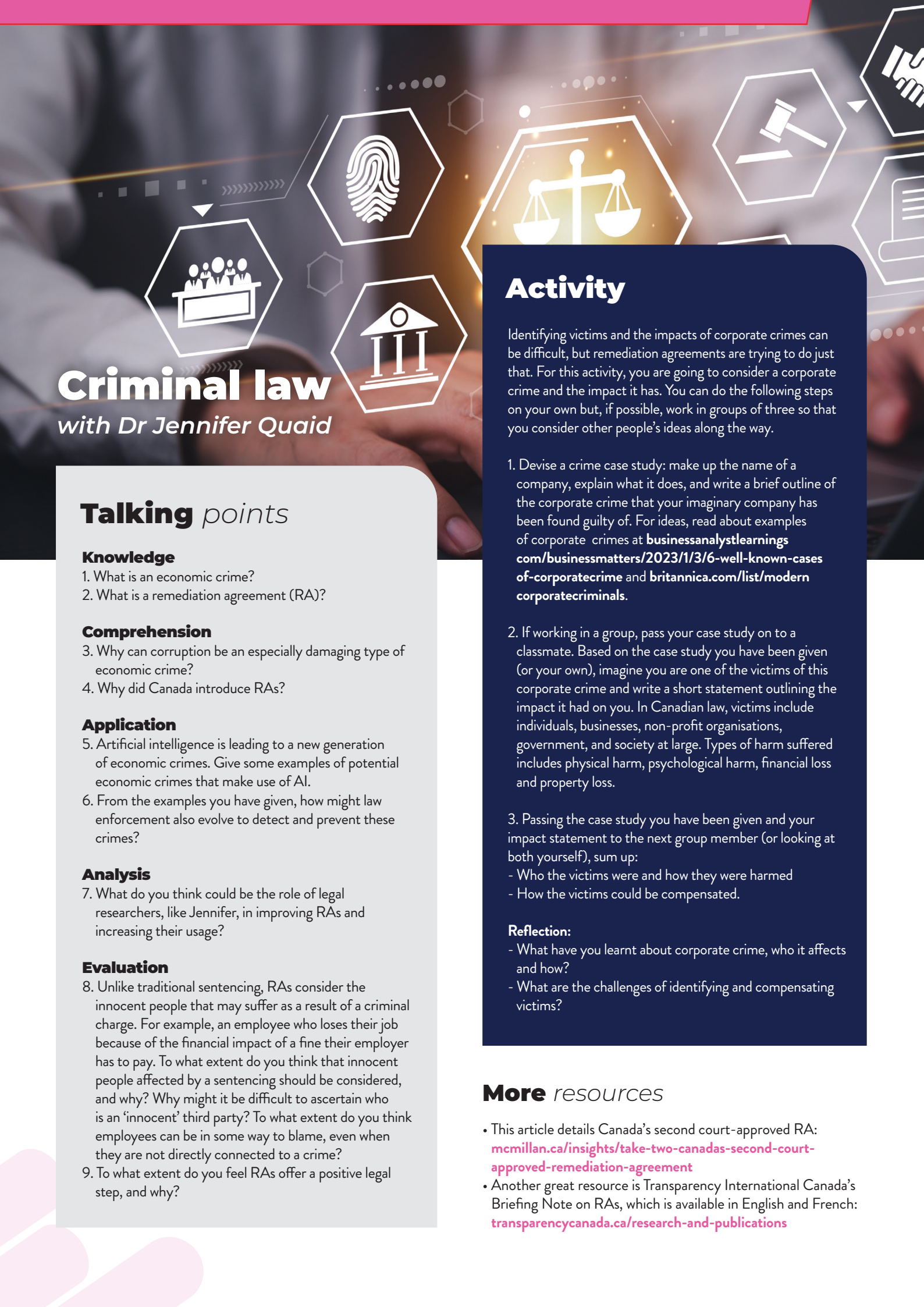




Criminal law

with Dr Jennifer Quaid

Talking points

Knowledge

1. What is an economic crime?
2. What is a remediation agreement (RA)?

Comprehension

3. Why can corruption be an especially damaging type of economic crime?
4. Why did Canada introduce RAs?

Application

5. Artificial intelligence is leading to a new generation of economic crimes. Give some examples of potential economic crimes that make use of AI.
6. From the examples you have given, how might law enforcement also evolve to detect and prevent these crimes?

Analysis

7. What do you think could be the role of legal researchers, like Jennifer, in improving RAs and increasing their usage?

Evaluation

8. Unlike traditional sentencing, RAs consider the innocent people that may suffer as a result of a criminal charge. For example, an employee who loses their job because of the financial impact of a fine their employer has to pay. To what extent do you think that innocent people affected by a sentencing should be considered, and why? Why might it be difficult to ascertain who is an 'innocent' third party? To what extent do you think employees can be in some way to blame, even when they are not directly connected to a crime?
9. To what extent do you feel RAs offer a positive legal step, and why?

Activity

Identifying victims and the impacts of corporate crimes can be difficult, but remediation agreements are trying to do just that. For this activity, you are going to consider a corporate crime and the impact it has. You can do the following steps on your own but, if possible, work in groups of three so that you consider other people's ideas along the way.

1. Devise a crime case study: make up the name of a company, explain what it does, and write a brief outline of the corporate crime that your imaginary company has been found guilty of. For ideas, read about examples of corporate crimes at businessanalystlearnings.com/businessmatters/2023/1/3/6-well-known-cases-of-corporate-crime and britannica.com/list/modern-corporate-criminals.
2. If working in a group, pass your case study on to a classmate. Based on the case study you have been given (or your own), imagine you are one of the victims of this corporate crime and write a short statement outlining the impact it had on you. In Canadian law, victims include individuals, businesses, non-profit organisations, government, and society at large. Types of harm suffered includes physical harm, psychological harm, financial loss and property loss.
3. Passing the case study you have been given and your impact statement to the next group member (or looking at both yourself), sum up:
 - Who the victims were and how they were harmed
 - How the victims could be compensated.

Reflection:

- What have you learnt about corporate crime, who it affects and how?
- What are the challenges of identifying and compensating victims?

More resources

- This article details Canada's second court-approved RA: mcmillan.ca/insights/take-two-canadas-second-court-approved-remediation-agreement
- Another great resource is Transparency International Canada's Briefing Note on RAs, which is available in English and French: transparencycanada.ca/research-and-publications