LW5663A: UNDERSTANDING CORPORATE CRIME AND CORRUPTION

Effective Term

Semester A 2026/27

Part I Course Overview

Course Title

Understanding Corporate Crime and Corruption

Subject Code

LW - Law

Course Number

5663A

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

1.5

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

LW5602A Law of Contract I or equivalent. Some courses under this intensive seminar may have specific pre-requisite. Students should refer to the individual course information for details.

Part II Course Details

Abstract

Summary: The course begins by examining ways to explain the differences (and similarities) between corporate crime and other forms of deviance. Next follows a consideration of some historical turning-points in the development of corporate criminal liability. The discussion then analyses how different forms of corporate wrongdoing can be criminalised and the proof difficulties within these developments. We highlight some challenges in regulating corporate wrongdoing by examining selected substantive and procedural issues from white collar & corporate criminal law. This review covers unique developments such as the confiscation of assets and the reversing of some fundamental evidentiary presumptions. An important matter will be the way criminal sanctions and punishment require adaption when applied to corporate offending. Particular attention is given to money-laundering and how financial corruption is tied to corporate crime.

The case study of data fraud and global financial crisis is explored. Consideration of how COVID 19 has changed market/ economic conditions so that the distinction between legitimate and illegitimate market risk taking is even less clear. The focus moves to globalised corporate crime and future trends will introduce the importance of law in maintaining market arrangements. Of special importance is understanding how digital commerce and platform economies open new opportunities for corporate crime and corruption, and how these need to be addressed through trans-national legal approaches.

Course Intended Learning Outcomes (CILOs)

	CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Describe and explain the basic concepts and principles related to the given seminar			x	
2	Apply the concepts and principles to solve hypothetical or real situations			x	x
3	Communicate ideas, arguments or advice clearly and coherently both orally and in writing		x	x	x
4	Critically analyse and evaluate concepts, principles and policy underpinning the area of law covered by the seminar		x	x	x

A1: Attitude
Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability
Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: Accomplishments
Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Learning and Teaching Activities (LTAs)

	LTAs	Brief Description	CILO No.	Hours/week (if applicable)
1	Interactive Seminar		1, 2, 3, 4	

Assessment Tasks / Activities (ATs)

	ATs	CILO No.	Weighting (%)	Remarks	Allow Use of GenAI?
1	Two assessments (class participation based in part on formal written responses to questions at the end of each class, and a research essay.	1, 2, 3, 4	100	Pass/Fail Grade only Good Attendance – 75% plus	No

Continuous Assessment (%)

100

Assessment Rubrics (AR)

Assessment Task

Attendance and class participation

Criterion

Demonstration of preparation for tutorial problems and other exercises.
Demonstration of ability and willingness to answer questions in tutorials and to participate in group discussion.
Demonstration of oral presentation skills and willingness.

Pass (P)

Excellent: Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.
Good: Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.
Fair: Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.
Marginal: Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Two assessments (class participation based in part on formal written responses to questions at the end of each class, and a research essay.

Criterion

Demonstration of understanding of concepts, principles, and theories.
Demonstration of ability to identify legal issues.
Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.
Application of legal writing and research skills.
Demonstration of ability to engage in argument-based analysis based on critical thinking.
Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.

Pass (P)

Excellent: Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.
Good: Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.
Fair: Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.
Marginal: Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information

Keyword Syllabus

Course objectives:

- To provide students with ways of understanding corporate crime and corruption, and their relationships
- To encourage critical thinking and analysis about topical areas in the study of corporate crime and corruption
- To teach skills for better researching and writing
- To explore inter-disciplinary approaches to the study of corporate crime and corruption
- To provide practical, professional skills related to law enforcement and proving /punishing criminal liability, and
- Using comparative analysis to explain and predict trends in corporate crime and corruption moving into a globalised and digital world.

Overview of sessions

1. Market strain, opportunity and white-collar crime; historical turning-points in criminalising corporate wrongdoing;

This session explains how theoretical tools enable a functional understanding of why corporate malpractice occurs, and the individual, social and organisational conditions that trigger crime choices.

Against this, the evolution of law' s interest in criminalising deviant commercial behaviour is given a brief history.

The distinction between white collar crime and corporate crime is drawn.

1. Corporate criminal liability -understanding the nature and causes of corporate crime;

Building on the explanations provided in the first session this class explores vicarious liability (master-servant delegation) particularly in the context of modern complex corporate organisations.

Additionally, the legal personality of the corporation is discussed and the how it has influenced the development of international commercial regulation is developed, with particular emphasis on companies committing crime.

1. Corporate criminal liability – imputed liability, organisational fault, identification, criminal culture;

This class shows how vicarious liability requires development if corporate malpractice is to be proved in different legal traditions. Concepts like the juridical person, the identification principle, imputing fault, and aggregating liability are discussed and criticised.

Corporate criminal culture as a unique approach to establishing criminal liability is discussed and jurisdictions in which it operates are explained.

1. Criminal data fraud & the 2008/2009 sub-prime financial crisis – money-laundering and corruption;

This class adopts a case study approach looking at data fraud and money-laundering (and their regulation) as potentially undermining global financial markets.

Importantly, corruption is analysed as relationships of trust and power that facilitate many contemporary corporate criminal enterprises.

The challenge of regulating corruption as a market arrangement is revealed.

1. When a company is on trial – evidence and procedure; challenges for punishment and sanction;

There is critical discussion that administrative sanctions are more effective in managing corporate malpractice than criminal sanctions.

Difficulties associated with prosecuting and bringing corporate deviance to trial are explored considering the alternative benefits of administrative sanction.

The need for forms of punishment that deter the corporate personality is identified and new forms of sanction measured against the purposes of punishment.

1. Policing companies and self-regulation;

This class discusses policing outside the way it is commonly understood. Conventional state policing is not well suited to enforcing law against complex commercial identities.

Instead, ways that companies can police themselves through enforced self-regulation are analysed.

This class shows the importance of fresh thinking when seeking to prevent harmful behaviour by companies that might escape the reach of litigation and sanction.

1. New opportunities for corporate deviance coming out of digital transformation and digital financial platforms; globalised corporate crime - North/South divide and future trends.

The Covid-19 pandemic put great strain on market arrangements and forced companies, and the law to explore digital alternatives. As the world moves more into digital commerce and platform economies new opportunities for corporate crime and challenges to law enforcement emerge.

This class explores how the digital divide between the North and South Worlds has the potential to cause greater environmental and commercial exploitation.

The future of corporate crime and changes in global law enforcement will be projected.

1. Writing and research workshop.

Using the case-study method explored in earlier classes the final session will provide instruction in, and application of more efficient and effective research practice.

As well, the class will provide students with advanced experience in better writing and comprehension skills.

Examples of corporate crime research will be used as exercises.

Grading Scheme

Pass/Fail Grade only

Good Attendance – 75% plus

Two assessments (class participation based in part on formal written responses to questions at the end of each class, and a research essay.

Reading List