

Degree programme	Type	Course
Criminology	OB	2

Contact lecturer

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Teaching staff

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Group languages

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

Prerequisites

There are not prerequisites for this course.

The teaching of the subject will be taught taking into account the perspective of the Sustainable Development Goals.

Language seminars:

seminar 11: Spanish

Seminar 12: Catalan

Seminar 13: Spanish

Objectives

The general objective of this subject is to introduce students to criminal law and to develop the so-called general part of criminal law: the legal theory of crime.

In this context, the subject has the following specific objectives:

- 1.- To place criminal law within the general context of formal and informal social control.
- 2.- To understand the general elements of the Criminal Law
- 3.- To know and be able to interpret the elements of the legal theory of crime and punishment.

Learning outcomes

- CM14 (Legal advice in a criminal-penitentiary case.) Legal advice in a criminal-penitentiary case.
- CM15 (Prepare criminological reports that correctly recognize the legal framework of the intervention.) Prepare criminological reports that correctly recognize the legal framework of the intervention.
- KM12 (Correctly define the elements that characterize criminal responsibility.) Correctly define the elements that characterize criminal responsibility.
- KM13 (Correctly differentiate the elements of basic crimes.) Correctly differentiate the elements of basic crimes.
- KM14 (Correctly define the guarantees of criminal proceedings.) Correctly define the guarantees of criminal proceedings.
- KM15 (Identify the process of serving a prison sentence.) Identify the process of serving a prison sentence.
- SM18 (Clearly describe the legal status of a person accused/convicted of a crime.) Clearly describe the legal status of a person accused/convicted of a crime.
- SM19 (Clearly describe the legal framework of a criminological intervention with a convicted person.) Clearly describe the legal framework of a criminological intervention with a convicted person.

Contents

PART ONE

AIMS AND PRINCIPLES OF CRIMINAL LAW

TOPIC 1

1. Concept of law and legal norms. 2. Relationship between criminal law and other branches of the legal system, with special reference to administrative and procedural law. 3. The interpretation of the law. 4. The principles of the criminal law: a) the harm principle; b) the principle of minimum intervention; c) the principle of means rea; d) the principle of humanity.

TOPIC 2

The principle of legality: a) the criminal law as a parliamentary law; b) legal definition of crimes and punishments. Prohibition of analogical interpretation; c) prohibition of retroactive application of the criminal law; d) Procedural guarantees.

TOPIC 3

1. Aims of criminal law; 2. Justification of punishment: a) retributivism; b) utilitarianism (general and specific deterrence); c) mixed theories

PART TWO

THE GENERAL PART OF THE CRIMINAL LAW

TOPIC 4

1. Concept and elements of crimes. 2. Classification of criminal offenses in the Spanish Penal Code. 3. The harm principle as an interpretation tool; 4: The legal definition of offences.

TOPIC 5

1. The intentional crimes: a) Concept and structure of the intentional element; b) Types of intention; c) Mistake with respect to the elements of the crime. 2. Involuntary crimes. A) Concept of negligence; b) Types of negligent crimes. 3. The crime of omission. a) Concept of omission; b) Types of omission.

TOPIC 6

1) Inchoate offences. 2) The crime of preparing a criminal offence: conspiracy, incitement and proposition; 3) The concept and elements of criminal attempt.

TOPIC 7

1. Principals and accomplices in criminal law. 2. Concept of types of principals. 3 Concept and types of complicity.

TOPIC 8

1. Justification for crimes: a) Self-defence; b) Necessity; c) Legal rights and duties.

TOPIC 9

1. Excuses for crimes: a) Insanity; b) Intoxication; c) Sensorial malfunctions; d) Duress; e) Ignorance of the law. 2. Other legal causes that avoid conviction.

TOPIC 10

1. Aggravating and mitigating circumstances in criminal law: a) concept, types and effects in sentencing. 2. Multiple offenders: modalities and effects in sentencing.

PART THREE

LEGAL CONSEQUENCES OF CRIME

TOPIC 11

1. The sentencing system. 2. Concept and types of punishments; 3. Custodial sentences: imprisonment and home detention curfew; 4. Non-custodial sentences: a) disqualifications; b) Community service; c) Fines; 5. Back-up sanctions for fine default; 6. Prevention measures.

TOPIC 12

1. The sentencing process: legal constraints and discretion for courts and judges. 2. Civil liability as a consequence of a criminal act. 3. The extinction of criminal responsibility

Learning activities and methodology

Title	Hours	ECTS	Learning outcomes
Lectures	19.5	0.78	
Seminars	19.5	0.78	
Individual work (reading of case law, elaboration of conceptual maps)	106	4.24	

Students must participate in two types of activities:

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

- Lectures given by the professor, in which the theoretical contents of the course will be examined
- Seminars. Following the lectures, seminars will be devoted to work on each of the topics of the course through activities consisting of discussion on readings and case law.

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

- a. Group work on criminal cases that will be presented in seminars.
- b. Individual essays that will be presented in seminars.

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	Weight	Hours	ECTS	Learning outcomes
Work in group	10%	0	0	CM14, KM12, KM14, KM15, SM18
Individual works	40%	3	0.12	CM15, KM12, KM13, SM19
multiple choice exam	50%	2	0.08	KM12

1. Continuous evaluation model

Classes start on time. Late arrival or early exit is not admitted, except with good cause.

Continuous evaluation will be carried out throughout the semester. This requires regular attendance at classes (80%) and the completion of the activities detailed below.

Continuous evaluation activities (50% of the final mark). There are 3 types of continuous evaluation activities:

- Three individual activities: 1 test of comprehension on the first three topics of the course (10% of the final mark) and 2 practical exercises (resolution of cases, 30% of the final mark, specifically 10% the first and 20% the second).
- Group work in the seminars: In each seminar, students will be asked to carry out activities such as case law search, analysis of courts' ruling or elaboration of posters or conceptual maps. In order to prepare or to complete seminars' activities, student may be asked to work before or after each seminar. With the purpose of enhancing the learning process, practical exercises on specific cases will also be proposed.
- Final overall test: multiple-choice test (50% of the final mark).

Students who fail to appear for even just one evaluation activity will be allowed to resit only for a justified cause. Students will be assessed as long as they have completed 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 teacher of the subject can consider the student as not evaluable.

2. Single evaluation

Students who opt for the single evaluation will be evaluated on the basis of 3 activities to be carried out in 2.5 hours on the same day scheduled for the final exam:

- A multiple-choice test (50% of the final mark). 1 h
- A comprehension test, consisting in answering some short questions (10% % of the final mark). ½ h.
- Resolution of practical cases (40% % of the final mark). 1 h

Similar to other students who chose single the evaluation model will have right to teachers' attention and support throughout the semester, according to the tutorial schedule.

3. Rules for passing the course and re-assessment

In order to pass the course, student will need to obtain a 5 as the minimum mark as an average, both in the continuous and in the final model of assessment. In case the grade is inferior to 5 he/she will have the opportunity to resit.

The minimum grade in the multiple-choice exam is 2/5. In case the student obtains an inferior grade, he/she will no need to resist the exam.

Cheating at any evaluation activity will imply a fail mark (0) and students will lose the right to a new assessment. Each case of plagiarism will be assessed. In the most serious cases, students will be given a fail mark (0) and will lose the right to resit.

4. Use of artificial intelligence (AI)

For this course, the use of artificial intelligence (AI) technologies is permitted exclusively for support tasks, such as bibliographic or information searches, text correction, translations, or obtaining an initial solution to cases. Students must clearly identify which parts have been generated using this technology, specify the tools used, and include a critical reflection on how these tools have influenced the process and the final outcome of the activity. A lack of transparency regarding the use of AI in this assessed activity will be considered a breach of academic honesty and may result in a partial or total penalty in the activity grade, or more serious sanctions in severe cases.

Bibliography

Students can choose one of these two handbooks

Muñoz Conde, F. & García Arán, Mercedes. (2022). *Derecho penal. Parte general*. Tirant lo blanch (accesible online at the UAB library)

Quintero, G., Carbonell, J. C., Morales, F., García-Albero, R. & Álvarez, F. J. (Dirs.) (2018). *Esquemas de teoría jurídica del delito y de la pena*. Tirant lo Blanch (accesible online a la biblioteca UAB).

Maqueda Abreu, María Luisa & Lorenzo Copello, Patricia. (2022). *El Derecho penal en casos: teoría y práctica*. Tirant lo Blanch (accesible online at the UAB library).

Note: The specific material to prepare each of the topics will be facilitated through Moodle.

Software

Not required

Course groups and languages

The information provided is provisional until November 30. After this date, you will be able to consult the language of each group through this [link](#). To access the information, you will need to enter the course CODE

Type of teaching	Group	Language	Semester	Shift
(TE) Theory	1	Catalan	first semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	11	Spanish	first semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	12	Catalan	first semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	13	Spanish	first semester	morning-mixed