

Criminal Justice Policy

Code: 100445
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OB	3	1

Contact

Name: Daniela Gaddi
Email: daniela.gaddi@uab.cat

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 of the seminars will be held in Catalan

Teachers

Joan Baucells Lladós

Prerequisites

There are no prerequisites to enroll in this course. However, it is recommended students pass "Criminal Law" and "Introduction to Law" with an above average mark.

Objectives and Contextualisation

This course aims to develop students' ability to identify institutional approaches to crime as complex political decisions involving different inputs and interests, which go beyond the effectiveness of crime prevention policies. Moreover, the course intends to encourage critical thought about the principles, the motivations, the aims, the functions and the ideologies in regard to crime policy options. Finally, at the end of the course students should be able to identify the current trends in crime policy, as defined by relevant literature, and to match them with specific political decisions (on issues such as terrorism, gender violence, drugs, immigration, petty property offences and sexual offences).

Competences

- Ability to analyse and summarise.
- Drawing up an academic text.
- Generating innovative and competitive proposals in research and professional activity.
- Reflecting on the foundations of criminology (theoretical, empirical and ethical-political ones) and expressing this in analysis and propositions.
- Students must be capable of autonomously updating their criminological knowledge.
- Students must demonstrate they comprehend the criminological theories.

- 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. Applying the variety of criminal policies and their foundations in the criminological field.
3. Drawing up an academic text.
4. Effectively using the theoretical foundations of criminology.
5. Generating innovative and competitive proposals in research and professional activity.
6. Inferring the scientific knowledge of criminology in the applied field.
7. Students must show interest for the scientific updates in the criminological field.
8. Verbally transmitting ideas to an audience.
9. Working autonomously.
10. Working in teams and networking.

Content

- Topic 1: Conceptual approach: "Crime policy", "Criminology", "Criminal Law Policy" and "Criminal law"
- Topic 2: The transformation of the State and different models of Crime Policy
- Topic 3: Limits to Crime Policy in a social and democratic State subject to the rule of law
- Topic 4: Characteristics of contemporary Crime Policy: The crisis of penal *welfarism*
- Topic 5: Trends in contemporary Spanish criminal law
- Topic 6: Criminology and its influence on Crime Policy
- Topic 7: The influence of the media and lobbies on Crime Policy
- Topic 8: The influence of Supranational Organizations on Crime Policy
- Topic 9: Crime Policies at the federal and local levels
- Topic 10: Crime Policy at the judicial and penitentiary level
- Topic 11: Trends in contemporary Crime Policy: the restorative paradigm

Methodology

Introductory session. Part of the first lesson will be devoted to explaining objectives, methodology and evaluation criteria.

Lectures. Lectures will present the theoretical aspects of each topic of the course.

Individual work. Students will be expected to study the assigned readings in order to strengthen and deepen their understanding of the readings. In other words, students should not only study the notes they take during lectures but should also broaden their knowledge of each topic of the course by making use of the provided bibliographic material.

Workshops. The workshops will usually be devoted to working in group on case studies, in order to strengthen theoretical knowledge. Some of the workshops will be specifically devoted to work on compulsory readings in a shared and creative way.

Tutorials. Students will be offered personal tutorials, both to clarify some doubts about specific topics of the course and to discuss their on-going evaluation process.

All the activities described above will be complemented with conferences offered by experts who will provide students with practical examples of some of the topics of the course.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lecture Classes	18	0.72	2, 6, 7
Workshops	18	0.72	2, 6, 7, 1, 8, 10
Type: Autonomous			
Individual work and group work	109	4.36	2, 6, 7, 3, 1, 8, 9, 10

Assessment

Attendance. Attendance to lectures and workshops is compulsory. Therefore, a student who does not attend at least 80% of the course will not be assessed. Absences will be allowed only in case of medical reasons or outstanding circumstances. An absence note will be required. Any academic reason for absence should be previously authorized by the professor. Attendance will be supervised on lectures and workshops.

Punctuality. Classes start on time. Late arrival or early exit is not admitted.

Evaluation. Students will be assessed according to the following items:

1) Continuous evaluation

- One exam will check the students' understanding and knowledge of bibliographic and lectures material and will consist in drawing up a paper (30% of the final mark)
- Students will work on a group project concerning a crime policy intervention (30% of the final mark)

2) Final exam

- The final exam will check the students' understanding and knowledge of all course's contents and will consist of a multiple choice exam (40% of the final mark).

Each activity will be graded on a scale from 1 to 10. In order to pass the course, students will need to obtain an average of 5 or above for any of the evaluated activities. Students who do not obtain the minimum mark will be able to resit for that activity during the reassessment period.

Active participation. Active participation, which demonstrates that students have achieved an above average mastery of the course material and objectives, will be positively evaluated.

Cheating. Cheating at any evaluation activity will imply a fail mark (0) and students will lose the right to a new assessment. Plagiarism will lead to a fail mark (0) and to a warning. In the case of reoccurrence, the student will be given a fail mark (0) and will lose the right to resit.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Exam (group work)	30%	0	0	2, 5, 6, 7, 3, 1, 8, 9, 10, 4
Final exam (test)	40%	5	0.2	2, 6, 3, 1, 9
Group project	30%	0	0	2, 6, 7, 3, 1, 8, 10

Bibliography

Mandatory readings

Topic 1: Conceptual approach: "Crime policy", "Criminology", "Criminal Law Policy" and "Criminal law"

Class material

Topic 2: The transformation of the State and different models of Crime Policy

- Borja-Jiménez, E. (2011), Evolución del Estado y evolución de la Política Criminal. In E. Borja-Jiménez, *Curso de Política Criminal* (pp. 33-59). Tirant Lo Blanch

Topic 3: Limits to Crime Policy in a social and democratic State subject to the rule of law

Class material

Topic 4: Characteristics of contemporary Crime Policy: The crisis of penal *welfarism*

- Garland, D. (2020). Penal controls and social controls: Toward a theory of American penal exceptionalism. *Punishment & Society*, 22(3), 321-352. <https://doi.org/10.1177/1462474519881992>

Topic 5: Trends in contemporary Spanish criminal law

Class material

Topic 6: Criminology and its influence on Crime Policy

- Welsh, B. C. & Farrington, D. P. (2011). Evidence-based crime policy. In M. Tonry (Ed.), *The Oxford Handbook of Crime and Criminal Justice* (pp. 60-92). Oxford University Press
- Díez-Ripollés, J.L. (2021). La utilidad política criminal del instrumento RIMES. In Ana Isabel Cerezo-Domínguez (Coord.). *Política criminal y exclusión social* (pp. 103-118). Tirant Lo Blanch

Topic 7: The influence of the media and lobbies on Crime Policy

- Varona-Gómez, D. (2011). Medios de comunicación y punitivismo. *Indret. Revista para el Análisis del Derecho*, 1, 1-34. http://www.indret.com/pdf/791_1.pdf

Topic 8: The influence of Supranational Organizations on Crime Policy

Class material

Topic 9: Crime Policies at the autonomic and local level

- Fernández-Bessa, Cristina & Di Masso-Tarditti, A. (2018). Diez años de civismo "a golpe de ordenanza": Estudio sobre la aplicación de la ordenanza de convivencia en el espacio público de Barcelona. *Barcelona Societat. Revista de investigació y anàlisi social*, 22, 1-21. https://ajuntament.barcelona.cat/dretssocials/sites/default/files/revista-castellano/03_fernandez_bessa_pr

Topic 10: Crime Policy at the judicial and penitentiary level

- García-España, E. & Díez-Ripollés, J.L. (Dirs.) (2011). *Realidad y Política penitenciaria*. Tirant Lo Blanch. <http://www.oda.uma.es/informes/Informe-ODA-2011.pdf>. Only pp. 237-245

Topic 11: Trends in contemporary Crime Policy: the restorative paradigm

- Varona, Gema (2014). Who Sets the Limits in Restorative Justice and Why? Comparative Implications Learnt from Restorative Encounters with Terrorism Victims in the Basque Country. *Oñati Socio-Legal Series*, 4(3), 550-572. <https://dialnet.unirioja.es/servlet/articulo?codigo=4824888>

Recommended readings

- Anitua, G.I. (2005). Los principios constitucionales para una política criminal del Estado social y democrático de derecho. In I. Rivera-Beiras (Coord.). *Política criminal y Sistema Penal* (pp. 289-303). Anthropos
- Borja-Jiménez, E. (2003). *Curso de política criminal*. Tirant lo Blanch
- Cid, J. & Larrauri, Elena (2001). *Teorías criminológicas*. Bosch
- del Pozo-Serrano, F. (2013). Las políticas públicas para las prisiones: Una aproximación a la acción social desde el modelo socio-educativo. *Revista de Humanidades*, 20, 63-82. <https://doi.org/10.5944/rdh.20.2013.12901>
- Díez-Ripollés, J. L. (2004). El nuevo modelo penal de la seguridad ciudadana. *Revista Electrónica de Ciencia Penal y Criminología*, 6(3), 1-34. <http://criminet.ugr.es/recpc/06/recpc06-03.pdf>
- Lea, J. & Young, J. (2001). *¿Qué hacer con la ley y el orden?*. Editores del Puerto
- Melià, C. (2006). De nuevo: ¿Derecho penal del enemigo?. In G. Jakobs & C. Melià (dirs). *Derecho penal del enemigo* (pp. 87-152). Civitas
- Pozuelo-Pérez, Laura (2013). *La política criminal mediática: Génesis, desarrollo y costes*. Marcial Pons
- Rivera-Beiras, I. (2005). Principios orientadores del Constitucionalismo social. In I. Rivera-Beiras (Coord.). *Política criminal y Sistema Penal* (pp. 157-286). Anthropos. Only pp. 204-218 and 259-275
- Sherman, L.W. (2009). Evidence and liberty: The promise of experimental criminology. *Criminology & Criminal Justice*, 9(1), 5-28. <https://doi.org/10.1177/1748895808099178>
- Sherman, L. W. (2003). Misleading Evidence and Evidence-Led Policy: Making Social Science more Experimental. *The ANNALS of the American Academy of Political and Social Science*, 589(1), 6-19. <https://doi.org/10.1177/0002716203256266>
- Silva-Sánchez, J.M. (2006). *La expansión del derecho penal*. B de F

Other useful readings

- García-Arán, Mercedes (2008). El discurs mediàtic sobre la delinqüència i la seva incidència en les reformes penals. *Revista Catalana de Seguretat Pública*, 18, 39-64. <https://www.raco.cat/index.php/RCSP/article/view/122902/170180>
- Levy, B.L. & Levy, Denise L. (2016). When Love meets hate: The relationship between state policies on gay and lesbian rights and hate crime incidence. *Social Science Research*, 61, 142-159. <https://doi.org/10.1016/j.ssresearch.2016.06.008>
- Mendoza, Blanca (2001). *El derecho penal en la sociedad del riesgo*. Civitas
- Newburn, T. & Jones, T. (2008). Symbolic politics and penal populism: The long shadow of Willie Horton. *Crime, media, Culture*, 1(1), 72-87. <https://doi.org/10.1177/1741659005050272>
- Sanz-Mulas, Nieves (2016). *Política criminal*. Ratio Legis
- Silva-Sánchez, J.M. (2017). Restablecimiento del derecho y superación del conflicto interpersonal tras el delito. *Revista de La Facultad de Derecho y Ciencias Políticas - UPB*, 47(127), 495-510. <https://revistas.upb.edu.co/index.php/derecho/article/view/8051>
- Stancu, O. & Varona, D. (2017). ¿Punitivismo también judicial?: Un estudio a partir de las condenas penales por homicidio en España (2000-2013). *Revista Electrónica de Ciencia Penal y Criminología*, 19 (12), 1-33. <http://criminet.ugr.es/recpc/19/recpc19-12.pdf>
- Walklate, Sandra (2015). Jock Young, Left Realism and Critical Victimology. *Critical Criminology*, 23(2), 179-190. <https://doi.org/10.1007/s10612-015-9274-7>
- Walgrave, L. (2011). Investigating the Potentials of Restorative Justice Practice. *Journal of Law & Policy*, 36(1), 91-139. https://openscholarship.wustl.edu/law_journal_law_policy/vol36/iss1/6
- Zane, S. N. & Welsh, B. C. (2018). Toward an "Age of Imposed Use"? Evidence-Based Crime Policy in a Law and Social Science Context. *Criminal Justice Policy Review*, 29(3), 280-300. <https://doi.org/10.1177/0887403417694068>

Software

Basic software (MS Office tools)