

Academic Year: (2020 / 2021)

Review date: 10-07-2020

Department assigned to the subject: Criminal Law, Procedural Law and History Law Department

Coordinating teacher: GARROCHO SALCEDO, ANA MARIA

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Bachelor Degree in Law

- Criminal law: general and special part

OBJECTIVES

Grasping the characteristics and creative capacity of the Constitutional Court.

Knowing the hermeneutics of constitutional norms

Knowing the characteristics of a criminal law oriented Constitution.

Learn to build a system that starts directly from the basic text and the declaration of fundamental rights.

Controlling the principles that emerge for the formation of the penal system from the Constitution.

You can expose the complex picture that is derived from a construction of key constitutional criminal justice system.

Can he identify the constitutional principles that are the basis of the criminal justice system.

Can he characterize penal institutions in its constitutional reading.

DESCRIPTION OF CONTENTS: PROGRAMME

Construction of criminal law in constitutional jurisprudence. Criminal law has lived traditionally behind his constitutional reading, to the extent that the rules with criminal constitutional contents have been ¿leyendo¿ according to what was available criminal laws and not vice versa. This subject is taught to build the penal system from which should form their own bases: the constitutional order.

They will be analyzed

among other issues Hermeneutics of constitutional norms; the concept and functions

constitutional legal right key;

Principle of legality (Reserve Organic Law, Analogy,

Blank criminal law: the problem of regional regulations supplement);

the

basic principles that should inspire or criminal law (ultima ratio, harmfulness, guilt, subjective responsibility, humanity, proportionality, effectiveness, non bis in idem, equality).

some key issues such as the changing boundaries will also be discussed between the honor, freedom of expression and freedom of information. As the constitutional orientation purposes of punishment.

LEARNING ACTIVITIES AND METHODOLOGY

Exposition of theoretical material, seminars with invited speakers/experts, practical cases analysis.

ASSESSMENT SYSTEM

Final exam: 100%

Assessment is continuous and class attendance is compulsory.

The unjustified absence to classes of more than 10 % of the sessions of each subject may be accompanied by non-qualification of the subject and the necessity to retake classes.

The extraordinary examination (June) shall consist in a case.

% end-of-term-examination:	100
% of continuous assessment (assignments, laboratory, practicals...):	0

BASIC BIBLIOGRAPHY

- Gallardo Castillo, M.J Los principios de la potestad sancionadora: teoría y práctica, IUstel, 2008
- VVAA Constitución y Principios del Derecho penal: Algunas bases constitucionales. , 2010, Tirant Lo blanch
- VVAA Límites al Derecho penal. Principios operativos en la fundamentación del castigo, Atelier, 2012