

General Information	
Academic subject	CRIMINAL PROCEDURE LAW 1
Degree course	MASTER'S DEGREE IN LAW
Curriculum	CRIMINAL PROCEDURE
ECTS credits	9
Compulsory attendance	NO
Language	ITALIAN

Subject teacher	Name Surname	Mail address	SSD
	NICOLA TRIGGIANI	nicola.triggiani@uniba.it	

ECTS credits details	Area		CFU/ETCS
Basic teaching activities	12	Ius-16	9

Class schedule	
Period	FIRST SEMESTER
Year	IV
Type of class	Lectures and in-depth seminars

Time management	
Hours	225
In-class study hours	72
Out-of-class study hours	135

Academic calendar	
Class begins	13 SEPTEMBER 2021
Class ends	10 DECEMBER 2021

Syllabus	
Prerequisites/requirements	Criminal law exam passed
Expected learning outcomes	<p><i>Knowledge and understanding:</i> Students should be able to elaborate what was discussed during the classes and what was studied individually, in order to transform the knowledge acquired into personal considerations with original features.</p> <p><i>Applying knowledge and understanding:</i> Students should be able to use the concepts and knowledge acquired in the preparation and understanding of the data and resources available.</p> <p><i>Making informed judgments and choices:</i> Students should be able to deepen independently the concepts learned, in order gradually to acquire a full maturity and autonomy of judgment.</p> <p><i>Communicating knowledge and understanding</i> Students should be able to transmit the knowledge learned in a clear and comprehensible way to everybody, having acquired adequate communication, relational and social skills useful for building communication between different subjects.</p> <p><i>Capacities to continue learning</i> Students should acquire the ability to refine and deepen their knowledge, through independent continuing study and skills update.</p>

<p>Contents</p>	<p>The course - closely related to the subsequent course of Criminal Procedure Law II - aims at providing an organic and complete knowledge on the Italian criminal process, not only from the exegetical perspective, but also from a critical point of view, as well as from the point of view of the living law, taking into account both doctrine and case-law, with particular reference to general principles and static profiles of the proceedings (subjects, acts, evidences, precautionary and pre-precautionary measures).</p> <ul style="list-style-type: none"> • FUNDAMENTAL PRINCIPLES Procedural objectives and judicial models. The constitutional framework. The sources. • SUBJECTS AND ROLES The judge. The subjects of the investigative role. The private parties, the offended person and the defender. • ACTS The general provisions. Acts and measures of the judge. The documentation. Language guarantees: the interpreter and the translator. The notifications. The terms. The nullity and other types of invalidity. • EVIDENCES Evidence system and general provisions. Means of proof. Means of seeking evidence. • PRECAUTIONARY AND PRE- PRECAUTIONARY INSTRUMENTS Personal precautionary measures: principles and conditions. The application procedure and the evolution of the precautionary matter. Real precautionary measures. Preliminary appeals and remedies for unjust detention. Pre-precautelay measures
<p>Course program</p>	
<p>Bibliography</p>	<p>A. SCALFATI-A. BERNASCONI-A. DE CARO-A. FURGIUELE- M. MENNA-C. PANSINI-N. TRIGGIANI-C. VALENTINI, <i>Manuale di Diritto Processuale Penale</i>, 3ª edizione, Torino, Giappichelli, 2018, pp. 1-437</p> <p>H. BELLUTA-M. GIALUZ-L. LUPARIA (a cura di), <i>Codice sistematico di procedura penale</i>, 5ª edizione, Torino, Giappichelli, 2020</p>
<p>Notes</p>	
<p>Teaching methods</p>	<p>The course is developed through lectures relating to the relevant and indispensable aspects of the discipline, with the purpose of achieving specific and general learning objectives of the study course. Classes in presence are supported by in-depth seminars and exercises. During the classes in presence various tools are used to improve teaching such as, for example, PowerPoint presentations projected in the classroom, use of schemes, provision of bibliographic indications and anything else deemed useful for improving effectiveness of teaching.</p>
<p>Assessment methods</p>	<p>There is a single oral exam covering the entire program (general part and special part) at the end of the courses of Criminal Procedure Law 1 and Criminal Procedure Law 2, with the acquisition of 15 ETCS. Partial exams on Criminal Procedure Law I program may however take place on the same dates as the regular exams.</p>
<p>Evaluation criteria</p>	<ul style="list-style-type: none"> • <i>Knowledge and understanding</i> The evaluation criteria in use aim at verifying the effective acquisition of the methodology by the students, this methodology being necessary to know and understand the institutes of procedural criminal law indicated in the program. • <i>Applying knowledge and understanding</i> The evaluation criteria used aim at verifying the effective acquisition, by the students, of the methodology necessary for the application of the knowledge and understanding of the institutes of criminal procedural law indicated in the program, to be considered in the current historical context

	<p>where the process shows signs of crisis; special focus on most significant literature on single topics being studied in depth through seminar activities and the analysis of the most innovative case-law; exercises, with specific attention to the case-law of the Constitutional Court, the Court of Cassation, the European Court of Human Rights and the Court of Justice of the European Union.</p> <ul style="list-style-type: none"> • <i>Autonomy of judgment</i> The evaluation criteria in use aim at verifying the effective acquisition and development, by the students, of the critical study capacity with reference to the institutes of criminal procedural law indicated in the program, also by studying the most significant literature on single topics being studied in depth through seminar activities - and the most innovative case-law, with specific attention to the case-law on fact and right • <i>Communication skills</i> The evaluation criteria used aim at verifying the effective acquisition, by the students, of the ability to discuss topics related to doctrine and case-law, in order to be able to properly deliver them in the occasion of sharing, comparison and discussion moments, both individually and in groups. • <i>Capacities to continue learning</i> The evaluation criteria used aim at verifying the effective acquisition, by the students, of the methodology necessary for learning, mastering the topics, critically studying the main institutes of criminal procedural law by examining the doctrine and the most innovative case-law on the topics object of study.
Further information	<p>Students can submit their request for thesis assignment directly to the teacher after successfully passing the exam (or at least the partial exam on Criminal Procedure Law 1) at least 6 months before the scheduled graduation session. Attending students will have preference on assignment.</p>