

Juvenile Justice System

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 : 2

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

Presentation of theoretical material, case study and analysis of the case law using presentations, videos, notes, forums and on-line tutorships.

ASSESSMENT SYSTEM

ORDINARY SESSION:

- Up to 15% participation in the forum
- Up to 45% resolution of a practical case study or report.
- Up to 40% multiple-choice exam

The student must obtain at least a mark of 3 out of 6 in the continuous assessment (forum and resolution of a practical case / report), and 1.8 out of 4 in the multiple-choice exam. If he/she does not obtain this score, he/she will be failed and will have to attend the extraordinary exam.

EXTRAORDINARY EXAM:

- 100% Examination.

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

BASIC BIBLIOGRAPHY

- BAILLEAU, F., CARTUYVELS, Y. The Criminalisation of Youth Juvenile Justice in Europe, Turkey and Canada, Academic & Scientific Publishers, 2010
- DÍAZ CAPPÀ, 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?init=true