



Criminalising Cartels: Critical Studies of an International Regulatory Movement

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This book is inspired by the international movement towards the criminalization of cartel conduct over the last decade. Led by US enforcers, criminalization has been supported by a growing number of regulators and governments. It derives its support from the simple yet persuasive proposition that criminal sanctions, particularly jail time, are the most effective deterrent to such activity. However, criminalization is much more complex than the basic proposition suggests. There is complexity both in terms of the various forces that are driving and shaping the movement - economic, political, and social - and in the effects on the various actors involved in it - the government, the enforcement agencies, the business community, the legal profession, and the general public. This substantial volume captures the complexity of the criminalization phenomenon and considers its implications for building an effective criminal cartel regime, particularly outside of the US. It adopts a range of approaches, including general theoretical perspectives - from criminal theory, economics, political science, regulation, and criminology; along with case studies of the recent practical experience - with the design and enforcement of a criminal cartel regime in various jurisdictions, including the UK, Australia, Germany, Ireland, and Canada. It also explores the international dimensions of criminalization, such as increased potential for extradition, as well as its more general implications for trends of harmonization or convergence in competition law and enforcement.



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