**NEW TECHNOLOGIES CRIMINAL LAW**

**IUS 17 (a.a. 2018 – 2019)**

**36 h. (6 credits)**

**Dr. Roberto Flor (coordinator: 3 credits)**

**Dr. Ivan Salvadori (3 credits)**

**LEARNING OUTCOMES**

The course will provide the conceptual, methodological and cultural basis to analyze and study the “ICTs Criminal Law”, cybercrimes and computer-related crimes and the “technological investigations”, developing the capacity in using correct and specific language and discourse. Students will gain, following this method and in subiecta materia, legal and technical expertise both on substantive criminal law and procedure criminal law levels.

The course will study the new illegal phenomena related to the use of the new technologies and Internet, also through social networks (for example: online defamation, frauds - connected to online banking, phishing, identity theft - privacy violation, copyright infringement, child pornography, child grooming, cyberterrorism, cyber laundering).

The course will analyze, taking into consideration real cases, the applicable criminal law, in particular for illegal activities down to the new concept of “cybercrime”, which is a transnational and global crime. For this reason it’s necessary to analyze the most important international and European legal sources (Cybercrime Convention and Lanzarote Convention of the Council of Europe, European directives on: attack against information systems, child pornography, intellectual property, e-commerce and privacy)

Special attention will be given to the Internet Service Providers criminal liability, subject of recent European Court of Justice and Italian Corte di Cassazione judgements (cases Google, Netlog etc.).  
In this area particular attention will be paid to the need to regulate the collection of data and the digital evidence, which are becoming increasingly important for the detection and prosecution of every criminal offence, not only “cybercrime”

**SYLLABUS**

The course is divided into 3 parts:

1. The analysis of the criminal code and its amendments, also in order to implement international conventions and the European law, in particular: computer related frauds, damages, computer forgery, illegal access, illegal interception.

2. Criminal offences provided by special law (privacy protection and intellectual property protection)

3. Illegal use of Internet, in particular online defamation, child pornography, child grooming, crimes committed through social networks, Internet Service Providers and bloggers criminal liability

**TEACHING METHODS**

Language of teaching for this course is Italian. All literature and auxiliary materials are also in Italian.

Teaching methods are different with regard to students who will attend the course, due to repeated legislative interventions and different interpretation in jurisprudence, also at supra-national level. For students who will attend the course the methods will consist in frontal lectures about the basis and fundamental categories of “ICTs Criminal Law” and specific workshops on the recent, important and different interpretation in jurisprudence.

Specific works and articles and recent judgements will be published through on line e-learning.  
During the academic year students may contact professors and use their students timetable (date of receipt). See the website of the Department

With regards to students who will not attend the course, the methods consist in the support of professors for an up to date study, available also through online information. After online registrations students may access to e-learning materials.

Students who attend the course can develop also short papers, in agreement with professors, replacing parts of the program.

**REFERENCE BOOKS**

CADOPPI A., CANESTRARI S., MANNA A., PAPA M., Cybercrime, Utet, Torino, 2018

**Auxiliary Materials**

The material provided by the professors throughout the entire course and available on the University e-learning platform represents the primary studying resource for students attending classes.

The regular consultation of the Italian penal code (updated to the last reforms) and case-law is warmly recommended.

**ASSESSMENT METHODS AND CRITERIA**

The oral exam has the following goals:

Level and depth of study and understanding

Language properties

Capacity to connect systematically the understanding

Analitycal and arguing ability

Grades are awarded on a scale from 18 to 30, where 30 is the highest grade and 18 is the lowest grade to pass the exam. In case of an excellent knowledge, a high level of linguistic accuracy and an argumentative, reasoning and problem-solving capacity the candidate may earn the highest grade with “cum laude” honor