

# Teaching guide

## IDENTIFICATION DETAILS

Degree:	Criminology		
Scope	Law and legal specialties		
Faculty/School:	Law, Business and Government		
Course:	ECONOMIC AND FINANCIAL CRIMES		
Type:	Optional	ECTS credits:	3
Year:	4	Code:	6153
Teaching period:	Eighth semester		
Subject:	Criminal Phenomenology		
Module:	Criminology		
Teaching type:	Classroom-based		
Language:	Spanish		
Total number of student study hours:	75		

## SUBJECT DESCRIPTION

Study of the issues of the General Part of Criminal Law of special relevance in socio-economic crimes.  
Legislative techniques and the study of Spanish regulation.  
Analysis of cases and harm to society.

## GOAL

Know the basic principles and foundations of Criminal Law, as well as the essential elements of the Legal Theory of Crime and Punishment: concept, elements, evolution and doctrines that analyze and explain it. All this with a critical vision, adjusted to criteria of equity and justice.

Know and identify, in each criminal figure, the different elements of the type. All this from a critical perspective in accordance with the rights and guarantees of the individual, valuing the social transcendence of criminal justice.

## **PRIOR KNOWLEDGE**

The previous knowledge that the student must possess is those corresponding to the subjects of Legal Organization, Sources and Fundamental Rights, Theory of Law, and Criminal Law I and II Degrees in Criminology. Subjects whose content is, in many subjects, closely related to the foundation, origin and evolution of Criminal Law.

To follow this subject, knowledge of Criminal Law I (General Part I) is required

## **COURSE SYLLABUS**

Phenomenology of 'Crimes against property and against the socio-economic order'.

Based on the articles detailed in Title XIII of the Criminal Code, the extent, volume and social damages will be studied.

### **INTRODUCTION.**

#### **I.- ISSUES RELATING TO THE GENERAL PART OF SOCIO-ECONOMIC CRIMES.**

- 1.- The protected legal asset.
  - 1.1. The economic order
  - 1.2. Intermediate legal assets.
- 2.- Peculiarities of objective typicality.

#### **II. THE DIFFERENT TYPES OF SOCIO-ECONOMIC CRIMES IN THE CURRENT CRIMINAL CODE.**

- Intellectual property crimes: general considerations, the protected legal asset, the basic type of art. 270 of the CP, intellectual property injuries related to data files and computer programs, aggravated types.
- Crimes relating to industrial property: general issues, crimes relating to inventions and industrial creations, crimes relating to distinctive signs, the crime of misuse of designations of origin or geographical indications, the common qualified type of art. 276.
- Crimes related to the market and consumers and the theft of property of its own social or cultural utility: discovery and disclosure of secrets, shortage of raw materials, fraudulent advertising and false invoicing, alteration of natural

prices, abuse of privileged information in the market, theft of property of its own from its social or cultural utility.

- Crimes against public finances and against social security: general considerations, the crime of tax fraud, the crime of defrauding social security.
- Reception and laundering of assets: the reception, legal nature and protected legal asset, the reception of crimes, the reception of misdemeanors, the laundering of assets, general considerations and protected legal property, the basic type of art. 301 of the CP of 95, qualified types.
- Corporate crimes: introductory issues, legal nature of corporate crimes, their classification, legislative policy and criteria for interpreting new corporate crimes, concepts common to the different types, the criminal concepts of de facto and legal administrator, the criminal concept of society, the condition of prosecution of art. 296. CP, falsehoods in social information, adoption of abusive agreements, imposition or exploitation of harmful agreements, denial or obstruction of member rights, denial or obstruction of inspection or supervisory activity, fraudulent corporate management.
- punishable insolvencies: general and introductory issues, seizure of assets, concept of seizure, assumptions of the crime, basic type: art. 257.1.1, specific types of seizure of assets, punishable bankruptcies, wrongful favor of creditors, bankruptcy, bankruptcy or suspension of fraudulent payments, the type of falsification of the accounting statement to obtain a declaration of insolvency.

## EDUCATION ACTIVITIES

The Bologna Process led to the creation of the European Higher Education Area (EHEA), one of whose most relevant aspects has been the transition from the old traditional teaching scheme to the new learning model where the student's autonomous work takes on greater importance. Therefore, the methodology implemented at the UFV is carried out through the Flipped Classroom (FC) system, a pedagogical model that transfers the work of certain learning processes outside the classroom and uses class time, together with the teacher's experience, to facilitate and enhance other processes of acquiring and practicing knowledge within the classroom. From this model, the training activities will be as follows:

A mixed methodology will be used in this subject, based on attendance and participation in theoretical classes and practical classes, as well as the student's personal research and reflection.

### FACE-TO-FACE WORK

Expository classes: Transmission of knowledge by the teacher in order to activate cognitive processes in the student, delving into the points of greatest interest and difficulty. It is highly recommended that the student has

previously read and prepared the topic to be presented by the teacher and thus participate more actively in class.

Practical classes: This modality has several purposes and can be followed as methods:

1. Case study (acquisition of learning through the analysis of real or simulated cases);
2. Solving exercises and problems (exercising, rehearsing and putting previous knowledge into practice)
3. Problem-based learning (developing active learning through problem solving)

Text commentary: Reading, analysis and commenting on texts. The main objective is for students to develop their capacity for analysis, synthesis and critical reasoning.

Paper presentation: Oral presentation of the research work prepared by the student individually or in a group, with the objective of promoting the understanding and assimilation of the different concepts previously acquired and the development of the student's argumentative and critical capacity.

Debates: on real criminal legal problems, so that the student learns to reasonably discuss certain issues, exchanging opinions, accepting contrary opinions, stating reasons and arguments, while assimilating the arguments of the opposing party, detecting their strengths and weaknesses and developing the capacity for legal communication and argument.

Tutoring:

- a) Personalized: individual attention of the student with the objective of reviewing and discussing the topics presented in class and clarifying any doubts that have arisen.
- b) Group: Supervision of students who work in groups for the development of the work.

Examination: The objective is to evaluate the acquisition of the proposed competencies, mainly of a cognitive nature, as part of the evaluation system. At the same time, it allows us to evaluate the learning results obtained.

## AUTONOMOUS WORK

Group research work: A project carried out by a group of students on a specific topic whose elaboration must take into account all the necessary documentary and practical sources.

Individual research work: Project carried out by a student on a specific topic for which he must take into account all the documentary and practical sources that are necessary.

Theoretical study: Study of the theoretical contents of the program and preparation of recommended readings.

Practical study: Study of the practical contents of the program and resolution of practical cases.

Virtual work on the network: Virtual space designed by the teacher and with restricted access, where the student will consult documents, can work simultaneously with other classmates, participate in an organized forum and maintain tutoring with the teacher.

Training activities, as well as the distribution of working hours, can be modified and adapted according to the different scenarios established following the instructions of the health authorities.

## DISTRIBUTION OF WORK TIME

TEACHER-LED TRAINING ACTIVITIES	INDIVIDUAL WORK
30 Horas	45 Horas

## SKILLS

### Basic Skills

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study.

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

To gauge and help to constructively resolve disputes, suitably managing interpersonal relations.

### General Skills

To gauge and help to constructively resolve disputes, suitably managing interpersonal relations.

### Specific skills

To know the social dimension of the human being: processes of socialization and family, school, socio-cultural and historical influence. Dynamics of human groups and groups as well as fundamental social institutions from the point of view of social inequality and cultural difference

Use and interpret social indicators and social measurement tools, combining different research designs, data collection, elaboration and testing of hypotheses and interpretation of results

Analyze the transformations and evolution of contemporary societies and their political and social movements

Understand and assess the influence of psychological characteristics, the psycho-social environment, and psychopathological and psychosociological processes related to criminal behavior and victimization processes

Analyze and select data to provide the Judge with scientific knowledge about the crime being prosecuted, providing medical-legal and criminalistic explanations

## LEARNING RESULTS

The student knows all the actors, social factors, criminal organizations, the methods and general strategies of action of institutions in the face of economic crime.

It has the capacity, autonomously, to issue the basic design of intervention projects in the prevention of economic crime, identifying risk factors related to criminal careers.

It diagnoses the main social problems, situations of risk of exclusion and marginality and their possible influence on crime

Has scientific-empirical knowledge to participate in current debates in relation to crime and the legal system.

It also understands and correctly handles the most relevant and relevant legal, psychological, sociological and educational terminology in the criminological field.

## LEARNING APPRAISAL SYSTEM

The work that the student does throughout the course and the final exam of the subject will be evaluated, which must necessarily be passed to pass it. It is mandatory for the student to attend 80% of the classes and to carry out all the activities that the teacher indicates as mandatory.

ORDINARY CALL. -

FINAL EXAM: test with a value of 60% of the grade of the subject.

CASE STUDIES: 20% of the grade of the subject. During the course, the student will carry out the cases and comments indicated, both in the classroom and outside the classroom.

GROUP WORK: 10% of the grade of the subject. Students, in groups previously formed by the teacher, must complete, deliver and present the proposed work in class.

PARTICIPATION: 10% of the grade of the subject. It includes tutoring and student participation in the different debates that arise.

- The application of all the indicated percentages with which the subject is graded globally requires passing the exam of the subject, submitting all the practical cases and works indicated by the teacher.

- SECOND AND SUCCESSIVE CALLS:

The student who finds himself in these situations must present the works and practical cases indicated by the teacher. The exam will be written and in the same format as the final exam.

FINAL EXAM: test with a value of 70% of the grade of the subject.

CASE STUDIES: 20% of the grade of the subject. During the course, the student will carry out the cases and comments indicated, both in the classroom and outside the classroom.

GROUP WORK: 10% of the grade of the subject. Students, in groups previously formed by the teacher, must complete, deliver and present the proposed work in class.

CALL FOR STUDENTS WITH ACADEMIC EXEMPTION. -

FINAL EXAM: test with a value of 80% of the grade of the subject.

WORK: 20% of the grade of the subject. The student will contact the teacher for the assignment of the teacher.

-APPLICANTS FOR HONORS ENROLLMENT: students who are in this situation must ask an extra question that the teacher indicates to be developed in the final exam.

In the subject evaluation system, a continuous evaluation system is followed, not only having a summative value but also an evaluative value, so the work that the student does throughout the course will be evaluated. It is mandatory for the student to attend 80% of the classes and to carry out all the activities that the teacher indicates as mandatory. The following parameters and percentage weighting will be taken into account in the final grade:

- Theoretical tests: 70%

- Practical activities 30% (oral presentations, case studies, research papers, tutoring, etc.) and participation in the course

This system will be followed both for ordinary and extraordinary calls, as well as for students who are exceptionally exempt from class attendance and students in second and subsequent enrollment: students must take the final exam, on the date of the official call and also submit the case studies and other activities programmed by the teacher.

General Rules:

- The average of the overall grade will be obtained from a score of 5 in each of the blocks, both theoretical and

practical.

- APPLICANTS FOR HONORARY ENROLLMENT: students who are in this situation must ask an extra question that the teacher indicates to be developed in the final exam.

## REMINDER OF THE REGULATIONS FOR THE EVALUATION OF UNDERGRADUATE STUDENTS AND THEIR OWN COMPLEMENTARY DEGREES.

In the PRELIMINARY TITLE: OBJECT AND SCOPE OF APPLICATION of the aforementioned Regulations and in accordance with it, students are reminded of Article 13, which contemplates the consequences that arise in cases of PLAGIARISM AND COPYING OF PAPERS OR EXAMS.

### Article 13. Authenticity and honesty

1. Students, in any evaluation test, are required to observe the elementary rules regarding the authenticity of the exercise and its privacy. When a student has or makes use of illegitimate means in taking an exam, commits plagiarism, or is unduly attributed the authorship of academic works required for the evaluation, he will be scored with a numerical score of zero, nullifying any right recognized by these rules, and may also be subject to sanction, after opening a disciplinary file.
2. The teacher must warn students of the academic and disciplinary consequences that may result from any act that contravenes the mentioned rules, especially before carrying out the evaluation tests. It is the teacher's obligation to provide the means to prevent fraud among students.
3. The teacher who detects any type of fraud must notify the director of the degree or faculty who will act according to the procedure established in the Coexistence Regulations.

WARNING FOR HEALTH REASONS: ALTERNATIVE EVALUATION SYSTEM IN CASE OF EXCLUSIVELY REMOTE TEACHING: EXAM: ALWAYS AND IN ANY CASE IT WILL BE FACE-TO-FACE: 70% REMOTE ORAL EXPOSURE: 20% PARTICIPATION AND INTEREST IN REMOTE CLASSES: 10% The exams will be carried out in person as long as the health situation allows it, and may be modified in order to comply with the instructions given by the health authorities. All tests susceptible to evaluation will be subject to the provisions of the UFV Evaluation Regulations.

## ETHICAL AND RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE

- 1.- The use of any Artificial Intelligence (AI) system or service shall be determined by the lecturer, and may only be used in the manner and under the conditions indicated by them. In all cases, its use must comply with the following principles:



- a) The use of AI systems or services must be accompanied by critical reflection on the part of the student regarding their impact and/or limitations in the development of the assigned task or project.
  - b) The selection of AI systems or services must be justified, explaining their advantages over other tools or methods of obtaining information. The chosen model and the version of AI used must be described in as much detail as possible.
  - c) The student must appropriately cite the use of AI systems or services, specifying the parts of the work where they were used and describing the creative process followed. The use of citation formats and usage examples may be consulted on the Library website([https://www.ufv.es/gestion-de-la-informacion\\_biblioteca/](https://www.ufv.es/gestion-de-la-informacion_biblioteca/)).
  - d) The results obtained through AI systems or services must always be verified. As the author, the student is responsible for their work and for the legitimacy of the sources used.
- 2.- In all cases, the use of AI systems or services must always respect the principles of responsible and ethical use upheld by the university, as outlined in the [Guide for the Responsible Use of Artificial Intelligence in Studies at UFV](#). Additionally, the lecturer may request other types of individual commitments from the student when deemed necessary.
- 3.- Without prejudice to the above, in cases of doubt regarding the ethical and responsible use of any AI system or service, the lecturer may require an oral presentation of any assignment or partial submission. This oral evaluation shall take precedence over any other form of assessment outlined in the Teaching Guide. In this oral defense, the student must demonstrate knowledge of the subject, justify their decisions, and explain the development of their work.

## BIBLIOGRAPHY AND OTHER RESOURCES

### Basic

GÓMEZ PAVÓN P. BUSTOS RUBIO M. AND OTHER ECONOMIC CRIMES ARANZADI

LIÑÁN LAFUENTE A AND OTHER ECONOMIC AND BUSINESS CRIMES DYKINSON