UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Criminal Law Mod B - M-Z

2526-2-A5810015-A581001502-MZ

Learning objectives

Knowledge and understanding of the fundamental principles of criminal law, with particular attention to the constitutional principles of legality, personality of criminal responsibility and re-educational purpose of punishment.
Ability to apply the notions learned to the analysis of concrete cases and in the resolution of legal problems related to the general theory of crime and punishment.
Making judgements in the interpretation of the rules and in identifying the most appropriate legal solutions.
Communication skills in the presentation and discussion of legal topics, both in written and oral form.
Autonomous learning skills, also through the consultation of regulatory, doctrinal and jurisprudential sources.

Contents

This course provides a basic understanding of principles of Italian criminal law, both in the light of the the law and of doctrinal developments and case law.

Detailed program

Laws and principles will be explained also discussing cases
I. Problems and principles of criminal law.
I formal and substancial notion of criminal law
II: Constitucional criminal principles

1. The problem of legitimacy and functions of criminal law. Retributive and prevention conceptions of the criminal
   sanctions.

II. The Criminal Law.

2. The source of criminal law, prohibition of analogy, the principle of accuracy.
3. The interpretation of the criminal law.
4. When and which law is applied. The criminal law in space.
   III. The offense.
5. The fact of crime. General outline and main types: the action and the mode of action, events, causation, harm
   and danger; permanent crime, crimes of omission.
6. Defenses. General outline.
7. The culpability: intent, fault, mistake, accountability.
8. The exemption from punishment.
9. Attempt and accomplice.
10. Circumstances
    IV. The penalty system.
11. The sentencing criteria.
12. Prison sentence and non-custodial sentences.
    Crimes against peron, property and public administration

Prerequisites

Consitutional law knoledge

Teaching methods

Lectures will be held in presence, unless exceptionally impossible, in which case the lecture will be recorded and made available via e-learning.
The first part of the lectures will take place in lecture mode. After describing the essential theoretical aspects of the various topics covered, the lectures will take place in an interactive mode: concrete cases will be analysed orally (through discussion) and in writing (through work and learning assessments to be carried out during the lecture). Active participation in the analysis of case studies and application problems is required. The course will be conducted with the use of slides.
It is essential to have an up-to-date criminal code at hand from the start of the lectures.

Assessment methods

Students participating in interactive teaching (debate and written work) may take a written test at the end of the lectures.
If the written test is passed, the mark will be added to the mark obtained in the oral test on the topics excluded from the written test. The final grade will be the average of the two (written+oral).
Students who do not participate in interactive teaching will take an oral test on the entire examination programme.
Not attending students: Oral exam

Textbooks and Reading Materials

1. D. PULITANO’, Diritto penale, Giappichelli, last edition;

or MARINUCCI-DOLCINI, Manuale di diritto penale. Parte Generale, last edition.

2). R. BARTOLI, M. PELISSERO, S. SEMINARA, Diritto penale. Lineamenti di parte speciale, last edition, lfollowing chapters: first aArt; second Part, chapter II, II, III, IV; third Part, chaptersi I, II, III, IV.
Don't study notes written by others.

Direct consultation of the Criminal Code in an updated edition is essential.

Sustainable Development Goals

REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS