Restorative Justice

Academic Year: (2021 / 2022) **Review date: 13-07-2021**

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

Coordinating teacher: SOLETO MUÑOZ, HELENA

Type: Electives ECTS Credits : 4.0

Year : 1 Semester : 1

OBJECTIVES

Basic skills:

CB6 Possess and understand knowledge that provides a basis or opportunity to be original in the development and / or application of ideas, often in a research context
CB7 That students know how to apply the knowledge acquired and their ability to solve problems in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of ¿¿study
CB8 That students are able to integrate knowledge and face the complexity of formulating judgments based on information that, being incomplete or limited, includes reflections on social and ethical responsibilities linked to the application of their knowledge and judgments
CB9 That the students know to communicate their conclusions and the knowledge and last reasons that sustain them to specialized and non-specialized public in a clear and unambiguous way
CB10 That students have the learning skills that allow them to continue studying in a way that will be largely self-directed or autonomous.

General Competences:

CG1 Ability to advise public and private social actors in the application of legal norms, trying to warn about the production of conflicts before they have occurred
CG2 Ability to identify legal questions by acquiring advanced, specialized and multidisciplinary training
CG3 Ability to solve complex legal problems within Public Law
CG4 Ability to relate the legal institutions of the different branches of Public Law in a global context
CG5 Ability to develop the essential methodological rudiments to begin research tasks
CG6 Ability to develop a work both in a team and independently in an international and multidisciplinary context.
CG7 Ability to understand the interrelation between scientific research and the development of legal institutions
CG8 Ability to handle with ease the various legal sources and the relationships between them
CG10 Ability to function in contexts where there is little information for the purpose of investigating legal problems
CG11 Ability to develop and present scientific works and conceptual schemes that allow knowing relevant legal institutions

Specific competences:

CE1 Ability to identify legal institutions of public law that, as a result of the globalized environment, are under review
CE2 Ability to contrast legal institutions of Spanish Public Law with those of other countries
CE3 Ability to identify the differences of the legal categories of Public Law with those of other branches of Law
CE4 Ability to investigate the historical root of current problematic legal issues, through the examination of the origins and historical evolution of institutions
CE5 Ability to identify the incidence in criminal legal categories as a consequence of the internationalization of criminal activities

CE6 Ability to identify and reflect on the dogmatic challenges derived from the approximation of administrative legal institutions in an internationalized context
CE7 Ability to know the financing systems of public authorities in the territorially composed States and the problems derived from this particularity

CE8 Ability to analyze the resolutions of the Constitutional Court, the European Courts and the international systems of legal protection

DESCRIPTION OF CONTENTS: PROGRAMME

Restorative Justice
I. Retributive justice and restorative justice
- i. The traditional criminal justice system
- ii. Fundamentals of Restorative Justice
- iii. Restorative practices

II. Legal regulation and legal issues
III. Victim Offender Mediation
- i. Mediation in the adult criminal system
- ii. Mediation with juvenile offenders

IV. VOM in execution
V. High scale conflicts and restorative activities
VI. Peculiarities and methodology of VOM
- i. The process of VOM
- ii. The role of the facilitator
- iii. The reparation activities and documentation

LEARNING ACTIVITIES AND METHODOLOGY

TRAINING ACTIVITIES OF THE STUDY PLAN REFERRED TO MATTERS
AF1 Theoretical class
AF2 Practical classes
AF6 Group work
AF7 Individual student work
AF8 Partial and final exams

Code Activity	No. Total hours	No. Presential hours	% Presence Student
AF1	96	96	100%
AF2	48	48	100%
AF6	148	0	0
AF7	296	0	0
AF8	12	12	100%
TOTAL	600	156	26%

Professor available to students weekly schedule determined in Aula Global

ASSESSMENT SYSTEM

Ordinary evaluation
40% Participation in class
60% Individual or group work carried out during the course

Extraordinary Evaluation: 100% Exam

% end-of-term-examination:	60
% of continuous assessment (assigments, laboratory, practicals…):	40

BASIC BIBLIOGRAPHY

- Soleto Muñoz, Helena (dir) Mediación y resolución de conflictos: técnicas y ámbitos, Tecnos, 2017
- Soleto, Helena y Carrascosa, Ana Justicia Restaurativa: una justicia para las víctimas, Tirant lo Blanch, 2019

ADDITIONAL BIBLIOGRAPHY

- De la Cuesta Justicia Restaurativa y Terapéutica, Tirant lo Blanch, 2017
- Soleto y Garciandía Sobre la Mediación penal, Aranzadi, 2012

BASIC ELECTRONIC RESOURCES

- CGPJ . Guia para la práctica de la mediación intrajudicial: http://www.poderjudicial.es/cgpj/es/Temas/Mediacion/Guia-para-la-practica-de-la-Mediacion-Intrajudicial/
- Naciones Unidas . Manual sobre Programas de Justicia Restaurativa: http://www.unodc.org/documents/justice-and-prison-reform/Manual_sobre_programas_de_justicia_restaurativa.pdf