

COURSE OF STUDY: *Law*
ACADEMIC YEAR: 2024-2025
ACADEMIC SUBJECT: *Criminal Enforcement Law*

General information	
Year of the course	1st year as an optional exam with eligibility - 4th year as an optional exam with grade
Academic calendar (starting and ending date)	Second Semester (24 February 2025 – 30 May 2025)
Credits (CFU/ETCS):	6
SSD	Criminal procedure law IUS/16
Language	Italian
Mode of attendance	Not compulsory

Professor/ Lecturer	
Name and Surname	Lorenzo Pulito
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Telephone	
Department and address	Via Duomo 259, Taranto
Virtual room	Microsoft Teams, access code - gm3gy1x
Office Hours (and modalities: e.g., by appointment, on line, etc.)	On Thursday, from h 12.00 to h 13.00, at the Department office (room n. 9, first floor) or on Teams according to student's requirements

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
150	48		102
CFU/ETCS			
6	6	0	

Learning Objectives	In addition to the institutional and theoretical preparation about the fundamentals of the topics, the course proposes the teaching of a study method for the practical issues of criminal procedure related to the execution phase, to be approached in a critical way. The classes will be delivered through the reading of codes with comments as well as national and supranational jurisprudence.
Course prerequisites	Criminal law exam passed

Teaching strategies	
Expected learning outcomes in terms of	
Knowledge and understanding on:	At the end of the course, students should be able to know the normative sources of criminal enforcement law and prison law and be able to understand the essential aspects of the executive system.
Applying knowledge and understanding on:	Students should be able to use the notions and knowledge acquired, making connections between theory and practice, or to apply the principles that govern criminal enforcement when interpreting procedural rules and prison regulations, also through the examination of substantive case law and Supreme court case

	law.
Soft skills	<ul style="list-style-type: none"> • <i>Making informed judgments and choices</i> Students should be able to independently deepen the concepts learned, in order gradually to acquire a full maturity and autonomy of judgment. • <i>Communicating knowledge and understanding</i> Communicating knowledge and understanding Students should be able to transmit the contents learned in a clear and comprehensible way to everybody, having acquired adequate communication, relational and social skills useful for building communication between different subjects. • <i>Capacities to continue learning</i> Students should acquire the ability to refine and deepen their knowledge, through independent continuous study and skills update.
Syllabus	
Content knowledge	<p>The final judgement: general features. Formal aspects of the final judgement: the irrevocability and the enforceability of the sentences. Substantial aspects of the final judgement: the <i>ne bis in idem</i> principle. The effectiveness of the final judgement beyond the criminal field.</p> <p>The enforcement procedure for final judgements. Enforcement bodies. The role of the Public Prosecutor in the enforcement of judicial measures. The enforcement procedure. Issues concerning the enforceable measures. The continuation procedure <i>in executivis</i>. The sentence revocation as consequence of <i>abolitio criminis</i>.</p> <p>The prison system. The normative sources and the re-educational purposes of the sentence. The Surveillance Court: bodies and competences. The surveillance process. The claims. Alternative measures to detention, the reward-awarding and special measures. The severity measures (art.41 bis penitentiary law). The indulgence provisions (amnesty, pardon, clemency).</p> <p>Special attention will be paid to the thoughtful regulatory and case-law changes (there included international ones) recently occurred, in particular with regard to the cases of "illegal" punishment and the safeguard of the rights of the prisoner.</p>
Texts and readings	<p>A. SCALFATI-A. BERNASCONI-A. DE CARO- M. MENNA-C. PANSINI-A. PULVIRENTI-N. TRIGGIANI-C. VALENTINI-D. VIGONI, <i>Manuale di Diritto Processuale Penale</i>, 4 ed., Giappichelli, Torino, 2023, pp. 987-1076</p> <p>It is also recommended the use of the code below:</p> <p>H. BELLUTA-M. GIALUZ-L. LUPARIA (a cura di), <i>Codice sistematico di procedura penale</i>, 6 ed. updated, Giappichelli, Torino, 2023</p> <p>Recommended reading: L. CAMALDO, <i>La tutela delle persone in vinculis</i>, in N. TRIGGIANI (a cura di), <i>Informazione e giustizia penale. Dalla cronaca</i></p>

	giudiziaria al “processo mediatico”, Cacucci, Bari, 2022, pp. 385-404.
Notes, additional materials	Examples of websites useful for consultation <ul style="list-style-type: none"> • www.ristretti.it • www.processopenaleegiustizia.it
Repository	The teaching material is available on Teams with access code gm3gy1x

Assessment	
Assessment methods	Final exam consists of an interview concerning the topics object of the course program.
Assessment criteria	<ul style="list-style-type: none"> • <i>Knowledge and understanding</i> The evaluation criteria in use aim at verifying that the students have effectively acquired the methodology necessary to know and understand the institutes indicated in the program. • <i>Applying knowledge and understanding</i> The evaluation criteria in use aim at verifying that the students have effectively acquired the methodology necessary to apply the knowledge and understanding of the institutes indicated in the program, to be considered in the current historical context; special focus on most significant literature sources on specific 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. • <i>Autonomy of judgment</i> The evaluation criteria in use aim at verifying the effective acquisition and development, by the students, of the critical reasoning capacity with reference to the institutes object of the program, also through the analysis of the most innovative case-law. • <i>Communicating knowledge and understanding</i> The evaluation criteria used aim at verifying the students’ effective acquisition of the ability to organize their knowledge in discourses and to discuss doctrinal and jurisprudential theories, so as to be able to communicate them through a clear, effective and straightforward vocabulary when interacting both during the classes or during the final exam. • <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, for mastering the topics, for critically studying the main institutes object of the program and examining the doctrine and the most innovative case-law on the topics object of study.
Final exam and grading criteria	The final mark is given on a 30/30 basis. The minimum passing grade is 18/30 to be obtained by answering the questions clearly and correctly. The final mark will be granted based on the knowledge accuracy of the topics of the exam discussion, also including the broader framework of the subject topics; the ability of express ideas correctly; the correct use of the subject general and specific legal language; the analytical ability and the ability to apply knowledge to solve the proposed problems.

	In case of achievement of the score of 30/30 the student may be entitled to the Honors in case of high-quality performance.
Further information	
	Students can submit their request for thesis assignment directly to the teacher after successfully passing the exam at least 6 months before the scheduled graduation session. Attending students will have preference on assignment.