COURSE OBJECTIVES

1. To examine the historical, political, economic and social context and consequences of global corruption.
2. To examine and analyze the international prevention and enforcement standards related to corruption in the UN Convention against Corruption and the OECD Convention against Bribery of Foreign Officials.
3. To compare and contrast the laws of US, UK and Canada for control and regulation of corruption.
4. To examine corruption in respect to
   (a) the elements of corruption as a crime and the investigation, prosecution and sanctioning of persons convicted of corruption offences;
   (b) the prevention or regulation of corruption in the public (government) sector including laws and policies dealing with conflict of interest, lobbying, public procurement and whistleblower protection; and
   (c) the role of the lawyer in advising corporate clients in respect to corruption risk assessment in the client’s area of business, development of internal anti-corruption policies and implementation of due diligence standards and practices.

PERSPECTIVE

The course and course materials are designed to analyze corruption from three perspectives: (1) legal analysis, (2) socio-economic-political context, and (3) corruption and anti-corruption practices.

SUBJECT MATTER TO BE COVERED

1. Definitions and descriptions of corruption
2. Measuring the nature and extent of corruption
3. Examination of the adverse consequences of corruption
4. Analysis of corruption from a comparative criminal law perspective [including international standards and US, UK and Canadian law] in respect to
   (a) the elements of corruption offences
   (b) party liability and corporate criminal liability
   (c) the extra-territorial nature of corruption offences
   (d) defences to corruption
   (e) money laundering, asset recovery and mutual legal assistance agreements, and
   (f) investigation, prosecution and sanctioning of corruption
5. Analysis of corruption from a comparative public law (government officials) perspective, focussing on
   (a) conflict of interest laws and policies
   (b) public procurement laws and policies
   (c) lobbying and its regulation, and
   (d) whistle blower protections
6. Analysis of corruption from a comparative corporate lawyer’s perspective, including
   (a) legal and ethical duties owed to a business client and the role of the corporate lawyers as a gatekeeper
   (b) advising and assisting business clients in regard to corruption risk assessments, development and implementation of adequate anti-corruption compliance programs, and standards and practices in respect to due diligence in preventing corruption

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TEACHING METHODOLOGY
Lecture, classroom discussion, problem method and optional legal memorandum. The class will be joined by the UBC Global Corruption Class (Professor Joe Weiler) via video conference.

METHODS OF EVALUATION
1. Short Writing Assignment (10%)
2. Optional legal memorandum (approximately 15 typed pages) with either an historical or current research focus: - 40% (only if higher than exam grade).
3. Final examination (3 hours, open book, or more likely a 24 hour take home exam) - worth 50% to 90% of final grade.
4. Anyone wishing to do their major paper requirement (50%) in this course in lieu of optional memo should consult with me.

May 2019

1 The information in this document is provided for course registration purposes only and is subject to change. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (awmaass@uvic.ca).