

White collar crime

Law



White Collar Crime White Collar Crime The case of Madoff clearly exhibits that businesses should not be allowed to damage and cause disadvantage to a larger section of the society in order to benefit a few. In the Madoff's case he was benefiting a few investors and himself while the others were not aware of the wrong business practices that were being conducted by Madoff. Secondly, it is the responsibility of the accountants to ensure that the business does not indulge in illegal activities. In case of Madoff, the accounts were equally responsible for the scheme as they had manipulated the accounts. The criminal penalties should focus not only on small business and those individuals who are new to the world. The penalties should even focus on individuals who have a good name in the corporate world. The fines should be high for such businessmen and organization and the regulators such as the SEC should keep an eye on businesses that are too good to be true to stop them before they cause heavy damage to the society.

2. The two elements of a crime includes mens rea which is term used to refer to the intention that a criminal has while committing a crime. The second element is actus reus which is term used to refer to the criminal act carried out. This means that a crime only occurs when a criminal act has been conducted with the intention of committing that act. One example of a crime that does not require intent is the murder that may have been conducted during an armed robbery. Under RICO Act those crimes in which illegal activity is conducted in form of an organization that is being managed as well as owned by those committing the crime is recognized as racketeering (Lyman, 2014). The consequences of indulging in racketeering depends on the severity of the crime and consequences can range from prison time to parole as well as huge amount of monetary fines and compensation paid to <https://assignbuster.com/white-collar-crime-essay-samples-6/>

those who are victimized.

References

Lyman, M. (2014). *Criminal investigation* (1st ed.). Boston: Pearson.