

30505 - Penal Law: General Part

Syllabus Information

Academic year: 2023/24

Subject: 30505 - Penal Law: General Part

Faculty / School: 102 - Facultad de Derecho

Degree: 432 - Joint Law - Business Administration and Management Programme

ECTS: 9.0

Year: 2

Semester: First semester

Subject type: Compulsory

Module:

1. General information

The main goal of the subject 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 the legal consequences of crime. All this will enable you to know how to attribute, if necessary, criminal liability to a person who has committed a criminal act.

This goal is aligned with the Sustainable Development Goal of the United Nations 2030 Agenda number 16 PEACE, JUSTICE AND SOUND INSTITUTIONS, so 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

- Know the aims and political-criminal principles that legitimise criminal intervention in the framework of a democratic State as well as the sources of criminal law, the assumptions of criminal responsibility and the characteristics of the system of legal consequences of crime.
- Understand the necessity and meaning of the general theory of crime in the application of criminal law, as well as the internal logic of the structure of crime and of each of its constituent categories (action or omission, criminality, anti-juridicality and culpability).
- Understand the different nature and assumptions of penalties, security measures, accessory consequences and civil liability derived from the offence, as well as to determine their rules of measurement.
- Acquire the ability to apply in a reasoned manner the method of analysis that represents the theory of crime to the resolution of factual assumptions, and to justify the corresponding legal-criminal consequence
- Acquire the ability to analyze penal norms, doctrinal texts and sentences, recognizing problems, principles and underlying structures
- 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 (solving case studies, practices in and out of 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 consisting of the following activities:

a) Assessment of active participation through the completion of tests, assignments or case studies 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 qualification, will have to 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 that have been developed during the term. The grade will be weighted 70% in the final grade . Students who do not obtain in this final written test a minimum grade of 5 out of 10 points will not pass the subject. Only on the basis of this score will the assessment grade of the activities developed during the term be weighted.

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 they know how to analyze an issue from the perspective of criminal law

The final grade of the overall test will be obtained from the weighted average of the test 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 of them