UAB
Universitat Autònoma de Barcelona

2020/2021

White-Collar Crime

Code: 100470
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OB	3	1

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

Contact

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Use of Languages

Principal working language: spanish (spa)

Some groups entirely in English: No

Some groups entirely in Catalan: No

Some groups entirely in Spanish: Yes

Other comments on languages

Lectures and seminars will be held in Spanish

Teachers

Maria Jose Rodriguez Puerta

Prerequisites

There are no prerequisites for this course.

Objectives and Contextualisation

This course aims to provide students with introductory information on different aspects of White Collar Crime (WCC).
The objectives of the course are:

1. To familiarize students with the problems concerning the delimitation and conceptualization of this kind of criminality
2. To enable students to carry out a criminological research on crimes that can be categorized as WCC.
3. To familiarize students with strategies for preventing WCC.
4. To make students able to identify the specific elements of the more relevant white collar crimes.

Competences

- Ability to analyse and summarise.
- Accessing and interpreting sources of crime data.
- Analysing the conflict and criminology by using the criminological theories and their psychological and sociological foundations.

- Designing a criminological research and identifying the appropriate methodological strategy to the proposed goals.
- Drawing up an academic text.
- Formulating research hypothesis in the criminological field.
- Identifying existing social resources to intervene in the conflict and criminality.
- Respectfully interacting with other people.
- Students must demonstrate a comprehension of the best crime prevention and intervention models for each specific problem.
- Students must demonstrate they comprehend the criminological theories.
- Students must demonstrate they know a variety of criminal policies in order to face criminality and its different foundations.
- Using the evaluation techniques of criminogenic risk and needs of a person in order to decide an intervention proposal.
- Verbally transmitting ideas to an audience.
- Working autonomously.
- Working in teams and networking.

Learning Outcomes

1. Ability to analyse and summarise.
2. Accurately applying the prevention models in specific crime situations.
3. Analysing with scientific criteria the information obtained in criminological databases.
4. Applying the criminological theories.
5. Applying the scientific criminological knowledge to the delinquency analysis.
6. Appropriately choosing the social resource for each professional intervention case.
7. Correctly drawing up every part of a criminological research project.
8. Drawing up an academic text.
9. Efficiently applying the foundations of the different crime policies in the professional activity.
10. Inferring the intervention models in accordance with a previous needs assessment.
11. Respectfully interacting with other people.
12. Using the appropriate research methodology in accordance with the suggested criminological research.
13. Verbally transmitting ideas to an audience.
14. Working autonomously.
15. Working in teams and networking.

Content

Introduction: White-Collar Crime: general issues

Part 1

- Topic 1: White-Collar Crime: legal and criminological approach
- Topic 2: Criminological profile of authors and victims of White-Collar Crime
- Topic 3: Corporate crime. The responsibility of companies, from a criminological and legal perspective
- Topic 4: Corruption. Legal and criminological perspective. Corruption in Spain. Corruption related crimes

Part 2

- Topic 5: Investigation and prosecution of White-Collar Crimes
- Topic 6: White-Collar Crime prevention policies and sanctions. Intervention against crime of corporations and Public Administrations: prevention and punishment. *Compliance programs* in both the private and public sector.
- Topic 7: Harms, victims and Restorative Justice in White-Collar Crimes
- Topic 8: Environmental crimes. The concept of "corporate violence". Environmental harm and Restorative Justice

Methodology

Statement:

Teaching will be mixed: lectures will be online and seminars face-to-face.

Activities

- Lectures, with the whole group. The professor, following an interactive methodology, will explain the main issues, stimulate reflection and propose activities
- Workshops/Seminars, in which data and case studies will be analyzed. Seminars will use an active methodology to improve the learning of the contents of the course.

Students will also attend presentations given by experts in the field , which will give them an insight into practical aspects of white-collar crime

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lectures	19.5	0.78	2, 5, 4, 10, 11, 14
Workshops	19.5	0.78	2, 5, 4, 10, 11, 13, 14, 15
Type: Autonomous			
Individual and group work	106	4.24	3, 2, 9, 5, 4, 10, 8, 1, 13, 14, 15

Assessment

Attendance to lectures and workshops is compulsory. Therefore, a student who does not attend at least 80% of the classes will not be assessed. Absences will be allowed only in case of medical reasons or exceptional circumstances. An absence note will be required. Any academic reason for non attendance should be previously authorized by the professor. Attendance will be supervised in both lectures and workshops.

Evaluation. Students will be assessed according to the following items:

1) Continuous evaluation

- One exam will check the students' understanding and knowledge of bibliographic material and will consist of a multiple choice exam (10% of the final mark)
- One exam will check the students' understanding and knowledge of bibliographic and lectures material and will consist in drawing up a paper (20% of the final mark)
- Students will work on a group project concerning one of the topics of the program. Each group will present the results in front of the rest of the class (20% of the final mark).

2) Final exam:

- The final exam will check the students' understanding and knowledge of all course's contents and will consist of a multiple choice exam (50% of the final mark).

Each activity will be graded on a scale from 1 to 10. In order to pass the course, students will need to obtain an average of 5 or above for any of the evaluated activities. Students who do not obtain the minimum mark will be able to resit for that activity during the reassessment period.

Active participation: Students who demonstrate through active participation that they have achieved an above averagemastery of the course material and objectives will be rewarded with an increase ofthe final mark of up to 0,5 extra points.

Punctuality. Classes start on time. Late arrival is not admitted.

Cheating at any evaluation activity will imply a fail mark (0) and students will lose the right to a new assessment. Plagiarism will lead to a fail mark (0) and to a warning. In the case of reoccurrence, the student will be given a fail mark (0) and will lose the right to resit.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Exam (individual) - Test	10%	1	0.04	3, 5, 4, 11, 1, 14
Exam (work-group)	20%	1.5	0.06	3, 2, 5, 4, 6, 7, 8, 11, 1, 13, 14, 15
Final exam	50%	1	0.04	5, 4, 11, 1, 14
Group work	20%	1.5	0.06	3, 2, 9, 5, 4, 6, 10, 7, 8, 11, 1, 13, 15, 12

Bibliography

Mandatory readings

- Aertsen, I. (2018). Restorative Justice for Victims of Corporate Violence. In G. Forti, C. Mazzucato, A. Visconti & S. Giavazzi (Eds.). *Victims and Corporations. Legal Challenges and Empirical Findings* (pp. 235-258). Milano: Wolters Kluwer
- Cigüela-Sola, J. (2019). *Compliance* más allá de la ciencia penal. Aportaciones de la sociología de las organizaciones al análisis de la criminalidad corporativa y de la imputación jurídico-penal, *InDret*, 2, 1-36. Retrieved from: https://indret.com/compliance-mas-alla-de-la-ciencia-penal/
- Dopico, J. (2018). La responsabilidad penal de las personas jurídicas. In G. Quintero-Olivares, et al. (Dirs.). *Esquemas de teoría jurídica del delito y de la pena* (pp. 287-301). Valencia: Tirant Lo Blanch
- González, A. (2018). Situación actual, prevención e intervención criminológica en la delincuencia de cuello blanco. In D. Fernández-Bermejo, et al. (Dirs.). *Delincuencia económica* (pp. 751-776). Pamplona: Thomson-Aranzadi
- Nieto-Martín, A. (2014). De la ética pública al *public compliance*. Sobre la prevención de la corrupción en las administraciones públicas. *Derecho Penal y Criminología*, 4 (8), 185-200
- Silva, J.M., Varela, Lorena. (2016). Responsabilidades individuales en estructuras de empresa. La influencia de sesgos cognitivos y dinámicas de grupo. In J.M. Silva (Dir.). *Fundamentos del derecho penal de la empresa* (pp. 247-284). Madrid: Edisofer
- Van Rooij, B., Fine, A. (2018). Toxic corporate culture: assessing organizational processes for deviancy. *Administrative Sciences*, 8 (23), 1-38

Recommended readings

- Baucells, J. (2012). Sistemas de penas para el delincuente económico. *Cuadernos de Política Criminal*, 107 (2), 143-182
- Benson, M. L. & Simpson, Sally S. (2018). *White-Collar Crime: An Opportunity Perspective*. New York: Routledge
- Cid, J. & Larrauri, Elena (2001). *Teorías criminológicas: explicación y prevención de la delincuencia*. Barcelona: Bosch.
- De la Mata-Barranco, N., Dopico-Gómez-Aller, J., Lascuraín-Sánchez, J. A., Nieto-Martín, A. (2018). *Derecho penal económico y de la empresa*. Madrid: Dyckinson.

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- Gottschalk, P. (2017). *Organizational Opportunity and Deviant Behaviour: Convenience in White-collar Crime*. Cheltenham: Edward Elgar Publishing.
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- Morón, Esther (2014). El perfil criminológico del delincuente económico. In Mercedes García-Aran (Dir.). *La delincuencia económica. Prevenir y sancionar* (pp. 29-52).Valencia: Tirant Lo Blanch
- Muñoz-Conde, F.(2016). *Derecho penal. Parte especial*. Valencia: Tirant Lo Blanch.
- Payne, B.K. (2013). The Corrections Subsystem and White-Collar Crime. In B.K Payne, *White collar crimes. The Essentials* (pp. 364-393). London: Sage.
- Pearce F. & Tombs, S. (1992). Realismand corporate crimes. In R. Matthews y J. Young (Eds.). *Issues in Realist Criminology* (pp. 70-101). London: Sage
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- Villoria, M., Jiménez, F. (2012), La corrupción en España, *Revista Española de Investigaciones Sociológicas*, 138, 109-134

Note: Any possible update in the bibliography will be communicated through the Moodle