



Corporate liability

In 2010 the Commission consulted on Criminal Liability in Regulatory Contexts. Our main proposals which established a principled basis for the creation of criminal liability in regulatory contexts were implemented in guidance to Government departments. The remainder of the project, which considered a small number of doctrines of liability applicable to businesses was put on hold pending a full project on corporate liability.

We would be interested to hear whether consultees would welcome a full project on corporate liability, to consider whether the question of liability should move away from the identification doctrine to focus on other models of holding corporations to account such as, for example, on the basis of the harm arising from a blameworthy corporate culture. Such a project could also take into account recent and anticipated developments such as deferred prosecution agreements.