

730-474 Corporate Criminal Law and Regulation

Credit Points:	12.500
Level:	Undergraduate
Dates & Locations:	This subject is not offered in 2008.
Time Commitment:	Contact Hours: Includes a minimum of three hours reading and note-taking in preparation for every 2-hour seminar, 50 hours minimum to research and write the essay and a 2-hour seminar per week Total Time Commitment: Estimated total time commitment of 144 hours.
Prerequisites:	Criminal Law and Procedure or equivalent.
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	<p><p>For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.</p> <p>It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: http://services.unimelb.edu.au/disability</p></p>
Coordinator:	Dr D Blumenthal
Subject Overview:	<p>This course will examine the operation of the criminal law within the corporate sphere. In Part 1 the broad social context of corporate and white collar crime will be considered. Part 2 will provide an overview of the theory and practice of corporate regulation in Australia, and will focus particularly on sentencing principles applicable to corporate and white collar criminals. Part 3 will examine in some detail the principles of corporate - as opposed to individual - criminal liability. In Part 4 a range of substantive white collar and corporate criminal offences will be examined for the purposes of illustrating the principles and the conceptual and practical problems outlined in the first parts of the course. This will include an analysis of Australia's insider trading laws, the proposed offence of corporate homicide, the challenges of tobacco litigation, and the problems associated with enforcing environmental laws in the era of globalisation.</p> <p>Note: The essay in this subject will be regarded as a substantial piece of legal writing for honours purposes.</p>
Assessment:	Research essay of 5000 words, 100% (due final week of semester) or a final open-book examination of three hours.
Prescribed Texts:	Printed materials will be issued by the Faculty of Law.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage # the capacity for close reading and analysis of a range of sources # the capacity for critical and independent thought and reflection

- # the capacity to solve problems, including through the collection and evaluation of information
- # the capacity to communicate, both orally and in writing
- # the capacity to plan and manage time
- # intercultural sensitivity and understanding

In addition, on completion of the subject, students should have developed the following skills specific to the discipline of law:

On completion of this subject, students should have further developed the following skills:

- # Case reading and analysis, including the ability to:
- # evaluate from a policy perspective a given decision or legal doctrine with reference to the general principles of criminal law studied throughout the course.
- # Statutory interpretation, including in particular:
- # The capacity to interpret and apply a novel statutory criminal offence to a given fact situation;
- # General legal analysis with an emphasis on policy outcomes;
- # Writing and research skills through completion of a substantial research essay.