# Criminal Law 2

## Prof. Luciano Eusebi

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

The specialised course on criminal law aims to guide students in the critical analysis of individual crimes and the related political-criminal choices, according to a vision of the system conducted also through an in-depth study of the basic notions of the guarantee principles, the theory of crime and the penalty system acquired through the study of the ‘general part’ in the ‘Criminal Law 1’ course.

At the end of the course, students will be able to demonstrate knowledge about relevant types of crime as well as the ability to independently read and identify interpretative questions regarding criminal law. This will lead students to identify the relevant criminal problems from time to time in relation to concrete case studies, also on the basis of the comparison with significant judicial decisions.

At the same time, students will be able to refine tools for a conscious personal judgment on the methods of legislative appeal, so as to be able to take mature and reasoned positions in the social debate on justice issues.

***COURSE CONTENT***

The course examines crimes and juridical issues set out in the ‘special part’ of the Criminal Code together with other areas of the complementary criminal legislation in relation to topics of the ‘general part’. Other topics will include: the causation of intentional and unintentional events in relation to crimes against life and against individual safety, criminal responsibility in the medical field, sexual crimes, the persecutory acts, protection of honour and moral freedom; crimes of public officials against the public administration, the main crimes against the administration of justice, obligation to report and witness; criminal associations, classic crimes against property, money laundering, self-recycling and their prevention in advance, usury, drugs related crimes, religious crimes, environmental crimes, some core issues of criminal law of economics (false corporate communications, bankruptcy, income tax crimes), issues of criminal importance at the beginning and end of life, issues concerning crime prevention, the theory of punishment and the need to reform the penal sanctioning system, exceeding the model of justice represented by remuneration, il sistema penale minorile, the relationship between legislation and the so-called ‘living’ criminal law, the interactions between domestic criminal law, European Union Law and the jurisprudence of the European courts; crimes for which liability for offence of institutions is envisaged.

***READING LIST***

L. Eusebi, *Un percorso di approfondimento del sistema penale*, course pack available at https://blackboard.unicatt.it/ and freely downloadable by students.

Students are expected to know basic content of all the legislation mentioned in the course pack.

***TEACHING METHOD***

Classroom or streaming lectures, where this is necessary for health reasons.

***ASSESSMENT METHOD AND CRITERIA***

Students will be assessed through an oral exam which seems the most appropriate tool to check not only students’ knowledge of a set of notions, but also their argumentation and critical skills necessary to deal with legal concepts related to criminal law.

 The exam will focus on the most meaningful course topics so that students will be able to demonstrate their acquisition of adequate knowledge concerning topics related to various areas of the criminal system as well as their skills to link autonomously this subjects to the fundamental rules and principles of the penal system.

Each oral examination will allow students to elaborate their answers serenely. Articulate dialogue with students will allow the examiner to understand to what extent they master the discipline in its entirety.

The final mark will depend, therefore, both on students’ ability to master the reconstruction of the studied regulatory systems and, on this basis, on their aptitude in identifying the problems arising when interpreting and discussing similar problems in relation to general notions of crime theory and punishment.

Particular attention will be devoted to promoting students’ critical skills and interdisciplinary view during the exam.

***NOTES AND PREREQUISITES***

There are no prerequisites for attending the course, except general principles provided by preliminary courses of ‘Criminal Law 1’ and ‘Constitutional Law’.

Attendance at lectures is strongly recommended. Students not attending classes would benefit from contacting the lecturer or his assistants during office hours for a better exam preparation.

Any required information during the academic year will be provided on the above-mentioned platform ‘Blackboard’, where further useful material on course topics will be available.

It may be important to enrol in the course ‘Criminal Law 2’ also for students who do not have this course as compulsory in their study plan, in order to gain an overall better preparation in the criminal field and in view of future competitive examinations.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.

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.