UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Criminal Law (Crimes Against Public Administration and Administration of Justice)

2526-5-A5810196

Learning objectives

The course is aimed at providing students with an in-depth knowledge of the principles, institutes and dogmatic categories that characterise the special part of criminal law, with a particular focus on the criminal protection of property and public administration. The analysis is conducted in the light of doctrinal and jurisprudential developments, in constant dialogue with the principles of the general part and with the constitutional and supranational regulatory framework.
Characterised by a strong workshop focus, the course also aims to develop advanced application skills, through practical activities - individual and group - that include the drafting, presentation and discussion of legal opinions. The exercises, carried out in the classroom and autonomously, aim at refining the ability to combine theoretical framework with the concrete solution of legal cases, enhancing argumentation, logical rigour and mastery of technical-legal language.

Learning outcomes expected at the end of the course
A) Knowledge and comprehension skills.
The student will acquire a sound knowledge of the dogmatic categories of the special part of criminal law, with particular regard to crimes against property and against public administration. He/she will also acquire the ability to understand the systematic relations between the general part and the special part, as well as the interpretative criteria of criminal law.

B) Applied knowledge and understanding.
The student will be able to find, understand and integrate the regulatory sources of the special part, also using constitutional and supranational principles critically and consciously. He/she will demonstrate the ability to apply knowledge to concrete cases, through the elaboration of well-founded, reasoned and coherent legal opinions, drafted according to technical-professional criteria.
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C) Autonomy of judgement.*
Through the analysis of practical cases, the student will develop critical and reflective skills as well as legal problem solving skills. He/she will be able to identify and assess issues relevant to criminal liability and propose logically

grounded and legally tenable interpretative solutions.

D) Communication skills.
The student will acquire mastery in the use of the language of criminal law and will be able to explain with clarity, precision and argumentative rigour the legal issues addressed, both in written and oral form. They will be able to interact effectively with institutional and professional interlocutors, also in simulated or collaborative contexts.

E) Learning ability.
Through a constant critical exercise on normative, jurisprudential and doctrinal sources, and thanks to active participation in practical activities, the student will develop autonomy in study and the ability to update and deepen his/her skills, also with a view to continuing studies or entering the professional world.

Contents

Part I

- Bibliographic and case law research tools
- Methodology of drafting and presenting a legal opinion

Part II

- Crimes against property
- Crimes against public administration

Detailed program

Part I

1. Bibliographical and jurisprudential research tools
   * Legal databases
   * Printed sources
   * Electronic sources (University and web resources)
2. Methodology of drafting and presenting a legal opinion
   * Techniques for analysing a case
   * Techniques for drafting a legal opinion
   * Rhetorical techniques of exposition and discussion of a legal opinion

Part II

1. Introduction to the Special Part
2. Relationship between the General and Special Part of the Criminal Code
3. Interpretation of the Criminal Law
4. Crimes against property
   * General part and individual offences
   * Crimes of unilateral aggression
   * Crimes of aggression also against the person
   * Crimes with the collaboration of the victim
   * Crimes against the illicit circulation of goods
5. Crimes against public administration

* General part and individual offences
* Crimes of peculation
* Public financing offences
* Crimes of unlawful transactions
* Crimes of violation of functional duties

Prerequisites

Participation in the exam of 'Criminal Law. Special Part' requires the passing of the exam of 'Criminal Law' (Academic Regulations a.y. 2022-2023).

Teaching methods

The course is mixed in nature and consists of a first part of approximately 8 lectures and a second part of approximately 13 practical lessons.
During the lectures, which will be conducted primarily in lecture mode, the main contents of the Extended Programme will be explained.
During the exercises, legal opinions written by the students will be written, corrected and discussed.
The lectures are delivered in Italian, mainly in presence and with 2 remote lectures.

Assessment methods

The oral examination consists of an interview on the topics covered in the programme and indicated in the recommended study texts.
The aim is to assess, through theoretical and practical questions concerning case solutions, the student's ability to adequately understand the fundamental topics and aspects of the subject.
For the purposes of calculating the exam mark, the student's participation in the classroom in the teaching activity of drafting legal opinions will also be taken into account. The mark for classroom teaching activity is the sum of the following items:
• mark obtained in the last opinion (mark out of 30);
• number of opinions written (0.5 points awarded to students who have written all opinions);
• grade for individual opinions (0.5 points awarded only to the best opinions);
• grade for group opinions (1 to 3 points awarded, assessing the quality of the opinion, presentation and discussion).
The general criteria for assessing the skills indicated are based on knowledge and understanding of the fundamental content of the discipline and the ability to apply the knowledge acquired through personal reworking. The following will be assessed in particular: the ability to report on topics in a manner appropriate to the specific nature of the subject and according to correct logical and systematic standards, the ability to link the various criminal law institutions, exegetical correctness, argumentative skills, technical and expressive ability, and the ability to reason abstractly and practically. In the assessment of legal opinions, the ability to work in a group will also be taken into account.

Textbooks and Reading Materials

Study of the following textbooks is recommended:

- R. Bartoli, M. Pelissero, S. Seminara, *Penal Law. Lineamenti di parte speciale*, G. Giappichelli Editore, Turin, latest edition**, *limited to the following parts:* Part Two - I delitti contro il patrimonio (with the exclusion of Chapter 5 - I delitti informatici contro il patrimonio), and Part Three - I delitti contro la pubblica amministrazione (with the exclusion of Chapter 7 - I delitti dei privati).

Direct consultation of the Criminal Code in the updated edition is indispensable.

For students participating in classroom activities involving the drafting of legal opinions, we recommend consulting the following books:

- F. Cingari, M. Papa, A. Vallini, *Lezioni di diritto penale. Special section*, Giappichelli, Turin, latest edition, *limited to the following sections*: - La parte speciale del diritto penale: un'introduzione, Parte seconda - Delitti contro la pubblica amministrazione (excluding Chapter VI - I delitti dei privati contro la pubblica amministrazione), Section Four - Delitti contro il patrimonio (excluding computer crimes);
- M. Miedico, T. Trinchera, F. Viganò, *Studiare sui casi. Materiali integrativi per il corso di diritto penale – Parte generale*, Giappichelli Editore, Turin, latest edition.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS