COURSE DATA

Data Subject

Code	35216
Name	Criminal Law II
Cycle	Grade
ECTS Credits	7.5
Academic year	2024 - 2025

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 Law	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
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	Faculty of Law	4	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
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	5 - Asignaturas obligatorias de cuarto curso	Obligatory

Coordination

Name	Department
AGUADO LOPEZ, SARA	72 - Criminal Law

SUMMARY

The course of Criminal Law II (Special part) is compulsory and is taught in the third course of the bachelor's degree in Law. The teaching load is 7,5 ECTS credits. Its main object is the analysis of the different criminal legal definitions according to the outline studied in the subject "Criminal law I".

It involves the study of different crimes contained in Book II of the Criminal Code and, where appropriate, in the Special criminal statutes. It is a course on statutory law and therefore its structure revolves around the regulation of de criminal offences 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)

-Ability to know and construe the limits of punitive power and the application of criminal law.

-Ability to indentify the differen elements of the criminal offence.

-Knowledge of the different consequences of the offence, its determination and execution procedure.

-Knowledge of the elements of each offence in particular.

-Being able to prepare a written indictment.

DESCRIPTION OF CONTENTS

1. OFFENCES AGAINST LIFE AND PERSONAL HEALTH

Lesson 1: Homicide.

Lesson 2: Murder

Lesson 3: Encouraging and Assisting suicide
Lesson 4: Abortion

Lesson 5: Injuries

2. OFFENCES AGAINST INDIVIDUAL FREEDOM

Lesson 6.- Unlawful Detention and kidnapping

Lesson 7.- Threats and Coercion

3. OFFENCES AGAINST MORAL INTEGRITY

Lesson 8: Offences against the Moral integrity and habitual family and gender violence

Lesson 9: Tortures

4. OFFENCES AGAINST SEXUAL FREEDOM

Lesson 10: Sexual assault.

Lesson 11: Corruption of minors and offences related to prostitution

5. FAILURE TO GIVE ASSISTANCE

Lesson 12: Failure to give assistance.

6. OFFENCES AGAINST PRIVACY AND HOUSEBREAKING

Lesson 13: Discovery and dissemination of secrets

Lesson 14: Trespass

7. OFFENCES AGAINST REPUTATION

Lesson 15: Defamation and false allegaltion of committing and offence.

8. OFFENCES AGAINST PROPERTY AND ECONOMIC CRIMES

Lesson 16: Theft.
Lesson 17: Robbery using force against property. Short notes on taking motor vehicles without authority.
Lesson 18.- Robbery using violence and intimidation.
Lesson 19: Fraud
Lesson 20: Embezzlement and unfair administration.

9. OFFENCES AGAINST THE RIGHTS OF WORKERS

Lesson 21: Offences against work health and safety: arts. 316 and 317 of the Criminal code.

10. OFFENCES AGAINST PUBLIC SECURITY

Lesson 22: Drug trafficking.
Lesson 23: Crimes against road safety.

11. FORGERIES

Lesson 24: Forgery of documents

12. OFFENCES AGAINST THE PUBLIC ADMINISTRATION

Lesson 25: Prevarication (knowingly rendering an unjust administrative decision)
Lesson 26: Bribery.
Lesson 27: Embezzlement and unfair administration of public funds

13. OFFENCES AGAINST THE PUBLIC ORDER

Lesson 28: Assaulting civil servants, authorities and 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.- **Classroom teaching** is allocated 75 hours, and thus is not possible to study in class all criminal offences in force in our criminal legal system. However, a selection of the most important crimes will be examined in the course, to provide the student with a better understanding of the subject.

2.-**Continuous assessment**:

It will consist of the preparation of assignments, presentations and the holding of seminars and case law analysis.

3.-**Complementary activities**:

As complementary activities, visits will be made to courts and different institutions.

EVALUATION

The final grade of the subject will be determined of the basis of the grades obtained in the continuous assessment carried out, worth 30% of the marks, and sitting the final exam on the dates set by the faculty, which accounts for 70% of the marks.

It will be necessary to obtain a minimum pass mark (5) in the final exam in order to pass the subject, regardless of the mark obtained in the continuous assessment.

The professor's addendum will detail the conditions of the continuous assessment and the oral or written nature of the final exam, as well as whether a partial exam will be held, with or without discharging effects, on the dates set for this purpose.

Students who do not take the continuous assessment may sit the final exam at the first call, and the mark obtained will be limited to the weighted value that this test has in the final mark (70%), so that, as a maximum, a 7 may be obtained as the final grade.

In the event of failing the first call, the grade obtained in the continuous assessment will be retained for the second call. If the professor's addendum foresees that there is any continuous assessment activity that can be recovered in the second call, the addendum will be establish the procedure for making up those activities.

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, 7ª Ed. Dyckinson, Madrid, 2022.
-MUÑOZ CONDE, F.: Derecho penal, Parte especial, 25ª ed., Ed. Tirant lo Blanch, Valencia, 2023.
-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, 8ª ed., Ed. Tirant lo Blanch, Valencia, 2023.

Additional

- Última edició disponible de les següents referències

-CUERDA ARNAU (Dir).: Vistas penales. Casos resueltos y guías de actuación en sala, 4ª ed. Ed. Tirant lo Blanch, Valencia, 2023.
-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.