# Consumer Protection Laws

## Prof. Lara Ferla

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

The course aims to provide students with appropriate knowledge of the most important legislative sources of protection for the individual. Special attention is paid to minors and subjects in particularly vulnerable conditions, both as victims and as perpetrators of criminal behaviour.

At the end of the course, students will be able to:

* know the fundamental rights of the individual and the specifically recognised rights of minors
* understand the protection objectives pursued by national family and parentage legislation
* know the legal tools available to protect minors and vulnerable people
* know the conditions of intentional and negligent criminal liability
* understand the areas and methods of the expert's participation and intervention in a judicial context
* orient themselves in the system of crime responses, with particular reference to the minor offender.

At the end of the course, students will possess a basic knowledge of the normative instruments for protecting the individual, in particular the minor; they will also possess the skills for recognising critical situations in interpersonal relationships that can be qualified as crimes, with their respective legal consequences. The analysis of specific offences and the discussion of court cases will enable students to recognise the characteristics of a criminal fact, the types of offensive behaviour towards children (with particular reference to the family and educational contexts), and the forms of protection available. The specific features of the child's condition in the educational field will be examined, with particular reference to the behaviour of other minors or teachers/educators that offends their rights, illustrating the consequent legal responsibilities. A number of crimes against individual freedom, physical integrity and sexual sphere will be explored, as will the problematic questions arising from the use of new technologies. Particular attention will be given to the forms of interdisciplinary cooperation between those who professionally deal with the victims of crime and those who are required to provide specialist knowledge, in order to recognise the critical issues present, and contribute to the preparation of more adequate protection measures. An analysis of the current legislation will be accompanied by an in-depth look at recent court cases, useful for understanding and evaluating the problems encountered on the application level.

***COURSE CONTENT***

1. The recognition of fundamental human rights in international sources and specific references to the child. The concept of *the best interest of the child*

2. Individual, family and minors in the Italian Constitution

3. Parental responsibility: content, limits and legal instruments of protection

4. The child victim of crime. Crimes against individual personality, physical integrity and sexual freedom

5. Personal rights and new technologies. *Cyberbullying* and child pornography

6. The child offender. Imputability, maturity and mental illness.

7. The Juvenile Court. Composition, skills and measures.

8. The child in civil proceedings. Listening to the child. Protection orders.

9. The child victim of crime in the criminal trial. The testimony of the child, the protected hearing, guidelines for the examination of a minor victim of sexual abuse.

***READING LIST***

M. Bertolino, *Il minore vittima di reato,* Giappichelli editore, Turin, latest available edition. The exam syllabus will be supplemented with slides and readings on the topics covered in class, available to students through publication on Blackboard.

***TEACHING METHOD***

Frontal lectures in the classroom. Lectures, aimed at acquiring the fundamental legal knowledge for the topics covered, will be accompanied by the discussion and study of recent judicial cases, significant for the purposes of a better understanding of the reference legislation and its concrete application.

***ASSESSMENT METHOD AND CRITERIA***

An oral exam. The interview is aimed at ascertaining students' acquisition of the skills needed to understand the problems of individual protection, from an interdisciplinary perspective. The exam will seek to ascertain the students' ability to correctly and completely report the contents and rationale of the legislative sources dealt with, including in light of the court cases examined. Assessment will focus on aspects such as knowledge of the legislative references illustrated during the course, students' appropriate use of specific terminology, completeness and relevance of their answers, and their presentation, argumentative and critical autonomy with respect to the topics studied.

***NOTES AND PREREQUISITES***

Given the specificity of the legal lexicon and the topics covered, it is recommended that students supplement the study of the materials with a direct reading of the normative sources. The sources to be covered in the exam will be made available to students, in full, on the Blackboard platform. Students are advised, therefore, to regularly consult the course webpage.

There are no prerequisites for attending the course or passing the exam.

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.