

Corporate Crime Discourses

In Podcasts and Documentaries



CORPORATE CRIME MEDIA RESEARCH

CORPORATE CRIME: illegal acts/omissions perpetrated by corporations and individuals within them, punishable under criminal and other law, or where discernible and avoidable harms are caused to people or the natural environment.

Corporate crime is hardly portrayed as a crime which stems from its media portrayals. Most of our perceptions of crime come from the media. The media tends to misrepresent crime by reinforcing hegemonic stereotypes of criminality by focussing on violent and street crimes and neglecting corporate crimes.

Corporations have the financial ability to sue media outlets for libel/defamation, so the way corporate crime is described in mass media is more synonymous with accidents, scandals, and disasters.

Previous research findings in mass media:

- lack of consideration of harms caused by corporate activity
- accidental frames - NOT crimes
- no criminal blame was allocated
- "bad apples" - linked to one bad individual
- too complex to cover in short news stories
- economy first, safety/harm/justice second

RESEARCH AIMS

Examine the corporate crime discourses in podcasts and documentaries, with a special focus on the way in which criminal and harmful conduct is described in each case and outlet.

The broader objective is to examine the landscape of corporate crime coverage in new, 'true crime' media sources.

1. To identify the corporate crime discourses in podcasts and documentaries
2. To critically analyse how documentaries and podcasts frame the discourses of corporate crime
3. To compare corporate crime discourses between documentaries and podcasts

Research contribution:

First, this study is the first of its kind to examine the intersection of true crime media and corporate criminality.

Second, I am bridging the gap between linguistics and corporate crime to understand how language and ideology may impact true crime media content regarding corporate crime.

Third, I take two different outlets of true crime media - podcasts and documentaries to compare whether corporate crime discourses differ within the outlets.

LIBOR Manipulation

2005-2012 Barclays, HSBC, UBS, RBS, DB

Manipulation of the London Inter-Bank Offered Rate by traders and senior bank officials

2 phases:

1. individual manipulation for personal profit - bribery
2. collective manipulation by the banks for financial health

- LIBOR is not based on concrete data
- conflict of interest - banks that set their own LIBOR also trade LIBOR-based products
- No independent oversight
- Financial services regulators were aware of the manipulation, undiscovered for 7 years

- 4 traders imprisoned
- Barclays: \$435 million fine to US regulators, \$100 million to US municipalities with LIBOR loans
- Other banks: \$ 9 billion in fines
- Regulatory reforms: The Wheatley Report - independent oversight for LIBOR, introduced a criminal offense for manipulating LIBOR, submissions based on transaction data
- LIBOR phased out In 2022

- Difficult to quantify harms - some customers may have benefitted from different LIBOR submissions
- But, generally higher loan payments for student loans, UK council loans, US cities government loans
- Reputational damage - loss of revenue and clients, job stability, employment Insecurity, psychological consequences

METHODOLOGY

Small-scale case study methodology
Multimodal Critical Discourse Analysis (mCDA) of true-crime media outlets

CDA:

- Language is shaped by and shapes the society, questions the relationship between texts and the wider socio-cultural context
- Power relations in society are reinforced and established through language
- A method suitable for naturally occurring data and for investigating complex phenomena

Criterion sampling - 2 stages:

- 1) sampling of cases
discovery between 2010-2020
min. 5 documentaries/podcast episodes
non-individual victimisation
Involvement of at least 1 corporation in the perpetration of the crime

- 2) sampling of sources
documentaries and podcasts chosen based on less production/oversight
accessed/consumed in the UK
aim to include all material (50-60 samples) available through open-source search and podcasting platforms

Audio transcription for podcasts

Audio transcription for narrative/interviews/music in documentaries, and screenshot of each scene

Importance of ideology, power, and discourse

3-dimensional framework (informed by Fairclough, 1995)

1. analysis of content: meaning, structure, latencies of texts/visuals
2. integrated analysis: how a single piece relates to the broader discourse
3. critical evaluation of social context/issues, how discourses relate to the broader context

Ethical considerations: data obtained from the public domain, no human subjects

PODCASTS

True-crime media is becoming increasingly popular for the construction of our knowledge about crime, but they are underrepresented as data sources for criminological research. true-crime podcasts are dominating the podcasts charts

Podcasts can offer a challenging viewpoint compared to mainstream media as they are largely unregulated and can be used by inexperienced non-journalists.

Podcasts have the potential to Interrogate the socio-cultural context in which the crime occurred and they tend to be more realistic in their portrayals of crime generally. It is important to note that podcasts can experience various levels of production that range from amateurs doing their own research and talking about a topic, professional journalists and film-makers reaching into a different industry, or fully corporate as an extension of a more traditional news source.

DOCUMENTARIES

A combination of objectively communicating information as well as being subjective through emphasising emotional response to the facts they present. They are documentaries better equipped to examine the complexity of the modern world, especially as the bias of conventional media is becoming more known.

Documentaries can be used as justice-making devices and their impact has been proven in court cases. They can actively engage with social issues and challenge official, hegemonic descriptions of criminality.

Generally neglected in criminology - characteristic shared by the study of corporate crime, making the combination of a focus on these two phenomena especially significant.

JANA MACFARLANE HORN

jana.macfarlane-horn@open.ac.uk



@JanaMH___

SCAN ME



Bibliography

Rana Plaza Collapse

2013 - Bangladesh factory collapse
1400 fatalities, 2500 Injuries

- Unregulated industry - outsourcing, subcontracting of corporations in the West
- Incidents and fatalities common
- Building - structurally unstable, cracks shown on TV day before the collapse, workers ordered to come to work next day

- 38 individuals charged (owner, engineers), but proceedings started in March 2022
- Rana Plaza Arrangement - factory checks to increase standards for 5 years after the collapse
- Compensation: voluntary contributions \$30 million - not sufficient

- lack of justice for the victims
- injuries, fatalities, loss of livelihood, psychological problems
- harmful working conditions persist

Deepwater Horizon

2010 - oil drilling rig explosion and the biggest oil spill in history
11 fatalities

- Oil/gas industry - high risk, complex industry, incidents common
- BP involved in two previous incidents - oil spill and refinery explosion
- Conflict of Interest: regulators of off-shore rigs also collect royalties from off-shore drilling
- Project running behind schedule and costing \$700 a minute

- 3 technical causes of explosion: equipment below industry standard was chosen for being cheaper, BP failed to act on safety warnings, tests not performed correctly on damaged equipment
- BP response focussed on advertising and not clean-up
- 2012 - BP pleads guilty to 11 manslaughter charges and a felony of deceiving congress: fined \$4 billion
- Financial settlements with impacted businesses
- 2014 - BP guilty of gross negligence
- The ultimate cost to BP: \$145.93 billion in the US

- Harms to marine ecosystems: species declined in population
- Estimated cost to the area: \$12.3 billion
- Fishing: less fish to catch, polluted waters
- Tourism: cancelled holidays, fewer real estate sales
- Economy: residents dependent on Gulf as a source of revenue were harmed
- Physical health: clean-up agents toxic, long-term health effects predicted, oil presence in food chain
- Psychological health: PTSD, loss of livelihood, substance abuse, depression