

Criminal Law and Economic Crime

Single subject and programme course

7.5 credits

Straffrätt och ekonomiska brott

747G15

Valid from: 2010 Autumn semester

Determined by

The Quality Board at the Faculty of Arts
and Sciences

Date determined

2007-06-04

Main field of study

Commercial Law

Course level

First cycle

Advancement level

G1F

Course offered for

- Bachelor´s Programme in Commercial and Business Law

Entry requirements

General entry requirements for undergraduate studies
and

Mathematics and Social Studies corresponding to the level in Swedish upper
secondary education (Matematik 3 and Samhällskunskap 1b/(1a1 and 1a2)

and

English corresponding to the level of English in Swedish upper secondary
education (English 6/B)

and

completed the following courses (or the equivalent); Commercial and Business
Law and Contract, Tort and Insurance Law.

Intended learning outcomes

On completion of the course, the student should be able to

- demonstrate knowledge of general criminal law and the purposes of the criminal law,
- demonstrate advanced knowledge of the parts of criminal law that concern economic values, both regarding general criminal law and chosen parts of the special criminal law,
- account for basic economic and ethical theories and methods that concern economic criminality and what unites and distinguishes economic and organised criminality,
- demonstrate knowledge of the European cooperation concerning transnational financial crime,
- analyse different courses of events from a clear criminal law perspective,
- test both objective and subjective criminal prerequisites in a thorough, logically cohesive and well supported way,
- account for what distinguishes criminal law from, for example, civil law and in what ways the legal fields may relate to each other,
- take deliberate positions on value issues and, on ethical basis, support such positions concerning criminal law penalty issues,
- demonstrate an independent and critical approach to economic theories and methods in the field of criminal law.

Course content

In parallel with an advanced study of material law in the field of criminal law, the course also contains legal economic and ethical theorisings linked to economic criminality.

The main part of the course is devoted to general criminal law. The comprises studies of fundamental issues of criminal law, such as the concept of the constitutional state, the legality concept, who can - and should be able to - be made responsible for their own actions, from a criminal law point of view, as well as actions that are carried out within the frame the a company's the activities. The course also includes discussion on whether even planning a crime and non-completed criminal actions should be punishable or not. This part of the course finally includes discussion of whether one who has not committed an actual criminal action, but has aided with advice or actions also should be possible to punish or not, and whether failure to act should be the considered equal to actively committing an act. This means that the course has a clear normative elements, that focus on taking positions on value questions and explaining the positions in a deliberate manner.

The second part of the course covers the contents of the penal provisions that concern economic criminality. This part is supplemented by linking to theorisings that have been highlighted in law and economics and ethics. This broadened perspective is also reflected in the literature and other teaching bases of the course.

The third and final part of the course, includes rules concerning cooperation in the EU to combat transnational economic criminality.

Teaching and working methods

The teaching takes the form of lectures and seminars. Written assignments, solved in groups and/or individual, can occur. The student is also expected to study independently, individually or in groups.

Examination

The course is examined in part through participation in the seminars, and in part through written independent examination. If written assignments occur, they are included in the examination.

If the LiU coordinator for students with disabilities has granted a student the right to an adapted examination for a written examination in an examination hall, the student has the right to it. If the coordinator has instead recommended for the student an adapted examination or alternative form of examination, the examiner may grant this if the examiner assesses that it is possible, based on consideration of the course objectives.

Students failing an exam covering either the entire course or part of the course twice are entitled to have a new examiner appointed for the reexamination.

Students who have passed an examination may not retake it in order to improve their grades.

Grades

Three-grade scale, U, G, VG

Other information

Planning and implementation of a course must take its starting point in the wording of the syllabus. The course evaluation included in each course must therefore take up the question how well the course agrees with the syllabus.

The course is carried out in such a way that both men's and women's experience and knowledge is made visible and developed.

Department

Institutionen för ekonomisk och industriell utveckling