

Penology

Code: 100462
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OB	3	2

Contact

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Use of languages

Principal working language: spanish (spa)
Some groups entirely in English: No
Some groups entirely in Catalan: No
Some groups entirely in Spanish: Yes

Other comments on languages

One seminar will be taught in English if there are students interested

Prerequisites

There are no requests.

Objectives and Contextualisation

Looking at criminological topics, community sentences are characteristic of criminal justice systems beyond Europe and they have been a relevant topic the last decades. The aim of this subject - penology, alternatives to imprisonment- is to give an approach to the alternative system to imprisonment in Spain and in particular in Catalonia.

Skills

- Ability to analyse and summarise.
- Applying an intervention proposal about a person serving a sentence.
- Carrying out the criminological intervention on the basis of the values of pacification, social integration and prevention of further conflicts.
- Drawing up an academic text.
- Formulating research hypothesis in the criminological field.
- Identifying the most appropriate and effective penal intervention for each particular case.
- Reflecting on the foundations of criminology (theoretical, empirical and ethical-political ones) and expressing this in analysis and propositions.
- Students must demonstrate they know a variety of criminal policies in order to face criminality and its different foundations.
- Verbally transmitting ideas to an audience.
- Working autonomously.
- Working in teams and networking.

Learning outcomes

1. Ability to analyse and summarise.
2. Accurately applying the most efficient criminal proceedings to the criminal act.
3. Applying the appropriate foundations of criminal policy depending on the type of crime observed.
4. Applying the scientific and criminological knowledge to the punishment studies.
5. Carrying out penology researches with well-formulated hypothesis.
6. Drawing up an academic text.
7. Inferring those criminological proceedings that try to avoid criminal relapse.
8. Suggesting the correct action that should be applied in a penal execution.
9. Verbally transmitting ideas to an audience.
10. Working autonomously.
11. Working in teams and networking.

Content

Bloc 1: Introduction to punishment and community sanctions.

Theme 1. Introduction: criminology and punishment.

Theme 2. Origins and evolution of punishment: historical perspective.

Theme 3. Theories on the justification of punishment

Theme 4. Punishment and punitive attitudes towards punishment.

Theme 5. Community punishments in Spain: Characteristics and evolution.

Theme 6. Community sanctions in the new criminal code CP 2015 and its application.

Theme 7. Implementation of community Sanctions in Catalonia.

Bloc 2: Community Sanctions in particular in the Spanish context.

Theme 8. Sanctions without intervention: suspended sentences, fines and disqualifications.

Theme 9: Community sanctions: probation.

Theme 10. Community sanctions: Community service.

Theme 11. Victim-Offender Mediation and other forms of Restorative Justice.

Theme 12. Curfew and Electronic monitoring.

Theme 13. Extended sanctions for dangerous offenders.

Theme 14. Prevention measures for mentally disordered offenders and others.

Theme 15. Criminologists as advisors: criminological reports*.

*This topic is developed during seminars.

Methodology

a) Lectures consist on the exposition -by the lecturer- of the topics list on the programme. Students may interact and discuss about the different topics explained. References linked to the topic need to be read in advance in order to get involved in the discussion.

b) Seminars consist on the performance of dynamics and role playings in order to simulate real cases and situations linked to the community sanctions enforcement. Debates based on theoretical topics and critical and reflexive comments about some of the compulsory readings may be part of seminars sessions as well.

c) Organization. The module has a time Schedule that will be facilitated to the students at the beginning of the semester. It includes weekly organization within the activities, in and outside of class.

Activities

Title	Hours	ECTS	Learning outcomes
Type: Directed			
Lectures	24	0.96	2, 4, 5, 7, 8
Type: Supervised			
Seminars	24	0.96	2, 4, 7, 8, 9, 10, 11
Type: Autonomous			
Group activities	42	1.68	2, 4, 5, 7, 8, 6, 1, 9, 11
Mid-term and final exam preparation	30	1.2	2, 4, 7, 8, 1, 10
Reading preparation	30	1.2	2, 4, 3, 5, 7, 8, 1, 10

Evaluation

The evaluation system for this module is based on the combination of several activities, including individual and group work. In order to pass the module it is compulsory to get a 5 on average between the two exams. The average of the module needs to be over five as well.

Individual activities (80%).

a) Exams (50%). There is a mid-term exam, assessing the topics belonging to the first bloc (25%); and a final exam, including only the topics listed on the second bloc (25%). In order to pass the module it is compulsory to get a 5 on average between the two exams.

b) Participation. Oral, active and reflective participation showing arguing abilities are part of the evaluation during the seminars (15%).

c) Report. Students have to write a Criminological Report about one of the cases part of the seminar file (10%).

d) Attendance. Attendance to the module - lectures and seminars- is compulsory (100%). The minimum required in order to be evaluated is the 80%. Justified absences need to be documented and will not count as non attended. Justified causes are linked to illness or mayor causes not allowing the Student attending the module. Activities linked to the university do not count neither as an absence.

Group Project (20%).

It is a class and group project that will be developed in small groups in order to distribute the tasks, but with a commun aim: studying the visibility of the community sanctions in our criminal system and in the society. In order to develop the project different perspectives will be taken into account: professionals, academics, criminologists, and if possible offenders or ex-offenders having accomplished with an alternative to imprisonment. The development of the project may require literature review and a research design and its development. Finally, oral presentations will be prepared by the different groups to the rest of the class. Organising an open research session to share results with the rest of the university community, professionals, academics and people interested may be a final aim of the project.

- Written version of the project (15%)

- Oral presentation (5%) (group and individual evaluation)

Resit.

In order to pass the module students may need to get a Pass - 5 or more- in the final mark. Students may have the possibility to resit any of the assessed activities in order to pass the module, before the academic year ends and during the second semester period.

Plagiarism and Cheating.

Cheating during an exam may imply a fail -0- and the impossibility to take the resit exam. Students may need to register the module the following academic year. According to the Law school and University rules, plagiarism is forbidden and punished. Plagiarising any of the activities of the module cannot be resat and may imply a fail of the activity -0-. In case of detecting plagiarism in more than one activity, students may fail the whole module.

Evaluation activities

Title	Weighting	Hours	ECTS	Learning outcomes
Group tasks	20%	0	0	2, 4, 3, 5, 7, 8, 6, 1, 9, 10, 11
Individual tasks	80%	0	0	2, 4, 3, 5, 7, 8, 6, 1, 9, 10

Bibliography

Compulsory readings are the basis for the module preparation and evaluation. They will be discussed in class and part of questions in the exams. At the beginning of the semester students will be announced if there are any changes in terms of literature to read.

Compulsory reading

Bloc 1.

Reading 1. Díaz Cortés, L. M. (2007). Algunas consideraciones sobre el castigo: una perspectiva desde la sociología. En Balmaceda, G. (Coord.) *Problemas actuales de derecho penal*, 187-222. Santiago de Chile: Ediciones Jurídicas de Santiago. Available: http://gredos.usal.es/jspui/bitstream/10366/18512/1/DDPG_AlgunasConsideracionesCastigo.pdf

Reading 2A. Cid, J. (2009). La justificación del Castigo. En *La elección del castigo*. Barcelona: Bosch, 29 - 48. (copistería)

Reading 2B. Cid, J. (2017). ¿Un derecho penal sin pena de prisión?. En Silva, J., Queralt, J., Corcoy, Mirentxu., Castiñeira, M. Teresa. (Coords). *Estudios de derecho penal. Homenaje al Profesor Santiago Mir Puig*, 41-54

Reading 3. Varona, D. (2009). ¿Somos los españoles punitivos? Actitudes punitivas y reforma penal en España. *Indret, Revista para el análisis del derecho*, 1-31. Available: <http://www.indret.com/pdf/599.pdf>

Reading 4. Díez-Ripollés, J.L. (2006). La evolución del sistema de penas en España. 1975 -2003. *Revista Electrónica de Ciencia Penal y Criminología*, 7-25. Available: <http://criminnet.ugr.es/recpc/08/recpc08-07.pdf>

Reading 5. Villacampa, Carolina. (2016). Las alternativas a la prisión en la reforma de 2015. Landa, J.M (Dir). *Prisión y alternativas en el nuevo Código Penal tras la reforma 2015*, 171-198 . Oñati: Instituto Internacional de Sociología jurídica de Oñati. (copistería)

Bloc 2.

Reading 6. Ayala, J.M; Echano, J.I. (2016). La suspensión de la pena tras la LO 1/2015. Landa, J.M (Dir). *Prisión y alternativas en el nuevo Código Penal tras la reforma 2015*, 199-224. Oñati: Instituto Internacional de Sociología jurídica de Oñati. (copistería)

Reading 7a. Larrauri, Elena., Anton, Lorena. (2009). Violencia de género ocasional: análisis de las penas ejecutadas. *Revista Española de Investigación Criminológica*, 7 (2), 1-26. Available: <http://www.criminologia.net/pdf/reic/ano7-2009/a72009art2.pdf>

Brief reading 7b-. Trasovares, M., Hilterman, E. (2010). ¿Cómo conducimos después de un programa formativo de seguridad vial?. *Invesbreu*, 50. Barcelona: Centre d'Estudis Jurídics i Formació Especialitzada. Available: <http://www20.gencat.cat/docs/Justicia/Documents/Invesbreu50.pdf>

Brief reading 7c-. Pérez, M. - Martínez, M. (2010). Evaluación de los programas formativos aplicados desde la ejecución penal en la comunidad en delitos de violencia de género. *Invesbreu*, 49. Barcelona: Centre d'Estudis Jurídics i Formació Especialitzada. Available: <http://www20.gencat.cat/docs/Justicia/Documents/ARXIUS/invesbreu49.pdf>

Reading 8. Zorrilla, Nahia.(2013). La suspensión especial para drogodependientes. ¿ existen posibilidades para una mejor aplicación? Obstáculos y orientaciones de futuro. *Eguzkilo*, 27 (121-114). Available: <http://www.ehu.eus/documents/1736829/3202683/09-Zorrilla.pdf>

Reading 9. Contreras, María. (2013). El potencial rehabilitador de la pena de trabajos en beneficio de la comunidad: revisión de la evidencia empírica y análisis de la percepción de una muestra de penados. *VIII congreso nacional de investigación sobre violencia y delincuencia*, (1) 243 - 263. Santiago de Chile: Fundación Paz Ciudadana. Available: <http://www.pazciudadana.cl/wp-content/uploads/2014/06/congreso-tomo-1-alta.pdf>

Reading 10. Guimerá, A. (2005). La mediación-reparación en el derecho pena de adultos: un estudio sobre la experiencia piloto de Catalunya. *Revista Española de Investigación Criminológica*, 3 (5), 1-22. Available: <http://www.criminologia.net/pdf/reic/ano3-2005/a32005art3.pdf>

Reading 11. Torres, Núria. (2012). Contenido y fines de la pena de localización permanente. *Indret: Revista para el Análisis del Derecho*, 1, 1-31. Available: http://www.indret.com/pdf/868_1.pdf

Reading 12. Daunis, A. (2016). La ejecución de las penas alternativas a la prisión. La multa, la localización permanente y los Trabajos en beneficio de la comunidad. En *Ejecución de penas en España. La reinserción social en retirada*, 12 (295 -320) Granada: Comares. (copistería)

Reading 13a. Daunis, A. (2016). La libertad vigilada. Su ejecución en ámbito de sujetos imputables. En *Ejecución de penas en España. La reinserción social en retirada*, 10 (259-273). (copistería)

Reading 13b. Otero, Pilar. (2016). La libertad vigilada aplicada a sujetos peligrosos. Landa, J.M (Dir). *Prisión y alternativas en el nuevo Código Penal tras la reforma 2015*, 85-122. Oñati: Instituto Internacional de Sociología jurídica de Oñati. (copistería)

Reading 14a. Urruela, A. (2016). El sistema de medidas de Seguridad en España a la luz del proceso de reforma penal (2012-2015). Landa, J.M (Dir). *Prisión y alternativas en el nuevo Código Penal tras la reforma 2015*, 147-170. Oñati: Instituto Internacional de Sociología jurídica de Oñati. (copistería)

Reading 15. Departament de Justícia (2016). *La reincidencia en medidas penales alternativas 2015 - resumen ejecutivo*, 1-14. Barcelona: Centre d'Estudis Jurídics i Formació Especialitzada. Available: http://www.recercat.cat/bitstream/handle/2072/261095/reinc_mesures_penals_alternatives_resumexec_cast.pdf?

*Report Reading. Larrauri, Elena. (2012). La necesidad de un informe social para la decisión y ejecución de las penas comunitarias. *Boletín Criminológico*, 139, 1-5. Available: <http://www.boletincriminologico.uma.es/boletines/139.pdf>

General References

Cid, J. (2009). *La elección del castigo*. Barcelona: Bosch.

Cid, J y Larrauri, Elena.(1997). *Penas alternativas a la prisión*. Barcelona: Bosch

Cid, J., Larrauri, Elena. (Cords). (2002). *Jueces penales y penas en España.(Aplicación de las penas alternativas a la privación de libertad)*.Valencia: Tirant lo blanch.

Departament de Justícia (2016). *Lareincidencia en medidas penales alternativas 2015 (informe)*. Barcelona: Centre d'Estudis Jurídics i Formació Especialitzada. Available: http://justicia.gencat.cat/web/.content/home/ambits/formacio__recerca_i_docum/recerca/cataleg_d_investigacion

Larrauri, Elena., Blay, Ester. (2011). *Penas comunitarias en Europa*. Madrid: Trotta.

Varona, D. (2013). El sistema punitivo español: rasgos generales, PID_00202686. Barcelona: Universitat Oberta de Catalunya, UOC.

Varona, D. (2013). Funcionamiento y evolución del sistema punitivo español, PID_00202687. Barcelona: Universitat Oberta de Catalunya, UOC.

Varona, D. (2013). La lógica del sistema punitivo: modelos punitivos, PID_00202688. Barcelona: Universitat Oberta de Catalunya, UOC.

Varona, D. (2013). Modelos punitivos en acción, PID_00202689. Barcelona: Universitat Oberta de Catalunya, UOC.

Extra reading

Extra literature in english may be offered to Exchange Students to complement and facilitate the comprehension of the module. In case you are in that situation email the module convenor (anna.melendez@uab.cat).

Aebi, M., Delgrande, Natalia., Marguet, Y. (2015). Have community sanctions and measures widened the net of the European criminal justice system?. *Punishment & Society*, 17 (5) 575-597.

Blay, Ester. (2006). 'It Could be us': recent transformations in the use of community service as a punishment in Spain. *European Journal of Probation*, 2 (1) 62-81.

Blay, Ester. (2008). Work for the benefit of the community as a criminal sanction in Spain. *Probation Journal*, 55 (3) 245-258.

Blay, Ester., Larrauri, Elena. (2016). Community punishment in Spain. A tale of two administrations. In Robinson, Gwen., McNeil, F. (Eds). *Community punishment*. European perspectives. COST. London: Routledge.

Cid, J. (2005). Suspended sentences in Spain: Decarceration and recidivism. *Probation Journal*, 52 (2) 169-179.

Cid, J. (2009). Is imprisonment Criminogenic? A comparative Study of Recidivism Rates between Prison and Suspended Prison Sanctions. *European Journal of Criminology*, 6 (6) 459-480.

McIvor, Gill., Beyens, Kristel., Blay, Ester., Boone, Miranda. (2010). Community Service in Belgium, the Netherlands, Scotland and Spain: a comparative perspective. *European Journal of Probation*, 2 (1) 82-98.