



Information about the subject

Degree: Bachelor of Science Degree in Criminology

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 1300306 **Name:** Penology and Prison Law

Credits: 6,00 **ECTS Year:** 3 **Semester:** 2

Module: Law

Subject Matter: Public Law **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department: -

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

1303A Antonio Gastaldi Mateo **(Responsible Lecturer)**

antonio.gastaldi@ucv.es

313CR Antonio Gastaldi Mateo **(Responsible Lecturer)**

antonio.gastaldi@ucv.es



Module organization

Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Public Law	42,00	Constitutional Law	6,00	1/1
		Criminal Law I	6,00	2/1
		Criminal Law II	6,00	2/2
		Criminal Proceedings	6,00	3/1
		Labour Law	6,00	3/1
		Legal Sociology	6,00	1/1
		Penology and Prison Law	6,00	3/2
Private law	12,00	Civil Law	6,00	1/2
		Commercial Law	6,00	3/1

Recommended knowledge

RECOMENDED KNOWLEDGE PENAL LAW



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 Knowledge of the rules for determining penalties according to the crime in question.
- R2 Distinguishing the consequences of crimes.
- R3 Knowledge of the legal consequences of the offence and, in particular, of the system of penalties.
- R4 Achieving a basic knowledge of the essential aspects regarding the system of criminal penalties and criminal execution.
- R5 Understanding the relevance of penal execution in the functioning of the criminal justice system and in the criminal sciences as a whole.
- R6 To be familiar with the contents of Spanish prison law as established in the prison law and other applicable regulations.
- R7 Having theoretical tools for critical reflection on the meaning, function and content of custodial sentences and other criminal sanctions.
- R8 Having the necessary theoretical tools and knowledge to be able to solve the problems that arise in the management of the activities of the penitentiary regime and treatment.
- R9 To be familiar with the principles and rules relating to the execution of sentences and enforcement measures in the community and to have the theoretical tools necessary to solve the problems it poses.



Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

BASIC		Weighting			
		1	2	3	4
CB1	Showing a command and understanding of knowledge in an area of study that is based on the general secondary education and that is usually at a level that implies the support on advanced textbooks but also the inclusion of knowledge from the cutting edge of their field of study.	X			
CB2	Being able to apply their knowledge to their jobs or vocational activities professionally and holding the competences that are demonstrated through the elaboration and defence of arguments as well as the solution of problems within their area of study.				X
CB3	The ability to gather and interpret relevant data (normally within their area of study) so as to make judgements that include a reflection on relevant social, scientific or ethical issues.			X	
CB4	Being able to convey information, ideas, problems and solutions to a specialised or non-specialised public.			X	
CB5	Having developed the learning abilities necessary to pursue postgraduate studies with a high degree of autonomy.				X
GENERAL		Weighting			
		1	2	3	4
CG1	Understanding and integrating the different theories and scientific knowledge developed by Social, Legal and Behavioural Sciences through a critical lens in order to understand the sociocultural and personal context of all the elements that integrate the crime sphere.				X
CG2	Being able to assess the complexity and diversity of the criminal phenomenon in a global context.				X



CG3	The capacity to apply the knowledge, skills and abilities acquired from an ethical and intellectually upright perspective with the aim of achieving a society whose fundamental pillars are Freedom, Justice, Pluralism and Equality.				X
CG4	The capacity for teamwork and efficient collaboration with other professionals from the different areas of criminology through negotiation and consensus.				X
CG5	The capacity to obtain and manage efficiently the information from the scientific literature, specialised journals, databases and other sources.				X

SPECIFIC		Weighting			
		1	2	3	4
CE1	Understanding the importance of the Law as a system that regulates social relationships and adopting Ethics and intellectual integrity as essential values of the professional practice with the acquisition of ethical values and principles.				X
CE2	Knowing the social basis of norms, fundamental values of Law, their origin, organization, functioning, and application in the recognition of fundamental rights, public liberties and others enshrined in our legal system.				X
CE3	Critical knowledge of the Legal System sector in charge of studying the crime, the penalties, and of their prosecution and execution of penalties and measures, and its application to case studies.				X
CE4	The ability to understand and describe key concepts in the field of Sociology necessary to analyse from a global and specific viewpoint the criminal phenomenon and deviant behaviours.	X			
CE5	Understanding and knowing the functioning of local, regional, national, European and international institutions from their inception and as a whole and identifying the competent institution or administration in each case as well as the sectorial law applicable in each case.	X			
CE6	The capacity to understand the scope of both public and private law as an integrating element and guarantor of fundamental rights in its field of action, adopting a critical vision in the analysis of this system.			X	



CE7	Study and elaboration of reports in the field of minors with regards to risk situations, measures applicable to the minor offender and other types of measures applicable to minors at serious risk.	x			
CE8	Design and analysis of measures and programs in the field of criminal policy.	x			
CE9	The capacity to argue and describe different viewpoints, being able to debate about them in a logical and coherent manner, presenting the conclusions in an adequate academic format on the topics of criminal policy, victimisation, criminalisation, and responses to deviation and crime, as well as their perception and interpretation in the media, by the public and in official reports.		x		
CE10	Explanatory management from a socio-anthropological perspective of the concepts of violence, inequality and difference, delinquency, crime, social control, stigmatisation, and social deviation.		x		
CE12	Understanding of the phenomenon of delinquency in the fields of IT, labour, social security, image and honour, patents and trademarks as well as the strategies for investigating these crimes and knowledge of the regulations.	x			
CE14	Understanding the basic principles of the criminal phenomenon, its spatial, cultural, social, economic, legal, political, labour, and anthropological dimensions.		x		
CE21	Legislative, organizational and functional knowledge of the different public and private security bodies.	x			



Assessment system for the acquisition of competencies and grading system

In-class teaching

Assessed learning outcomes	Granted percentage	Assessment method
R1, R3, R4, R5, R6, R7, R8, R9	30,00%	Analysis and resolution of case studies.
R1, R3, R4, R5, R6, R7, R8, R9	20,00%	Attendance and participation in class.
R1, R3, R4, R5, R6, R7, R8, R9	50,00%	Exam or objective test to measure obtained competences.

Observations

To obtain a 5 in the exam will be required so as to be able to apply the percentages obtained in the marks of the practical part, as well as the corresponding to the assistance and participation in class, so as to obtain this way the final mark of the subject, which has to be equal or higher than 5

Criteria TO PASS WITH HONOURS:

Specify particular criteria highlighted for the subject and faculty to which the title is appointed following the overall policy according to which only one honour mention can be given for each 20 students and not by a fraction of 20, with the exception of groups lower than 20 students in total, in which one honour mention will be granted.

Online teaching

Assessed learning outcomes	Granted percentage	Assessment method
R1, R3, R4, R5, R6, R7, R8, R9	50,00%	Final test and/or final work
R1, R3, R4, R5, R6, R7, R8, R9	20,00%	Participation in programmed activities
R1, R3, R4, R5, R6, R7, R8, R9	30,00%	Presentation of works and projects

Observations



MENTION OF DISTINCTION:

According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 ("Sobresaliente"). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Presentation of contents by the teacher, analysis of competencies, explanation and demonstration of abilities, skills and knowledge in the classroom.
- M2 Specific instructions about group and individual assignments for each topic.
- M3 Group work sessions supervised by the teacher. Study of legal cases, both real and fictitious, analysis, diagnosis, problems, field study, computer room, visits, data search, libraries, network, Internet, etc. Significant construction of knowledge through student interaction and activity. Critical analysis on values and social commitment.
- M4 Application of interdisciplinary knowledge.
- M5 Supervised monographic sessions with shared participation
- M7 Set of oral and/or written tests used in the initial, formative or summative evaluation of the student.
- M8 Group preparation of readings, assumptions and problem -olving to present, discuss or deliver in class or tutorial.
- M12 Personalized attention and in small groups. Guidance by a tutor in order to facilitate the work and follow up on the students' internships.
- M16 Student's study: Individual preparation of the degree's final dissertation to present or deliver in the seminars, tutorials. Work carried out on the platform or other virtual spaces.
- M17 Expository Method /Master Class



- M18 Exercise and problem solving
- M19 Case method
- M20 Course works and tasks
- M21 Project-oriented learning
- M22 Guided Practice through debates, resolution of problems and exercises in the virtual classroom.



IN-CLASS LEARNING

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
In-person class M1	R1, R3, R4, R5, R6, R7, R8, R9	20,00	0,80
Practical class M3	R1, R3, R4, R5, R6, R7, R8, R9	25,00	1,00
Seminar M5	R1, R3, R4, R5, R6, R7, R8, R9	2,50	0,10
Group work presentation M4	R1, R3, R4, R5, R6, R7, R8, R9	5,00	0,20
Tutorial M12	R1, R3, R4, R5, R6, R7, R8, R9	5,00	0,20
Evaluation M7	R1, R3, R4, R5, R6, R7, R8, R9	2,50	0,10
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work M8	R1, R3, R4, R5, R6, R7, R8, R9	30,00	1,20
Individual work M16	R1, R3, R4, R5, R6, R7, R8, R9	60,00	2,40
TOTAL		90,00	3,60



ON-LINE LEARNING

SYNCHRONOUS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Master Class M17	R1, R3, R4, R5, R6, R7, R8, R9	15,00	0,60
Practical activity M18	R1, R3, R4, R5, R6, R7, R8, R9	25,00	1,00
Tutorial M22	R1, R3, R4, R5, R6, R7, R8, R9	10,00	0,40
TOTAL		50,00	2,00

ASYNCHRONOUS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Individual or group work of students M17, M18	R1, R3, R4, R5, R6, R7, R8, R9	90,00	3,60
Activities through virtual resources M17, M18	R1, R3, R4, R5, R6, R7, R8, R9	2,50	0,10
Access and research on complementary contents M19	R1, R3, R4, R5, R6, R7, R8, R9	5,00	0,20
Individual study M17	R1, R3, R4, R5, R6, R7, R8, R9	2,50	0,10
TOTAL		100,00	4,00



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block

Contents



1ª PART: PENOLOGY

TOPIC 1. GENERAL INTRODUCTION

- Criminal law and constitution, inferring principles
- Objective and subjective criminal law. The ius puniendi
- Brief history of penalties and punishment

TOPIC 2. THEORY OF PENALTIES

- Retribution
- Prevention theories
- eclectic theories
- Constitutional perspective in Spain

TOPIC 3. PENALTIES SYSTEM IN THE SPANISH CRIMINAL LAW

- Penalties general classification. Criteria
- Deprivation of liberty penalties. Special reference to permanent revisable prison
- Deprivation of rights penalties. Classes and contents
- Monetary penalties: the fine

TOPIC 4. DETERMINATION OF PENALTIES

- Abstract penal framework
- Major and minor penalties in degree
- Upper and lower halves
- Penalty itself. Criteria and principles
- Degree of implementation, participation and circumstances
- Special rules, competition reference

TOPIC 5. SUSPENSION OF THE EXECUTION OF PENALTIES

- Concept and basis
- Ordinary suspension. Requirements and conditions
- Extraordinary suspensions. The 80.3 from C.P., substance abuse and serious illnesses – Suspension revocation

TOPIC 6. SECURITY MEASURES

- Concept and basis. Classification in the criminal code
- Deprivation of liberty measures
- Non-deprivation of liberty measures
- Probation



2ª PART: PENITENTIARY LAW

1ª PART: PENOLOGY

TOPIC 1. GENERAL INTRODUCTION

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- Non-deprivation of liberty measures
- Probation

2ª PART: PENITENTIARY LAW

TOPIC 7. PENITENTIARY LAW GENERAL ASPECTS

- Concepts and relations with other branches of Law
- Inferring principles
- Penitentiary law
- Penitentiary systems

TOPIC 8. THE PENITENTIARY JUDICIAL RELATIONSHIP

- Birth and extinction
- Inmates rights and duties
- Nature of the relationship of special subject
- Penitentiary organs

TOPIC 9. PRISON SYSTEM

- General organization.
- Penal institutions
- Prison provisions
- Disciplinary regime

TOPIC 10. PENITENTIARY TREATMENT

- Concept, nature and inferring principles
- Detainee classification, progression and regression degree system
- Prison labour
- External relationships. Exit permits

TOPIC 11. CONDITIONAL RELEASE

- Concept and nature
- Modalities
- Legal Requirements
- Procedure and removal

TOPIC 12 THE PRISON INSPECTION JUDGE

- Origin and regulation
- Competencies
- Resources references



- Penitentiary supervising prosecutor

Temporary organization of learning:

Block of content	Number of sessions	Hours
1ª PART: PENOLOGY	15,00	30,00
2ª PART: PENITENTIARY LAW	15,00	30,00

References

Bibliography

- Cervelló Donderis Vicenta, Derecho Penitenciario. Valencia 2016
- Rios Martin Julián Carlos/ Etxebarria Zarrabeitia Xabier y otros. Las penas y su aplicación, Madrid 2011
- Ruiz de Erenchun Arteche Eduardo, Sistema de penas, reglas de determinación de la pena y suspensión de la ejecución, Pamplona 2017. Aranzadi.
- Mir Puig Santiago, Función de la pena y teoría del delito en el estado social y democrático de derecho, Barcelona 1982
- Juanatey Dorado Carmen, Manuel de Derecho Penitenciario, Madrid 2016.
- Ferrajoli Luigi, Derecho y razón, teoría del garantismo penal. Madrid 1995