

COURSE OF STUDY consulenza professionale per le Aziende (CPA)

ACADEMIC YEAR 2023/2024

ACADEMIC SUBJECT Criminal Procedure – 6 CFU

General information	
Year of the course	2
Academic calendar (starting and ending date)	I semestre (dal 22 settembre 2023 al 12 gennaio 2024)
Credits (CFU/ETCS):	6
SSD	ius 16 diritto processuale penale
Language	ITALIANO
Mode of attendance	obbligatoria

Professor/ Lecturer	Francesca Iole Garofoli
Name and Surname	
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Virtual room	Generale - Corso di Diritto Processuale Penale - Demdi <d440e977.uniba.it@emea.teams.ms
Office Hours (and modalities: e.g., by appointment, on line, etc.)	Venerdì/ lunedì previa mail di conferma appuntamento

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
42	42	Da concordare	
CFU/ETCS			
Es. 6	4	2	

Learning Objectives	The course aims to provide students with the tools necessary for the knowledge of the fundamental institutes of criminal procedural law, will provide a preliminary examination of the fundamental principles of criminal justice and the main cases of the criminal law of the economy. The teaching method shared with the students will focus on the consultation and understanding of legal and jurisprudential texts with particular attention to constitutional and conventional principles.
Course prerequisites	A knowledge of notions of company and tax law

Teaching strategie	The lectures will be complemented by seminars on specific issues as well as by a constant activity of teaching tutorials to monitor the level of Dipartimento di economia, management e diritto dell'impresa Largo Abbazia Santa Scolastica, 53 70124 Bari (Italy) c.f. 80002170720 p. iva 01086760723 2 understanding and verification of the knowledge of attending and non attending students. Expected learning outcomes in terms of Knowledge and understanding on: Consulting and understanding legal and jurisprudential texts. - Knowing the basics and principles of criminal law with particular reference to the main institutions related to the criminal responsibility related to the exercise of business
Expected learning outcomes in terms of	
Knowledge and understanding on:	<ul style="list-style-type: none"> ○ Consulting and understanding legal and jurisprudential texts. - Knowing the basics and principles of criminal law with particular reference to the main institutions related to the criminal responsibility related to the exercise of business. - Understanding the institutions and the jurisprudential issues concerning the criminal trial
Applying knowledge and understanding on:	<ul style="list-style-type: none"> ○ Learning the tools necessary for interpreting and applying to the specific cases the rules of criminal procedural law as well as acquiring the ability to resolve legal issues and cases. - Acquiring an indispensable technical-legal language in comparison with the professional realities of the business world and of the judicial context
Soft skills	<p>Making informed judgments and choices Learning the tools necessary for interpreting and applying to the specific cases the rules of criminal procedural law as well as acquiring the ability to resolve legal issues and cases</p> <p><i>Communicating knowledge and understanding</i> - Acquiring an indispensable technical-legal language in comparison with the professional realities of the business world and of the judicial context</p> <p><i>Capacities to continue learning</i> - Acquiring adequate learning skills to autonomously explore the legal issues in the professional fields in which you will operate.</p>
Syllabus	
Content knowledge	In a first part the course will introduce the general problems posed by the criminal intervention in the economy, the main moratories of sanctions will be investigated, from the point of

	<p>view of the criminally responsible subjects within the enterprise of the complex organizations and of the responsibility of the collective bodies. Particular attention will be paid to the European problems and to the paradigm of the so-called "risk society" in the fight against the circulation of illicit capital, cybercrime and environmental responsibility. The second part will address the study of the penal process and the new legislative Reform "Cartabia", with reference to constitutional principles, to the international conventions of human rights with the following themes: - The models of the criminal trial: outline of the accusatory system, inquisitorial system and mixed system. - The constitutional discipline of the process, with particular reference to Article 111 of the Constitution ("Giusto processo"). - International sources of the criminal trial. - The subjects of the process and their functions. - Criminal proceedings, with particular regard to forms of documentation and species of disability. - The discipline of the tests with reference to the legality of the test and the right of the test. - Precautionary measures: principles, application and appeals. - The procedural phase: the preliminary investigations, the news of crime, the probative incident, the defensive investigations. - The epilogues of the procedural phase. - The preliminary hearing. - Special proceedings. - The procedural phase: the trial. - The decisions of the judge and the rules of judgment. - Criminal appeals: general principles, appeal, appeal to cassation and cassation. - International cooperation</p>
<p>Texts and readings</p>	<p>Manuale di diritto penale di Roberto GAROFOLI – Collana Manuali Brevi d'Autore diretti da Roberto Garofoli – Neldiritto Editore ultima edizione - Manuale di Diritto processuale penale di Luca DELLA RAGIONE - Collana Manuali Brevi d'Autore diretti da Roberto Garofoli – Neldiritto Editore ultima edizione - Codice penale e di procedura penale e leggi complementari – I codici nel diritto plus di G. Alpa e R. Garofoli – Nel Diritto Editore ultima edizione</p>
<p>Notes, additional materials</p>	<p>Le interferenze del processo penale con il Processo Tributario – "L' Essere e il Tempo dei due riti" - a cura di: V. Garofoli – G. Riccio- A. Uricchio – F. I. Garofoli – Neldiritto Editore- I edizione</p>
<p>Repository</p>	<p>Materiale di studio (sentenze della Cassazione) sarà fornito in aula</p>
<p>Assessment</p>	<p>The lectures will be complemented by seminars on specific issues as well as by a constant activity of teaching tutorials to</p>

	monitor the level of understanding and verification of the knowledge of attending and non - attending students
Assessment methods	
Assessment criteria	<ul style="list-style-type: none">• <i>Knowledge and understanding</i>• Students must have a good knowledge of the topics covered also in terms of European legislation during teaching and be able to consciously use the tools acquired with language properties and with the ability to consult and understand the standard, legislative and jurisprudential sources.
Final exam and grading criteria	<p>The student's abilities will be verified during lectures and seminars through the formulation of questions, both at the end of the course, through the performance of the final exam, conducted in oral form.</p> <p>Il voto finale è attribuito in trentesimi. L'esame si intende superato quando il voto è maggiore o uguale a 18</p>
Further information	
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