

**Penology**

Code: 100462  
ECTS Credits: 6

**2024/2025**

Degree	Type	Year
2500257 Criminology	OB	3

**Contact**

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**Teachers**

Judit Xufre Calafell

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**Teaching groups languages**

You can view this information at the [end](#) of this document.

**Prerequisites**

There are no requests.

The subject follows the Sustainable Development Goals (SDG)

Language of the course

Lectures: Spanish

Seminar 11 (Prof. Anna Meléndez): English

Seminar 12 (Prof. Úrsula Ruiz): Spanish

Seminar 13 (Prof. Judit Xufre): Catalan

**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.

## Competences

- 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. Origins and evolution.

Theme 2. Theories on the justification of punishment

Theme 3. The Spanish penal System: Community punishments, Characteristics and evolution (since 2015)

Theme 4. Punishment and punitive attitudes towards punishment.

Theme 5. Implementation of community Sanctions in Catalonia. The role of probation officers.

Bloc 2: Community Sanctions in the Spanish context.

Theme 6. Community sanctions: Community service.

Theme 7. Community sanctions: Probation.

Theme 8. Victim-Offender Mediation and other forms of Restorative Justice.

Theme 9. Sanctions without intervention: suspended sentences, fines and disqualifications.

Theme 10. Electronic monitoring.

Common Theme. Criminologists as advisors: criminological reports\*.

\*This topic is developed during seminars.

## Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lectures	19.5	0.78	2, 4, 5, 7, 8
Seminars	19.5	0.78	2, 4, 7, 8, 9, 10, 11
Type: Supervised			
Assessment	5	0.2	
Type: Autonomous			
Group activities	40	1.6	1, 2, 4, 5, 6, 7, 8, 9, 11
Mid-term and final exam preparation	30	1.2	1, 2, 4, 7, 8, 10
Reading preparation	36	1.44	1, 2, 3, 4, 5, 7, 8, 10

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.

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.

## Assessment

### Continuous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Group tasks	10%	0	0	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
Individual tasks	90%	0	0	1, 2, 3, 4, 5, 6, 7, 8, 9, 10

## Evaluation system

### A) Continuous evaluation

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 (90%).

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 ( 5%).

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

d) Case-based activities (25%). Seminars are based on a case-activities file and there are weekly activities to prepare and develop during seminars ( individual and in group).

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 (10%).

Students need to work on a specific community sanction in group ( methodology will be explained at the beginning of the course). Finally, oral presentations will be prepared by the different groups to the rest of the class.

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. In order to have access to the average activities and exams will need to be graded with a 4 or more.

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.

Punctuality

Lectures will start on time. It is not possible to come into class late or leave the class before the end without justification.

Not assessable students

A student may be classified as "not assessable" when he or she has not been able to provide sufficient evidence of evaluation of the subject (art. 266.9 UAB Academic Regulations). "Students will be evaluable if they have carried out a set of activities whose value is equivalent to a minimum of 2/3 of the total grade for the subject. If the value of the activities carried out does not reach this minimum, the subject teacher may consider the student as non-evaluable.

b) Unique (final) evaluation:

Students taking final evaluation may need to demonstrate having learned all the contents and skills expected for the subject. Evaluative activities may consist in different parts (exam/activity):

1. Written theoretical activity 45 %
2. Practical written activity 45 %
3. Theoretico - practical oral activity 10 %

In case of Failure it is possible to resit it.

## Bibliography

### Compulsory reading

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.

#### Bloc 1.

Reading 1. Díaz-Cortés, L. M. (2007). Algunas consideraciones sobre el castigo: una perspectiva desde la sociología. In G. Balmaceda (Ed.), *Problemas actuales de derecho penal* (pp. 187-222). Ediciones Jurídicas de Santiago.

Reading 2. Cid, J. (2009). La justificación del castigo. In *La elección del castigo*. (pp.29-48) Bosch.

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.

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.

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

#### Bloc 2.

Reading 6. Ayala, J. M & Echano, J. I. (2016). La suspensión de la pena tras la LO 1/2015. In J. M, Landa (Ed.). *Prisión y alternativas en el nuevo código penal tras la reforma 2015*, (pp.199-224). Instituto Internacional de Sociología Jurídica de Oñati.

Reading 7a-. Trasovares, M. & Hilterman, E. (2010). ¿Cómo conducimos después de un programa formativo de seguridad vial?. *Invesbreu*, 50, 1-8.

Reading 7b-. Pérez, Meritxell. & Martínez, Marian (2010). Evaluación de los programas formativos aplicados desde la ejecución penal en la comunidad en delitos de violencia de género. *Invesbreu*, 49, 1-12.

Reading 8. Zorrilla, Nahia. (2013). La suspensión especial para drogodependientes. ¿existen posibilidades para una mejor aplicación? obstáculos y orientaciones de futuro. *Eguzkilore*, 27 (121-148).

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. E. Puentes (Ed). *VIII congreso nacional de investigación sobre violencia y delincuencia*. Vol. 1 ( pp.243-263). Fundación Paz Ciudadana.

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.  
<https://doi.org/10.46381/reic.v3i0.20>

Reading 11. Torres, Núria. (2012). Contenido y fines de la pena de localización permanente. *Indret: Revista para el Análisis del Derecho*, 1, 1-31.

#### Lectures transversals

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). Comares.

Reading 13. Capdevila, M., Ferrer, M., Framis, B., Blanch, M, Garrigós, A., Batlle, A., & Mora, J.(2016). *La reincidencia en medidas penales alternativas 2015. Resumen ejecutivo*. Departament de Justícia. Centre d'Estudis Jurídics i Formació Especialitzada. <http://www.recercat.cat>

Reading 14. Blay, Ester (2019). El papel de los Delegados de Ejecución en la ejecución penal en la comunidad ¿gestores o agentes de rehabilitación? *InDret*, 4, 1-32.

Reading 15. Larrauri, Elena. (2012). La necesidad de un informe social para la decisión y ejecución de las penas comunitarias. *Boletín Criminológico*, 139, 1-5.

#### General references

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

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

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

Capdevila, M., Ferrer, M., Framis, B., Blanch, M, Garrigós, A., Batlle, A. & Mora, J.(2016). *La reincidencia en medidas penales alternativas 2015. Informe*. Centre d'Estudis Jurídics i Formació Especialitzada. <http://justicia.gencat.cat>

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

Varona, D. (2023). *El sistema punitivo español*. Atelier.

#### Literature in English

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.  
<https://doi.org/10.1177/1462474515615694>

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. <https://doi.org/10.1177/206622031000200105>

Blay, Ester. (2008). Work for the benefit of the community as a criminal sanction in Spain. *Probation Journal*, 55 (3), 245-258. <https://doi.org/10.1177/0264550508092813>

Blay, Ester & Larrauri, Elena. (2016). Community punishment in Spain. A tale of two administrations. In Gwen. Robinson, F. McNeil (Eds). *Community punishment. European perspectives* (pp. 191-208). Routledge.

Cid, J. (2005). Suspended sentences in Spain: Decarceration and recidivism. *Probation Journal*, 52 (2), 169-179. <https://doi.org/10.1177/0264550505052686>

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. DOI: [10.1177/1477370809341128](https://doi.org/10.1177/1477370809341128)

McIvor, Gill., Beyens, Kristel., Blay, Ester i Boone, Miranda. (2010). Community Service in Belgium, the Netherlands, Scotland and Spain: a comparative perspective. *European Journal of Probation*, 2(1), 82-98. <https://doi.org/10.1177/206622031000200106>

Stancu O. & Varona, D. (2020). What about judicial punitiveness? A study of homicide convictions in Spain (2000-2013). *Criminal Law Forum*, 31, 251-275. <https://doi.org/10.1007/s10609-020-09388-9>

Varona, D. & Kempt, S. (2020). Suspended Sentences in Spain: An alternative to prison or a "bargaining chip" in plea negotiations?. *European Journal of Crime, Criminal Law and Criminal Justice*, 28, 354-378. <https://doi.org/10.1177/1477370822111751>

## Software

There is no specific program for this subject

## Language list

Name	Group	Language	Semester	Turn
(TE) Theory	1	Spanish	second semester	morning-mixed