

Criminal Justice Policy

Code: 100445
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OB	3	1

Contact

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Use of Languages

Principal working language: spanish (spa)
Some groups entirely in English: No
Some groups entirely in Catalan: No
Some groups entirely in Spanish: Yes

Teachers

Daniela Gaddi

Prerequisites

There are no prerequisites to enroll in this course. However, it is recommended students pass "Criminal Law" and "Introduction to Law" with an above average mark.

Objectives and Contextualisation

This course aims to develop students' ability to identify institutional approaches to crime as complex political decisions involving different inputs and interests, which go beyond the effectiveness of prevention. Moreover, the course intends to encourage critical thought about the principles, the motivations, the aims, the functions and the ideologies in regard to crime policy options. Finally, at the end of the course students should be able to identify the current trends in crime policy, as defined by relevant literature, and to match them with specific political decisions (on issues such as terrorism, gender violence, drugs, immigration, petty property offences and sexual offences).

Competences

- Ability to analyse and summarise.
- Drawing up an academic text.
- Generating innovative and competitive proposals in research and professional activity.
- Reflecting on the foundations of criminology (theoretical, empirical and ethical-political ones) and expressing this in analysis and propositions.
- Students must be capable of autonomously updating their criminological knowledge.
- Students must demonstrate they know a variety of criminal policies in order to face criminality and its different foundations.
- Verbally transmitting ideas to an audience.
- Working autonomously.
- Working in teams and networking.

Learning Outcomes

1. Ability to analyse and summarise.
2. Applying the variety of criminal policies and their foundations in the criminological field.
3. Drawing up an academic text.
4. Generating innovative and competitive proposals in research and professional activity.
5. Inferring the scientific knowledge of criminology in the applied field.
6. Students must show interest for the scientific updates in the criminological field.
7. Verbally transmitting ideas to an audience.
8. Working autonomously.
9. Working in teams and networking.

Content

Topic 1: Introduction to the concept of "Crime Policy".

Topic 2: "Criminology", "Crime policy" and "Criminal law": differences and interrelationships.

Topic 3: Criminology and its influence on Crime Policy.

Topic 4: Limits to crime policy in a social and democratic State subject to the rule of law

Topic 5: The influence of the media and lobbies on Crime Policy

Topic 6: The influence of Supranational Organizations on Crime Policy

Topic 7: Legislator's discourse and its effects on applied Crime Policy

Topic 8: Characteristics of contemporary Criminal Law: The crisis of penal welfarism.

Topic 9: Trends in contemporary Spanish criminal law: "Feindstrafrecht"(Derecho penal del enemigo); Derecho penal de la seguridad; "Risikostrafrecht" (Derecho penal del riesgo)

Topic 10: Crime policies at the autonomic and local level

Topic 11: Crime policy at the judicial and penitentiary level

Topic 12: Trends in contemporary Crime Policy: the restorative paradigm

Methodology

Introductory session. Part of the first lesson will be devoted to explaining objectives, methodology and evaluation criteria. Attendance to this first session is very important because, besides clarifying the above aspects, students will be shown how to use the online platform which will be used during the course.

The first workshop will be devoted to the organization of the workgroups and to an explanation of what the group project will consist of. The group project will be due around the end of November.

Lectures. Lectures will present the theoretical aspects of each topic of the course.

Individual work. Students will be expected to study the assigned readings in order to strengthen and deepen their understanding of the lectures. In other words, students should not only study the notes they take during lectures but should also broaden their knowledge of each topic of the course by making use of the provided bibliographic material.

Workshops. The workshops will usually be devoted to working on case studies, in order to strengthen theoretical knowledge.

Individual attention. Students will be offered personal tutorials, both to clarify some doubts about specific topics of the course and to discuss his/her on-going evaluation process.

All the activities described above will be complemented with conferences offered by experts who will provide students with practical examples of some of the topics of the course.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Introductory activity	1	0.04	2
Lecture Classes	18.5	0.74	2, 5, 6
Workshops	19.5	0.78	2, 5, 6, 1, 7, 9
Type: Autonomous			
Individual work and group work	106	4.24	2, 5, 6, 3, 1, 7, 8, 9

Assessment

Attendance

Attendance to lectures and workshops is compulsory. Therefore, a student who does not attend at least 80% of the course will not be able to be assessed. Absences will be allowed only in case of medical reasons or outstanding circumstances. An absence note will be required. Any academic reason for absence should be previously authorized by the professor. Attendance will be taken for both lectures and workshops.

Continuous evaluation (60% of the final mark).

During the course, 3 continuous evaluation activities will be carried out. These will be worth the 60% of the final mark. Two of them will check the students' understanding and knowledge of the compulsory reading material and may consist of answering short questions (20% of the final mark, 10% each). The third evaluation activity will consist of the group project, which will be presented before the rest of the class in one of the workshops (40% of the final mark).

In order to pass the continuous evaluation, students will have to attend the exams and actively participate in the group project and presentation.

All activities will be scheduled and then published in advance on the online platform.

In order to pass the course, students will have to obtain a minimum mark of 5 in each of the evaluation activities. Students who do not obtain the minimum mark will be able to resit for that activity during the reassessment period.

Final exam (40% of the final mark).

At the end of the course, students will be examined on the entire contents of the course. The exam will consist of answering to 4 questions. Students who fail the exam will be allowed to resit for the exam.

Active participation

Students who demonstrate through active participation that they have achieved an above average mastery of the course material and objectives will be rewarded with an increase of the final mark of up to 0,5 extra points.

Cheating

Cheating at any evaluation activity will imply a fail mark (0) and students will lose the right to a new assessment. Plagiarism will lead to a fail mark (0) and to a warning. In the case of reoccurrence, the student will be given a fail mark (0) and will lose the right to resit.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Active class participation	Increase the final mark up to 0,5 points.	0	0	7, 9
Final exam	40%	5	0.2	2, 5, 3, 1, 8
Group work	40%	0	0	2, 5, 6, 3, 1, 7, 9
Minimum attendance to 80% of the classes	Compulsory	0	0	2, 4, 5, 6, 1, 7, 9
Two reading tests	20% (10% each one)	0	0	2, 5, 3, 1, 8

Bibliography

Mandatory readings

Topic 1: Introduction to the concept of "Crime Policy"

Class material

Topic 2: "Criminology", "Crime policy" and "Criminal law": differences and interrelationships

- Hassemer, W.; Muñoz Conde, F. (2012). *Introducción a la Criminología y a la Política Criminal*. Valencia: Tirant Lo Blanch. Only pp. 26-28 and 151-158 (9)

Topic 3: Criminology and its influence on Crime Policy

- Rivera Beiras, I. (2005). Principios orientadores del Constitucionalismo social. In Rivera Beiras, I. (Coord.). *Política criminal y Sistema Penal* (pp. 157-286). Barcelona: Anthropos. Only pp. 204-218 and 259-275 (30).
- Farrington, D.P. (2001). Evidence Based Policy on Crime and Justice. *Third International, Inter-Disciplinary Evidence-based Policies and Indicator Systems Conference*, CEM Centre, University of Durham (8)

Topic 4: Limits to crime policy in a social and democratic State subject to the rule of law

Class material

Topic 5: The influence of the media and lobbies on Crime Policy

- Paredes Castañón, J.M. (2018), La interacción entre los medios de comunicación social y la política criminal en las democracias de masas. *Teoría & Derecho*, 24, 92-114. Retrieved from: https://www.researchgate.net/publication/332100179_La_interaccion_entre_los_medios_de_comunicacion (22)

Topic 6: The influence of Supranational Organizations on Crime Policy

Class materials

Topic 7: Legislator's discourse and its effects on applied Crime Policy

- Paredes Castañón, J.M. (2019). Racionalidad instrumental del legislador y estereotipos sociales sobre la delincuencia: modelos de argumentación punitivista. *Revista Brasileira de Ciências Criminales*, 147 (setembro), 403-431. Retrieved from: https://www.researchgate.net/publication/330521223_Racionalidad_instrumental_del_legislador_y_estereotipos_sociales_sobre_la_delincuencia_modelos_de_argumentacion_punitivista (28)

Topic 8: Characteristics of contemporary Criminal Law

- Garland, D. (2005). *La cultura del control*. Barcelona: Gedisa. Only pp.107-136 (29)

Topic 9: Trends in contemporary Spanish criminal law

- Jiménez Díaz, María José (2014). Sociedad del riesgo e intervención penal. *Revista Electrónica de Ciencia Penal y Criminología*, 16(08), 1-25. Retrieved from: <http://criminet.ugr.es/recpc/16/recpc16-08.pdf> (25)

Topic 10: Crime policies at the autonomic and local level

Class materials

Topic 11: Crime policy at the judicial and penitentiary level

- García España, E.; Díez Ripollés, J.L.(Dir.) (2011). *Realidad y Política penitenciaria*. Valencia: Tirant Lo Blanch. Retrieved from: <http://www.oda.uma.es/informes/Informe-ODA-2011.pdf>. Only pp. 237-245. (8)

Topic 12: Trends in contemporary Crime Policy: the restorative paradigm

- Varona, Gema (2014). Who Sets the Limits in Restorative Justice and Why? Comparative Implications Learnt from Restorative Encounters with Terrorism Victims in the Basque Country. *Oñati Socio-Legal Series*, 4(3), 550-572 (22)

Recommended readings

- Almeda Samaranch, Elisabet (2005). La política penal/penitenciaria en relación con la mujer: un enfoque de género. In Rivera Beiras, I. (Coord.). *Política criminal y Sistema Penal* (pp. 348-366). Barcelona: Anthropos
- Anitua, G.I. (2005). Los principios constitucionales para una política criminal del Estado social y democrático de derecho. In Rivera Beiras, I. (Coord.). *Política criminal y Sistema Penal* (pp. 289-303). Barcelona: Anthropos,
- Borja Jiménez, E. (2003). *Curso de política criminal*. Valencia: Tirant lo Blanch
- Cid, J.; Larrauri, Elena (2001). *Teorías criminológicas*. Barcelona: Bosch
- del Pozo Serrano, F. (2013). Las políticas públicas para las prisiones: una aproximación a la acción social desde el modelo socio-educativo. *Revista de Humanidades*, 20, 63-82
- Díez Ripollés, J. L. (2004). El nuevo modelo penal de la seguridad ciudadana. *Revista Electrónica de Ciencia penal y Criminología*, 6 (3), 1-34. Retrieved from: criminet.ugr.es/recpc/06/recpc06-03.pdf
- García Arán, Mercedes (2008). El discurs mediàtic sobre la delinqüència i la seva incidència en les reformes penals. *Revista Catalana de Seguretat Pública*, 18, abril, 39-64. Retrieved from: <https://www.raco.cat/index.php/RCSP/article/view/122902/170180>
- Lea, J.; Young, J. (2001). *¿Qué hacer con la ley y el orden?*. Buenos Aires: Editores del Puerto
- Levy, B.L.; Levy, Denise L. (2016). When Love meets hate: the relationship between state policies on gay and lesbian rights and hate crime incidence. *Social science Research*, 61, 142-159

- Melià, C. (2006). De nuevo: ¿Derecho penal del enemigo?. In: Jakobs, G.; Melià, C. (dirs). *Derecho penal del enemigo* (pp. 87-152). Madrid: Civitas
- Mendoza, Blanca (2001). *El derecho penal en la sociedad del riesgo*. Madrid: Civitas
- Newburn, T.; Jones, T. (2008). Symbolic politics and penal populism: the long shadow of Willie Horton. *Crime, media, Culture* 1(1), 72-87
- Pozuelo Pérez, Laura (2013). *La política criminal mediática. Génesis, desarrollo y costes*. Madrid: Marcial Pons.
- Sanz Mulas, Nieves (2016). *Política criminal*. Salamanca: Ratio Legis.
- Sherman, L.W. (2009). Evidence and liberty: The promise of experimental criminology. *Criminology & Criminal Justice*, 9(1), 5-28
- Sherman, L. W. (2003). Misleading Evidence and Evidence-Led Policy: Making Social Science more Experimental. *The ANNALS of the American Academy of Political and Social Science*, 589(1), 6-19
- Silva Sánchez, J.M. (2006). *La expansión del derecho penal*. Buenos Aires: BdeF.
- Silva Sánchez, J.M. (2017). Restablecimiento del derecho y superación del conflicto interpersonal tras el delito. *Revista de La Facultad de Derechoy Ciencias Políticas - UPB*, 47(127), 495-510. Retrieved from: <https://revistas.upb.edu.co/index.php/derecho/article/view/8051>
- Stancu, O.; Varona, D. (2017). ¿Punitivismo también judicial?: Un estudio a partir de las condenas penales por homicidio en España (2000-2013). *Revista Electrónica de Ciencia Penal y Criminología*, 19(12), 1-33. Retrieved from: <http://criminnet.ugr.es/recpc/19/recpc19-12.pdf>
- Varona Gómez, D. (2011). Medios de comunicación y punitivismo. *InDret*, 1, 1-34. Retrieved from: http://www.indret.com/pdf/791_1.pdf
- Walklate, Sandra (2015). Jock Young, Left Realism and Critical Victimology. *Critical Criminology*, 23(2), 179-190
- Walgrave, L. (2011). Investigating the Potentials of Restorative Justice Practice. *Journal of Law & Policy*, 36, 91-139