offences, how they are tried, and aspects of sentencing.

Still Dying for a Living Mar 03 2020 In 1992, a preventable explosion at the Westray Mine in Plymouth, Nova Scotia, killed twenty-six miners. More than a decade later, the government enacted Bill C-45, commonly known as the Westray bill, to hold organizations criminally liable for seriously injuring and killing workers and the public. In *Still Dying for a Living*, Steven Bittle turns a critical eye on the Westray bill, revealing how legal, economic, and cultural discourses surrounding the bill downplayed the seriousness of workplace injury and death, effectively characterizing these crimes as regrettable but largely unavoidable accidents and in the process obscuring their underlying causes.

Corporate Criminal Liability Oct 10 2020 A corporation is criminally liable for the federal crimes its employees or agents commit in its interest. Corporate officers, employees, and agents are individually liable for the crimes they commit, for the crimes they conspire to commit, for the foreseeable crimes their co-conspirators commit, for the crimes whose commission they aid and abet, and for the crimes whose perpetrators they assist after the fact. Individual criminal statutes, Justice Department policies, and the Sentencing Guidelines largely dictate the circumstances under which, and the extent to which, agents, employees, corporations, and similar unincorporated entities are prosecuted and punished. This book provides a brief overview of federal law in the area. The book also provides a brief discussion of the legislation, the legal background, and a chronology of related issues and events.

Corporate Criminal Liability and Compliance Management Systems Jul 07 2020 In *Corporate Criminal Liability and Compliance Management Systems: A Case Study of Spain*, Santiago Wortman Jofre offers a case study where he examines the way in which Spain understands and implements Compliance Management Systems. Corporate criminal liability has become a matter of controversy in civil law countries since it challenges the traditional principle of *societas delinquere non potest*, by which corporations cannot be held criminally responsible. However, corporations have taken a new position in the world's political agenda, as evidenced by the 2017 G20's High Level Principles on the Liability of Legal Persons for Corruption. The new trend in criminal law advocates for the criminal responsibility of legal persons and pushes for the implementation of Compliance Management Systems as deterrent for corporate criminality. Santiago Wortman Jofre then presents evidence on the role of criminal justice and the importance of positive stimuli requirements as effective incentives to drive companies to implement compliance programs.

Towards Corporate Liability in International Criminal Law Jan 31 2020 Originally presented as the author's thesis (Ph.D.)--Utrecht University, 2010.

Corporate Criminal Liability Jan 13 2021

Prosecuting Corporations for Genocide Aug 27 2019 Introduction -- The corporation as an atrocity contributor -- The corporation as a subject of international law -- Modes of criminal liability under international law -- Case studies : corporate complicity in genocide

-- Prosecuting corporations for genocide : the domestic vs. the international path -- Arguments against prosecuting corporations for genocide -- Conclusion

Corporations and Criminal Responsibility May 29 2022 Contemporary concern about technological hazards posed by business enterprises has intensified interest in the criminality of corporations. Incorporating ideas from a wide range of literature, the book argues that there is no magic answer to corporate power, to issues of personal safety and their inter-relationship with criminal law and justice. The attention paid to corporate criminal liability by courts, legislatures, law reform bodies and international organizations has increased markedly in the past decade. As in the first edition, the book takes what might be called a panoptic approach to the subject. Corporations and their susceptibility to criminal law are examined from sociological, psychological, philosophical and organizational perspectives as the book progresses. This edition has been revised and updated to take account of the burgeoning scholarly literature. Detailed analysis of judicial and legislative movements in England and Wales, in other national jurisdictions and at the level of international organizations follows. Two new chapters, on corporate manslaughter and on comparative and international responses to corporate crime, accommodate these changes. The book is distinctive in combining legal analysis and discussion of law reform debates with a theoretical account of the relationship between legal institutions and the role of risk and blame in shaping criminal law and the practices of the criminal justice system.

Analysis of Corporate Criminal Liability Under Rwandan Law Jul 19 2021 There is a strong need for prosecuting corporations in the interest of society. The old jurisprudence considered corporations incapable of being prosecuted, however, the growing reach of corporations and their effect on society as well as growing corporate crimes have made it pertinent for the legal systems to initiate criminal prosecution against the mind behind the corporate crime and this has led slowly the courts around the world to developed important theories in order to hold corporations liable for their acts, omissions and forbearance. The Rwandan legislators have now adopted the rational approach of prosecuting the corporations or institutions which prompted the author to choose this topic "analysis of corporate criminal liability under Rwandan law" was to understand: - the rules regarding criminal liability of corporations under Rwandan law and how is corporate criminal liability established? - Criminal liability of entities is limited to corruption and related offence; should it be widened to cover other crimes?

The Changing Role of Criminal Law in Controlling Corporate Behavior Aug 08 2020 This report addresses the use of criminal sanctions to control corporate behavior—prosecutions both of corporations and of employees for actions taken on corporations' behalf. The authors describe the current state of the use of criminal sanctions in controlling corporate behavior, describe how the current regime developed, and offer suggestions about how the use of criminal sanctions to control corporate behavior might be improved.

Too Big to Jail Apr 03 2020 American courts routinely hand down harsh sentences to individuals, but a very different standard of justice applies to corporations. Too Big to Jail takes readers into a complex, compromised world of backroom deals, for an unprecedented look at what happens when criminal charges are brought against a major company in the United States.

Corporate Criminal Liability May 17 2021 As never before, corporate counsel must understand new corporate criminal statutes, prosecution policy statements, and corporate sentencing guidelines. Corporate Criminal Liability: Regulation and Compliance is a clear and precise resource that provides exclusive insight into these issues by examining the relationship between corporate misconduct and criminal law from the corporate governance perspective. This invaluable resource takes on what is an occasionally bewildering array of federal legal mechanisms, providing exclusive, authoritative analysis on issues including: Practical suggestions for how corporate lawyers and executives should deal with the new substantive and procedural rules that regulate corporate conduct and apply harsh criminal penalties Reliable analysis of the unique substantive and procedural rules of criminal liability of the corporate entity In-Depth examination of post-Enron legislation Clear, concise explanations, in non-technical terms, of the fundamental principles of federal criminal law and the complexities of federal administrative, civil, and criminal corporate regulatory systems In addition, Corporate Criminal Liability: Regulation and Compliance proexamines and explicates every relevant aspect of law, policy, and litigation, including: The nature of corporate criminal liability Recently issued Justice Department Guidelines for Prosecution of Corporations Guidelines for Sentencing of Organizations of the United States Sentencing Commission All criminal statutes The major federal regulatory economic areas The broad scheme of overlapping administrative, civil, and criminal federal regulation

Research Handbook on Corporate Crime and Financial Misdealing Jan 01 2020 This highly topical Handbook examines how to deter corporate misconduct through public enforcement and private interventions. Contributors present theoretical and empirical analyses of individual and organizational liability for corporate misconduct, securities fraud and corruption. Other chapters evaluate private interventions, such as whistleblowing and compliance. Chapters cover individual and organizational liability evaluate issues such as individual liability for corporate crime, deferred and non-prosecution agreements, supervisory liability, the cost to organizations of reputational damage from corporate settlements, corporate and individual liability for securities fraud, the SEC's revolving door, multi-jurisdictional enforcement of anti-corruption laws, the scope of the Foreign Corrupt Practices Act, and countries' efforts to deter corruption by state actors. Chapters on private interventions examine optimal compliance, behavioural compliance, the role of the general counsel, internal investigations and whistleblowing. This Research Handbook also highlights promising avenues for future research. The Research Handbook on Corporate Crime and Financial Misdealing is designed to provide a broad introduction to the literature in each area covered, as well as in-depth original analysis on important issues of concern to legal researchers, policy-makers, and practitioners.

Corporate Liability for Insider Trading Feb 11 2021 Corporate Liability for Insider Trading examines the reasons why there have been no successful criminal prosecutions, or successful contested civil proceedings, against corporations for insider trading, and analyses the various rationales for prohibiting insider trading. It reviews the insider trading regulatory regime and describes its key features, using both national and international examples. The book inspects a variety of criminal and civil models of corporate liability and considers the historical and theoretical basis on which corporations are subject to insider trading laws. The specific elements of the insider trading offence and the manner in which they are attributed to corporations are analysed in detail. Defences available to corporations such as Chinese Walls are explored, and the obligations that are imposed on businesses as a result of insider trading regulation – security trading policies and notifications, continuous disclosure obligations, and duties concerning conflicts of interest – are detailed and examined. The book concludes with reform proposals intended to remedy the many legal and commercial difficulties identified, in order that a new regulatory regime might be adopted to better serve regulators, businesses, investors, and the broader market. This volume addresses these corporate law topics and will be of interest to researchers, academics, financial institution compliance officers, investment bankers, corporate and comparative lawyers, and students and scholars in the fields of commercial law, corporate law, financial crime, company law, and white collar crime

Corporations, Accountability and International Criminal Law Sep 20 2021 This timely book explores the prospect of prosecuting corporations or individuals within the business world for conduct amounting to international crime. Joanna Kyriakakis surveys the state of the art in the field, highlighting the case for the international criminal justice project to engage more fully with the role industry can play in atrocity. From the post World War II era to contemporary international criminal courts and tribunals and the activities of domestic criminal justice agencies, this book analyses cases and international law reform efforts aimed at accounting for business involvement in international crimes. The major debates and ensuing challenges are examined, arguing that corporate accountability under international criminal law is crucial in achieving the objectives of international criminal justice. Students, practitioners and academics of international criminal law will find this a beneficial read, particularly through its engagement with the key contemporary debate around the extension of international criminal law to business actors. The exploration of how to address the global governance gap and better account for human rights abuses in transnational corporate activity will also make this an invigorating book for business and human rights scholars.

Corporate Criminal Liability and Compliance Management Systems Dec 24 2021 In Corporate Criminal Liability and Compliance Management Systems: A Case Study of Spain Santiago Wortman Jofre presents a case study in which he analyses the regulation on compliance as deterrent for corporate criminality. He also examines the role of criminal justice and offers a view on the incentives to prevent corporate criminality.

European Developments in Corporate Criminal Liability Jul 31 2022 When corporations carry on their business in a grossly negligent manner, or take a cavalier approach to risk management, the consequences can be catastrophic. The harm may be financial, as occurred when such well-regarded companies as Enron, Lehman Brothers, Worldcom and Barings collapsed, or it may be environmental, as illustrated most recently by the Gulf oil spill. Sometimes deaths and serious injuries on a mass scale occur, as in the Bhopal gas disaster, the Chernobyl nuclear explosion, the Paris crash of the Concorde, the capsizing of the Herald of Free Enterprise, and rail crashes at Southall, Paddington and Hatfield in England. What role can the law play in preventing such debacles and in punishing the corporate offenders? This collection of thematic papers and European country reports addresses these questions at both a theoretical and empirical level. The thematic papers analyse corporate criminal liability from a range of academic disciplines, including law, sociology/criminology, economics, philosophy and environmental studies, whilst the country reports look at the laws of corporate crime throughout Europe, highlighting both common features and irreconcilable differences between the various jurisdictions.

Corporate Criminal Liability Jun 17 2021 With industrialization and globalization, corporations acquired the capacity to influence social life for good or for ill. Yet, corporations are not traditional objects of criminal law. Justified by notions of personal moral guilt, criminal norms have been judged inapplicable to fictional persons, who 'think' and 'act' through human beings. The expansion of new corporate criminal liability (CCL) laws since the mid-1990s challenges this assumption. Our volume surveys current practice on CCL in 15 civil and common law jurisdictions, exploring the legal conditions for liability, the principles and options for sanctioning, and the procedures for investigating, charging and trying corporate offenders. It considers whether municipal CCL laws are converging around the notion of 'corporate culture', and, in any case, the implications of CCL for those charged with keeping corporations, and other legal entities, out of trouble.

Understanding Corporate Criminality Nov 10 2020 First Published in 1995. Routledge is an imprint of Taylor & Francis, an informa company.

Corporate Liability for Economic Crime Apr 27 2022