

Degree programme	Type	Course
Law	OB	1

Contact lecturer

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Group languages

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

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.

Learning outcomes

1. Managing bibliographic and documentary resources: databases, browsing, etc.
2. Use different information and communication technologies.
3. Students must be capable of making decisions.

4. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
5. Identifying and solving problems.
6. Planning and organising: managing of time, resources, etc.
7. Students must be capable of learning autonomously and having an entrepreneurial spirit.
8. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.
9. Students must be capable of perceiving the impact and implications of the decisions taken.
10. Memorising and using the criminal specific terminology.
11. Identifying and knowing the limiting principles of labour law.
12. Identifying, knowing and applying the interpretative principles of criminal law.
13. Drawing up resolutions of criminal cases.
14. Solving interpretation and application problems of criminal laws.
15. Finding the applicable legislation between the criminal code and special criminal laws.
16. Identifying and assessing the jurisprudence of Provincial Courts and the Supreme Court in criminal matters.
17. Using the arguments of criminal and constitutional jurisprudence for the resolution of criminal problems.
18. Verbally explaining the resolution of problems related to criminal laws.
19. Acquiring the basic knowledge of criminal law.
20. Arguing the implementation of criminal laws in the resolution of criminal problems.
21. Laying the foundation for the implementation of criminal laws in the resolution of criminal problems.
22. Identifying the conflicts of interest underlying in a general criminal law suit.
23. Identifying the conflicts of interest underlying in a concrete criminal law suit.
24. Defining defence strategies of the criminal legal interests.
25. Defining the link between the criminal law and the constitutional principles and values.
26. Distinguishing the dependence and autonomy relations between criminal law and the rest of branches of the legal system (civil, labour, administration, finances).
27. Using the main constitutional principles and values as a working tool in the interpretation of the legal system.
28. Searching criminal sentences in databases.
29. Interpreting the criminal laws as criminal policy decisions.
30. Defining the main criminal institutions.

Contents

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.

Learning activities and methodology

Title	Hours	ECTS	Learning outcomes
Seminars	22	0.88	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
Assessment	5	0.2	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
Directed activities 2: Master classes	22	0.88	10, 11, 12, 19, 27
Autonomus working	95	3.8	1, 4, 6, 11, 12, 14, 15, 18, 19, 20, 21, 27, 28
tutorship	1	0.04	3, 5, 6

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

Continuous assessment activities

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

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 are carried out, each with a range of 2 to 2.5 points. The seminar teacher reserves the right to use up to one point from the continuous assessment activities to evaluate the tasks they consider appropriate in seminars, which are mandatory to attend.

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 finalexamination 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 non-assessable criteria applied in continuous assessment also apply here.

6. IMPORTANT: If a student cheats, plagiarizes, or is caught with a prohibited device during any assessment, the teacher will give a 0 for that assessment and notify the Faculty Dean's office with a report detailing the circumstances and evidence, to request the opening of a possible disciplinary file for the student. This assessment activity cannot be made up. If more than one irregularity occurs in the assessments of the same subject, the final grade for that subject will be 0.

7. Use of AI

The use of AI tools will not be allowed for completing assessment activities and tests.

Bibliography

Students are advised to check which is the latest edition available before buying the textbooks, since some may have a new edition in September.

Basic bibliography:

MUÑOZ CONDE, Francisco, GARCIA ARAN, Mercedes; *Derecho Penal. Parte General*, Tirant lo Blanch, 11^a ed., 2022. (Available at the UAB digital library)

QUINTERO OLIVARES; Gonzalo, *Parte general del derecho penal*, Thomson Reuters, 5^a ed., 2015. (Available at the UAB digital library)

QUINTERO OLIVARES, Gonzalo, *Teoría del delito*, Iustel, 1^a ed., 2025. ISBN: 9788498905175

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, 5^a ed., 2020. ISBN: 9788491192381.

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

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

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

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

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

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

Exercises:

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

Software

Utilisation of databases of jurisprudence

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/Spanish	second semester	morning-mixed
(TE) Theory	2	Catalan/Spanish	second semester	morning-mixed
(TE) Theory	3	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	11	Catalan/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	Catalan/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	Catalan/Spanish	second semester	morning-mixed

estudiants per grup)				
(TE) Theory	51	Catalan/Spanish	second semester	afternoon
(TE) Theory	70	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	511	Catalan/Spanish	second semester	afternoon
(SEM30) Seminaris (30 estudiants per grup)	512	Catalan/Spanish	second semester	afternoon
(SEM30) Seminaris (30 estudiants per grup)	701	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	702	Catalan	second semester	morning-mixed