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## **FINANCIAL CRIME PERSECUTION IN THE U.K: TIME FOR AN ALTERNATIVE APPROACH**

### **Abstract:**

The recent global financial crisis resulted in a litany of financial scandals involving senior executives, corporate officers and accountants from some of the United Kingdom (U.K.) largest institutions. In this paper, I explore the key issues relating to enforcement of these individuals by critically appraising the historical and contemporary perspectives of financial crime's enforcement in the U.K.

Historically, judges in the U.K. were very reluctant to imposed criminal sanctions for serious financial crimes. When criminal sanctions were imposed, they were nothing more than a regulatory wrist slap. Using three recent financial crime cases (Cattles Plc, LIBOR Scandal, and UBS and rouge trader Kweku Adoboli), I illustrate how this pattern of lax enforcement continues. Informed by both individual and structural theories of motivation, the evidence reveals that the special characteristics of financial crimes coupled with the current regulatory and criminal law framework in place in the U.K. makes it difficult to successfully litigate and prosecute these offences. Instead of arguing for stronger criminal response, I presented a model that urges authorities to consider persuasive and self-regulatory alternatives to criminal law and deterrence to address financial crimes.

### **Keywords:**

Financial crimes; Enforcement

**JEL Classification:** G01, K14