



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310312 **Name:** Criminal Law Special Part

Credits: 6,00 **ECTS Year:** 3 **Semester:** 2

Module: Criminal Law

Subject Matter: Criminal Law **Type:** Compulsory

Department: Public Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

313A	<u>Ignacio Comes Raga</u> (Responsible Lecturer)	ignacio.comes@ucv.es
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Module organization

Criminal Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Criminal Law	12,00	Criminal Law	6,00	3/1
		Criminal Law Special Part	6,00	3/2

Recommended knowledge

Have studied Constitutional Law and Criminal Law.



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 To differentiate criminal and administrative offences.
- R2 To know the different types of crimes, aggravated and privileged figures and to use confidently the concepts related to them.
- R3 To differentiate the different crimes, the way they are committed and the legal property protected from each one of them.
- R4 To be confident in the use of criminal qualifications.
- R5 To apply to specific crimes the inspiring and basic principles of Criminal Law, and fundamentally those of equality, legality, minimum intervention, non bis in idem, presumption of innocence, guilt, socialization, and humanization of punishment.
- R6 To know the different crimes in which the active subject can also be a legal person.
- R7 To differentiate the seriousness of the crimes, both in terms of the different legal assets they protect and the different elements of the type that aggravate or attenuate the conduct.
- R8 To know the possibilities of imprudent commission and forms of resolution externalised in each of the crimes.



Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL		Weighting			
		1	2	3	4
CG1	Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.			X	
CG2	Analysis and synthesis capacity			X	
CG4	Problem-solving capacity.			X	
CG6	To be able to effectively obtain information from books and specialized journals, and from other sources.		X		
CG8	Ethical commitment to information management.				X
CG11	Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.		X		
CG15	Ability to work in interdisciplinary teams.	X			
CG16	Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.				X
SPECIFIC		Weighting			
		1	2	3	4
CE3	Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.				X
CE13	Ability to identify conduct that involves a breach of the legal system and its consequences.				X
CE14	Ability to lodge appeals against acts of the different bodies of the various administrations or institutions.	X			



CE15	Ability to defend in and out of court the rights of natural and legal persons and institutions.				X
CE16	Acquisition of a critical conscience in the analysis of the legal system and acquisition of values and ethical principles.				X
CE22	Ability to make legal arguments.				X
CE23	Ability to write legal texts. Basic knowledge of legal argumentation.				X
CE24	Development of legal oratory. Ability to express oneself appropriately in front of an audience.			X	



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	40,00%	Practical tests
	20,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
	40,00%	Written theoretical tests

Observations

-In the first call it is essential to achieve a minimum of 4.5 out of 10, in the exam to be able to compute the other two concepts (Attendance and favorable participation, as well as a favorable attitude in the subject and the other percentage, practices)

-In the second call, only the exam grade is taken into account.

-In relation to "attendance, active participation and a favorable attitude", mere attendance only represents 5% of the total of this percentage. The other 15% corresponds to the active participation that can be carried out both in the intervention in the class, raising doubts and answers on the merits, and through the forum, emails, tutorials.

-The pass will only be the result of obtaining a grade equal to or greater than 5.

- Excused absences can only be counted as attendance by making a summary of the topic given in class.

According to article 9 of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, the continuous evaluation system is the preferred evaluation system at the UCV. The art. 10 allows, however, for those students who, in a justified and accredited manner, express their inability to attend in person (or to synchronous communication activities for virtual and/or hybrid teaching modalities), their evaluation on an extraordinary basis in the so-called single evaluation. Said single evaluation must be requested within the first month of each semester to the Dean of Faculty through the Vice-Deaneries or Master's Directorates, with the express decision on the admission of said request from the student concerned being the responsibility of the latter.

The evidence to be presented and/or the test/s to be carried out in the single evaluation by the student will be the same as for the rest of the students, although the percentages awarded to the different evaluation instruments will be the following: 50% practical tests and 50% theoretical written tests.



CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.
- M5 The students must be familiarized with the institutions where this branch of Law is applied on a daily basis.
- M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
- M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.



- M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.
- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1	R1, R2, R3, R4, R5, R6, R7	14,00	0,56
Visits to penitentiary institutions and jurisdictional bodies where criminal trials take place. M5	R1, R2, R3, R4, R5, R6, R7, R8	5,00	0,20
Theoretical classes. M8	R1, R2, R3, R4, R5, R6, R7, R8	35,00	1,40
Tutorial. M11	R1, R2, R3, R4, R5, R6, R7, R8	2,00	0,08
Assessment M12	R1, R2, R3, R4, R5, R6, R7, R8	4,00	0,16
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R1, R2, R3, R4, R5, R6, R7, R8	5,00	0,20
Individual work. M14	R1, R2, R3, R4, R5, R6, R7	85,00	3,40
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
BLOCK I. CRIMES AGAINST THE LIFE AND PHYSICAL INTEGRITY OF PEOPLE.	<ol style="list-style-type: none">1. Homicide and its forms.2. Abortion.3. Injury, injury to the fetus and genetic manipulation.
BLOCK II. CRIMES AGAINST THE FREEDOM OF THE PEOPLE.	<ol style="list-style-type: none">1. Illegal arrests and kidnappings, threats and coercion.2. Crimes against moral integrity.3. Trafficking in human beings.4. Crimes against the freedoms of individuals' secondary indemnity.5. Omission of the relief deleber.
BLOCK III. CRIMES AGAINST PERSONAL PRIVACY AND AGAINST HONOR.	<ol style="list-style-type: none">1. Crimes against personal privacy and revelation of secrets.2. Trespassing.3. Injury and slander.
BLOCK IV. DOMESTIC VIOLENCE AND VIOLENCE AGAINST WOMEN.	<ol style="list-style-type: none">1. Domestic violence.2. Violence against women.3. Similarities and differences, objective and objective.
BLOCK V CRIMES AGAINST FAMILY RELATIONS	<ol style="list-style-type: none">1. Illegal marriages.2. Crimes against filiation.3. Breach of family duties.



BLOCK VI. CRIMES AGAINST HERITAGE AND AGAINST SOCIOECONOMIC ORDER.

1. Theft, robbery, extortion and usurpation.
2. Fraud.
3. Frustration of the execution and punishable insolvencies, alteration of the price in contests and auctions.
3. Damage.
4. Industrial and intellectual property and crimes related to the market and consumers.
5. Subtraction of own thing.
6. Corporate crimes.
7. Reception, money laundering: concept, content, similarities and differences with the crime of concealment.

BLOCK VII. ILLEGAL FINANCING OF POLITICAL PARTIES, AGAINST PUBLIC FINANCES AND SOCIAL SECURITY.

1. Concept and basic and aggravated types.
2. Against the Public Treasury, Social Security and against the heritage of the European Union.

BLOCK VIII. CRIMES AGAINST THE RIGHTS OF WORKERS AND AGAINST FOREIGN CITIZENS.

1. Crimes against the rights of workers.
2. Crimes against safety and hygiene at work.
3. Crimes against the rights of foreign citizens.

BLOCK IX. CRIMES AGAINST LAND USE AND URBAN PLANNING, HISTORICAL HERITAGE AND THE ENVIRONMENT.

1. Offenses against land use planning and urban planning.
2. Crimes against historical heritage.
3. Crimes against the environment
4. Crimes against flora and fauna.

BLOCK X CRIMES AGAINST COLLECTIVE SECURITY

1. Catastrophic risk crimes.
2. Fire crimes.
3. Crimes against public health.

BLOCK XI CRIMES AGAINST PUBLIC FAITH

1. Counterfeiting currency.
2. Forgery of documents.
3. Usurpation of civil status.
4. Usurpation of public functions and intrusion

BLOCK XII CRIMES AGAINST THE ADMINISTRATION

1. Crimes against the Public Administration.
2. Crimes against the Administration of Justice.

BLOCK XIII CRIMES AGAINST THE CONSTITUTION

1. Rebellion.
2. Crimes against the Crown and other State institutions.
3. Crimes against fundamental rights and freedoms and against constitutional guarantees.
4. Insults to Spain.



BLOCK XIV CRIMES AGAINST PUBLIC ORDER

1. Attacks.
2. Public disorders.
3. Offenses of possession, trafficking in arms and explosives.
4. Crimes of organizations, criminal groups and terrorists.

BLOCK XV CRIMES AGAINST THE INDEPENDENCE OF THE STATE

1. Offenses of treason.
2. Crimes against the peace and independence of the State and National Security

BLOCK XVI CRIMES AGAINST THE INTERNATIONAL COMMUNITY

1. Crimes against the law of peoples.
2. Crime of genocide.
3. Crime against humanity.
4. Crimes committed on the occasion of armed conflict.
5. Piracy.



Temporary organization of learning:

Block of content	Number of sessions	Hours
BLOCK I. CRIMES AGAINST THE LIFE AND PHYSICAL INTEGRITY OF PEOPLE.	4,00	8,00
BLOCK II. CRIMES AGAINST THE FREEDOM OF THE PEOPLE.	2,00	4,00
BLOCK III. CRIMES AGAINST PERSONAL PRIVACY AND AGAINST HONOR.	2,00	4,00
BLOCK IV. DOMESTIC VIOLENCE AND VIOLENCE AGAINST WOMEN.	1,00	2,00
BLOCK V CRIMES AGAINST FAMILY RELATIONS	1,00	2,00
BLOCK VI. CRIMES AGAINST HERITAGE AND AGAINST SOCIOECONOMIC ORDER.	7,00	14,00
BLOCK VII. ILLEGAL FINANCING OF POLITICAL PARTIES, AGAINST PUBLIC FINANCES AND SOCIAL SECURITY.	1,00	2,00
BLOCK VIII. CRIMES AGAINST THE RIGHTS OF WORKERS AND AGAINST FOREIGN CITIZENS.	1,00	2,00
BLOCK IX. CRIMES AGAINST LAND USE AND URBAN PLANNING, HISTORICAL HERITAGE AND THE ENVIRONMENT.	1,00	2,00
BLOCK X CRIMES AGAINST COLLECTIVE SECURITY	3,00	6,00
BLOCK XI CRIMES AGAINST PUBLIC FAITH	2,00	4,00
BLOCK XII CRIMES AGAINST THE ADMINISTRATION	2,00	4,00
BLOCK XIII CRIMES AGAINST THE CONSTITUTION	1,00	2,00



BLOCK XIV CRIMES AGAINST PUBLIC ORDER	1,00	2,00
BLOCK XV CRIMES AGAINST THE INDEPENDENCE OF THE STATE	0,50	1,00
BLOCK XVI CRIMES AGAINST THE INTERNATIONAL COMMUNITY	0,50	1,00

References

GONZALEZ CUSSAC, J.L. (Coord.), *Derecho Penal, Parte Especial*. ed. Tirant lo Blanch. 7ª Ed. Valencia, 2022.

ORTS BERENGUER, E., *Compendio de Derecho Penal. Parte general*, 9ª Edición, ed. Tirant lo Blanch. 9ª Ed. Valencia, 2022.

Dadas las diversas reformas habidas en la legislación penal desde diciembre de 2020 hasta la fecha no existe bibliografía más actualizada, por lo que la bibliografía fundamental la constituirán los textos legislativos actualizados, cuyo anejo será imprescindible en cada sesión, sin perjuicio de los complementos necesarios con los doctrinales.