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Ottawa, ON – When it comes to white collar crime, Canadians are nearly unanimous in agreeing that Canadian companies should be held to the highest ethical standards, both at home and abroad (93%, 70% strongly) and that when Canadian companies and executives are involved in unethical or corrupt corporate practices, such as paying bribes, they should face tough consequences (92%, 73% strongly).

However, core Canadian principles of fair play and equity come into play when Canadians consider the type of penalties that should be meted out and their big picture ramifications. Nine in ten agree that if a company is found to have been involved in unethical or corrupt corporate practices, the individual people who commit the unlawful acts should bear most of the responsibility (89%, 62% strongly); and that it is not fair to innocent workers if the

consequences a company faces for unethical or corrupt practices by a small number of people jeopardize their jobs or the company's survival (87%, 53% strongly). Four in five (80%, 46% strongly) agree that Canada's laws for dealing with companies involved in unethical or corrupt corporate practices should be similar to other developed countries, such as the United States and Britain, so that Canadian companies are operating on a level playing field with their foreign competitors.

In what may be a nod to pragmatism, nine in ten agree that Canada should make it easier for companies to come forward, to cooperate, and to self-report any corporate wrongdoing that has been uncovered (90%, 58% strongly).

Before answering any further questions, survey respondents read the following text which describes the current tools available to prosecutors in Canada, the USA and Britain for dealing with white collar crime:

Other developed countries, such as the USA and Britain, have a tool to combat unethical or corrupt corporate practices called "deferred-prosecution agreements" or DPAs. Under these agreements, prosecutors in those countries can negotiate a settlement with a company that allows charges against it be stayed (i.e. put on hold), provided that the firm: 1. Cooperates with authorities; 2. Pays a substantial fine; 3. Implements new compliance and ethics measures; and, 4. Avoids future wrongdoing. If a company fails to abide by the settlement terms, prosecutors revive the charges and press for a conviction. If the company lives up to its commitments, prosecutors can choose to eventually drop the charges.

In Canada, prosecutors do not have this option. If they believe a corporate executive or company has engaged in unethical or corrupt corporate practices, they can 1. Try to negotiate a guilty plea, 2. Go to

court in hopes of securing a conviction, or 3. Decide not to bring charges. Under the current anti-corruption framework, Canadian companies that are convicted or enter a guilty plea are barred from doing business with the Government of Canada for up to 10 years. When a company is found or pleads guilty to charges, they are often unable to work with provincial governments, other private sector companies and financial institutions, foreign governments as well as a number of international organizations.

After reading this description, they were asked the following question:

> Now that you have learned a bit more about the different ways that countries can approach dealing with unethical and corrupt corporate practices, do you think Canada should:
>
> [ROTATE]
>
> Stick with the current system which gives prosecutors the choice to 1. Negotiate a guilty plea, 2. Go to court in hopes of securing a conviction, or 3. Decide not to bring charges.
>
> Adopt a system like in the U.S. and Britain, which allows prosecutors to 1. Negotiate a guilty plea, 2. Go to court in hopes of securing a conviction, 3. Decide not to bring charges or 4. Have the additional option to set in place conditions such as a fine and measures to make a company change its behavior, rather than immediately prosecuting.

In response, three in five (62%) say that Canada should adopt a system like in the U.S. and Britain that includes a tool called deferred-prosecution agreements to combat unethical or corrupt corporate practices; one in five (19%) say that Canada should stick to its current system; and one in five (18%) say they don't know.

Based on the description of deferred prosecution agreements provided, strong majorities of Canadians agree that Canada should have access to the same types of tools that other developed countries have to fight unethical or corrupt corporate practices (86%); that Canada should add deferred prosecution agreements (DPAs) to the list of tools available to prosecutors so they have another way to enforce Canada's laws (80%); and that deferred-prosecution agreements (DPAs) can be a good way for companies to cooperate with authorities and make amends for wrongdoing without jeopardizing the jobs of innocent employees (80%).

Canadians are not without concern about DPAs however, nor do they see them as a cure-all. Three in five (63%) agree that deferred-prosecution agreements (DPAs) are not a strong enough deterrent to stop companies from engaging in unethical or corrupt practices; over two thirds (68%) agree that deferred-prosecution agreements (DPAs) should not be used when unethical or unlawful practices reflect a corrupt corporate culture throughout the company; and over four in five (85%) agree that individual executives who commit unlawful acts should be prosecuted personally even when the companies they work for are not.

Moreover, they would prefer to see a system that includes judicial oversight. Respondents were informed that in the United States, the public prosecutor decides the terms of a deferred prosecution agreement with a corporation, without the involvement of a judge, whereas in the UK, a judge is mandated to oversee the terms and conditions. They were asked which they thought would be more effective, a system with or without the involvement of a judge. Nine in ten (89%) prefer a system with the involvement of a judge.

When asked to respond to some of the same issues they had considered previously, but this time in terms of their importance as factors which the Government of Canada may consider when drafting white-collar crime legislation, strong majorities of Canadians indicate that all the factors are important. However, more differentiation emerges when looking at what is deemed 'very important.' Unsurprisingly, given their previously expressed views, fully two thirds indicate that it is very important that legislation should be structured to ensure that innocent people don't lose their jobs, their pensions or their investments because of the actions of individual executives at a company (68%), and to target the individual business executives who may have personally broken the law (67%). Half (52%) say it is very important that legislation should be structured to make it easier for companies to come forward and cooperate with law enforcement. Fewer (37%) say it is very important that legislation should be structured to take into account the negative impact that law enforcement efforts could have on Canadian jobs, company shareholders and the economy as a whole.

These are some of the findings of an Ipsos poll conducted between May 20th and 24th, 2016 on behalf of Business Council of Canada. For this survey, a sample of 1,004 adults from Ipsos' Canadian online panel was interviewed online. Weighting was then employed to balance demographics to ensure that the sample's composition reflects that of the adult population according to Census data and to provide results intended to approximate the sample universe. The precision of Ipsos online polls is measured using a credibility interval. In this case, the poll is accurate to within +/ - 3.5 percentage points, 19 times out of 20, had all Canadian adults been polled. The credibility interval will be wider among subsets of the population. All sample surveys and polls may be subject to other sources of error, including, but not limited to coverage error, and measurement error.

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