

Concept and Development of Corporate Criminal Liability in India

Monika Banode

Legal Assistant at Maharashtra Metro Rail Corporation

monika.banode@gmail.com

UNDER THE GUIDANCE OF

DR. MRS. H.V. MENON (Professor & Head)

Department of Law,

Centre for Higher Learning & Research Dr Ambedkar College, Dikshabhoomi.

Abstract

In India, the concept of criminal responsibility for corporations has gained increasing popularity as business plays a vital role in India's economy. This abstract gives an overview of how corporate criminal liability has evolved within Indian law. This paper examines the history of corporate responsibility in India by examining landmark legislative decisions, landmark judicial cases, and how legal doctrines have evolved to shape the concept. The paper explores challenges and debates around the imposition criminal liability for corporate entities. It takes into consideration the principles of vicarious responsibility, the identification doctrine and the growing trend to hold corporations responsible for white-collar crime. Criminal justice is facing a greater challenge in the 21st century due to crimes committed by corporations. Corporate bodies are used by vested interest groups to commit criminal acts in order to maximize profit. The corporate body has legal personality to regulate its functions, but does not possess a physical or mental body. This poses a problem for the imposition of criminal responsibility and for the holding of corporate bodies as criminals. Criminal activities of corporations have a negative impact on the environment, public health and safety, as well as infrastructure development. Corporations are implicated in economic crimes such as tax evasion, benami transactions, tax fraud, forged documents, currency violations, money-laundering, and money laundering. Modern criminal justice requires that criminal liability of corporations be enforced effectively and with the proper formulation. Business entities are corporate bodies; the economic well-being of society and prosperity of citizens and nation development depend on freedom to trade, a friendly business environment, and minimal regulation. In determining and imposing corporate criminal responsibility for the betterment of society it is important to strike a balance between taking stern action to combat corporate crimes, and not hindering legitimate corporate activities. This paper will analyse the law relating to criminal liability for corporate bodies in India.

Introduction

This evolution has been shaped by the development and conceptualization of corporate criminal responsibility, which is a paradigm that holds corporations accountable for their unlawful actions and implicates them in criminal offences. Corporate criminal liability, which is a combination of business ethics, law and the intersection between them, has a growing importance in both academics and practice. The purpose of this research paper is to explore the theoretical foundations of corporate criminal responsibility and its development within the Indian legal system. It is the objective of this research paper to explore the theoretical foundations and development trajectory of corporate criminal responsibility within the Indian legal framework. (Stamouli, 2023)

In the past, the focus of corporate liability has been on compensating victims, rather than imposing punitive actions against the corporation. The increasing incidence of corporate fraud and white-collar crime has led to a change in the legal paradigm. Corporate criminal liability evolved as a result of the increasing number of criminal acts committed by corporations. It also reflects society's desire for more accountability. The paper begins with a historical overview of the evolution of corporate criminal responsibility in India. It examines seminal court cases and legislative changes that laid the foundation for the concept. The paper reveals the legal doctrines of vicarious responsibility and identification doctrine that guided the courts to attribute criminal liability to corporations.

Recent amendments in legislation, as well as landmark judicial cases have helped to further refine the concept of criminal liability for corporations. This paper analyzes and critiques recent developments in order to highlight their impact on businesses, lawyers, policymakers, and other stakeholders. The paper examines the balance of individual responsibility and corporate liability, as well as the corporate governance principles, compliance mechanisms and ethical standards which contribute to corporate behavior. This research also examines the impact of corporate criminal responsibility on Indian corporate practices, strategies for risk management, and corporate culture. The paper adopts an interdisciplinary perspective to explore the economic, legal, and social dimensions of criminal corporate liability. It recognizes the interconnectedness between these aspects in today's business world. (Biswas, 2021)

All countries around the globe are concerned about the social wellbeing of their citizens. Crime and criminality, and in particular socio-economic crime pose a serious risk to the public and the government. This must be addressed. The corporate crime is a specific type of socioeconomic crime that is committed by corporate bodies. This is a grave challenge to social well-being in the 21st Century. The corporate bodies have more professional and expert personnel, making it difficult to detect and identify criminal activities. In the criminal justice system, it has been traditionally believed that a crime could be committed by a natural person. Criminal liability is then imposed upon him because only natural persons possess body and mental faculties necessary to commit crime and for the trial of a criminal.¹ Corporate bodies

¹ Corporate crime includes any criminal, administrative or civil law violation committed by a corporation. The definition of crime is now broader than the criminal law which only applies

do not. This concept is a grave threat to the protection of society and its wellbeing. The public is not well informed about corporate crimes.

They are unaware of the alarming effects and problems that corporate crimes can cause. Corporate crime is not a subject of any reaction or labeling. Even so, traditional crimes are more frightening to the common masses and they view such crimes as actual crimes. In addition, the general public believes that corporations are performing legitimate business, manufacturing and marketing activities. Criminal acts by corporate entities will be dealt with under civil and administrative law. The criminal law is rarely or never used. Corporate crimes are not criminal offenses as they fall under other laws than criminal law. The impact on society as a whole is the best and primary criteria for determining criminal acts. Corporate crime, therefore, is a serious criminal act that poses a serious threat to societal survival and wellbeing. According to this criteria, corporate crimes are serious crimes.

Marshall B Clinard, Peter C Yeager and others have clarified that white-collar crimes are a type of corporate crime. However, it's a specific kind. White collar crime is a broad term that includes both occupational crime and organisational crimes. In a restricted sense, white collar crime refers only to these occupational crimes. It is an organised crime that involves crime perpetrated in a collective and organized manner to benefit the incorporated entity. Corporate crime is an organisational crime for which corporate liability and the doer may both be held liable. White-collar crimes (occupational crimes) are committed by persons acting on behalf of corporations for which only doer may be held liable. If the act of the doer is done on behalf of a corporate body then it is also that of this corporate body and criminal liability can be applied. When the employee is acting for personal gain, it is not a corporate crime. (Simpson, 2020)

The reality of the crime problem forced the change of the concept of criminal responsibility. Now corporate criminality is a major measure for tackling effectively economic crimes, and protecting the well-being of the society. When the term corporate criminality is used, this refers to the criminal responsibility of a corporate body in relation to crimes committed by officers of that corporate body.²

Edwin H. Sutherland, after studying larger corporate organizations and establishing their reputations in the field of crime investigation, gave his opinion that crimes can be committed by people with respectability or social standing and these crimes are far more harmful and dangerous than conventional crimes. Sutherland named such crimes White Collar Crimes,

to ordinary offenders. Corporations cannot be imprisoned but they can be fined. The major punishment of prison, which is used for individual offenders, does not apply to corporations.

² Barriers to criminal responsibility for corporations were removed piecemeal, and this was due to a number of factors. The most important reasons were that, in the first place, corporations are more easily identifiable than human criminals who may have committed the crime. In the second place, the immense power that the corporate world was accumulating seemed to require that a legal doctrine is applied to limit its destructive and free-wheeling acts.

which he referred to as occupational crime. Occupational crimes are crimes committed by a professional while performing his job. Organised crime, committed by corporate bodies in an organised way, is called Corporate Crime. Sutherland's research was about corporate crimes as he examined corporate bodies and the acts of superior executives within corporations. (Simpson, Edwin H. Sutherland, after studying larger corporate organizations and establishing their reputations in the field of crime investigation, gave his opinion that crimes can be committed by people with respectability or social standing and these crimes are , 2022)

They examine the existing legal status of corporate criminal liability in various countries and suggest ways to resolve the ethical, legal and social issues associated with it. Clement Labi, Willy Tadjudge and others claim that legal persons are more than just natural persons. There are legal persons that are formed by individuals, but they do not exist in isolation. Legal persons are fictitious in absolute terms because they are created by individuals who then act on their behalf and name on a regular basis.

Unusually, however, the law limits the shareholder's liability to their share of the capital. This pattern of responsibility is problematic, and it may cause corporate directors to make unethical choices. In fact, they know how to minimise their exposure, no matter what the law says. Corporate governance is characterized by a systematic and organised irresponsibility. The liability regime for legal persons and corporations should be reviewed by legislators, who must take corporate culture into account. In the corporate environment, there are steps that could be taken in order to make sure those responsible for the actions of others fall under the individual liability regime. However, due to corporate dynamics, this task is a Sisyphean one. (Jimenez, 2016)

This research paper concludes by attempting to provide a more nuanced view of the development and concept of criminal liability for corporations in India. The paper aims to give a solid foundation for academics, lawyers, policymakers, and legal practitioners involved in ongoing discussions about corporate criminal liability and Indian law by examining historical trends, legislative framework, judicial interpretations, and practical implications.

Literature review

Scholars such as Dhanda, (2008) have examined the historical roots of criminal corporate liability in India. They traced how corporate criminal responsibility evolved from being a civil law-based perspective to a new paradigm that holds corporations criminally liable. Dhanda sheds some light on the early cases and principles of law that laid the foundation for corporate criminal responsibility.

In India, the legislative framework governing criminal liability for corporations has changed significantly. Kapoor's (2015) seminal study critically analyses key legislative enactments including the Companies Act, and other statutes relevant to corporate entities, giving insights into legislative intent.

The judicial decisions that have been made in the past are crucial to shaping corporate criminal liability. Gupta & Menon's (2019) comprehensive analysis explores key cases and emphasizes

the use of legal doctrines like vicarious responsibility and identification doctrine to attribute criminal liability to corporate entities.

The modern era of corporate criminal liability is characterized by several dynamic challenges and trends. Dasgupta (2010) examines the latest trends in criminal prosecutions of corporations, and highlights challenges like the need to identify the "directing brain" of a corporation as well as effective compliance mechanisms.

Chatterjee and colleagues focus their analysis on the role corporate governance mechanisms play in reducing corporate criminal liability. (2018). This study examines the relationship between ethical standards and corporate conduct prevention.

Jain and Desai explore the social and economic consequences of corporate criminal responsibility. The study explores how corporate criminal liability affects stakeholders and market dynamics. It also examines corporate social responsibility's role in shaping behavior.

Impact of Corporate Crime

Academics, bureaucrats and law enforcement agencies, as well as legislative bodies and the general public, are not usually interested in corporate crimes. All crime fighting policies focus on crimes that involve violence, which are usually classified as street crimes. This creates a fear of victimisation among the common masses and is considered a real crime. White collar crimes are often categorized as suite crimes, which do not cause fear of victimisation. Corporate crime falls under this category and is usually committed through deceit. Only recently have some academics emphasized that corporate crime should not be considered a criminal act, but should instead be viewed as a serious threat to the wellbeing of society, a nation, and eventually, of entire world. The general public believes that corporations are only involved in business and lack the body and brain necessary to commit crimes. The common mass is unaware that corporations who commit crimes are much more harmful, dangerous and alarming. The corporate body has control of resources and can employ educated and experienced persons. They also have the ability to use specific modes of communication and environment. (Feldman, 2021)

These giant corporations have such enormous social and political power and wealth that they are able to influence virtually every person's life, right from the cradle. Major corporations directly or indirectly control the work life, health, and safety of a large portion of the populace. They have a major impact on the price and inflationary trend, quality of products, and unemployment rate. Mass media is a powerful tool for manipulating public opinion. They also have a noticeable impact on the environment.

Greed of those who operate corporate bodies is the main cause of crimes committed against health, safety and public security. Corporate crimes can have a negative impact on the economy and sometimes even world-wide. The crimes of corporate bodies affect everyday life for the citizens. They are involved in welfare and infrastructure activities. Corporate bodies are responsible for a number of financial issues, including corruption, money laundering and

tax evasion, as well as non-adherence to business ethics. The production of inferior goods and the provision of inadequate services pose a serious risk to public health and safety. Criminal acts committed by corporate bodies are more likely to be serious crimes because they have greater resources, access to experts and the opportunity. This is not just a threat for a country but for all of humanity. Modern criminal justice systems must enforce corporate criminal responsibility in a proper and effective manner. Legal person's criminal liability includes corporate criminal liability. The term "legal person" is used for legitimate corporations that are established in accordance with the law and engage in legal business activities.

Corporate bodies are essential to the functioning of society, providing for its members' needs, creating jobs, and ensuring economic growth. The criminal activity of some business entities that seriously harms the country's welfare and citizens needs to be dealt with. When taking action, it is important to take care that the liability placed on corporate entities does not negatively affect their functioning or erode corporate business environments. It is important to strike a balance between taking action against corporates that are guilty and those responsible for their actions, and encouraging proper business practices. Traditional crimes can be classified as criminal acts, but they are committed by individuals. By legal fiction, it's categorized as crimes against the state. State represents society and is therefore considered a crime against that state. Corporate crimes, however, are committed directly against society as well as public in general, as well as public exchequer. (Lin, 2000)

When corporate crimes are committed, they have graver and more serious consequences for the public. The corporate bodies can collude to eliminate the competition, and remove competitive prices for products. This may lead to a higher price being charged by consumers. When a corporate body makes false or misleading claims about its assets, it can defraud investors who invested their savings. Fraud with the public exchequer is tax evasion, which affects whole development process. The corruption of public officials and scam commissions leads to a criminogenic atmosphere that is conducive to crime. This affects civility and sobriety, and ultimately the whole development process. The hoarding and storage of commodities is a threat to the public's access to essentials. The production and distribution of counterfeit, substandard and adulterated food and drugs can affect the health of many people and cause thousands to die. The non-observance and unsafe production process of manufacturing units can affect the entire environment. This may lead to health risks, injury and death of many people.

Causes of Corporate Crime scene is only thing

Even though corporate bodies are run by people who possess all of the qualities of civilised and sober individuals, it's a fact of their functioning that they deviate away from normal business practices. They also violate laws enacted for the regulation of business activities. This causes serious harm to the public and ultimately the world. It becomes imperative to determine the causes of corporate criminal commission in such a situation. It is important to analyze the causes of corporate crimes in order to impose corporate criminal responsibility and effectively combat economic crime committed by corporations. The Anomie Theory, Strain Theory by Robert Merton and Differential Association Theory by Edwin H Sutherland explain crime committed by those who control the affairs of corporations. This is taken to be crime perpetrated by the corporate body.

The goal-legitimate means gap is creating stress and strain for everyone in the modern age, whether they are legal or not. Legitimate means do not suffice to achieve goals. Financial success is a goal that is supposedly open to everyone, however the opportunities for achieving this are not equally distributed within society. The disparity in goal and means causes tension. The corporate entity is always goal-oriented. Each corporate body has its own financial objectives, which can be summed up as profit margins, market share growth and competitiveness. Corporate success and financial success are always linked. It is important to continue in the competition even when a corporate body has established itself and achieved success. Profits must be increased and market shares expanded. If a goal is not achievable by legal means, then the strain will force corporate bodies to adopt illegitimate methods. Strain is not only inter-organisational but also intra-organisational. The competition between corporate bodies to maximize profit and expand market share is an example of inter-organisational tension. The intra-organisational tension is caused by the competition between sub-units in a corporate body. It creates pressure on internal performance and can lead to illegal activity. It is amazing to see how Lightly continues. (Little, 2016)

Corporate Criminal Liability in India

In most cases, harmful acts committed by corporations are not criminal acts or, if they are, civil, administrative, or tax laws also cover them. In such cases, actions taken against harmful acts committed by corporate bodies are usually under laws other than criminal law. Whether the harmful effects of corporate acts have been committed, whether they are in violation of criminal laws or whether actions taken are under criminal law provisions or under another law. Legal provisions grant corporate bodies legal personalities and different permissions for the benefit of society. Corporate bodies therefore cannot commit dangerous acts. The economic motives of corporate bodies are the reason for their criminal acts. Their goal is to maximize profit, no matter what. And their consequences include greater economic losses to society, country and eventually to the world. Corporate crimes fall under the category of economic crime based on economic causation and consequences. Only by imposing criminal responsibility can we effectively combat such dangerous and harmful corporate acts that harm the society.

It is difficult to collect evidence proving intent or knowledge of crime. Corporate bodies and their business activities are managed and conducted in a planned and organized manner using modern technology. To combat economic crime, and protect society from corporate crimes, it is important to penalise corporations as well as their human agents. In order to achieve this, the strict liability rules are prescribed, which assumes mental elements when proving an act that is prohibited by law. In addition to strict liability rules, the law provides for absolute liability as well as imputed liability. In corporate criminal law, the burden of proof is shifted from the prosecution to the accused corporation. They also provide a presumption regarding the culpable element of mind (mens-rea). Presumption can be applied in certain cases for the mental element. In other cases it is conclusive. When presumption applies, corporate criminal liability will be strict liability. If presumption has been applied as conclusive, corporate criminal liability will be absolute liability. It is sometimes argued that mental element in corporate crimes is not necessary. However, it is important to clarify that mental element does exist and is required.

In such a situation, the question arises as to whether or not criminal liability should be applied to corporate entities or to natural persons. Natural persons can commit criminal acts that are harmful to corporate bodies because they lack a mind or physical body. Criminal liability for corporate bodies can only be applied if it is determined that the crime was committed by a natural person. The corporate crime commission depends on the commission of crime by a natural person who acts as an agent human for corporate body. The corporate body is controlled by the mind and the body of those who do the work. According to the standard procedures used in corporate functions, corporate bodies are run by persons who have control over them. When such people controlling corporate affairs have mens-rea, or knowledge, this is attributable.

Corporate body, the natural person who committed the crime, and the persons controlling corporate affairs may all be criminally responsible. Higher-ups in larger corporations often claim that the affairs of corporate bodies are decentralised, and an employee committed a criminal act by himself and should be punished. In order to avoid corporate criminal responsibility, it is usually tried to prove that the employee committed acts but was not authorized to make decisions on behalf of the corporate body. In order to impose corporate criminal responsibility, it is important to decide whether the crime committed was by the employee in their individual capacity. If so, only they will be held criminally responsible or if the crime has been committed as an employee by the corporation, criminal liability can be applied on the employee, the person in charge of the business of the corporation, and the company itself. If the doer has done crime as an employee of a corporate body, then person in charge of affairs and corporate body are liable for it. This is both a form of constructive and vicarious liability. It is an established rule that the person responsible for a crime is only himself. Imputed liability is an exception to the rule. When a crime committed by an employee is related to corporate affairs, then it's considered that corporate bodies also commit crime. (Nwafor, 2013)

The Supreme Court ruled in *Standard Chartered Bank v. Director of Enforcement* that a corporation can be charged and convicted of any crime, even if the minimum punishment is imprisonment. The corporate entity cannot escape liability by claiming that the punishment for an offence prescribed is imprisonment, and they have no legal body. If both imprisonment and fine are prescribed for an offence, the corporate body will only be punished with fine. The punishments for crimes committed by corporations can be imposed on natural persons. The Supreme Court ruled in *Iridium India Telecom Ltd. V. Motorola Inc.* that criminality for corporate crimes can even be applied to offences for which the mens rea requirement is not essential. The Court ruled that the rule of attribution and imputability was applicable. This meant criminal intent could be attributed to the "alter-ego" (i.e. the corporate body) of the corporation. The person, or group of people that guides the business of a company would be imputed. *Sunil Bharati Mittal V. Central Bureau of Investigation*¹⁹ Supreme Court repeated *Iridium Case* decision on attribution and Imputation. It means "alter ego". When person in charge of the corporate affairs has mens-rea, and commits criminal acts, the company is also said to have had mens-rea.

The problem of corruption is one that affects the entire society. Corporate criminal responsibility is a key requirement for preventing corruption. In 2018, the Prevention of Corruption Act was completely rewritten and reformed to be more effective in dealing with corruption. In cases where the corrupt person is a commercial organization, Section 8(1) of

Prevention of Corruption Act only prescribes a fine for such commercial organisations. Commercial organisations are subject to criminal prosecution if any of their associates give an undue advantage to a public servant. Commercial organisation in section 9(3) of the Act is defined as a corporate body formed in India that does business either in India and outside India, a corporate body formed outside India which does business entirely or partially in India. It also includes partnership firms, associations of persons or other organisations formed in India to do business outside India.

The commercial organisation is responsible only if the person falls under person's associated with it. The person performing services on behalf or for commercial organization is a person associated with commercial organisation. Explanation 2, Section 9, directs to take into account all relevant circumstances when deciding the relationship between a natural person and commercial organisation. To avoid criminal responsibility, commercial organisation can claim that it has procedures in place to stop the person associated with them from committing criminal acts such as giving an undue advantage. If a commercial organization is involved in providing undue benefits to public employees, Section 10 imputes liability to the director, manager or secretary of that organisation, subject to proof. All natural persons involved in the giving of an undue advantage are subject to punishment of both fine and imprisonment, while corporate bodies only face fine.

In general, there are no or few proofs in most socioeconomic crimes. Socioeconomic crimes include corporate crime. To combat socio-economic crime, corporate crimes in particular, pose a serious threat to individual, national and social wellbeing. Presumption provisions are used to create legal fictions that shift the burden from the prosecution to the accused. These express provisions are in addition to the various statutes that provide for the shifting of responsibility. In Section 8 of the Conservation of Foreign Exchange and Prevention of Smuggling Activity Act 1974, it is stated that if a person has property that is more than what he knows or that was acquired illegally and notified of this fact, then it is his burden to prove that such property does not belong to him. The Essential Commodities Act, 1955 Section 10C contains provisions that expressly prescribe a rebuttal presumption in relation to culpable state of mind for any prosecution brought under the Act. Section 14 of the Essential Commodities Act makes explicit provisions to shift burdens of proof from accused. This means that, when a person is charged with violating an order made under Section 3 Act, he will be required to prove that he had a permit or licence.

The difference between corporate crimes and traditional crimes is vast. The crimes of the past are more visible and evoke a reaction in members of society. In addition, traditional crimes have a lot of clues and proofs that can be collected and produced by a common prosecutor. Corporate crimes do not appear in the public eye, they are committed under business attire, and there is no social reaction to corporate crime. This affects access to information about crime commissions, branding, and stigmatisation for corporate bodies and individuals working within them. The seriousness of corporate crimes is a challenge to the members of our society. They are a threat to society as a whole, and also to nations. In India, criminal liability has been prescribed to tackle corporate crimes. However, the main problem is that clues and proofs are lacking. The traditional criminal laws are altered in such situations. Imputed, strict and absolute liability are all prescribed. Presumption provisions, burden shifting and deeming are also provided. (Diamantis, 2016)

Conclusion

It is impossible for an individual to carry out various business acts in the present industrialized, business-oriented, market-based society. Therefore, natural persons have formed corporate bodies to conduct such activities. Corporate bodies' activities and their works affect individuals, the society, and the nation. Therefore, it is necessary to regulate them. Corporate bodies can be declared legal persons to regulate their activities. Criminal justice is the most effective way to regulate behaviour. Criminal liability is applied to all actions by corporate bodies or their employees that have a serious impact on the public, society, and nation. Corporate crime is a dangerous form of criminal activity committed by corporations and the natural persons who control them. It has serious implications for health of public, nation development, financial well-being of entire country and even world. The purpose of corporate bodies is to do business and earn profits. To earn profit, market share expansion forms the goal of any corporation. Adaptation is necessary when the legitimate means are not sufficient. Stress causes people in charge of the corporate affairs to use illegitimate methods to reach the desired goal. This is how corporate crimes are committed. It is important that both the criminals and citizens consider an act as a crime.

Only when the public perceives an act to be criminal will it react and work with law enforcement. Only when the person who is committing criminal acts accepts that he has done wrong can he be reform. Public and those in charge of the corporate affairs view criminal activities as a business act. It is necessary to alter this notion. Not only must such acts be declared crimes, but they also need to receive effective punishment. It is necessary to take all measures in order to brand such acts criminal. Corporate crimes have a serious impact on the public, not just within the country, but even beyond. To protect society and tackle the problem of economic crimes, it's important that corporate criminals and their human agents are punished. Corporate entities, however, are essential to the functioning of the country. They perform activities such as manufacturing, marketing and transportation, banking services, providing service, infrastructure development, welfare, etc. The proper functioning of corporate entities ensures the availability of employment and economic prosperity for citizens and countries. A very harsh penal action taken against corporate bodies can also negatively affect society. It is important to balance the penalties. In this case, the criminal liability must be applied to the natural persons who are responsible for the crime, regardless of whether they committed the crime themselves or controlled the corporate entity's operations.

Severe punishments, including corporal punishments and monetary penalties, should also apply to these individuals. Corporate bodies must also be held criminally liable in order to regulate corporate activities effectively, while at the same maintaining their legitimate operations. Corporal punishment is not possible for corporate entities because they do not possess a physical body. In most cases, corporate entities have monetary liabilities and are usually subject to fines. This is seen by the general public as being a lenient punishment. Fine does not create labelling effect. Criminal laws that deal with corporate crime should envisage two pronged action, firstly, severe corporal punishment in addition to monetary penalties against the criminal and those who control corporate affairs, and, secondly, financial punishments against the corporate body. Other actions can be taken against the corporate body in order to combat corporate crimes, such as closing down business until legal requirements are met which could cause loss of revenue and reputational damage.

References

- Stamouli, E. (2023). *This evolution has been shaped by the development and conceptualization of corporate criminal responsibility, which is a paradigm that holds corporations accountable for their unlawful actions and implicates them in criminal offences. Corporate criminal I.* This evolution has been shaped by the development and conceptualization of corporate criminal responsibility, which is a paradigm that holds corporations accountable for their unlawful actions and implicates them in criminal offences. Corporate criminal I.
- Biswas, N. (2021). *Recent amendments in legislation, as well as landmark judicial cases have helped to further refine the concept of criminal liability for corporations. This paper analyzes and critiques recent developments in order to highlight their impact on businesses, .*
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4180346.
- Simpson, S. (2020). *Marshall B Clinard, Peter C Yeager and others have clarified that white-collar crimes are a type of corporate crime. However, it's a specific kind. White collar crime is a broad term that includes both occupational crime and organisational crimes. In a re.*
<https://core.ac.uk/download/pdf/159587482.pdf>.
- Simpson, S. (2022). *Edwin H. Sutherland, after studying larger corporate organizations and establishing their reputations in the field of crime investigation, gave his opinion that crimes can be committed by people with respectability or social standing and these crimes are .*
<https://ccjs.umd.edu/sites/ccjs.umd.edu/files/pubs/Criminology%20-%202019%20-%20Simpson%20-%20Reimagining%20Sutherland%2080%20years%20after%20white%E2%80%90collar%20crime.pdf>.
- Jimenez, G. (2016). *Unusually, however, the law limits the shareholder's liability to their share of the capital. This pattern of responsibility is problematic, and it may cause corporate directors to make unethical choices. In fact, they know how to minimise their exposure,.*
<https://milnepublishing.geneseo.edu/good-corporation-bad-corporation/chapter/1-corporations-and-their-social-responsibility/>.
- Feldman, Y. (2021). *Academics, bureaucrats and law enforcement agencies, as well as legislative bodies and the general public, are not usually interested in corporate crimes. All crime fighting policies focus on crimes that involve violence, which are usually classified a.*
<https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1449&context=nulr>.
- Lin, C. (2000). *Corporate bodies are essential to the functioning of society, providing for its members' needs, creating jobs, and ensuring economic growth. The criminal activity of some business entities that seriously harms the country's welfare and citizens needs to b.*
<https://www.oecd.org/corporate/ca/corporategovernanceprinciples/1931396.pdf>.
- Little, W. (2016). *The goal-legitimate means gap is creating stress and strain for everyone in the modern age, whether they are legal or not. Legitimate means do not suffice to achieve goals. Financial success is a goal that is supposedly open to everyone, however the oppor.*
<https://opentextbc.ca/introductiontosociology2ndedition/chapter/chapter-7-deviance-crime-and-social-control/>.
- Nwafor, A. (2013). *Corporate body, the natural person who committed the crime, and the persons controlling corporate affairs may all be criminally responsible. Higher-ups in larger corporations*

often claim that the affairs of corporate bodies are decentralised, and an emplo.

<https://www.jstor.org/stable/24734855>.

Diamantis, M. (2016). *The difference between corporate crimes and traditional crimes is vast. The crimes of the past are more visible and evoke a reaction in members of society. In addition, traditional crimes have a lot of clues and proofs that can be collected and produced b.*

<https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=4673&context=ndlr>.