

27711 - Penal Law: General Part

Syllabus Information

Academic year: 2023/24

Subject: 27711 - Penal Law: General Part

Faculty / School: 102 - Facultad de Derecho

Degree: 421 - Degree in Law

ECTS: 9.0

Year: 2

Semester: First semester

Subject type: Compulsory

Module:

1. General information

The main objective of the subject of Criminal Law, General Part is to provide students with knowledge of the basic principles of criminal law, the construction of the legal theory of crime and the system of legal consequences of crime. All this will enable them to know how to attribute, if necessary, criminal liability to a person who has committed a criminal act.

This objective is aligned with the Sustainable Development Goal of the United Nations 2030 Agenda number 16 PEACE, JUSTICE AND SOUND INSTITUTIONS, in such a way that the acquisition of the learning results of the subject provides training and competence to contribute to some extent to its achievement.

2. Learning results

- To know the criminal-political purposes and principles that legitimize penal intervention in the framework of a democratic state, as well as the sources of criminal law, the assumptions of criminal liability and the characteristics of the system of legal consequences of the crime
- To understand the need and meaning of the general theory of crime in the application of criminal rules, as well as the internal logic of the structure of crime and each of its constitutive categories (action or omission, typicity, antijuridicity and culpability)
- To understand the different nature and assumptions of penalties, security measures, accessory consequences and civil liability derived from the crime, as well as to determine their rules of measurement.
- To acquire the ability to apply in a reasoned manner the method of analysis represented by the theory of crime to the resolution of factual assumptions, and to justify the corresponding legal-criminal consequence.
- To acquire the ability to analyse penal norms, doctrinal texts and sentences, recognizing problems, principles and underlying structures
- To solve cases by applying criminal legal argumentation.

3. Syllabus

BLOCK 1:

- Concept, function and basic principles of criminal law.
- Sources of criminal law.
- Temporal and spatial limits of criminal law.

BLOCK 2:

- The analytical concept of crime.
- Theory of action and omission.
- The crime as a typical action.
- Crime as an antijuridical action.
- Crime as a guilty action.
- Degrees of crime realization.
- Authorship and participation.
- Crimes of omission.
- Circumstances modifying criminal liability.
- Other assumptions of the penalty or of the criminal process.
- Criminal unity and plurality.
- Criminal liability of legal entities.

- **BLOCK 3:**
- Legal consequences of the crime

4. Academic activities

- Lecture activities and systematization of knowledge by the teaching staff: 54 hours Dynamic activities for teachers and students (resolution of practical cases, practices in the classroom or outside the classroom and seminars): 30 hours
- Personal study of the student, tutoring, work completion: 46.5 hours
- Assessment activities: 4.5 hours.

5. Assessment system

There are two systems:

1) Mixed system, which consists of the following activities:

a) Evaluation of active participation by means of tests, assignments or practical cases throughout the term-

The overall result of these will be weighted by 30% of the final grade.

In any case, students who have not achieved an average of 5 (pass) in this part of the grade, will have to undergo the other assessment method, based exclusively on the final global test.

b) Final global test. It will consist of a series of theoretical-practical questions to be answered based on the learning results developed during the term. The grade will be weighted at 70% of the final grade. Students who do not obtain a minimum grade of 5 out of 10 points in this final written test will not pass the subject. Only on the basis of this grade will it be weighted with the grade of the evaluation of the activities developed during the term.

2) Simple system based exclusively on the final global test consisting of two parts: (a) The performance of the test described in letter b) above (final global test).

b) Completion of a written exercise on the content of the subject, which demonstrates that the student knows how to analyse an issue from the perspective of criminal law.

The final grade of the overall test will be obtained from the weighted average of the exam grades, 70% for the first part and 30% for the second part, although in order to pass it is necessary to achieve at least a 5 out of 10 in each part.