

Teaching guide

IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Sciences		
Faculty/School:	Law, Business and Government		
Course:	BASICS OF CRIMINAL POLICY		
Type:	Optional	ECTS credits:	3
Year:	3	Code:	7273
Teaching period:	Sixth semester		
Subject:	Criminal Law		
Module:	Public Law		
Teaching type:	Classroom-based		
Language:	Spanish		
Total number of student study hours:	75		

SUBJECT DESCRIPTION

Following the criteria of Borja Jiménez, we can define Criminal Policy as the set of measures and criteria of a legal, social, educational, economic and similar nature, established by public authorities to prevent and react to criminal phenomena, in order to keep crime rates in a given society under tolerable limits.

Consequently, the course is aimed at understanding the areas and working methods of Criminal Policy (general and special prevention models, etc.), and, from a criminological point of view, it can be considered as a part of the State's legal and social policy and, in turn, is part of its general policy. Consequently, it is necessary to carry out certain measures to combat crime based on empirical studies aimed at seeking an adequate social response to carry out this task

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GOAL

Know and assess the different existing trends in terms of the development and implementation of strategies aimed at preventing, controlling and suppressing crime. The specific purposes of the course are: From the perspective of Criminal Policy, to learn about different disciplines related to the criminal phenomenon and to understand their different perspectives of study, objects of knowledge and methods. Develop interest in the means of crime control and prevention. Understand the difficulty of designing and implementing strategies, means of controlling and preventing crime, on the basis that crime is a complex reality. Analyze new social realities and factors that influence changes in Criminal Policy guidelines. Identify, in different areas, Criminal Policy decisions. Develop a constructive critical sense.

It is essential to constantly update Criminal Policy and its close relationship with Criminal Law, its dogmatics and the relationship with Criminology as an empirical and decisive science with its contributions, since current criminal policy must be connected with reality, its methods and strategies must be formulated to dictate the most accurate conclusions of the empirical sciences of behavior, statistics and social reality. Criminal Policy must have an integrative nature, open to community participation, since these Public Policies are not oriented individually but rather to the community, inspired by respect for Fundamental Rights and subject to the continuous evaluation of their results.

PRIOR KNOWLEDGE

For the study of the subject, the previous knowledge that the student has acquired in the first year of studies is relevant and, especially, those related to 'Legal Organization, Sources and Fundamental Rights', 'Introduction to Sociology', 'Theory of Law', 'Criminal Law I and II (crime theory and theory of punishment)' and 'Introduction to Criminology'

COURSE SYLLABUS

TOPIC 1 INTRODUCTION TO CRIMINAL POLICY 1. Criminal Policy Concept 2. Functions of Criminal Policy 3. Current Criminal Policy Situation 4. Evolution from guarantee and resocializing models to the so-called citizen security model.

TOPIC 2. RELATIONS BETWEEN CRIMINAL POLICY AND OTHER DISCIPLINES 1. Criminal Policy in the catalog of criminal sciences 2. Relations between Criminal Policy and Criminology 3. Relations between Criminal Policy and Dogmatic Legal-Criminal Policy 4. Relations with other criminal sciences: Victimology, Dogmatic Victim,

5. Relations with other legal sciences: Constitutional Law, Penitentiary Law, Civil Law, Administrative Law, Procedural Law, Philosophy of Law.

TOPIC 3. INFLUENCE OF THE SPANISH CONSTITUTION ON CRIMINAL POLICY 1. Rule of Law and Criminal Policy. Criminal Policy Guidance in the Rule of Law. 2. Democratic State and Criminal Policy 3. Social State and Criminal Policy.

TOPIC 4. CRIMINAL POLICY AND THE PENAL SYSTEM 1. Penalty System and Criminal Policy. Criminal Policy in Prison Law 2. Criminal Justice System and Criminal Policy. Criminal Policy in Criminal Procedure. 3. Juvenile Liability System and Criminal Policy

TOPIC 5. MODERN TRENDS IN CRIMINAL POLITICS. EXPANSION OF CRIMINAL LAW. Modern Criminal Policy Trends. 1. Introduction. 2. Globalization and Criminal Policy. 3. Expansion of Criminal Law.

TOPIC 6. MODERN TRENDS IN CRIMINAL POLITICS. 1. Symbolic Criminal Law 2. Criminal Law of the enemy 3. Three-speed Criminal Law 4. Criminal law of dangerousness 5. New model of citizen security. 6. Criminal model in the Welfare State.

TOPIC 7. INTERNATIONAL CRIMINAL POLICY 1. Challenges of International Criminal Policy 2. Difference between international crimes and crimes of international concern 3. Evolution of International Criminal Law as a response to international crimes 4. Interstate cooperation and legislative harmonization as mechanisms to combat crime of international concern 5. Areas in which International Criminal Policy guidelines are being developed: United Nations, Council of Europe, European Union. 6. Impact of international Criminal Policy on domestic regulation

TOPIC 8. POLITICAL-CRIMINAL ISSUES RELATING TO CERTAIN CRIMINAL AREAS. 1. Selection of Criminally Protected Legal Assets. 2. General Issues.

TOPIC 9 CRIMINAL POLICY ISSUES IN CERTAIN TYPES OF CRIMINAL OFFENCES. 2. Political-Criminal Issues Related to the Protection of the Right to Life 3. Political and criminal issues related to crimes against freedom 4. Criminal Policy on domestic and gender-based violence 5. Criminal Policy on crimes against sexual freedom and compensation

EDUCATION ACTIVITIES

The Bologna Process led to the creation of the European Higher Education Area (EHEA), one of the most relevant aspects of which 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. For this reason, the methodology implemented at the UFV is carried out through the Flipped Classroom (FC) system, which consists of 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. 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.

PARTICIPATORY MASTER LESSON: Unlike the classic master lesson, in which the burden of teaching falls on the teacher, in the participatory master lesson we seek to move the student from a passive attitude to an active one, encouraging their participation based on the prior preparation of the issues to be discussed.

AUTONOMOUS WORK. In this methodology, the student takes the initiative with or without the help of others (teachers, classmates, tutors, mentors). It is the student who diagnoses their learning needs, formulates their learning goals, identifies the resources they need to learn, chooses and implements appropriate learning strategies and evaluates their learning outcomes. This methodology will be of special interest for the development of research-related competencies.

COOPERATIVE WORK IN SMALL GROUPS: The number of students scheduled at our University allows us to work in small groups as a group. PROBLEM-BASED LEARNING (PBL): The ABP methodology is based on

learning mediated by the search, understanding, assimilation and application of knowledge for the resolution of a problem or the answer to a question. Students are responsible for their own learning, while the teacher's role is that of guidance. At the beginning of a subject, the student does not have enough knowledge and skills to effectively solve the problem. The objective, in these stages, is for the student to be able to discover what they need to know to advance in solving the proposed question (diagnosis of learning needs). Throughout the educational process, as the student progresses in the program, they are expected to be competent in planning and carrying out interventions that will allow them to finally solve the problem in an appropriate way (knowledge construction). And all this, working cooperatively. **LEARNING BY**

PROBLEM SOLVING: The teacher proposes a problem on which no specific previous training has been given, which is worked on individually or in groups in the classroom or virtually, and which then has to be worked on individually by the student.

TUTORIAL ACTION SYSTEM: Which includes interviews, discussion groups, self-reports and tutorial follow-up reports. Tutoring: A) Personalized: individualized attention to the student with the objective of reviewing, clarifying and debating the topics presented and raised in the classes and any questions that may have arisen. B) Group: care and advice to students who work in groups for the development of their work.

RESEARCH: Search for information from various sources and documents, analysis and synthesis of data and development of conclusions.

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 be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To acquire an ability for analysis, synthesis, assessment and critical reasoning.

To communicate orally and in writing within different contexts, using technical language when the situation calls for it.

General Skills

To be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To acquire an ability for analysis, synthesis, assessment and critical reasoning.

To communicate orally and in writing within different contexts, using technical language when the situation calls for it.

Specific skills

Use constitutional principles and values to interpret the legal system.

Manage the legal sources (legal, jurisprudential and doctrinal) applicable to the case study.

Show a critical conscience in the analysis of the legal system, being able to identify the appropriateness of the norm to the ideal of Justice.

LEARNING RESULTS

The student learns to use constitutional principles and values when interpreting the legal system.

The student learns to handle the different legal sources (legal, jurisprudential and doctrinal) applicable to the case study.

The student acquires a critical awareness in the analysis of the legal system, being able to identify the appropriateness of the norm to the ideal of Justice.

LEARNING APPRAISAL SYSTEM

The student will be evaluated according to the criteria of the so-called 'continuous evaluation' system, by means of the overall estimation and weighting of the following areas, to which the following percentages of the grade are designated: Alternative Assessment System (in addition to the continuous evaluation system and alternative system for dispensation or repeating students) and it is mandatory to indicate that the exams will be carried out in person. **FIRST CALL: FINAL EXAM:** It will consist of taking a written test, with a value of 60% of the grade of the subject. The exam will cover questions in the program that have been explained by the teacher, by the manual or analyzed in class. It will be a short theoretical development exam

ORAL PRESENTATION OF THE WORK: 30% of the final grade. They will be held throughout the month of April, following the teacher's instructions.

PARTICIPATION AND CLASS ATTENDANCE: 10%. Class attendance and participation will be valued. To achieve this percentage, the student must have attended at least 90% of the classes. Participation in class and in training activities proposed by the teacher will be valued. For the application of all the percentages with which the subject is graded globally, it is mandatory to pass the exam. **EXTRAORDINARY CALL AND SUBSEQUENT CALLS:** Students who attend the exam in an extraordinary call and following calls must submit the papers proposed for this purpose by the teacher and pass the corresponding exam, according to the criteria already set out. The evaluation rates are as follows: 70% of the exam value 30% of the value of the work. Repeat students and ERASMUS students the% will be: 70% exam 30% work. Minimum requirements to pass the course: Have the minimum in the theoretical exam, for example 5 out of 10.

FOR STUDENTS WITH A SECOND ENROLLMENT. The assignment of a subject of the subject will be taken into account, which they will have to state orally that it will be 30% of the subject and a final theoretical face-to-face exam that constitutes 70% of the subject. **HONORARY ENROLLMENT:** It is the exclusive faculty of the teacher of this subject, in recognition of excellence, to grant this distinction or not, in accordance with the criteria of academic regulations and provided that the student has demonstrated special creativity, mastery of the subject, ability to interact with the rest of the disciplines of the Degree, capacity for autonomous research, etc. If there are two or more candidates eligible to receive this recognition, the teacher of the subject will convene a court composed of professors of the same subject matter or similar, for the purpose of examining candidates orally. The court, after having heard the students, will decide which of them will receive the Honorary Enrollment, or, if appropriate, will declare the call void.

OFFICIAL ACADEMIC EXEMPTION FROM ATTENDANCE: students with an academic waiver will be exempt from attending classes, but they must submit the works proposed for this purpose by the teacher - the student must contact the teacher at the beginning of classes via email - and pass the corresponding exam. The exam will be equivalent to 70% of the grade. The work will be equivalent to 30% of the grade. With regard to the issue of Plagiarism, plagiarism, as well as the use of illegitimate means in evaluation tests, will be sanctioned in accordance with those established in the Evaluation Regulations and the University's Coexistence Regulations."

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 above-mentioned 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 uses illegitimate means to hold an exam, commits plagiarism, or improperly ascribes the authorship of academic works required for the evaluation, they will be scored with a numerical score of zero, nullifying any right. "Plagiarism, as well as the use of illegitimate means in evaluation tests, will be sanctioned in accordance with those established in the Evaluation Regulations and the University's Coexistence 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/).
- 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

Borja Jiménez Emiliano Criminal Policy Course 3rd Edition 2021 Tirant lo Blanch

Additional

Vázquez-Portomeñe Fernando Current Criminal Policy Issues Tirant Lo Blanch 2023

Herrero Herrero Cesar Criminology. General Part and Special Part Dykinson 2017