

CRIMINAL LAW II

(F/O)

Academic Year 2017/2018

Prof. Giuseppina Panebianco

◆ Training objectives

The aim of lecture course is to provide students with the knowledge of main crimes by examining individual criminal offenses grouped by homogeneous sectors. The lecture course also aims to encourage learning of analysis method regarding crimes, according to constitutional principles in criminal matter and in combination with the provisions of Criminal Code general part.

◆ Prerequisite

The prerequisite is to pass the exam of criminal law I.

◆ Course content

During the course individual criminal offenses concerned by the syllabus are analysed, with reference to scientific literature on the subject as well as to the case-law development.

SYLLABUS

1) Offences against the Administration

Basics; embezzlement by a public official; extortion by a public official; corruption offences; trading in influence; misfeasance by a public official; refusal to comply with official duties; nonfeasance by a public official; duress, threats and resistance towards a representative of public authority; legitimate reaction to public official's arbitrary acts.

2) Offences against the administration of justice

Basics; simulation of crime; false reporting against innocent; false informations to the Prosecutor; false statements to the Attorney at law; perjury; offences of aiding; excuse under article 384 of Criminal Code.

3) Offences against the public order

Basics; offences of criminal solicitation; offences of criminal conspiracy; vote exchange between politics and Mafia; assistance to criminal conspiracy members.

- 4) Offences against public faith
Basics; crimes regarding documents forgery
- 5) Offences against the person
 - a) Offences against life and individual safety: murder; manslaughter; unintended homicide; death as result of another crime; particular types of murder (infanticide, murder of assenting, offences related to committing suicide); beatings, bodily injury and grievous bodily injury; brawl.
 - b) Offences against honour.
 - c) Offences against personal freedom: abduction.
 - d) Offences against sexual freedom.
 - e) Offences against moral freedom: stalking.
- 6) Offences against the property: theft; burglary and bag snatching; embezzlement; robbery; usury offences.

RECOMMENDED TEXTS

- a) For points **from 1 to 4** of the syllabus: FIANDACA-MUSCO, *Diritto penale. Parte speciale*, vol. I, 5^a ed., Zanichelli, Bologna, 2012: pp. 155-197; 206- 257; 266-272; 287-295; 310-316; 343-347; 359-390; 404-415; 422-425; 473-500; 551-559; 584-610; 615-618.

Note: the updating addenda related to the offences against the Public Administration can be downloaded from the publisher website.

(<http://giuridico.zanichelli.it/fileadmin/catalogo/assets/a05.9788808190611.pdf>).

It is also available on the webpage *E-Learning* relating to the lecture course of criminal law II (F/O).

- b) For **point 5** of the syllabus: FIANDACA-MUSCO, *Diritto penale. Parte speciale*, vol. II, tomo I, (I delitti contro la persona), IV ed., Zanichelli, Bologna, 2013: pp. 1 pp. 1-12; 18-47; 63-76; 81-84; 95-98; 104-122; 193-200; 224-272.
- c) For **point 6** of the syllabus: FIANDACA-MUSCO, *Diritto penale. Parte speciale*, vol. II, tomo II, (Delitti contro il patrimonio), 6^a ed., Zanichelli, Bologna, 2014: pp. 22-80; 92-96; 101-116; 118-139; 227-243.

Students are required to complement the study subject using an **updated Criminal Code**. To this purpose it is recommended: *Codice penale e normativa complementare*, a cura di C.E. Paliero, Raffaello Cortina Editore.

NOTE

Students are required to use the **latest edition of the recommended texts**. **Supplementary didactic materials** will be provided before the lectures to ensure constructive participation at the course. These materials will be made available on the webpage *E-Learning*.

◆ Teaching methods

Traditional lectures during which students have the opportunity to contribute through comments and questions.

◆ Teach check mode

The acquisition of learning results is verified with a final oral examination. The exam consists of a set of questions relating to fundamental parts of the program. The candidate is required to demonstrate an appropriate level of knowledge and understanding, critical maturity, the skill to solve specific legal problems and correct communication skills (particular attention will be given to the appropriate use of technical terms). The acquisition of the subject is assessed by numerical rating (18/30 – 30/30).