UNIVERSITÀ DEGLI STUDI DI BARI ALDO MORO

Dipartimento di Giurisprudenza

General information	
Academic subject	***Criminal Law***
Degree course	*Core subject within the Bachelor's degree in Employment Consultant and Business Operator.*
Academic Year	*2024/2025*
European Credit Transfer and Accumulation System (ECTS)	9
Language	*Italian*
Academic calendar	*I Semester (from 1 October 2024 to 16 December 2024)*
Attendance	*Strongly recommended*

Professor/ Lecturer	
Name and Surname	MARIA ANTONELLA PASCULLI
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Tutoring (time and day)	by appointment (according by mail) after lessons

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Syllabus	
Learning Objectives	Through this course, students will understand and be able to analyze the principal purposes of and justifications for criminal law; Understand and be able to analyze foundational criminal law doctrine, including the act requirement, mens rea, causation, and defenses; Understand and be able to apply the statutory elements of core crimes, and be able to identify key distinctions among definitions for these crimes in the Model Penal Code; Gain knowledge that will be tested on the Criminal Law Understand key critiques of the criminal legal system. To analysis Practices in courts and Tribunals develop a general understanding of Italian Criminal System develop an appreciation of the elements required for a crime to be committed; evaluate the impact of relevant legislation governing the various aspects of criminal law to be investigated; acquire skills in evaluation and analysis; be familiar with the language and procedures elated to the various aspects of criminal law studied.

Course prerequisites	*Fundamentals of private Law and Constitutional Law*
Contents	General Part of Criminal Law Introduction: Purposes of Criminal Law and Punishment; Principles of Punishment: Theories in Action; Legality: Previously Defined Conduct Requirement; Legality: Statutory Clarity Principles; Actus Reus: Voluntary Act Requirement Actus Reus: Omissions; Social Harm Mens Rea: Intent, Knowledge, and Wilful Blindness Mens Rea: Strict Liability Mens Rea: Mistake of Fact; Mistake of Law Causation: Actual Cause; Proximate Cause General Defences: Self-Defence, Duress and Necessity Mental Incompetence and Intoxication 8Attempts, Accessories Joint Enterprise Liability Criminal corporate liability Criminal Associations Special part of criminal Law Territoriality, Universality of Criminal Law Universal Jurisdiction profiles (art.. 6,7,8,9, c.p.) Joint Criminal enterprise (art. 116 c.p.)

Books and bibliography	*Assigned chapters in the textbooks are to be read by the date indicated in the class schedule. After reading the chapter the students should complete the study material according professor instructions. This will prepare the student for class discussion and help them to be able to synthesize the material presented in class. The indicated textbooks are as follows:* *General part G. MARINUCCI – E. DOLCINI, Manuale di Diritto penale. Parte generale, X edizione aggiornata da Emilio Dolcini e Gian Luigi Gatta, Giuffrè, Milano, 2021, pages 3- 242; 481-527; 703-921 or, alternatively,* *D. PULITANO', Diritto penale, VIII edizione, Giappichelli, Torino, 2019, pages 3-162; 251-261; 411-584.* *Special Part* *M. Antonella Pasculli, Studio sulla Giurisdizione penale universale, CASI, FONTI E STUDI PER IL DIRITTO PENALE SERIE III GLI STUDI, CEDAM, 2013, pp.33-61; pp. 182-206; or alternatively* *ID. Il diverso per il voluto, Percorsi di ragionata s-oggettività ex art. 116 c.p., Cacucci, 2023, pages 213-255*
Additional materials	The students will bring one current event (Judicial case) from sentencing and documents provided by professor. related the following topics : Riforma Cartabia

Work schedule			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
Hours			
225	*72*		*153*
ECTS			
9			

Teaching strategy	
	The conventional teaching methodology is complemented by the dynamic interactive approach typical of Anglo-Saxon or North American universities, to make the student an active participant in the discussions of law and criminal policy addressed, including through trial simulations open to all participants.
Expected learning outcomes	
Knowledge and understanding on:	o Core and specialist aspects of dogmatic theory and criminal law, including a range of objective and subjective profiles, in deconstructing delicts

Applying knowledge and understanding on:	○ The development of academic skills, reading and research, the writing of academic essays and undertaking independent research, including a dissertation ○ A range of criminal research paradigms and methods
Soft skills	• ***Making informed judgments and choices*** • Gather, retrieve and synthesise information from a range of sources, recognising the validity and reliability of some sources over others • Evaluate evidence from a range of sources and make informed judgements • ***Communicating knowledge and understanding*** • Generate and explore creative and original ideas and apply multiple and competing perspectives present in criminal law system • Use evidence-based reasoning to make informed judgements in developing research methodologies to support projects, dissertations and other written work. • ***Capacities to continue learning*** ○ Contribute to online group discussions and debates about a complex subject, involving the management of tasks and problem-solving skills ○ Work towards achieving agreed objectives, seek to establish and maintain cooperative working relationships in meeting responsibilities

Assessment and feedback	
Methods of assessment	Oral discussion; written paper, logical solutions. *Final oral exam.*

Evaluation criteria	• *Knowledge and understanding* *Knowledge of studied and assigned topics in criminal law; Logic and impressive solutions for court cases; personal involvement in practices* • Applying knowledge and understanding: Making judgements: Knowledge of the methods of analysis the structure of crime and ability to adequately read sentences on proposed crimes • *Communication skills: on legal language profile, the student will be able to communicate clearly his or her conclusions in relation to the - written or oral - proposed issues .* • *Learning skills: The student will be able to understand and evaluate the criminal system, underlying the choices expressed by the legislator through criminal law and the interventions made through crime prevention guidelines.*
Criteria for assessment and attribution of the final mark	*The exam will be given on the dates indicated in the class schedule in oral discussion. All exams will cover the textbooks and material presented or assigned. The questions will be taken from the lectures, class discussions and textbook. The exam will be primarily objective. The final mark include participation, researching discussions; written presented papers. Participation in class discussions, in class exercises, and small group discussions is expected and will contribute to best final grade (30/30 cum laude).* For the purposes of the evaluation out of thirtieths, the level of preparation achieved will be taken into account in accordance with the aforementioned criteria and, in line with the expected learning outcomes, the different levels of preparation will lead to different judgments: excellent (30/30 with honors out of 30s), excellent (28/29 out of 30s), good (25/27 out of 30s), fair (21/24 out of 30s), sufficient (18/20 out of 30s). The awarding of honors presupposes the unanimous judgment of the examination commission.
Additional information	Board of examinations Pasculli M.A. Mormando V., Bottalico F., Persio T.P., Ventura N., Gugliotti C.