

Law in Context

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# Rethinking Corporate Crime

# Rethinking Corporate Crime

**James Gobert, Ana-Maria Pascal**



## **Rethinking Corporate Crime:**

Rethinking Corporate Crime James Gobert, Maurice Punch, 2003-03 Critiques the application of the current criminal law system to corporate wrongdoing and assesses the potential for legal control of corporate criminality *International Handbook of White-Collar and Corporate Crime* Henry N. Pontell, Gilbert L. Geis, 2010-05-27 Insider trading Savings and loan scandals Enron Corporate crimes were once thought of as victimless offenses but now with billions of dollars and an increasingly global economy at stake this is understood to be far from the truth The *International Handbook of White Collar and Corporate Crime* explores the complex interplay of factors involved when corporate cultures normalize lawbreaking and when organizational behavior is pushed to unethical and sometimes inhumane limits Featuring original contributions from a panel of experts representing North America Asia Europe and Australia this timely volume presents multidisciplinary views on recent corporate wrongdoing affecting economic and social conditions worldwide Criminal liability and intent Stock market and financial crime Bribery and extortion Computer and identity fraud Health care fraud Crime in the professions Industrial pollution Political corruption War crimes and genocide Contributors offer case studies historical and sociopolitical analyses theoretical and legal perspectives and comparative studies featuring examples as varied as NASA Parmalat the Italian government and Watergate Criminal justice responses to these phenomena the role of the media in exposing or minimizing them prevention regulation and self policing strategies and larger global issues emerging from economic crime are also featured Richly diverse in its coverage The *International Handbook of White Collar and Corporate Crime* is stimulating reading for students academics and professionals in a wide range of fields from criminology and criminal justice to business and economics psychology to social policy to ethics This powerful information is certain to change many of our deeply held views on criminal behavior *Corporate Bodies and Guilty Minds* William S. Laufer, 2008-10-31 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      **The Oxford Handbook of Criminology** Rod Morgan, Mike Maguire, Robert Reiner, 2012-04-12 The approach of the year 2000 has made the study of apocalyptic movements trendy But groups anticipating the end of the world will continue to predict Armageddon even after the calendar clicks to triple Os      **Corporate Crime in China** Zhenjie Zhou, 2014-09-19 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 misconducts 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      *Negotiated Justice and Corporate Crime* Colin King, Nicholas Lord, 2018-05-21 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      **Corporate Criminality and Liability for Fraud** Alison Cronin, 2018-03-14 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      *The Routledge Handbook of White-Collar and Corporate Crime in Europe* Judith van Erp, Wim Huisman, Gudrun Vande

Walle,2015-04-10 The study of white collar crime remains a central concern for criminologists around the world and research concentrates on its nature prevalence causes and responses However most books on white collar crime tend to focus on Anglo American examples which is surprising given the amount of rich data and research taking place in mainland Europe This new handbook seeks to reset the balance and for the first time presents an overview of state of the art research on white collar crime in Europe Adding to the existing Anglo American body of knowledge the Handbook will discuss specific European topics and typical European features of white collar crime The Routledge Handbook of White Collar and Corporate Crime in Europe consists of more than thirty chapters on topics ranging from the Icelandic Banking Crisis to the origins of the study of white collar crime to contemporary topics such as white collar crime in countries post transition from communist regimes the illegal e waste trade and white collar crime in professional football Furthermore the book contains extensive case study analyses of landmark European cases of white collar crime The editors have gathered together the leading voices in the field and a final section offers commentaries on white collar crime in Europe from eminent criminologists David Friedrichs and Hazel Croall This Handbook will thus serve as a work of reference for all scholars and students engaged in the study of corporate and white collar crime and will also set out directions for new research in the future European

Developments in Corporate Criminal Liability James Gobert,Ana-Maria Pascal,2011-06-10 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 **The Shifting Meaning of Legal Certainty in Comparative and Transnational Law** Mark Fenwick,Mathias Siems,Stefan

Wrbka,2017-09-21 The principle of legal certainty is of fundamental importance for law and society it has been vital in stabilising normative expectations and in providing a framework for social interaction as well as defining the scope of individual freedom and political power Even though it has not always been fully realised legal certainty has also functioned as a normative ideal that has structured legal debates both at the national and transnational level This book presents research from a range of substantive areas regarding the meaning possibility and desirability of legal certainty in the context of a

rapidly changing global society It aims to address these issues by bringing together scholars from various jurisdictions in order to examine changes in the shifting meaning of legal certainty in a comparative and transnational context In particular the book explores some of the tensions that now exist between the conventional expectation of legal certainty and the various challenges associated with regulating highly complex late modern economies and societies The book will be of interest to lawyers concerned with understanding the transformation of core rule of law values in the context of contemporary social change as well as to political scientists and social theorists

**Accountability for Collective Wrongdoing** Tracy Isaacs, Richard Vernon, 2011-01-31 Ideas of collective responsibility challenge the doctrine of individual responsibility that is the dominant paradigm in law and liberal political theory But little attention is given to the consequences of holding groups accountable for wrongdoing Groups are not amenable to punishment in the way that individuals are Can they be punished and if so how or are other remedies available The topic crosses the borders of law philosophy and political science and in this volume specialists in all three areas contribute their perspectives They examine the limits of individual criminal liability in addressing atrocity the meanings of punishment and responsibility the distribution of group punishment to a group's members and the means by which collective accountability can be expressed In doing so they reflect on the legacy of the Nuremberg Trials on the philosophical understanding of collective responsibility and on the place of collective accountability in international political relations

**Corporate Crime Under Attack** Francis T. Cullen, Gray Cavender, William J. Maakestad, Michael L. Benson, 2014-09-25 In exploring the criminalization of corporations this book uses the landmark Ford Pinto case as a centerpiece for exploring corporate violence and the long effort to bring such harm within the reach of the criminal law Corporations that illegally endanger human life now must negotiate the surveillance of government regulators and risk civil suits from injured parties seeking financial compensation They also may be charged with criminal offenses and their officials sent to prison

**Complete Criminal Law** Janet Loveless, 2014 Complete Criminal Law Text Cases Materials offers a student centered approach to the criminal law syllabus Clear and concise explanation of general legal principles is combined with fully integrated extracts from the leading cases and a wide range of academic materials The extracts have been carefully selected to ensure that they are detailed enough to illustrate the point of law under consideration but succinct enough not to disrupt the flow of the text or to intimidate the student new to the study of criminal law The book has been carefully structured with the needs of the student firmly in mind Each chapter begins with basic principles and gradually covers all the core topics a student needs to know Unique to this textbook is the extent to which the law is placed firmly in its social context This will reinforce understanding by relating essential aspects of the law to vital social and moral problems Throughout the text a range of learning features are employed to consolidate understanding and encourage application thinking points containing reflective and short answer questions definition boxes summary points diagrams and problem essay questions with guidance on answering all questions on the accompanying Online Resource Centre Chapter summaries

and further reading recommendations provide the perfect springboard for further research This innovative text aims to engage the reader in an active approach to learning and to stimulate reflection about the role of criminal law in society Online Resource Centre Student resources 6 monthly updates Links to relevant websites Guideline answers to problem questions and thinking points Exam style questions with guideline answers on hot exam topics Lecturer resources Test bank of 200 multiple choice questions

**Complete Criminal Law** Misch Allen,2025

**Homicide, Gender and Responsibility** Kate Fitz-Gibbon,Sandra Walklate,2016-03-22 The crime of homicide has long animated academic debate community concern and political attention The discussion has often centered on the perceived inadequacy of legal responses to homicide questions of culpability and divergent representations of victims and offenders Within this notions of gender responsibility and justice are pivotal This edited collection builds on existing scholarship by examining these concerns not only in the context of the private world of domestic murder but also in the more public world of the state the corporation war and genocide In so doing this book draws from key frameworks of criminological thought legal analysis and empirical evidence to critically examine the relationship between homicide gender and responsibility Bringing together leading international criminology and legal scholars this collection provides a unique contribution to the academic and policy engagement with what is more often than not an ordinary and mundane crime Analysing the crime in a variety of different social contexts alongside an in depth and critical analysis of the interconnections between the ordinary act of lethal violence gender and notions of responsibility this book will be of interest to students scholars and policymakers working in criminology and socio legal studies

**Student Handbook of Criminal Justice and Criminology** John Muncie,2013-02 It discusses crime and criminology in relation to the media race Islam gender and politics and considers all the relevant theoretical debates that dominate criminology Chapters on the police courts probation and prisons are included along with more theoretical chapters regarding crime prevention youth justice and restorative and informal justice The Handbook also includes comparative materials and international criminal courts

Smith, Hogan, and Ormerod's Criminal Law David C. Ormerod,David Ormerod,Karl Laird,2021 Rightly regarded as the leading doctrinal textbook on criminal law in England and Wales this resource owes its consistent popularity to its accessible style depth of analysis and breadth of coverage Over 50 years since the publication of the first edition Professor David Ormerod and Karl Laird continue the tradition set down by Professors Sir John Smith and Brian Hogan by producing a textbook of unrivalled quality

**Smith, Hogan, and Ormerod's Criminal Law** David Laird Ormerod (Karl Gibson, Matthew),2024

**Crime and Regulation** Fiona Haines,2017-11-30 This volume brings together key articles in the burgeoning field of regulation The collection is interdisciplinary in keeping with study of regulation itself yet the book arranges and explores these articles to make the bewildering array of issues and concepts that comprise the study of regulation comprehensible to a criminological audience It will be of interest to all scholars and students of criminology and criminal justice as well as those concerned with reducing

the crimes and harms of the powerful      **Locating Law, 3rd Edition** Elizabeth Comack, 2020-05-27T00:00:00Z Praise for the second edition This book is the best available for teaching the role of law in society and making sense of how it operates within the inter connections of race class and gender dynamics often perpetuating oppression Locating Law is essential for undergraduate students in justice sociology and criminology Margot Hurlbert University of Regina Students regularly tell me that Locating Law is their favourite book out of the selections for the Law and Society course The case studies are sufficiently different from one another that the students deepen their general knowledge and they appreciate the fact that the chapters are written in a style they can understand Jennifer Jarman Lakehead University A primary concern within the study of law has been to understand the law society relation Underlying this concern is the belief that law has a distinctly social basis it both shapes and is shaped by the society in which it operates This book explores the law society relation by locating law within the nexus of race class gender sexuality relations in society In addition to updating the material in the theoretical and substantive chapters this third edition of Locating Law includes three new contributions sentencing law and Aboriginal peoples corporations and the law and obscenity and indecency legislation The analyses offered in the book are sure to generate discussion and debate and in the process enhance our understanding of law s location



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## Rethinking Corporate Crime Introduction

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