UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Penitenziario

2425-4-A5810191

Learning objectives

Help the student to develop a "negative capability ' (intended as the ability to work under uncertainties) and the ability to contextualize (which means to correctly order judicial measures and individual rights); these two tecniques are indispensable to all legal operators.

Sustainable Development Goals: n. 11 (sustainable cities and communities), n. 16 (peace, justice and strong institutions)

Contents

The course concerns the study of the law which disciplines the enforcement of prison sentence and security measures, respecting the penalty educational objective (legge penitenziaria n. 354/1975 and related rules).

Detailed program

Constitutional principals, international laws and agreements concerning constrictions and privation of freedom.

Rehabilitative effect of the punishment and humanization of living inside the prisons. The judiciary organs concerning the executions of measures: the surveillance judge and court. The penitentiary administration.
The penitentiary treatment: the rights of the detained person; tools for ordinary management of prisons, disciplinary procedures, the solutions to the problem of prison security.

The rehabilitation treatment: tools of the intramural treatment; alternatives measures to detention, remission of the debt.

The different treatment of those sentenced for crimes of organized crime. The penal court: surveillance procedure. The procedures for claims.

Prerequisites

No specific prerequisites are required: just basic knowledge of the law and of the criminal procedure

Teaching methods

In order to reach the educational goals one must study the subject through the 'living law system' (examination of cases and jurisprudence).
Lectures and practical cases (DE - DI).
Recorded and remote lessons on e-learning

Assessment methods

The oral exam consists of an interview on the topics illustrated in the program and indicated in the recommended study texts; particular attention is dedicated to the parts explored during the lessons; the objective is to verify the ability to understand and explain all the topics and fundamental aspects of the subject in a clear and personal way.

Textbooks and Reading Materials

1. Lesson notes
2. capitoli III, IV, V, VI, VII: F. DELLA CASA - G. GIOSTRA, Manuale di diritto penitenziario, Giappichelli, 2023
3. G. RICORDEAU, Per tutte quante. Donne contro la prigione, a cura di S.BUZZELLI, Armando editore, 2022.
4. F. DELLA CASA - G. GIOSTRA, Manuale di diritto penitenziario, Giappichelli, 2023 or F. FIORENTIN - C. FIORIO, Diritto penitenziario e giustizia riparativa, Il Foro italiano, 2023 (no capitoli XVI, XVII, XVIII)
5. G. RICORDEAU, Per tutte quante. Donne contro la prigione, a cura di S.BUZZELLI, Armando editore, 2022.

Other Information

It is strongly suggested a constant consultation of updated laws with particular attention to l. n.° 354/75 and d.p.r. n.° 230/2000.

Sustainable Development Goals

SUSTAINABLE CITIES AND COMMUNITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS