

**White-Collar Crime**

Code: 100470  
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OB	3	1

## Contact

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## Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

## 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.
5. To provide students with tools for prevention and intervention in 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: Corporate Crime prevention policies. Compliance programs in both the private and public sector. The role of criminologists
- Topic 6: Investigation and prosecution of White-Collar Crimes
- Topic 7: Criminal justice response: Sanctions and post-sentence phase (individuals and corporations)
- Topic 8: Restorative justice response: Harms and diffuse, collective and shared victimization. Restorative agreements: basis and characteristics

## Methodology

### 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. Some of the workshops will be specifically devoted to work on compulsory readings in a shared and creative way.

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

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

### Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lectures	18	0.72	2, 5, 4, 10, 11, 14
Workshops	18	0.72	2, 5, 4, 10, 11, 13, 14, 15
Type: Autonomous			
Individual and group work	109	4.36	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.

Punctuality. Classes start on time. Late arrival or early exit is not admitted, save in duly justified circumstances.

### Evaluation

#### Continuous evaluation model

For students who opt for continuous evaluation, the final mark will be obtained by evaluating three types of activities throughout the semester:

##### 1) Two continuous evaluation activities

- One assessment activity will check the students' understanding and knowledge of bibliographic and lectures material and will consist in four brief questions to be answered in writing (individual work, 30% of the final mark).

- One assessment activity will check the students' ability to apply understanding and knowledge and will consist of designing a project (group work, 30% of the final mark).

## 2) Final exam

- The final test will check the students' understanding and knowledge of all course's contents and will consist of a multiple-choice test (40% of the final mark).

### Single evaluation model

For students who opt for single evaluation the final mark will be also obtained by evaluating three types of activities to be completed in 2 hours on the same day:

- 1) One assessment activity will check the students' understanding and knowledge of bibliographic and lectures material as well as their analysis and synthesis skills. This activity will consist in two brief questions to be answered in writing in 30 minutes (30% of the final mark).
- 2) One assessment activity will check the students' ability to apply the theoretical content of the course to resolve a practical case and to infer appropriate intervention models based on an effective prior assessment of needs. Students will first have to elaborate in 45 minutes an appropriate solution in class (without the possibility of consulting course material). Then, they will orally present to professors their conclusion in 10 minutes maximum (weight on final mark: 30%).
- 2) One assessment activity will objectively check students' knowledge of distinct aspects of the course and will consist of a multiple-choice exam to be completed in 35 minutes (weight on the final mark: 40%).

As all students, also students who opt for the single evaluation model will have right to teachers' attention and support throughout the semester, according to the tutorial schedule.

Both for the continuous evaluation and for the single evaluation, each activity will be graded on a scale from 0 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: Active participation, which demonstrates that students have achieved an above averagemastery of the course material and objectives, will be positively evaluated.

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
Final test (individual)	40%	5	0.2	5, 4, 11, 1, 14
Group work (project)	30%	0	0	3, 2, 9, 5, 4, 6, 10, 7, 8, 11, 1, 13, 15, 12
Individual work (brief questions)	30%	0	0	3, 2, 5, 4, 6, 7, 8, 11, 1, 13, 14, 15

## Bibliography

### MANDATORY READINGS

Topic 1: White-Collar Crime: legal and criminological approach

- Class material
- Friedrichs, D.O. (2020). White Collar Crime: Definitional Debates and the Case for a Typological Approach. In Melissa L. Roerie (Ed.). *The Handbook of WhiteCollar Crime* (pp. 16-31). Wiley-Blackwell. Only pp. 21-28

#### Topic 2: Criminological profile of authors and victims of White-Collar Crime

- Class material
- Benson, M.L. & Hei Lam Chio (2020). Who Commits Occupational Crimes?. In Melissa L. Roerie (Ed.). *The Handbook of WhiteCollar Crime* (pp. 97-112). Wiley-Blackwell. Only pp. 101-110

#### Topic 3: Corporate crime. The responsibility of companies, from a criminological and legal perspective

- 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
- 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). Edisofer
- 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). Tirant Lo Blanch

#### Topic 4: Corruption. Legal and criminological perspective. Corruption in Spain. Corruption related crimes

- Class material
- Villoria, M. (2015). La corrupción en España: Rasgos y causas esenciales. *Cahiers de civilisation espagnole contemporaine*, 15(15), 1-17. <https://doi.org/10.4000/ccec.5949>

#### Topic 5: Corporate Crime prevention policies. Compliance programs in both the private and public sector. The role of criminologists

- Class material
- León-Alapont, J. (2021). Los programas de cumplimiento penal: Aspectos generales. *Revista Boliviana de Derecho*, 31, 354-389

#### Topic 6: Investigation and prosecution of White-Collar Crimes

- Class material

#### Topic 7: Criminal justice response: Sanctions and post-sentence phase (individuals and corporations)

- Class material
- 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). Tirant Lo Blanch
- Levi, M. (2010). Serious tax fraud and noncompliance: A review of evidence on the differential impact of criminal and noncriminal proceedings. *Criminology & Public Policy*, 9(3), 493-513. <https://doi.org/10.1111/j.1745-9133.2010.00645.x>

#### Topic 8: Restorative justice response: Harms and diffuse, collective and shared victimization. Restorative agreements: basis and characteristics

- Class material
- 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). Wolters Kluwer

#### RECOMMENDED READINGS

- Baucells, J. (2012). Sistemas de penas para el delincuente económico. *Cuadernos de Política Criminal*, 107(2), 143-182

- Cid, J. & Larrauri, Elena. (2001). *Teorías criminológicas: explicación y prevención de la delincuencia*. Bosch
- Gaddi, Daniela & Rodríguez Puerta, María José (2022). Towards a restorative justice approach to white-collar crime and supra-individual victimisation. *The International Journal of Restorative Justice*, 5 (Online First), 0-0. <https://doi.org/10.5553/TIJRJ.000116>
- Jimenez, F. (2016). Las hojas y el rábano: Tres errores en el combate de la corrupción, *Claves de Razón Práctica*, 246, 9-21
- Levi, M. & Horlick-Jones, T. E. (2013). Interpreting the Fukushima Daiichi nuclear incident: Some questions for corporate criminology. *Crime, Law and Social Change* 59(5), 487-500. <https://doi.org/10.1007/s10611-013-9432-3>
- Lord, N. & Levi, M. (2017). Organizing the finances for and the finances from transnational corporate bribery. *European Journal of Criminology*, 14(3), 365-389. <https://doi.org/10.1177/1477370816661740>
- Morón, Esther (2014). El perfil criminológico del delincuente económico. In Mercedes García-Arán (Dir.). *La delincuencia económica: Prevenir y sancionar* (pp. 29-52). Tirant Lo Blanch
- Rebollo, R. & Casas, J. (2013). Reflexiones, problemas y propuestas para la investigación de la delincuencia económica. *Revista General de Derecho Penal*, 19, 1-31
- Simpson, Sally S. (2019). Reimagining Sutherland 80 years after white-collar crime. *Criminology*, 57(2), 189-207. <https://doi.org/10.1111/1745-9125.12206>

#### OTHER USEFUL READINGS

- Benson, M. L. & Simpson, Sally S. (2018). *White-Collar Crime: An Opportunity Perspective*. Routledge
- De la Mata-Barranco, N. J., Dopico-Gómez-Aller, J., Lascaraín-Sánchez, J. A. & Nieto-Martín, A. (2018). *Derecho penal económico y de la empresa*. Dyckinson.
- García-Arán, Mercedes (Dir.) (2014). *La delincuencia económica: Prevenir y sancionar*. Tirant Lo Blanch
- Gottschalk, P. (2017). *Organizational Opportunity and Deviant Behaviour: Convenience in White-collar Crime*. Edward Elgar Publishing
- Lynch, M., Barrett, K., Stretesky, P. & Long, M. (2016). The Weak Probability of Punishment for Environmental Offenses and Deterrence of Environmental Offenders: A Discussion Based on USEPA Criminal Cases, 1983-2013. *Deviant Behavior*, 37(10), 1095-1109. <https://doi.org/10.1080/01639625.2016.1161455>
- Muñoz-Conde, F. (2016). *Derecho penal: Parte especial*. 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). Sage
- Pearce F. & Tombs, S. (1992). Realism and corporate crimes. In R. Matthews & J. Young (Eds.). *Issues in Realist Criminology* (pp. 70-101). Sage
- Villoria, M. & Jiménez, F. (2012), La corrupción en España, *Revista Española de Investigaciones Sociológicas*, 138, 109-134. <https://doi.org/10.5477/cis/reis.138.109>

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

#### Software

Basic software (MS Office tools)