



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Scienze Politiche e delle Relazioni Internazionali		
ACADEMIC YEAR	2020/2021		
BACHELOR'S DEGREE (BSC)	ADMINISTRATION AND ORGANISATION SCIENCE AND LABOUR CONSULTING		
INTEGRATED COURSE	CRIMINAL JUSTICE AND CONSTITUTION - INTEGRATED COURSE		
CODE	19163		
MODULES	Yes		
NUMBER OF MODULES	2		
SCIENTIFIC SECTOR(S)	IUS/17, IUS/16		
HEAD PROFESSOR(S)	MAGGIO PAOLA	Professore Associato	Univ. di PALERMO
OTHER PROFESSOR(S)	MERLO ANDREA	Ricercatore a tempo determinato	Univ. di PALERMO
	MAGGIO PAOLA	Professore Associato	Univ. di PALERMO
CREDITS	12		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	2		
TERM (SEMESTER)	Annual		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p>MAGGIO PAOLA Monday 10:00 11:00 DEMS Giurisprudenza 3° piano. Durante il periodo di emergenza Covid Via teams.</p> <p>MERLO ANDREA Thursday 15:00 16:00 Locali del Dems presso il Dipartimento di Giurisprudenza (Circolo giuridico, primo piano)</p>		

PREREQUISITES	Students should have previous knowledge of: a) general foundations of the constitutional system b) general foundations of theory of law and politics.
LEARNING OUTCOMES	<p>Knowledge of</p> <p>The course aims to introduce students to current legal models and new strategies against crime. For criminal procedural law, particular reference will be made to the Constitution, the main international sources, the current Code of Criminal Procedure, and the most relevant complementary legislation.</p> <p>Capacity to apply knowledge and understanding</p> <p>At the end of the course, students will critically review topics in order to develop competent points of view on criminal policy strategies currently proposed in Italy and Europe to fight crime. Ability to apply the foundational principles of the criminal justice process, the strengths of the system, and the general principles of the system when interpreting procedural rules and when reading case law and application practices.</p> <p>Being aware of the topics</p> <p>The course will provide students with appropriate tools to assess legal models against crime.</p> <p>Communicative skills</p> <p>The course will dedicate emphasis on the "law in action". Controversial cases will be examined, as well as practitioners will be involved in some meetings. Students are expected to deal in a technical language with some practical cases and to present the results to a non-expert audience. In addition, they will be aware of the social consequences of criminal law.</p> <p>Learning capacity</p> <p>Awareness of students on the public debate concerning criminal law will be addressed.</p>
ASSESSMENT METHODS	<p>Oral final exam and in itinere test.</p> <p>By means of the oral test, students will be assessed on their knowledge and skills. Final mark will be given out of 30.</p> <p>Through exam questions, both opened and semi-structured, it will be evaluated on: 1) level of understanding; 2) ability to link the contents of the course; 3) communicating skills.</p> <p>In particular, it will follow this evaluation model.</p> <ul style="list-style-type: none">- Excellent (30-30 with honors): excellent knowledge of criminal law and procedure.- Receptive and expressive language skills, excellent analytical capacity. Students are able to apply knowledge and solve problems.- Very Good (26-29): good knowledge of concepts, good language skills, capability to solve controversial issues.- Good (24-25): Basic knowledge, discreet language, ability to independently apply the knowledge to the solution of the proposed problems.- Satisfactory (21-23): the student has not fully mastered the concepts, but has minimum level of understanding; satisfactory language; limited ability to apply the knowledge.- Sufficient (18-20): minimum basic knowledge and language skills; poor ability to independently apply the knowledge.- Inadequate - the student does not have a basic minimum knowledge of contents.
TEACHING METHODS	Lectures. Interaction between teacher and students. Seminars and exercises

MODULE
CRIMINAL JUSTICE AND CONSTITUTION

Prof. ANDREA MERLO

SUGGESTED BIBLIOGRAPHY

G FIANDACA, Prima lezione di diritto penale, Laterza, 2017

G. MARINUCCI, E. DOLCINI, G. GATTA, Manuale di diritto penale, Giuffr , 2019

AMBIT	10671-Attivit� formative affini o integrative
INDIVIDUAL STUDY (Hrs)	108
COURSE ACTIVITY (Hrs)	42

EDUCATIONAL OBJECTIVES OF THE MODULE

Starting from a multifactorial approach, students will be provided with theoretical and practical skills to identify best practices and new strategies in fighting crime.

SYLLABUS

Hrs	Frontal teaching
4	Penal code and Constitution.
4	Models of criminal justice.
4	Nullum crimen, nulla poena sine lege
4	Nullum crimen sine culpa
4	The Rehabilitation
4	Harm principle
4	Actus reus. Mens rea
4	Attempt and complicity
2	Defences
4	Due process of law
4	Corporate crimes

MODULE
CRIMINAL PROCEEDINGS AND INSTITUTIONS' LIABILITY

Prof.ssa PAOLA MAGGIO

SUGGESTED BIBLIOGRAPHY

G. SPANGHER, Introduzione allo studio del processo penale, Pacini, 2019.
G. VARRASO, Il procedimento per gli illeciti amministrativi dipendenti da reato, Giuffrè, 2012, pp. 1- 265.
Codice sistematico di procedura penale, a cura di H. Belluta, M. Jaluz, L. Luparia, Giappichelli, 2020.

AMBIT	10671-Attività formative affini o integrative
INDIVIDUAL STUDY (Hrs)	108
COURSE ACTIVITY (Hrs)	42

EDUCATIONAL OBJECTIVES OF THE MODULE

The course aims to teach the basic concepts of criminal system. At the end of the course, students will acquire general knowledge on criminal offences and criminal trial. They will be able to constantly update their knowledge by consulting law and case-law collections. Particular attention will be paid to the innovations about corporate liability.

SYLLABUS

Hrs	Frontal teaching
3	Criminal system: principles and guarantees.
3	Presumption of innocence
4	Fair trial
2	Right to fair hearing
3	Criminal trial and equality of arms
3	Separation of phases
4	Preliminary measures
4	Criminal evidence
4	Summary trials
4	Judicial reviews
4	Corporate liability
4	Corporate liability and fair trial
Hrs	Practice
3	European review as the tool to comply with ECtHR judgements