

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

Code	35216
Name	Criminal Law II
Cycle	Grade
ECTS Credits	7.5
Academic year	2021 - 2022

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	3	Annual
1921 - Double Degree Program BMA and Law	Faculty of Economics	4	Annual
1922 - Double Degree Prog. Law-Political Science	Faculty of Law	4	Annual
1923 - Double Degree Programme Law-Criminology	Faculty of Law	3	Annual

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	13 - Criminal law	Obligatory
1921 - Double Degree Program BMA and Law	5 - Year 4 compulsory subjects	Obligatory
1922 - Double Degree Prog. Law-Political Science	5 - Year 4 compulsory subjects	Obligatory
1923 - Double Degree Programme Law-Criminology	4 - Year 3 compulsory subjects	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 Law's 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

In order to study this subject it is absolutely necessary to connect it permanently with the dogmatic categories analyzed in the General Part. It is essential to have studied previously Criminal law I, so that it will be easier to understand the present subject.

COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

1303 - Degree in Law

- Recognise the importance of law as a system for regulating social relations.
- Know the content and application of each of the branches of the legal system.
- Understand the legal system as unitary and have an interdisciplinary perspective of legal problems.
- Be able to apply constitutional principles and values, the respect for human rights, with special attention to equality between men and women, sustainability and the culture of peace as working tools in the interpretation of the legal system.
- Understand the constitutional regulatory framework, the political institutions of the State and their functioning.
- Be able to use legal sources (legal, jurisprudential and doctrinal).
- Be able to read and interpret legal texts.
- Be able to communicate correctly both orally and in writing in the field of law.



- Be able to analyse legal problems and synthesise their approach and resolution.
- Develop critical awareness for the analysis of the legal system and develop the legal dialectic.
- Acquire basic knowledge of legal arguments.

LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

- 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 AND INDEMNITY

Lesson 10: Sexual assault and abuse.

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 vehicles.

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 group work	0,00	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
Resolution of case studies	0,00	0
Resolution of online questionnaires	0,00	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

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

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

- Última edición disponible de las siguientes referencias

Código penal actualizado y Constitución española.

- 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, 5ª Ed. Dyckinson, Madrid, 2020.
- MUÑOZ CONDE, F.: Derecho penal, Parte especial, 22ª ed., Ed. Tirant lo Blanch, Valencia, 2019.
- 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, 6ª ed., Ed. Tirant lo Blanch, Valencia, 2019.

Additional

- Última edición disponible de las siguientes referencias

- 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, 6ª ed. Barcelona, Ed. Atelier, 2019.
- ZUGALDÍA ESPINAR (dir.), Derecho penal Parte Especial: un estudio a través del sistema de casos resueltos, 3ª ed., Ed. Tirant lo Blanch, Valencia, 2011.



ADDENDUM COVID-19

This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council

PRESENTIAL TEACHING MODEL: No significant changes are foreseen in the teaching methodology, which will be specified at the discretion of each lecturer.

BLENDED TEACHING MODEL: If academic authorities so state, this subject will be adapted to the blended teaching model established by the Faculty of Law, under which students will attend in-person theoretical-practical classes in alternate weeks. To this end, the Secretariat of the Faculty will divide the group into as many subgroups as necessary, and lectures will take place for a subgroup in the classroom at the schedule established for the subject according to the calendar established by the Faculty, whereas the others will attend the class, as a priority, through synchronous VIDEOCONFERENCE. The contents, volume of work and assessment remain in the terms initially foreseen in the academic guide.

NON-PRESENTIAL TEACHING MODEL: If academic authorities declare the change into non-presential teaching, this subject will be taught to all students under the same conditions as those indicated for the distance teaching of the blended system. The contents, volume of work and evaluation remain in the terms initially foreseen in the academic guide.