UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Penale

2122-2-E1401A008

Learning objectives

This course provides a basic understanding of principles of Italian criminal law, in the light of the Criminal Code and complementary legislation as well as developments in doctrine and case law.

Contents

Detailed program

The problem of the legitimacy and functions of criminal law.

Criminal law

1. The principle of legality: the source of criminal law; prohibition of analogy; principle of determinateness
2. The interpretation of criminal law
3. Object and limits of criminal protection
4. Criminal law and supranational constraints

The offence

1. The fact of crime and its constituent elements.
2. Crimes of danger

3. Crimes of omission

Defenses.

1. General discipline
2. Individual offences.

The culpability

1. Theory of culpability and criteria of subjective imputation of the crime
2. Imputability
3. Intent, fault, premeditation
4. Mistake on the fact
5. Mistake on the unlawfulness of the fact
6. objective liability

Forms of manifestation of the offence

1. Circumstantial offence
2. Attempted crime
3. Concurrence of persons in the offence
4. Unity and plurality of offences

Offence and punishability

1. The consequences of the offence
2. Non-punishability
3. Special penalty systems

Civil liability for offences

Administrative liability of entities for offences (brief description)

Scope of application of criminal law

1. Criminal law in time
2. Criminal law in space

Prerequisites

No one

Teaching methods

Description of rules and principles and their ratio; case by law approach, aiming to verify comprehension and problem solving capacities.

Assessment methods

Oral exam

Textbooks and Reading Materials

Attending students will prepare the exam on the lesson notes and slides, as well as on additional in-depth teaching materials, which will be uploaded to the teaching e-learning platform.

Not-attending students can prepare the exam on the following texts:

- D. PULITANO', *Diritto penale, Parte generale*, Giappichelli, Torino, last edition or, alternatively,
- MARINUCCI-DOLCINI-GATTA, *Manuale di diritto penale. Parte Generale*, Giuffré, Milan, last edition.

Direct consultation of the updated edition of the Penal Code is indispensable.