

**STRENGTHENING THE LAWS RELATED ON “WHITE COLLAR
CRIMES” IN SRI LANKA; A CRITICAL ANALYSIS**

By

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PERMANENT REFERENCE

DECLARATION

I hereby declare that the work described in this dissertation was exclusively carried out by me under the guidance of supervisors given below and I certify that the report on this work has not been submitted in whole or in part to any other university or institution for another degree or Diploma.

Date 26/09/2022

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I certify that the above statement made by the candidate is true.

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ABSTRACT

White collar crimes are being popularized, disseminated and developed in Sri Lanka at large scale as a contemporary criminality; specially with the development of technology and the global trends. These crimes worsen the prevailing economic crisis of the country by depriving a considerable portion of wealth from the treasury of the state. Sri Lanka has numerous laws which may act against white collar crimes, *albeit* such substantial or procedural aspects have reportedly failed to adequately detect, combat and counter white collar crimes. The identification of these as crimes is challenging since the elements of crime, *modus operandi* and the usual offenders are different or unique comparing to the general criminal dimensions. The subject matter is technical, specific, and complicate; whereas it acts contrary to fundamental right of freedom of engaging in lawful profession, *Laissez Faire* theory and Doctrine of Privity of contract. The law shall be upgraded frequently to address fast development of the trends of white collar crimes, while incorporating features of other jurisdictions such as whistle blowing, which is a system of proactively (as possible) or reactively respond against these crimes through the parties aware of such misdemeanors. The enforcement authorities shall also be expertise in the area, specially to ascertain and distinguish a conduct as a white collar crime, but not merely a procedural impropriety of an organization or a negligence. Therefore the research study will produce an in depth survey on the adequacy and the compatibility of laws against white collar crimes in Sri Lanka, provided only crimes in the nature of corporate will be analyzed herein. The author depend more on a qualitative study in the *modus operandi*. Positive global trends specially the system in the United States of America will be examined and perused in order to present productive recommendations. Final recommendations will be on legal implications, administrative perspectives, empowering enforcement authorities, uplifting of media ethics and raising the general awareness in order to counter, combat and weaken white collar crimes in the developing nation of Sri Lanka.

Key Words: Whistle blowing, *Laissez Faire*, Privity of contract, freedom of engaging in lawful profession