

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

Code	35073
Name	Mediation
Cycle	Grade
ECTS Credits	6.0
Academic year	2022 - 2023

Study (s)

Degree	Center	Acad. year	Period
1302 - Degree in Criminology	Faculty of Law	3	Second term
1923 - D.D. in Law-Criminology	Faculty of Law	4	Second term

Subject-matter

Degree	Subject-matter	Character
1302 - Degree in Criminology	13 - Alternative dispute resolution	Obligatory
1923 - D.D. in Law-Criminology	5 - Year 4 compulsory subjects	Obligatory

Coordination

Name	Department
GONZALEZ COLLANTES, TALIA	72 - Criminal Law
JIMENEZ FORTEA, FRANCISCO JAVIER	45 - Administrative and Procedural Law
MARCO FRANCISCO, MIRIAM	306 - Social Psychology

SUMMARY

Restorative justice and criminal mediation. Mediation procedure and criminal and procedural consequences of reparation of damage. Areas of application of criminal mediation. Conflict and mediation models. Psychological tactics and techniques for conflict resolution.

PREVIOUS KNOWLEDGE



Relationship to other subjects of the same degree

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

Other requirements

No.

OUTCOMES

1302 - Degree in Criminology

- Saber aplicar técnicas y procedimientos para la resolución de problemas y la toma de decisiones.
- Ser capaz de diseñar estrategias para resolver conflictos concretos en el contexto penal y criminológico.

LEARNING OUTCOMES

Learn about the latest trends in RDA.

Be able to analyse the criminal consequences of conciliation and repair.

Learn to apply the techniques of conflict resolution.

Acquire skills to intervene in strategies of mediation.

Be able to design strategies to resolve specific conflicts in the criminal and criminological context.

DESCRIPTION OF CONTENTS

1. Mediation in criminal justice

The incorporation of the RDA (extra-jurisdictional conflict resolution system) to justice. The mediation as essential piece within the Restorative Justice movement.

2. Intra-Court criminal mediation

1. Objective elements
2. Subjective elements
3. Essential content of the criminal mediation procedure
4. Types of criminal mediation procedures and consequences



3. Procedure criminal mediation

1. Procedure
2. Principles
3. Guarantees
4. Agreement and enforcement in the criminal process
5. Procedural aspects of mediation in juvenile criminal proceedings (decision-making court and procedural effects)

4. Mediation, criminal law and criminological areas

Mediation and ends of penalty. Crimes, victims and punitive claim of the State in criminal mediation.

5. Criminal responsibility and repair agreement

The effects of the restful agreement in the adult criminal justice: attenuation, suspension and replacement of penalties.

6. Other areas relating to criminal mediation

Preliminary mediation: community mediation, intercultural mediation, police mediation. Penitentiary mediation: mediation sentenced-victim and intra-penitentiary mediation. Mediation in Juvenile justice (mediatable crimes, the performance of the technical team in mediation, effects of mediation during the execution of the measure).

7. The conflict

The conflict: elements, causes, variables, process, and conflict management styles.

8. Models of mediation

Transformative model (Bush and Folger). Linear traditional model (Fisher and Ury). narrative-circle (Coob). Model Carnevale. Model of strategic contingencies.

9. Tactics and techniques of mediation

Skills of the mediator. Mediation plan. Stages of the mediation process. Tactics and tactic against attack of mediation. The effectiveness of the mediation.



WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	60,00	100
Development of group work	5,00	0
Development of individual work	5,00	0
Study and independent work	20,00	0
Readings supplementary material	10,00	0
Preparation of evaluation activities	10,00	0
Preparing lectures	10,00	0
Preparation of practical classes and problem	10,00	0
Resolution of case studies	15,00	0
Resolution of online questionnaires	5,00	0
TOTAL	150,00	

TEACHING METHODOLOGY

In face-to-face classes, teaching will be theoretical and practical, emphasized the continuous evaluation of the learning through activities in class, as demonstrated in the evaluation criteria. In the development of the sessions are they alternate, therefore, exhibitions of the Professor with different activities which demand active involvement by the student will serve to develop, Supplement and implement the various contents of the subject; These activities will be the subject of evaluation. Exemplificative title, will be proposed: applied assumptions, simulations and comments from text (analyzing theoretical contributions or news media), discussions on issues, projection of documentaries or feature films and discussion forums on these exhibition and discussion of targeted work...

The work of the student outside of school hours implies both a strictly individual work as cooperative activities, and will be evaluated through: 1) of evidence assessment, 2) activities in class, and 3) concrete results contributed to the teacher.

Common (such as round tables and workshops of simulation) complementary activities, which will form part of the training programme and may incorporate, where appropriate, tasks or work group or individual capable of evaluation will be proposed.

EVALUATION

Competences shall be assessed by the following continuous sistem:



Evaluation of learning through the presentation of works, exhibition of presentations, seminars and workshops, and participation in activities in classroom, complementary activities and self-employment of the student: 4 points.

The students should certify the participation and assistance of a minimum of 80% of the hours of the activity to be evaluated of the complementary activity.

Written final test of character theoretical/practical: 6 points. The exam will be written, it may be a test, or contain some brief questions, or consist of a combination of both. It will be decided by the faculty of the subject.

It will be necessary to pass the written exam to add the grade corresponding to the evaluation of learning.

REFERENCES

Basic

- Barona Vilar, S. (2011): Mediación penal. Fundamento, fines y régimen jurídico, Valencia: Tirant lo Blanch.
- Barona Vilar, S. (2009): Mediación penal como pieza del sistema de tutela penal en el Siglo XXI. Un paso más hacia la resocialización y la justicia restaurativa, Revista de Derecho Penal, n. 26 (enero), pp. 11-54.
- De Diego, R. y Guillén, C. (2008): Mediación. Proceso, tácticas y técnicas. Madrid: Pirámide.
- Gordillo Santana, L.F. (2007): La justicia restaurativa y la mediación penal. Madrid: lustel.
- Ríos Martín, J.C. et al. (2008): La mediación penal y penitenciaria: experiencias de diálogo en el sistema penal para la reducción de la violencia y el sufrimiento humano. Madrid: Colex.
- Six, J.F. (1997): Dinámica de la mediación. Barcelona: Paidós.
- Cevelló Donderis, V. (coord.) (2016), Cuestiones prácticas para la aplicación de la mediación penal, Tirant lo Blanch.
- Cano Soler, M.A. (2015) La mediación penal. Ed. Aranzadi, Pamplona.
- Aranda Jurado, M. (2018), Justicia restaurativa y mediación penal en España. Valencia: UCV.
- Gimeno Sendra, V. y Díaz Martínez, M. (2018), Manual de mediación penal. Madrid: Edisofer.
- De Diego, R. y Guillén, C. (2010) Mediación. Proceso, tácticas y técnicas. Madrid: Pirámide.
- Munduate, L. y Medina, F.J. (2013) Gestión del conflicto, negociación y mediación. Formato Digital. Madrid: Pirámide.