

**COURSE DATA****Data Subject**

Code	35063
Name	Criminal Law II
Cycle	Grade
ECTS Credits	7.5
Academic year	2023 - 2024

Study (s)

Degree	Center	Acad. year	Period
1302 - Degree in Criminology	Faculty of Law	3	First term

Subject-matter

Degree	Subject-matter	Character
1302 - Degree in Criminology	7 - Criminal law	Obligatory

Coordination

Name	Department
AGUADO LOPEZ, SARA	72 - Criminal Law

SUMMARY

The course of Criminal Law II (Special part) has an obligatory character and lectures will be hold in the third course of Criminology Grade. This course computes 7,5 credits ECTS. It has, as main content, the analysis of the different criminal figures according to the outline studied in the course "Criminal law I". Specifically it deals with the analysis of different criminal wrongs (crimes and misdemeanours) established in the Book II of the Spanish Penal Code and, even in some cases, in the Special criminal laws.

This course is a subject of statutory Law and, therefore, its structure deals with the legislation about crimes which, nowadays, is in force in Spain.

PREVIOUS KNOWLEDGE



Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

Para abordar el estudio de esta materia es imprescindible la actualización permanente de las categorías dogmáticas estudiadas en la Parte general. Es fundamental, por tanto, haber cursado Derecho penal I para poder comprender la presente asignatura.

OUTCOMES

1302 - Degree in Criminology

- Saber utilizar un lenguaje técnico que permita expresar los conceptos correctamente y desde una perspectiva de género.
- Tener iniciativa creativa, promoviendo el análisis crítico y espíritu de liderazgo con capacidad de gestión y dirección.
- Saber argumentar y expresarse de modo coherente e inteligible de forma oral y escrita.
- Saber elaborar un informe criminológico.
- Saber interpretar las fuentes y bases de datos relacionadas con la criminalidad.
- Saber trasladar a un informe criminológico los datos psicológicos, sociales y jurídicos de relevancia criminológica.
- Saber seleccionar los datos con relevancia criminológica que sean útiles para emitir una resolución judicial.
- Saber aplicar las técnicas de investigación adecuadas para la persecución de delitos y la resolución de conflictos sociales, garantizando la seguridad ciudadana y los derechos fundamentales.
- Saber asesorar en la interpretación y valoración de los informes forenses.
- Ser capaz de diseñar estrategias para resolver conflictos concretos en el contexto penal y criminológico.
- Ser capaz de analizar el delito, el delincuente y la víctima, y diseñar estrategias de prevención e intervención, desde el respeto a los derechos humanos, la igualdad entre hombres y mujeres, la paz, sostenibilidad, accesibilidad universal y diseño para todos y valores democráticos.

LEARNING OUTCOMES

- Capability to know and interpret the limits of the power or punishing (*ius puniendi*) and the application of the criminal law.
- Capability to identify, regarding each criminal definition, the different elements of the crime.
- To be able to know which are the elements of each particular crime.
- To be able to know the legal consequences of crime, their specification and their enforcement.
- Capacity to make a Writting of Charges.



DESCRIPTION OF CONTENTS

1. CRIMES AGAINST LIFE AND HEALTH

Lesson 1: Homicide.
Lesson 2: Murder
Lesson 3: Help and incitement to suicide (Suicide pacts)
Lesson 4: Abortion
Lesson 5: Injuries

2. CRIMES AGAINST FREEDOM

Lesson 6.- Illegal (unlawful) arrest and kidnapping
Lesson 7.- Threat and duress (coercion)

3. CRIMES AGAINST MORAL INTEGRITY

Lesson 8: Attacks to the moral integrity and habitual family and gender violence.
Lesson 9: Tortures

4. CRIMES AGAINST SEXUAL FREEDOM

Lesson 10: Sexual assault
Lesson 11: Corruption of minors and prostitution

5. OMISSION OF DUTY TO HELP

Lesson 12: The omission of duty to help.

6. CRIMES AGAINST PRIVACY AND HOUSEBREAKING

Lesson 13: Discovery and disclosure of secrets (issues)
Lesson 14: Housebreaking and entering (trespass)

7. CRIMES AGAINST HONOUR

Lesson 15: Insults and slanders (defamations).



8. CRIMES AGAINST PROPERTY AND ECONOMIC CRIMES

Lesson 16: Theft.

Lesson 17: Robbery with force on objects. Brief reference to the Robbery theft of the utility of a vehicle.

Lesson 18: Robbery with force on person and threats.

Lesson 19: Fraud (swindle).

Lesson 20: Unlawful appropriation (misappropriation) and unfair administration.

9. CRIMES AGAINST THE RIGHTS OF WORKERS

Lesson 21: Work safety: arts. 316 and 317 of the penal code.

10. CRIMES AGAINST PUBLIC SECURITY

Lesson 22: Drug trafficking.

Lesson 23: Crimes against road safety.

11. FORGERIES

Lesson 24: Falsifying and forging of documents

12. CRIMES AGAINST THE PUBLIC ADMINISTRATION

Lesson 25: Abuse of authority against Administration

Lesson 26: Bribery.

Lesson 27: Embezzlement

13. CRIMES AGAINST THE PUBLIC ORDER

Lesson 28: Attacks (against civil servants, authorities and his agents), resistance and disobedience.



WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	75,00	100
Attendance at events and external activities	8,00	0
Development of individual work	8,00	0
Study and independent work	20,00	0
Readings supplementary material	8,00	0
Preparation of evaluation activities	28,50	0
Preparing lectures	20,00	0
Preparation of practical classes and problem	20,00	0
TOTAL	187,50	

TEACHING METHODOLOGY

1.- The teaching in which presence is required, has a length of 75 hours, inside which:
The content of the subject Criminal law II is limited regarding the number of crimes which will be explained. In other words, it won't be possible to explain all the different crimes defined in our Legal Order during the academic course. However, during the course, a selection of the most important crimes will be studied, trying to make easier the comprehension of the subject for the students.

2.-Continuous assessment:

It will consist in tasks, works, explanation of lectures, participation in seminars and commentaries to sentences which will be made by the students.

3.-Complementary activities:

Mainly they will consist in different visits to criminal courts and to different institutions.

EVALUATION

The qualification of the subject will be determined based on the marks obtained on the continuous assessment developed and the final mark of the exam: continuous assessment represents 30% of the mark; the final exam, means 70% of the mark

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It will be necessary to obtain a minimum passing grade in the final exam to pass the subject, regardless of the grade obtained in the continuous assessment.

The teacher's annex will detail the conditions of the continuous evaluation and the oral or written character of the final test, as well as if a partial test will be carried out, whether releasing or not, on the dates set by the Faculty.



Students who do not perform the continuous assessment may be submitted to the final test on first call, and the grade obtained will be limited to the weighted value that this test has in the final grade (70%), so that, at most, You can get a 7 as a final grade.

In case of suspending the first call, for the second call the score obtained in the continuous evaluation is retained. If the teacher's annex foresees that there is an activity as recoverable, it will determine the way to obtain the grade of the same / s in second call.

REFERENCES

Basic

- Código penal actualizado y Constitución española.

Última edición de las siguientes referencias:

- ÁLVAREZ GARCÍA (Dir.), Derecho penal español, Parte Especial, vol. I (2ª ed. 2011) i vol. II (2011), Ed. Tirant lo Blanch, Valencia.
- BOIX REIG (Dir.), Derecho penal, Parte Especial, vol. I (2ª ed.) (2016) y vol. II (2ª ed.) (2020), Ed. Iustel, Madrid.
- LAMARCA PÉREZ (coord.): Delitos, la parte especial del Derecho Penal, 7ª Ed. Dyckinson, Madrid, 2022.
- MUÑOZ CONDE, F.: Derecho penal, Parte especial, 24ª ed., Ed. Tirant lo Blanch, Valencia, 2022.
- QUERALT JIMÉNEZ, J.: Derecho penal español, Parte especial, 1ª ed., Tirant lo Blanch, Valencia, 2015.
- VIVES ANTÓN/ORTS BERENGUER/CARBONELL MATEU/GONZÁLEZ CUSSAC/MARTÍNEZBUJÁN PÉREZ, BORJA JIMÉNEZ/CUERDA ARNAU Derecho penal, Parte especial, 7ª ed., Ed. Tirant lo Blanch, Valencia, 2022.

Additional

- Última edició de les següents referències:
 - CUERDA ARNAU (Dir.): Vistas penales. Casos resueltos y guías de actuación en sala, 3ª ed. Ed. Tirant lo Blanch, Valencia, 2017.
 - CORCOY BIDASOLO (Dir.), Manual de Derecho penal parte Especial. Tomo I. Adaptado a las LLOO 1/2019 y 2/2019 de Reforma del Código penal. Doctrina y jurisprudencia con casos solucionados, 2ª Ed. Tirant lo Blanch, Valencia, 2019.
 - GÓMEZ TOMILLO (Dir.), Comentarios al Código penal, 2ª ed., Lex Nova, Valladolid, 2011.
 - González Cussac, Orts Berenguer y otros, Esquemas de Derecho penal. Parte especial, 2ª Ed. Tirant lo Blanch, Valencia, 2010.
 - QUINTERO OLIVARES (Dir.), Comentarios a la Parte Especial del Derecho penal, 10ª Ed., Thomson-Aranzadi, Navarra, 2016.
 - SILVA SÁNCHEZ (Dir.), Lecciones de Derecho penal: parte especial, 8ª ed. Barcelona, Ed. Atelier, 2023.
 - ZUGALDÍA ESPINAR (dir.), Derecho penal Parte Especial: un estudio a través del sistema de casos resueltos, 3ª ed., Ed. Tirant lo Blanch, Valencia, 2011.