

Academic Year: (2023 / 2024)

Review date: 08-05-2023

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

Coordinating teacher: FIODOROVA , ANNA

Type: Electives ECTS Credits : 3.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Spanish Judicial System
 Law of Criminal Proceedings
 Criminal and Civil Law

OBJECTIVES

The aim of the subject Juvenile Justice System is to provide the students with the knowledge on the evolution of the model and criminal policy in relation to the Juvenile Justice System in Spain, the notions of the Organic Law regulating the Criminal Responsibility of Minors and, in particular, to:

- Understand the objectives and possibilities of de-judicialisation,
- Understand the different actions to be carried out in the different phases of the process and the role of the professionals who intervene in it,
- Master the content of the measures envisaged and be able to discern their appropriateness in juvenile criminal law.

DESCRIPTION OF CONTENTS: PROGRAMME**1. THE JUVENILE JUSTICE SYSTEM IN SPAIN**

- 1.1. Historical Perspective
- 1.2. Models and evolution

2. ADOLESCENTS, MINORS AND CRIMINAL ANSWER**3. CRIMINAL POLICY ON JUVENILE CRIMINAL LAW****4. CRIMINAL RESPONSE IN JUVENILE CRIMINAL LAW: THE MEASURES AND THEIR EXECUTION**

- 4.1. The measures provided for in the Juvenile Criminal Law
- 4.2. The custodial measures
- 4.3. The non-custodial measures
- 4.4. The execution of measures
- 4.5. The juvenile detention centers

5. JUVENILE CRIMINAL PROCESS: GENERAL QUESTIONS

- 5.1. Scope of application of the juvenile criminal process
- 5.2. Principles of the juvenile criminal process
- 5.3. Actors involved in the juvenile criminal process
- 5.4. Juvenile Courts

6. JUVENILE CRIMINAL PROCESS

- 6.1. Investigation
- 6.2. Allegations
- 6.3. Precautionary measures
- 6.4. Trial, judgement and appeals

7. JUVENILE CRIMINAL MEDIATION

- 7.1. Introduction: principle of opportunity in the juvenile criminal process
- 7.2. Concept of the juvenile criminal mediation
- 7.3. Dismissal of the process on the basis of the conciliation or reparation between the minor and the victim
- 7.4. Substitution of the measure foreseen by conciliation or reparation
- 6.1. The chances of dejudicialisation

LEARNING ACTIVITIES AND METHODOLOGY

LEARNING ACTIVITIES

Theoretical classes
Practical classes
Theoretical-practical classes
Work in groups
Student's individual work

METHODOLOGY:

* THEORETICAL SESSIONS

- Master classes with the explanation of the theoretical concepts necessary for the understanding the subject matter: the student will be given with the materials and bibliography needed to monitor lesson

* PRACTICAL SESSIONS

- Practical sessions with the application of the concepts learnt in master classes
- Analysis and discussion of practical cases in different formats.

* THEORETICAL-PRACTICAL SESSIONS

- Case law or documents analysis
- Seminars/visits

* WORK IN GROUPS

- Development of reports based on real practical cases
- Debates guided by the teacher.
- Work in groups supervised by the teacher/expert of the subject matter

* INDIVIDUAL WORK

- Elaboration of individual papers about the precise topics of the subject

TUTORSHIPS:

Teachers will conduct permanent monitoring of interventions made by the student and will ensure quick response to any doubts or questions

ASSESSMENT SYSTEM

Student's work is evaluated during the course and the grade consists of:

ORDINARY CALL

- * Up to 60% - Final exam
- * Up to 40% - Continuous evaluation:
 - Up to 10% - Participation and assistance
 - Up to 30% - Practical cases

Attendance at the classroom sessions of the subject is compulsory. Unjustified absence of more than 25% of the total number of sessions (3 sessions) will result in the failure of the subject in the ordinary exam.

EXTRAORDINARY CALL

- * Up to 60% - Final exam
- * Up to 40% - Practical cases

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

BASIC BIBLIOGRAPHY

- BAILLEAU, F., CARTUYVELS, Y. The Criminalisation of Youth Juvenile Justice in Europe, Turkey and Canada, Academic & Scientific Publishers, 2010
- DÍAZ CAPPA, JOSÉ The Spanish Law on Juvenile Justice: alternative measures, -.
- JUNGER-TAS, J. DECKER, S.H. International Handbook of Juvenile Justice, Springer New York, 2010

- NIETO MORALES, C. Comparative intervention with minors in different countries, Dykinson, 2016

BASIC ELECTRONIC RESOURCES

- E-Justice . Rights of minors in court proceedings: Spain: http://https://e-justice.europa.eu/35998/EN/rights_of_minors_in_court_proceedings?SPAIN&member=1
- E-Justice . Rights of minors in court proceedings: http://https://e-justice.europa.eu/35998/EN/rights_of_minors_in_court_proceedings?init=true