# Criminal Law and Juvenile Criminal Law

## Prof. Luciano Eusebi

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course primarily aims to offer students basic knowledge about criminal law and criminal trial, with special attention to the system of sanctions and precautionary measures, as well as to the role assigned to social service offices on matters relating to alternative measures, security measures and probation.

This is complemented by the objective of providing assessment tools for a conscious and critical approach to the ways in which criminal issues are tackled by the legal system and on the concept of justice as it is reflected in our culture, also in relation to the prospects of reform of the sanctioning system.

During the course, students will acquire both the essential regulatory information about the substantive and procedural criminal law (ordinary and juvenile), and an overview of the criminal law and crime prevention strategies: elements that play a key role for their future professionalism and in case of participation in competitions.

This, in particular, will allow them to acquire independent reading skills, and therefore understand the legislative texts and grasp their problematic aspects.

In this way, students can also acquire a preparation that allows them to express mature and reasoned positions, reflecting their vocation as social workers, in public debates on legal issues.

A specific section of the course will allow future social workers to develop their own conscious competence also in bio-juridical matters.

***COURSE CONTENT***

The course will cover the following main topics:

* The concept of justice as a cultural and educational problem.
* The issue related to the function of the punishment: criticism of the remuneration concept, profiles of primary, general and special crime prevention; a modern approach to criminal politics.
* The relationship between criminal law, criminological reflection and empirical-social sciences.
* Basic notions about public law rules; in particular, the principle of division of powers.
* The current sanctioning system and its reform prospects; the constitutional orientation towards "re-education" of the condemned; the overcoming of prison centrality; the opportunities offered by the «restorative justice» (in particular, probation and mediation in criminal cases).
* The penitentiary system and the aid and control tasks of the social services.
* Fundamental principles of criminal law (legality, offensiveness, guilt) and elements of crime theory.
* Imputability and security measures.
* Notions related to the criminal trial (jurisdiction, investigations, hearing, stages of proceedings, flagrancy, precautionary measures, special procedures, enforcement stage).
* The juvenile justice system: peculiarities and the innovative nature of the rules applicable to juvenile offenders.
* Criminal law and drug addiction.
* Professional secrecy and the problems of reporting and witness obligations.
* Prevention of voluntary termination of pregnancy and further bio-juridical issues relating to the beginning and end of life (procreation, doctor-patient relationship, use of genetic information, etc.).

***READING LIST***

L. Eusebi, Course Pack (if it remains unpublished it will be made available, like the past years, in <https://blackboard.unicatt.it>/).

Students are expected to be familiar with the fundamental contents of the laws mentioned in the course pack.

***TEACHING METHOD***

Lectures in class or remote streaming lessons, depending on the requirements deriving from health needs

***ASSESSMENT METHOD AND CRITERIA***

The assessment will consist of an oral interview, as an adequate method to verify the students’ acquisition not only of a set of notions, but also of a synthetic and problematic view of the legal issues examined during the course.

It will be designed to provide the suitable condition for students elaborate on their answers and show through a dialogue their level of knowledge and understanding of the subject.

The exam interview will therefore aim to verify the students’ knowledge of the fundamental institutes of the penal system, and their ability to understand and discuss the issues to which these rules provide answers, as criteria for determining the final mark expressed in thirtieths.

Particular attention will be paid to grasping the students’ critical skills and interdisciplinary approach during the exam, also in relation to the knowledge acquired in the study of social service sciences.

***NOTES AND PREREQUISITES***

Since the course is an introduction to the issues of the criminal justice system, there are no content-related prerequisites for attending it.

Given the cross-cutting nature of the subject, lecture attendance is recommended. However, non-attending students are advised to contact the lecturer or his collaborators during office hours for advice on suitable preparation.

During the academic year, necessary information will be provided through the Blackboard platform, where some useful material on the topics covered in the course is also available.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.