

**Criminal Law I**

Code: 102252  
ECTS Credits: 6

**2024/2025**

Degree	Type	Year
2500786 Law	FB	1

## Contact

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## Teachers

Joan Baucells Lladós

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Maria Jesus Guardiola Lago

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## Teaching groups languages

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

## Prerequisites

Dra. Guardiola Lago. SPANISH

Theory 1. SPANISH

Seminar 11. SPANISH

Theory Group 70. SPANISH

Seminar 701 ADE+Dret. SPANISH

Dra. Maria Josep Cuenca García. CATALAN

Theory Group 2. CATALAN

Seminar 21. CATALAN

Seminar 32. CATALÁN

Dr. Joan Baucells Lladós. CATALAN

Theory group 3. CATALAN

Seminar 31. CATALAN

Dr. Fermín Morales Prats. SPANISH

Theory Group 51. SPANISH

Seminar 511. SPANISH

Dra. Maria Josep Pifarré de Moner. CATALAN

Seminar 13. CATALAN

Seminar 33. CATALAN

Seminar 702 d' ADE+Dret. CATALAN

Dr. Jaume Antich Solé. CATALAN

Seminar 22. CATALAN

Seminar 512. CATALAN

Sr. Luís Miguel Morillo Fernández. SPANISH

Seminar 12. SPANISH

Seminar 23. SPANISH

There are not prerequisites for this course. However, students will understand it more appropriately if they have already taken and passed the courses on Constitutional Organization of State and Theory of Law.

Teaching will be given taking into account the perspective of the Sustainable Development Goals

## **Objectives and Contextualisation**

The objective of this course is to familiarize students with the specificity of Criminal Law as an instrument of conflict resolution. The course mainly aims to make students knowledgeable about concepts such as: criminal norms, constitutional basics of criminal law, sentencing and security measures. Moreover, it is intended for enabling students in using the concepts and terminology of criminal law in a proper way. In order to do this, the reading of legal texts and the working out of practical cases will be carried out.

## **Competences**

- Acquiring the basic knowledge from the several legal dogmas and presenting them in public.
- Arguing and laying the foundation for the implementation of legal standards.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Mastering the computing techniques when it comes to obtaining legal information (legislation databases, jurisprudence, bibliography...) and in data communication.
- Planning and organising: managing of time, resources, etc.

- Present information in a way that is appropriate to the type of audience.
- Presenting in front of an audience the problems of a concrete law suit, the applicable legal regulations, and the most consistent solutions.
- Searching, interpreting and applying legal standards, arguing every case.
- Using the main constitutional principles and values as a working tool in the interpretation of the legal system.

## Learning Outcomes

1. Arguing the implementation of criminal laws in the resolution of criminal problems.
2. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
3. Distinguishing the applicable legislation between the criminal code and special criminal laws.
4. Distinguishing the basic knowledge of criminal law.
5. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
6. Identifying and knowing the main principles of criminal law.
7. Identifying, knowing and applying the legislation and criminal principles to a concrete case.
8. Introducing in the classroom the defence or accusation of criminal cases.
9. Laying the foundation for the implementation of criminal laws in the resolution of criminal problems.
10. Managing bibliographic and documentary resources: databases, browsing, etc.
11. Planning and organising: managing of time, resources, etc.
12. Present information in a way that is appropriate to the type of audience.
13. Searching criminal sentences in databases.
14. Solving interpretation and application problems of criminal laws.
15. Using the main constitutional principles and values as a working tool in the interpretation of the legal system.
16. Verbally explaining the resolution of problems related to criminal laws.

## Content

- . Criminal Law: Criminal Law as an instrument of social control. Norms of criminal law: structure, elements and functions. Relationship between criminal law and administrative law penalties.
- . Sciences of Criminal Law and other related disciplines: Criminology, Crime Policy, Dogmatic of Criminal Law, and so on. Relationship between substantive and procedural criminal law.
- . Sources of criminal law and their interpretation: direct and indirect sources. Interpretation and subsumption. Conceptual tools for interpretation, especially analogy.
- . Legitimacy of Criminal Law. Theories of punishment: absolute, relative and mixed theories. State of play in the Spanish criminal system.
- . Constraints to the punitive power of the State. Principle of minimum intervention. Principle of exclusive protection of legal goods. Principle of equality. Principle of liability. Principle of humanity. Principle of legality.
- . Principle of legality: foundations. Constitutional guarantees derived from the principle of legality. Principle of reservation to "ley orgánica". Legal certainty. "Non bis in idem". Legislative techniques in criminal law.
- . Time in criminal law. Principle of non-retroactivity. Reforms of criminal law and transitional situations.
- . Space in criminal law. The principle of territoriality. Exceptions: extraterritoriality cases. Prosecution of crime within European Union. International criminal law and national criminal law in the international context .International Criminal Court Extradition.
- . Individuals in criminal law. Principles of equality, inviolability, immunity, privileged jurisdiction.
- . Sanctioning in the Spanish criminal system. Principles and classification. Capital punishment. Civil liability as a result of a crime.
- . Sentencing implementation. Basic principles of the Spanish prison system. Phasing in model in penitentiary regime and rehabilitation programs. Judicial control on sentencing implementation.
- . Alternative sentencing: conditional sentences, strangers, conditional release. Mediation
- . Security measures in the Spanish criminal system. Regime, typology, implementation . The juvenile justice system in Spain (L.O. 5/2000).

## Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Seminars	22	0.88	1, 2, 16, 9, 5, 10, 11, 14
Theoretical classes	22	0.88	4, 6, 7, 15
Type: Supervised			
Tutorials	1.5	0.06	11
Type: Autonomous			
Assessment	5	0.2	1, 2, 12
Study and preparation of Works	90	3.6	1, 13, 2, 3, 9, 10, 6, 7, 11, 14, 15

In order to achieve the competences of the course, students must perform two types of activities.

1. Directed activities, which will be done in the classroom, consisting of:

1.1. Lectures given by the professor, in which the theoretical contents of the course will be examined.

1.2. Seminars: Following the lectures, seminars will be devoted to work on each of the topics of the course through activities consisting of discussing readings, analyzing court judgements, performing mock trials and giving presentations

2.- Autonomus activities. As a complement to the directed activities, students will work individually and in a group, through:

a. Group work on the judgements and readings provided to students. The results of some of the group work will be presented in the seminars.

b. Individual work. Students must write four esays on different topis proposed at the beginning of the course.

3. Tutorials.

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

### Continous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final content test	50%	5	0.2	2, 4, 16, 5, 10, 6, 7, 11, 15
Fuirst activity. Theoretical questions	25%	2	0.08	4, 3, 6, 11

Second. Test	25%	2.5	0.1	1, 13, 9, 6, 7, 8, 12, 14, 15
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Evaluation model:

- The evaluation model is mixed, theoretical-practical- and pursues that the students and the teacher can know the degree of obtaining the competences to guide the formative process.
- Attendance at seminars/workshops is mandatory.
- At the beginning of the course the teacher in charge of each group will inform the students, through the moodle classroom, of the content and dates of the continuous evaluation activities, as well as the final exam model (test, short questions, etc...).

Composition of the final grade:

The continuous assessment activities carried out throughout the course will account for 50% of the final assessment (5 points) and the final set test will account for the remaining 50% (5 points).

Reevaluation:

- Regarding the 50% of the continuous assessment: it will take place on the day set for the re-evaluation. This continuous assessment re-evaluation test will also be worth 2.5 points and will replace the worst of the continuous assessment grades obtained.

- Regarding 50% of the final test: the student who fails the final test may be re-evaluated. The re-evaluation will be done under the same conditions.

- Only those activities that have been evaluated can be reassessed. In case of re-evaluation, the second grade prevails even if it is lower than the first.

. Overall grade of the subject: the final grade of the subject will be the sum of the grade of the continuous assessment (up to 5 points, plus the two tests) and the grade of the overall final test. In any case, both in the continuous assessment and in the final joint test, the result must be, as a minimum, 2 out of 5: In case of not achieving 2 points out of 5, the maximum grade for the subject will be of 4.5. To pass the subject you must obtain an overall grade of at least 5 points.

Revision: When publishing the notes, both of the activities carried out during the course and of the final test, such as the re-evaluation, the teacher will specify the revision system (date, time and place).

Single evaluation

The single evaluation will be carried out on the day of the final test, with the same activities of the continuous evaluation. The reassessment will take place on the set day with the same criteria as the continuous assessment

*Warning: Students who copy or attempt to copy on a final exam will receive a 0 on the exam. The student who presents a practice in which there is plagiarism will get a 0 and will receive a warning. In case of repetition of the behavior, the student will be suspended from the course.*

The student will be evaluated as long as he or she has carried out a set of activities whose weight is equivalent to a minimum of 2/3 of the total grade of the subject. If the value of the activities carried out does not reach this threshold, the lecturer of the subject may consider the student as non-assessable.

## Bibliography

MUÑOZ CONDE, Francisco-GARCIA ARAN, Mercedes. *Derecho Penal. Parte General*. Tirant lo Blanch, 2022.

QUINTERO OLIVARES (con la colaboración de MORALES PRATS). *Parte General del Derecho Penal*. Aranzadi, 2015.

## Software

The subject does not require any specific software

## Language list

Name	Group	Language	Semester	Turn
(TE) Theory	1	Spanish	first semester	morning-mixed
(TE) Theory	2	Catalan	first semester	morning-mixed
(TE) Theory	3	Catalan	first semester	morning-mixed
(TE) Theory	51	Spanish	first semester	afternoon
(TE) Theory	70	Spanish	first semester	morning-mixed