

## SUBJECT TEACHING GUIDE

G464 - Criminal Law: General Part

Degree in Law

Academic year 2016-2017

1. IDENTIFYING DATA					
Degree	Degree in Law	Type and Year	Compulsory. Year 3		
Faculty	Faculty of Law				
Discipline	Third Year Subjects Topic: Criminal Law				
Course unit title and code	G464 - Criminal Law: General Part				
Number of ECTS credits allocated	6	Term	Semester based (1)		
Web					
Language of instruction	Spanish	English Friendly	No	Mode of delivery	Face-to-face

Department	DPTO. DERECHO PUBLICO				
Name of lecturer	ANA GUTIERREZ CASTAÑEDA				
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Other lecturers	JOSE LUIS LOPEZ DEL MORAL ECHEVERRIA				

### 3.1 LEARNING OUTCOMES

- Knowledge of the legal concept of crime and the basis if the criminal liability
- Knowledge of the evolution of the legal concept of crime
- Ability to determine the legal consequences of crime derived from a given case in relation to a crime of murder

#### 4. OBJECTIVES

General objectives:

The subject aims to teach the essential concepts of the legal theory of crime in order to students can be able to cope subsequently analysis of the specific offenses. This will be done by learning the specific and technical language that students must be finally able to understand and use.

Specific objectives

- a) Theoretical knowledge of the dogmatic concept of crime as well as the dogmatic requirements of the criminal responsibility.
- b) Learning the legal technical vocabulary and its proper use.
- c) Knowledge of the philosophical and legal bases and evaluative requirements of the democratic criminal system
- d) Knowledge of the purposes and reasons of criminal intervention.

Practical activities provide the students:

- a) Ability to apply theoretical knowledge to real situations.
- b) Ability to understand criminal legal texts
- c) Initiation of legal research work.
- d) Handling the most common bases jurisprudential market data.
- e) Treatment and legal drafting
- f) Oral expression and argument

## 6. COURSE ORGANIZATION

### CONTENTS

1	<p>Lesson 1. Concept of the criminal offence. I. Introduction. Function of General theory of crime. III. Method. IV. Evolution. V. Elements of criminal offences. VI. Types of criminal offences.</p> <p>Lesson 2. The concept of action: function and limits. I. Introduction. Dogmatic evolution of the concept of action. III. Subjects and object of the action. Criminal liability of corporation. Absence of action cases.</p> <p>Lesson 3. "Tipicidad". I. Concepto and function. II. Structure. III. Linguistic elements. IV. Types of offences depending on the elements of the crime.</p> <p>Lesson 4. Causation. Evolution of the causation theories and actual concept of causation. "Teoría de la imputación objetiva". Consent. Administrative authorization as element of crime.</p> <p>Lesson 5. Crimes of negligence . I. Introductio. II. Structure. III. Types of negligence. IV. Objective responsibility and "Preterintencionalidad".</p> <p>Lesson 6. Omission. I. Dogmatic sense of omission. II. Types.</p> <p>Lesson 7. Mens rea. I. Dolus: concept, elements and types. II. Knowledge as an element of "Dolus". III. Error facti. IV. Other psychological elements.</p>
2	<p>Lesson 8. La antijuridicidad. I. General theory of justification. II Antijuridicidad formal y material. III. Structure of justification causes. IV. Subjective elements of justification. VII. Effects of justification. V. Eximentes putativas y eximentes incompletas.</p> <p>Lesson 9. I. Exercise of a right. II. Self-defense.</p> <p>Lesson 10. Necessity.. I. Concept, basics and legal nature. II. Types. Effects. II. Conditions.</p> <p>Lesson 11. Culpability. I. Concepto and dogmatic evolution. II. Function and basics of culpability. III. Structure.</p> <p>Lesson 12. Imputabilidad. I. La imputabilidad. II. Exclusions. III. Insanity. IV. Intoxication by alcohol or drugs.. V. Minority. VI. Alteration of consciousness of reality. VII. "Inimputabilidad" and security measures. VIII. Actio libera in causa.</p>
3	<p>LECCIÓN 14ª. LA PUNIBILIDAD: I.- Introducción. II.- Las condiciones objetivas de punibilidad: clases y significado. II.- Las condiciones personales de exclusión de la pena: A) Ubicación sistemática y fundamento; B) Clases de condiciones personales de exclusión de la pena: las excusas absolutorias y las inviolabilidades. III.- Las condiciones objetivas de perseguibilidad o procedibilidad y las inmunidades.</p> <p>Lesson 15. Iter criminis. I. Iter criminis. II. Conspiracy, "provocación", "proposición". Criminal apology. III. The attempt.</p> <p>Lesson 16. I. The author of an offence. Concept and types. II. Participation in criminal offences. General remarks. Conditions. Types.</p>

## 7. ASSESSMENT METHODS AND CRITERIA

Description	Type	Final Eval.	Reassessn	%
Test	Written exam	No	No	20,00
Practices	Others	No	No	20,00
Final exam	Written exam	Yes	Yes	60,00
<b>TOTAL</b>				<b>100,00</b>
<b>Observations</b>				
<p>The criteria for assessing practices are:</p> <ul style="list-style-type: none"> <li>- Level of knowledge acquired to show with class participation</li> <li>- class attendance</li> <li>- Acquired skills (especially verbal or written expression, reasoning ability, ability to solve problems, ability to apply theoretical knowledge to practical problems, research skills)</li> <li>- Responsibility for one's work (presentation in a timely manner, external appearance of the presented work, effort made)</li> </ul> <p>According to the rules of the UC, fraudulent conduct testing or evaluation activities directly involve the failing grade '0' in the subject</p>				
<b>Observations for part-time students</b>				
<p>Students who meet the requirements for the UC under the scheme for part-time dedication may undergo a process of single assessment will consist of a final exam consisting of oral and written part and covering the entire program and will serve to prove the acquisition of skills and theoretical and worked throughout the course practical skills. The practical exam will consist of drafting a written report with the resolution of a case study raised and oral defense thereof. In order to attend the final exam is essential attendance to practical classes 50%.</p>				

## 8. BIBLIOGRAPHY AND TEACHING MATERIALS

### BASIC

Gonzalo QUINTERO OLIVARES y otros, Esquemas de teoría jurídica del delito y de la pena, Ed. Tirant lo Blanch, Valencia, Última edición.

Paz M. DE LA CUESTA AGUADO, Tipicidad e imputación objetiva, Ed. Tirant lo Blanch, Valencia, 1996.

Código penal actualizado