

BFM123 CORPORATE CRIME

Number of Aston Credits: 30

Number of ECTS Credits: 15

Staff Member Responsible for the Module:

Mr. James Roebuck
Finance, Accounting & Law Group
Aston Business School, Room 424. Extension 3025
Email: j.roebuck@aston.ac.uk
Availability: Please see office hours on door or email for an appointment.
Group administrator, Rosaleen Shirley, Room 404. Extension 3238

Pre-requisites for the Module:

None

Module Objectives and Learning Outcomes:

On successful completion of the module students will be able to:

- > Understand the theoretical foundations and principles of the law relating to corporate crime.
- > Develop that basic understanding further and apply it to practical situations and issues in the context of the corporate environment. To give students the ability to analyse situations where criminal offences have or may have been committed and to apply the law to those situations, resulting in practical advice for corporate entities and their management.
- > Analyse critically the policies and rationale underlying criminal law in the corporate field in order to understand the nature and basis of that law and its impact on organisations.
- > Carry out research both independently and in groups in relation to a number of specific areas of corporate criminal law and to be able to prepare and present the law, issues and advice in an appropriate manner.

Module Content:

This module is not designed to cover the whole of the criminal law. Instead it is designed to focus on the criminal law as it affects corporate entities and their management. The main areas that will be covered include:



- > A brief overview of the basic principles of English criminal law including definition of criminal law, criminal proceedings, classification of offences, mode of trial and basic procedural issues.
- > **Week 3.** Introductory
- > **Week 5.** Corporate and vicarious liability including due diligence.
- > **Week 7- 9.** Corporate Manslaughter & Corporate Homicide Act (2007)
- > **Weeks 11-13.** The Fraud Act (2006)
The module will cover inter alia the general offence of fraud, fraud by false representation, fraud by failing to disclose information, fraud by abuse of position, obtaining services dishonestly.
- > **Weeks 15-17.** The Theft Act (1968)
The module will cover inter alia false accounting, corporations and their officers, false statements by company directors, suppression of documents, cheating the public revenue, blackmail and unlawful harassment of debtors.
- > **Weeks 19-21.** The Computer Misuse Act (1990)
The module will cover inter alia unauthorised access to computer material, unauthorised access with intent to commit or facilitate further offences and unauthorised acts with intent to impair or recklessness as to impairment of a computer.
- > Week 23 -25 Revision

Corporate Connections:

James Roebuck is a Barrister of Lincoln's Inn and if feasible, guest speakers from amongst practicing lawyers and others involved with the criminal justice system will be invited.

International Dimensions:

Although largely of a national territorial nature, criminal law cases often use precedents from other common law countries including Australia and the United States.

Modern forms of hi-tech crime often involve issues of jurisdiction and extradition. These issues will be covered particularly in respect of computer misuse and fraud.

Method of Teaching:

Method of Teaching – fortnightly 2 hour seminars with directed learning in preparation for those seminars.

Directed learning is designed to provide students with the basic understanding of the subject area whilst seminars are designed to allow and encourage students to



develop an ability to apply their knowledge in practical situations so as to identify issues, carry out appropriate research, work together in teams, make effective plans and draw up practical and workable solutions to specific problem questions.

Emphasis is placed on the practical aspects and implications of the criminal law in relation to business activity and other activities pursued by corporate organisations. The module is designed to meet the needs of students who wish to understand the practical implications of the criminal law in a corporate environment and be able to develop strategies and policies in relation to criminal liability of corporations, senior officers and employees.

Method of Assessment and Feedback:

The module is assessed by examination (100%). The examination will be closed book except for relevant statutory materials and will be three hours long. The relevant statutory materials will be provided in the examination.

The assessment is designed to demonstrate that students have achieved the learning outcomes and show their understanding of the subject area and ability to identify issues, analyse situations and their legal effects.

Learning Hours:

Seminars and Directed Learning	24
Private Study	273
Assessment (Exam)	3
Total	300

Essential Reading:

T.B.C

Indicative Bibliography:

T.B.C