

**Criminal Law II**

Code: 102246  
ECTS Credits: 6

**2025/2026**

Degree	Type	Year
Law	OB	1

## Contact

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## Teaching groups languages

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

## Prerequisites

Although it is not necessary to have successfully completed Criminal Law I in order to study Criminal Law II, it is advisable to have done so in order to understand the principles, concepts and basic terminology of the subject.

The course will be taught taking into consideration the Sustainable Development Goals.

## Objectives and Contextualisation

To learn and understand the legal theory of crime and the elements that compose it, as a prior step to the study of crimes in detail, which is the subject of Criminal Law III and the rest of the optional subjects of the discipline.

## 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.
- Drawing up legal texts (contracts, judgements, sentences, writs, rulings, wills, legislation...).
- Identifying and solving problems.
- Identifying, assessing and putting into practice changes in jurisprudence.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Identifying the underlying conflicts of interest in disputes and real cases.
- 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.
- Memorising and utilising legal terminology.
- Planning and organising: managing of time, resources, etc.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of demonstrating a critical awareness of the analysis of the legal system and development of legal dialectics.
- Students must be capable of demonstrating the unitary nature of the legal system and of the necessary interdisciplinary view of legal problems.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Students must be capable of making decisions.
- Students must be capable of perceiving the impact and implications of the decisions taken.
- Students must prove they know and comprehend the main public and private institutions in its genesis and as a whole.
- Use different information and communication technologies.
- Using the main constitutional principles and values as a working tool in the interpretation of the legal system.
- Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

## Learning Outcomes

1. Acquiring the basic knowledge of criminal law.
2. Arguing the implementation of criminal laws in the resolution of criminal problems.
3. Defining defence strategies of the criminal legal interests.
4. Defining the link between the criminal law and the constitutional principles and values.
5. Defining the main criminal institutions.
6. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
7. Distinguishing the dependence and autonomy relations between criminal law and the rest of branches of the legal system (civil, labour, administration, finances).
8. Drawing up resolutions of criminal cases.
9. Finding the applicable legislation between the criminal code and special criminal laws.
10. Identifying and assessing the jurisprudence of Provincial Courts and the Supreme Court in criminal matters.
11. Identifying and knowing the limiting principles of labour law.
12. Identifying and solving problems.
13. Identifying, knowing and applying the interpretative principles of criminal law.
14. Identifying the conflicts of interest underlying in a concrete criminal law suit.
15. Identifying the conflicts of interest underlying in a general criminal law suit.
16. Interpreting the criminal laws as criminal policy decisions.
17. Laying the foundation for the implementation of criminal laws in the resolution of criminal problems.
18. Managing bibliographic and documentary resources: databases, browsing, etc.
19. Memorising and using the criminal specific terminology.
20. Planning and organising: managing of time, resources, etc.
21. Searching criminal sentences in databases.
22. Solving interpretation and application problems of criminal laws.

23. Students must be capable of learning autonomously and having an entrepreneurial spirit.
24. Students must be capable of making decisions.
25. Students must be capable of perceiving the impact and implications of the decisions taken.
26. Use different information and communication technologies.
27. Using the arguments of criminal and constitutional jurisprudence for the resolution of criminal problems.
28. Using the main constitutional principles and values as a working tool in the interpretation of the legal system.
29. Verbally explaining the resolution of problems related to criminal laws.
30. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

## Content

Topic 1. Introduction to the theory of criminal offenses.

Topic 2. The principle of rule of law and the legal description of criminal offences.

Topic 3. *Actus reus* (I): a) Lack of criminally relevant human behaviour; b) Rules for objective linking of the harm with the previous behaviour.

Topic 4. *Actus reus* (II): The crime of omission and its types.

Topic 5. *Mens rea* (I): a) General requirements of wilful behaviour; b) Absence of wilful behaviour c) Other subjective elements.

Topic 6. *Mens rea* (II) a) General requirements of imprudent behaviour; b) Concept, elements and types of imprudent behaviour; c) Fortuitous event; d) Risk crimes.

Topic 7. Principals and accomplices in criminal law.

Topic 8. *Iter criminis*.

Topic 9. Disagreement between criminal behaviour and the law: a) Formal and material aspects

Topic 10. Specific legal defences based on lack of disagreement between criminal behaviour and the law: a) Self-defence; b) Necessity; c) Others.

Topic 11. Guilt and accountability: a) General view; b) Specific legal defences based on lack of guilt.

Topic 12. Punishability: a) General conditions; b) Specific requirements and situations.

Topic 13. Rules for fixing the criminal sanction: the "circumstances" of the offence.

Topic 14: Concurrent offences

Topic 15. Criminal responsibility of legal persons.

## Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Directed activities 2:	22	0.88	1, 13, 11, 19, 28

## Master classes

Seminars	22	0.88	1, 2, 3, 4, 6, 7, 29, 17, 18, 13, 14, 15, 11, 10, 19, 20, 12, 8, 22, 23, 24, 30, 9, 26, 28
Type: Supervised			
tutorship	1	0.04	20, 12, 24
Type: Autonomous			
Assessment	5	0.2	1, 2, 21, 3, 4, 5, 6, 7, 29, 17, 18, 13, 14, 15, 11, 10, 16, 19, 20, 12, 8, 22, 23, 25, 24, 30, 9, 26, 27, 28
Autonomus working	95	3.8	1, 2, 21, 6, 29, 17, 18, 13, 11, 20, 22, 9, 28

### 1. Directed activities

1.1. Master classes. The first hour and half of class will consist of master classes.

1.2. Seminars. Resolution of cases and problems. The second hour and half of class will consist of seminars where students solve criminal cases or comment legal texts or news.

Attendance at master classes and seminars, except in some case of justified reason, will be compulsory for students.

2. Tutorials.

3. Autonomous working.

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
Av 1	25%	1.5	0.06	1, 2, 21, 3, 4, 5, 6, 7, 17, 18, 13, 14, 15, 11, 10, 16, 19, 20, 12, 8, 22, 25, 24, 9, 26, 27, 28
Av 2	25%	1.5	0.06	1, 2, 3, 4, 5, 6, 7, 29, 17, 13, 14, 15, 11, 16, 19, 20, 12, 8, 22, 23, 25, 24, 9, 28
Exam	50%	2	0.08	1, 4, 5, 6, 7, 18, 13, 11, 16, 19, 20, 12, 22, 25, 24, 30, 9, 26, 28

The assessment system is mixed, theoretical-practical, and is governed by the rules set out below. At the beginning of the course, the teacher in charge of each group will inform the students, through the Moodle classroom, of the dates of the continuous assessment activities, as well as the model of the final exam (test, short questions, etc.).

1. Composition of the final mark

### 1.1. Assessable activities

#### a) Continuous assessment activities (5 points out of 10)

Continuous assessment activities are aimed at the development of mainly practical skills.

Two continuous assessment activities will be carried out during the course, each worth 2.5 points.

The teacher responsible for each group will indicate, at the beginning of the course, the specific characteristics of the activities and their dates.

#### b) Final content test (5 points out of 10)

The final content test is worth 5 points. The date is officially established by the Faculty of Law and the format will be the one indicated by the lecturer at the beginning of the course.

### 1.2. Requirements for passing the subject:

a) that the sum of the mark for the final content test and the continuous assessment is at least 5 out of 10.

b) the mark for the final content test must be at least 2 out of 5.

The teacher in charge of each group must inform the student if it is also necessary to obtain 2 points out of 5 in the continuous assessment grade in order to pass the subject.

If a 2 out of 5 is not obtained, the maximum mark for the course will be 4.5 out of 10 and the course will be failed.

## 2. Re-evaluation

Re-evaluation is open to those who have failed or those who, having passed, wish to improve their mark. It is not necessary to have obtained a minimum mark in either of the two parts in order to attend. In any case, the last mark (the re-evaluation mark) counts, whether it is better or worse than the re-evaluation mark.

Both the part corresponding to the overall final examination and the continuous assessment activities can be reassessed.

The re-evaluation of the final overall test will consist of a test of the same class as the one taken previously and allows up to 5 points to be obtained. Timetable: official date set by the Faculty of Law.

The re-evaluation of the continued activity consists of the completion of an activity of the same type as one of those taken during the course and allows up to 2.5 points to be obtained. The mark obtained in the re-evaluation will replace the worst mark obtained during the course.

## 3. Revision

When publishing each of the marks, whether for the activities carried out during the course, the final exam or the re-evaluations, the teaching staff will specify the revision system (date, time and place).

## 4. Access to assessment

Students are assessable provided that they have carried out a set of activities the weight of which is equivalent to a minimum of 2/3 of the total qualification of the subject. If the value of the activities carried out does not reach this threshold, the teacher may consider that the student is not assessable.

## 5. Single assessment

Students who can access the single assessment will have to carry out 3 types of activities of a similar nature and difficulty as in the alternative system of continuous assessment:

(a) a content test (up to 5 points of the final mark).

b) two additional activities similar to those that are the object of the continuous assessment system (2.5 points each).

In order to pass, it is essential to achieve a 2 out of 5 in the overall test and a 2 out of 5 in the practical activities (only if the teaching staff also requires it in the continuous assessment system), in addition to a 5 out of 10 of the total.

The same re-evaluation system will be applied as in the continuous assessment system.

The same system of suitability for assessment will be applied as in the continuous assessment system.

6. Important note: A student who copies or attempts to copy in an evaluation test will receive a 0. A student who submits a practical in which he/she has plagiarised or who cannot justify the arguments of his/her practical will receive a 0 and will receive a warning. If the behaviour is repeated, the student will fail the course.

## 7. Use of AI

The use of artificial intelligence (AI) technologies is allowed exclusively in support tasks, such as literature or information searches. Students must clearly identify which parts have been generated by means of this technology, specify the tools used and include a critical reflection on how they have influenced the process and final outcome of the activity. Lack of transparency in the use of AI in assessable activities is considered academic dishonesty and may lead to a partial or total penalty in the mark for the activity, or higher penalties in the most serious cases.

## Bibliography

Compulsory:

MUÑOZ CONDE, Francisco, GARCIA ARAN, Mercedes; *Derecho Penal. Parte General*, Tirant lo Blanch, 11ª ed., 2022. (Accessible a la biblioteca digital UAB)

QUINTERO OLIVARES; Gonzalo, *Parte general del derecho penal*, Thomson Reuters, 5ª ed., 2015. (Accssible a la biblioteca digital UAB)

Complementary:

BERDUGO GOMEZ DE LA TORRE, Ignacio; ARROYO ZAPATERO, Luís. *Lecciones de derecho penal: Parte General*, Atelier, 1999. ISBN: 9788471975607.

CEREZO MIR, José, *Curso de Derecho Penal español. Parte General. Tomo II: Teoría jurídica del delito, 2001*. ISBN: 9788430932214.

DIEZ RIPOLLES, José Luís, *Derecho Penal Español. Parte General*, Tirant lo Blanch, 5ª ed., 2020. ISBN: 9788491192381.

GÓMEZ RIVERO, María del Carmen; *Nociones fundamentales del derecho penal: parte general*, Tecnos, 4ª edición, 2019. ISBN: 9788430974634

LUZON PEÑA, Diego Manuel, *Lecciones de derecho penal. Parte general*, Tirant lo Blanch, 4ª ed. Ampliada y revisada, 2025. ISBN: 9788410957312

MIR PUIG, Santiago, *Derecho Penal. Parte General*, Dykinson, 10ª ed., 2015. ISBN: 9788460815822.

MORILLAS CUEVA, Lorenzo, *Sistema de Derecho Penal. Parte General*, Dykinson, 1ª ed., 2018. ISBN: 9788491489993.

QUINTERO OLIVARES, Gonzalo et al., *Esquemas de Teoría Jurídica del Delito y de la Pena*, Tirant lo Blanch, 4ª ed., 2018. ISBN: 9788491906735.

ROXIN, Claus, *Derecho Penal. Parte General, Tomos I yll.*, Civitas, 1ª ed., 2014. ISBN: 9788447050703.

Exercises:

LUZON PEÑA, Diego Manuel, *Derecho Penal en Casos: Parte General. Estudio Analítico-práctico*, Tirant lo Blanch, 1ª ed., 2018. ISBN: 9788491698012.

MAQUEDA ABREU, María Luisa, LAURENZO COPELLO, Patricia, *El Derecho penal en casos. Parte General*. Tirant lo Blanch, 6ª ed., 2022. ISBN: 9788411471664

## Software

Utilisation of databases of jurisprudence

## Groups and Languages

Please note that this information is provisional until 30 November 2025. You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject.

Name	Group	Language	Semester	Turn
(SEM30) Seminaris (30 estudiants per grup)	11	Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	12	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	13	Catalan/Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	21	Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	22	Catalan/Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	23	Catalan/Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	31	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	32	Catalan/Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	33	Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	511	Spanish	second semester	afternoon
(SEM30) Seminaris (30 estudiants per grup)	512	Spanish	second semester	afternoon
(SEM30) Seminaris (30 estudiants per grup)	701	Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	702	Catalan	second semester	morning-mixed
(TE) Theory	1	Spanish	second semester	morning-mixed
(TE) Theory	2	Spanish	second semester	morning-mixed
(TE) Theory	3	Catalan	second semester	morning-mixed
(TE) Theory	51	Spanish	second semester	afternoon
(TE) Theory	70	Spanish	second semester	morning-mixed