# Seminar: Prison, safety, and resocialisation of convicts

## Prof. Gianluca Varraso

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

The seminar is an opportunity for an in-depth study of various thematic areas: security and treatment of prisoners, scientific observation of the personality of the accused and offender, and restorative justice. The alternation of the lecturers aims to offer students the opportunity to reflect on the phenomenon of detention by integrating different points of observation. To achieve the goal, the course will also use interventions by experienced speakers in the field (criminal execution authorities, surveillance judges, social workers, educators, criminologists) and visits will be organised inside the main detention centres in Milan.

At the end of the seminar, students will be able to demonstrate operational knowledge and to appreciate the complexity of the penitentiary situations in Italy, with a better understanding of how safety reasons inside prisons and confinement centres can be reconciled with the re-educational purpose of the penalty sanctioned by art. 27 paragraph 2 of the Constitution, especially after the European Court of Human Rights condemned Italy for violation of art. 3 ECHR, recognising the grounds for "inhuman and degrading" treatment due to prison overcrowding in Italy.

***COURSE CONTENT***

The seminar consists of various modules and will take place in the second part of the academic year on the dates published on the personal page of Prof. Gianluca Varraso, in charge of the general coordination, and on the Blackboard platform of the Criminal Procedure Law and Penitentiary Law courses.

– analysis methodology of the detention phenomenon.

– Overview and chronology of internal and supranational rules.

– National and supranational jurisprudence.

– Indications of the Constitutional Court.

– Reformist drives and missed opportunities.

– Criminal Policy considerations.

– The defender's observation point.

– Treatment, personality observation, and critical reflection: what is expected and what is implemented.

– Restorative justice: principles and variations in the penitentiary.

– Prison as a total institution.

– The Italian penitentiary system: historical evolution, organisational model, and reference regulatory framework.

– Security and treatment between national law and international sources (Council of Europe, UN).

– The penitentiary regime (Chapter IV of prisons regulations), with specific reference to the institutional regulation, disciplinary regime (rewards and penalties), searches and isolation.

– The detention circuits (assignment, grouping and categories of prisoners and internees; circulars of the Penitentiary Administration Department in this regard).

– Meetings will also be organised with inmates and operators of the main prisons in Milan.

***READING LIST***

The material presented during the seminars, specially prepared by the lecturers, and updated on each annual edition of the seminar, will be uploaded on Blackboard.

***TEACHING METHOD***

Participatory teaching, aimed at encouraging discussion and personal reflection, alongside the theoretical presentation of the contents.

The working methodology may include the direct involvement of the participants in practical activities.

***ASSESSMENT METHOD AND CRITERIA***

At the end of the meetings, students will be asked to write a short paper on one of the topics addressed.

Positive outcomes will result from the students’ active participation and the content of their final written report, as well as from their ability to relate the fundamental themes and issues discussed, by arguing and identifying conceptual links and open issues.

***NOTES AND PREREQUISITES***

Prerequisites for the course are basic knowledge of criminal law institutes and concomitant participation in Criminal Procedural Law and Penitentiary Law courses is highly recommended.

The recognition of ECTS credits requires attendance at minimun 80% of the meetings and participation in visits to the Milanese penitentiaries.

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.