The needed cooperation between accounting experts and corporate lawyers to challenge tax crimes

AUTHOR
Dr. Alessio Faccia
Coventry University

ABSTRACT
The connection between financial crime and everyday life is not always immediate. An increase in trials for crimes related to the world of finance, for tax offenses and for those that derive from (or precede) bankruptcies and bankruptcies. This is how the economic and financial crisis has marked the criminal sector in the last decade. And, consequently, it has also modified the work of law firms operating in the field of economic criminal law. These are subjects close to corporate and bankruptcy law, in which studies that deal only with criminal law play a leading role. From 2008 onwards, a great social alarm has been created around the world of finance and the criminal system has put the illegal conduct in this sector under the lens. To face a trial in court that involves certain financial instruments, it is necessary to know the technicalities: for example, when it comes to derivatives, it is necessary that lawyers and judges are able to assess whether the allocation in the financial statement is correct or not. The criminal lawyer must rely on external professionals, not just calling them as technical consultants. It is useful for the lawyer to hire permanently within the study experts of different subjects dealt with to acquire in turn the technical knowledge. Criminal lawyers will have to be increasingly specialized to stay on the market. Important synergies are needed with tax consultants, finance experts, accountants. The most common cases are those of entrepreneurs who, challenged by the economic crisis, have attempted “self-financing” operations, sometimes contested as evasion. The prosecutors have raised the level of attention towards multinationals that place their headquarters in territories with privileged taxation.

KEYWORDS
Tax Crimes; Criminology; Accounting; Corporate lawyer; Corporate Law.

REFERENCES