



IDENTIFYING DATA

Criminal Law I

Subject	Criminal Law I			
Code	003G081V01302			
Study programme	Grado en Derecho			
Descriptors	ECTS Credits	Choose	Year	Quadmester
	9	Mandatory	2nd	1st
Teaching language	#EnglishFriendly Spanish Galician			
Department				
Coordinator	Rodríguez Vázquez, Virgilio			
Lecturers	Arias Carral, Manuel Rodríguez Vázquez, Virgilio Torres Cadavid, Natalia			
E-mail	virxilio@uvigo.es			
Web				
General description	In this subject is is studied general concepts of the Criminal Law, with special attention in the theory of the crime and in the theory of the penalty.			
	English Friendly subject: International students may request from the teachers: a) materials and bibliographic references in English, b) tutoring sessions in English, c) exams and assessments in English.			

Training and Learning Results

Code	
A2	Students will be able to apply their knowledge and skills in their professional practice or vocation and they will show they have the required expertise through the construction and discussion of arguments and the resolution of problems within the relevant area of study.
A3	Students will be able to gather and interpret relevant data (normally within their field of study) that will allow them to have a reflection-based considered opinion on important issues of social, scientific and ethical nature.
A5	Students will acquire the learning skills that are required to pursue further studies with a high degree of independence.
B1	To know the function of the Law as a regulating system of social relations.
B2	To know the different manifestations of the Law in their historical development and in their present-day incarnations.
B3	To be able to use the constitutional principles and values as tools for the interpretation of the law and to acquire the skills to argue in juridical terms.
B4	To be able to identify juridical problems and to suggest solutions from an interdisciplinary perspective.
C43	CE51 ☐ To know the concept of criminal Law, the criteria for the temporal and spatial application of criminal norms, the General Theory of crime and the juridical consequences of crime.
C44	CE52 ☐ To be able to interpret and apply the norms of criminal Law, focusing especially on the development of Spanish criminal doctrine from a comparative perspective.
D1	Analysis and synthesis skills for the development and defense of arguments, as well as skills for organizing, planning and using time in pressure situations.
D5	To be able to solve problems and interpret data from reality with their associated meanings, and to establish links with the different branches of the juridical order.

Expected results from this subject

Expected results from this subject	Training and Learning Results			
Know the meaning and function of criminal law		B1	C43	
Know the sources of criminal law	A3		C43	D5
	A5		C44	
Use the different methods of legal interpretation applied to criminal law	A3	B4	C44	D5
Know, understand, interpret and properly analyze the categories and concepts of the General Theory of Crime	A3	B1	C43	D1
		B2		D5
		B3		

Know, understand, interpret and properly analyze the Theory of Penalty	A3	B1	C43	
	A5	B3	C44	
Know and understand the problems about the law and crime contests	A3	B3	C43	D1
		B4	C44	
Resolve practical cases in criminal matters, appropriately managing doctrinal and jurisprudential contributions to legally support the solution	A2	B2	C43	D5
	A3	B3		
	A5	B4		

Contents

Topic

INTRODUCTION	<p>Lesson 1. Criminal law. Denomination. Objective criminal law. Formal concept of criminal law. Material concept of Criminal Law. Autonomy or accessory of criminal law. General part and special part of the criminal law.</p> <p>Lesson 2. The ius puniendi or punitive right (the so-called subjective criminal law). Rules and principles</p> <p>Lesson 3. Criminal legal science, criminal sciences and relations of criminal law with other branches of law.</p> <p>Lesson 4. Evolution of Criminal Science and Criminal Law.</p> <p>Lesson 5. The sources of criminal law. The principle of criminal legality. Other sources of criminal law.</p> <p>Lesson 6. Interpretation of the criminal law.</p> <p>Lesson 7. Temporal scope of the criminal law.</p> <p>Lesson 8. Spatial scope of the criminal law.</p>
THE CRIME	<p>Lesson 9. Concept of crime. The structure of the concept of crime: evolution. Legal concept of crime in the Spanish Law.</p> <p>Lesson 10. Actus reus: the conduct element. The voluntary act requirement,</p> <p>Lesson 11. Involuntary conduct or act. Corporate liability.</p>
THE CRIME (ACT)	<p>Lesson 12. Offences. Calsification of offences.</p> <p>Lesson 13. The unlawfulness. The legal good.</p> <p>Lesson 14. Actus reus theory.</p> <p>Lesson 15. Causation. The general principle. Interventions between conduct and result. Causal minimalism. Reasonable foreseeability.</p> <p>Lesson 16. Mens rea. The mental element. Intent. Distinguishing indirect intention and direct intention. Recklessness. Subjetive and objective forms of recklessness and inadvertence. An insufficient regard for the interest of others. Practical indifference.</p> <p>Lesson 17. Mistaken object and others. Ignorance or mistake of law</p> <p>Lesson 18. Negligence. Gross negligence.</p> <p>Lesson 19. Distinguishing between intention, recklessness and negligence. Combination.</p> <p>Lesson 20. Excuses and other defences.</p> <p>Lesson 21. Justificatory defences</p> <p>Lesson 22. Self-defence and justifiable force. Self-defence and individual autonomy. The problem of clonflicting rights. The rules and the principles. The proportionality standard. Aspects of the necessity requirement.</p> <p>Lesson 23. Necessity as a justification. The choice of evils.</p> <p>Lesson 24. Fortuitous case. Risk allowed General legal illegibility.</p> <p>Lesson 25. The fulfillment of a duty and the legitimate exercise of a right, trade or position. The question of due obedience. The consent.</p> <p>Lesson 26. Culpability. Criminal capacity. Agency, capacity and mental disorder. The minimum age of criminal responsibility. Unfitness to stand trial. The special verdict of insanity. Intoxication. Voluntary and non-voluntary intoxication. Alcoholism and drig dependency.</p> <p>Lesson 27. Ignorance or mistake of law. Reasonable mistake and putative defences. Non-justificatoy defences. The recognition of exculpatory doctrines.</p> <p>Lesson 28. Punishability. Objective conditions of punishability. Personal causes of exclusion of punishability and of excuses excuses or causes of suppression or remission of punishability.</p>
OMISSION	<p>Lesson 29. Omission. Distinction between acts and omissions. Should the criminal law punish omissions?.</p>

INCHOATE OFFENCES AND COMPLICITY

Lesson 30. The law on inchoate offences. Attempt. Conspiracy. Incitement and Encouraging crime.
 Lesson 31. The law of complicity. Principals and accomplices. General theories of accessory liability.
 Lesson 32. The law of complicity. Accomplices. Aiding. Abetting. Counselling. Procuring.
 Lesson 33. Unity and plurality of crimes. The contest of laws: rules. The crime contest. Permanent crime and habit crime. Crime continued.

CIRCUMSTANCES

Lesson 34. Generic circumstances. Theory of the crime or the determination of the penalty. Various legislative systems.
 Lesson 35. Mitigating circumstances. Incomplete exemptions.

CONSEQUENCES

Lesson 36. The system of penalties in Spanish criminal law. Prison.
 Lesson 37. Deprivation of rights. The penalty of fine. Common provisions on penalties, their classes and effects.
 Lesson 38. Application and determination of penalties.
 Lesson 39. Security measures. The accessory consequences.
 Lesson 40. Extinction of criminal responsibility.
 Lesson 41. Civil liability derived from crimes and offenses.

Planning

	Class hours	Hours outside the classroom	Total hours
Lecturing	51.5	99.5	151
Problem solving	25	44	69
Problem and/or exercise solving	2	0	2
Objective questions exam	1.5	0	1.5
Objective questions exam	1.5	0	1.5

*The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

Methodologies

	Description
Lecturing	Exhibition by part of the professor of the contained envelope to subject object of study.
Problem solving	Activity in the that formulate practical cases and/or problems and/or exercises related with the subject. The student owes to develop the suitable solutions. it usually employs how supplement of the lesson.

Personalized assistance

Methodologies Description

Lecturing	The students will be attended by the professor on the timetable published in the website. It will be able to attended, previous appointment -by email-, or well through email or well through virtual dispatch in the remote campus of the University of Vigo: http://dereito.uvigo.es/es/docencia/profesorado/virgilio-rodriguez-vazquez/ http://dereito.uvigo.es/es/docencia/profesorado/natalia-torres-cadavid/ http://dereito.uvigo.es/es/docencia/profesorado/manuel-arias-carral/
Problem solving	The students will be attended by the professor on the timetable published in the website. It will be able to attended, previous appointment -by email-, or well through email or well through virtual dispatch in the remote campus of the University of Vigo: http://dereito.uvigo.es/es/docencia/profesorado/virgilio-rodriguez-vazquez/ http://dereito.uvigo.es/es/docencia/profesorado/natalia-torres-cadavid/ http://dereito.uvigo.es/es/docencia/profesorado/manuel-arias-carral/

Assessment

Description	Qualification	Training and Learning Results
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Problem and/or exercise solving	The system of evaluation to the that can opt the students is of two types: continuous evaluation or global evaluation. Once surpassed the term of a month, from it begin of the academic course, will enable a term of 10 skillful days so that the students enrolled manifest, formally, his intention to receive to the system of continuous evaluation. The assistance to the practical kinds is an essential factor that values in the process of continuous evaluation. It IS accurate to had assisted to 75% of the practical kinds for power access to the system of continuous evaluation. In the case that by any reason the students can not assist to 75%, will not be able to take part in the system of continuous evaluation, owing realize an only final exam. The proof of resolution of problems and/or exercises will consist in an examination written in the that the students owes to resolve one or several practical cases. The date, time and place of realization of this proof will be the pointed out in the calendar of proofs of evaluation approved by the Together of Faculty stop the course 2023-2024 and other documentation. In the continuous evaluation this constitutes the third proof, summing to the two proofs type test that explain in the following part, and supposes 40% of the final qualification of the subject.	40	A2 B1 C43 D1 A3 B2 C44 D5 A5 B3 B4
Objective questions exam	1st Proof type test: the system of continuous evaluation will consist in two partial proofs type test along the course and in a final proof, consistent in the resolution of one or several practical cases, exposed previously. The two proofs type test will consist in two examinations of 25 questions, with four possible answers, which only one is correct. Stop his qualification, the incorrect answers subtract the half of the that sum the correct, not to marking the left in white. The place, date and content of the first proof type test will indicate by the coordinator of the subject in the first week of the course. The qualification of the first proof type test supposes 30% of the final qualification of the subject.	30	A2 B1 C43 D1 A3 B2 C44 D5 A5 B3 B4
Objective questions exam	2nd Proof type test: the system of continuous evaluation will consist in two partial proofs type test along the course and in a final proof, consistent in the resolution of one or several practical cases, exposed previously. The two proofs type test will consist in two examinations of 25 questions, with four possible answers, which only one is correct. Stop his qualification, the incorrect answers subtract the half of the that sum the correct, not to marking the left in white. The place, date and content of the second proof type test will indicate by the coordinator of the subject in the first week of the course. The qualification of the second proof type test supposes 30% of the final qualification of the subject.	30	A2 B1 C43 D1 A3 B2 C44 D5 A5 B3 B4

Other comments on the Evaluation

1. EVALUATION CRITERIA FOR THE 1st EXAM OPPORTUNITY

a) CONTINUOUS ASSESSMENT SYSTEM

It is described in the previous sections.

b) GLOBAL ASSESSMENT SYSTEM: a single exam, which will include the entire syllabus and constitutes 100% of the course grade. It will consist of two parts, one theoretical and one practical. The theoretical part will consist of a multiple choice test, with 50 questions, with four possible answers, only one of which is correct. For their qualification, the incorrect answers subtract half of what the correct ones add, not scoring those left blank. This part represents 60% of the final grade. The practical part will consist of solving one or more practical cases. This part represents 40% of the final grade. The final mark of the exam will be the sum of the marks obtained in each one of the parts. To pass the subject it is necessary to obtain a minimum of 5 points in the sum of the qualification of both parts. The dates, times and place of these tests will be those indicated in the evaluation test calendar approved by the Faculty Board for the 2023-2024 academic year and concordant documentation.

2. EVALUATION CRITERIA FOR THE 2nd EXAM OPPORTUNITY AND EXTRAORDINARY: a single exam, which will include the entire syllabus and constitutes 100% of the course grade. It will consist of two parts, one theoretical and one practical. The theoretical part will consist of a multiple choice test, with 50 questions, with four possible answers, only one of which is correct. For their qualification, the incorrect answers subtract half of what the correct ones add, not scoring those left blank. This part represents 60% of the final grade. The practical part will consist of solving one or more practical cases.

This part represents 40% of the final grade. The final mark of the exam will be the sum of the marks obtained in each one of the parts. To pass the subject it is necessary to obtain a minimum of 5 points in the sum of the qualification of both parts. The dates, times and place of these tests will be those indicated in the evaluation test calendar approved by the Faculty Board for the 2023-2024 academic year and concordant documentation.

The dates, times and place of these tests will be those indicated in the evaluation test calendar approved by the Faculty Board for the 2023-2024 academic year and concordant documentation. The qualifications will be published on the internal platform or official virtual classroom of the University of Vigo with limited access to the teaching staff of the subject and the enrolled student body.

The students will be attended by the professor on the timetable published in the website. It will be able to attend, previous appointment -by email-, or well through email or well through virtual dispatch in the remote campus of the University of Vigo: <http://dereito.uvigo.es/es/docencia/profesorado/virgilio-rodriguez-vazquez/>
<http://dereito.uvigo.es/es/docencia/profesorado/natalia-torres-cadauid/>
<http://dereito.uvigo.es/es/docencia/profesorado/manuel-arias-carral/>

Sources of information

Basic Bibliography

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Recommendations

Subjects that continue the syllabus

Criminal law 2/O03G081V01402

Criminology and Penitentiary Law/O03G081V01925

Criminal & procedural law for minors/O03G081V01924

Subjects that it is recommended to have taken before

Law: Constitutional law 1/O03G081V01103

Law: Roman law/O03G081V01104

Law: Theory of Law/O03G081V01102

Computer: New technologies applied to law/O03G081V01101

Other comments

It advises to carry a constante study since it begin tie the final of the first period of the academic course.

It is necessary to study the subject through manuals and of the valid Penal Code.

The manual of reference is the following: LUZÓN PEÑA, Diego-Manuel, *Lecciones de Derecho penal. Parte general*, 3.^a ed., Valencia, Tirant lo Blanch, 2016.

The practices will do following the book: LUZÓN PEÑA, Diego-Manuel (dir.), *Derecho Penal en casos, Parte General*, Valencia, Tirant lo Blanch, 2018.

It is necessary to complete the study through the trials. Therefore, it will be accurate the suitable handle of the juridical Databases (electronic).
