



Universitat de Lleida

## DEGREE CURRICULUM

# **CRIMINAL PROCEDURAL LAW**

Coordination: CARBONELL TABENI, JOAQUIN

Academic year 2018-19

## Subject's general information

Subject name	CRIMINAL PROCEDURAL LAW			
Code	101819			
Semester	1st Q(SEMESTER) CONTINUED EVALUATION			
Typology	Degree	Course	Character	Modality
	Double bachelor's degree: Degree in Law and Degree in Business Administration and Management	5	COMPULSORY	Attendance- based
	Bachelor's Degree in Law	3	COMPULSORY	Attendance- based
Course number of credits (ECTS)	7.5			
Type of activity, credits, and groups	Activity type	PRAULA		TEORIA
	Number of credits	3		4.5
	Number of groups	3		2
Coordination	CARBONELL TABENI, JOAQUIN			
Department	PRIVATE LAW			
Important information on data processing	Consult <a href="#">this link</a> for more information.			
Language	Idioma Percentatge d'ús Català 50.0 Anglès 0.0 Castellà 50.0			
Office and hour of attention	A determinar			

Teaching staff	E-mail addresses	Credits taught by teacher	Office and hour of attention
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## Subject's extra information

The subject of Penal Procedural Law is located in the 3rd year, 1st semester of the Degree in Law syllabus. The student must assimilate knowledge on subjects closely related to Penal Procedural Law. Given the fact that they have already established a basis on which to build their science proceedings (jurisdiction, action and process), the main objective of the course is to explain the specificity of the criminal process as a tool available to a State of Law to enforce criminal law.

## Learning objectives

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## Competences

### University of Lleida strategic competences

- Correctness in oral and written language.

#### Goals

1. Explain the concept of penal procedural law
2. Define criminal proceedings. Explain its roles and recognize the principles that comprise it
3. Select, interpret and correctly apply the rules determining the jurisdiction of the criminal courts
4. Identify the legal status of the parties to the proceedings
5. Delineate and assess the identifying elements of the purpose of criminal proceedings
6. Differentiate between the legal causes of connecting purposes
7. Recognize the possible heterogeneity of the purpose of criminal proceedings and its manifestations in the procedural steps
8. Categorize the acts of criminal charges
9. Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities and the effects that arise. Write a complaint
10. Compare and determine the main characters of the investigative functions of the judicial police, prosecutor and magistrate
11. Analyse the regulation and practice of measures of research from the perspective of the principle of proportionality
12. Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure
13. Deduce the necessity to plan for an intermediate stage in criminal proceedings
14. Distinguish, on the basis of their effectiveness, among preformed proof, anticipated proof and proof carried out in trial
15. Rate the termination of the criminal proceedings by means of the compliance of the accused under the assumptions from the presumption of innocence
16. Develop strategies for defending the interests of the accused and the

victim. Write letters of accusation and defence 17. Systematize the remedies of judicial decisions and of the clerk 18. Describe the types of criminal cases and relate them to the institutions developed in the general part 19. Raise and solve the issues generated by the execution of the judgments in criminal sentencing

- Master Information and Communication Technologies.

## Goals

- Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities and the effects that arise. Write a complaint
- Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure
- Develop strategies for defending the interests of the accused and the victim. Write letters of accusation and defence

## Degree-specific competences

- Ability to perceive and assimilate the unitary nature of the legal system and its necessary transdisciplinary vision

## Goals

- 1. Explain the concept of penal procedural law 2. Define criminal proceedings. Explain its roles and recognize the principles that comprise it 3. Select, interpret and correctly apply the rules determining the jurisdiction of the criminal courts 4. Identify the legal status of the parties to the proceedings 5. Delineate and assess the identifying elements of the purpose of criminal proceedings 6. Differentiate between the legal causes of connecting purposes 7. Recognize the possible heterogeneity of the purpose of criminal proceedings and its manifestations in the procedural steps 8. Categorize the acts of criminal charges 9. Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities and the effects that arise. Write a complaint 10. Compare and determine the main characters of the investigative functions of the judicial police, prosecutor and magistrate 11. Analyse the regulation and practice of measures of research from the perspective of the principle of proportionality 12. Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure 13. Deduce the necessity to plan for an intermediate stage in criminal proceedings 14. Distinguish, on the basis of their effectiveness, among preformed proof, anticipated proof and proof carried out in trial 15. Rate the termination of the criminal proceedings by means of the compliance of the accused under the assumptions from the presumption of innocence 16. Develop strategies for defending the interests of the accused and the victim. Write letters of accusation and defence 17. Systematize the remedies of judicial decisions and of the clerk 18. Describe the types of criminal cases and relate them to the institutions developed in the general part 19. Raise and solve the issues generated by the execution of the judgments in criminal sentencing

- Ability to redact legal documents of a different nature

## Goals

- 1.-Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities and the effects that arise. Write a complaint. 2.-Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure 3.-Develop strategies for defending the interests of the accused and the victim. Write letters of accusation and defence

- Show knowledge of the characteristics, conceptual schedules, institutions and procedures of the judicial

system

Goals

- 1. Explain the concept of penal procedural law 2. Define criminal proceedings. Explain its roles and recognize the principles that comprise it 3. Select, interpret and correctly apply the rules determining the jurisdiction of the criminal courts 4. Identify the legal status of the parties to the proceedings 5. Delineate and assess the identifying elements of the purpose of criminal proceedings 6. Differentiate between the legal causes of connecting purposes 7. Recognize the possible heterogeneity of the purpose of criminal proceedings and its manifestations in the procedural steps 8. Categorize the acts of criminal charges 9. Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities and the effects that arise. Write a complaint 10. Compare and determine the main characters of the investigative functions of the judicial police, prosecutor and magistrate 11. Analyse the regulation and practice of measures of research from the perspective of the principle of proportionality 12. Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure 13. Deduce the necessity to plan for an intermediate stage in criminal proceedings 14. Distinguish, on the basis of their effectiveness, among preformed proof, anticipated proof and proof carried out in trial 15. Rate the termination of the criminal proceedings by means of the compliance of the accused under the assumptions from the presumption of innocence 16. Develop strategies for defending the interests of the accused and the victim. Write letters of accusation and defence 17. Systematize the remedies of judicial decisions and of the clerk 18. Describe the types of criminal cases and relate them to the institutions developed in the general part 19. Raise and solve the issues generated by the execution of the judgments in criminal sentencing

## Degree-transversal competences

- Ability to adequately manage information (Instrumental ability)

Goals

- 1. Explain the concept of penal procedural law 2. Define criminal proceedings. Explain its roles and recognize the principles that comprise it 3. Select, interpret and correctly apply the rules determining the jurisdiction of the criminal courts 4. Identify the legal status of the parties to the proceedings 5. Delineate and assess the identifying elements of the purpose of criminal proceedings 6. Differentiate between the legal causes of connecting purposes 7. Recognize the possible heterogeneity of the purpose of criminal proceedings and its manifestations in the procedural steps 8. Categorize the acts of criminal charges 9. Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities and the effects that arise. Write a complaint 10. Compare and determine the main characters of the investigative functions of the judicial police, prosecutor and magistrate 11. Analyse the regulation and practice of measures of research from the perspective of the principle of proportionality 12. Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure 13. Deduce the necessity to plan for an intermediate stage in criminal proceedings 14. Distinguish, on the basis of their effectiveness, among preformed proof, anticipated proof and proof carried out in trial 15. Rate the termination of the criminal proceedings by means of the compliance of the accused under the assumptions from the presumption of innocence 16. Develop strategies for defending the interests of the accused and the victim. Write letters of accusation and defence 17. Systematize the remedies of judicial decisions and of the clerk 18. Describe the types of criminal cases and relate them to the institutions developed in the general part 19. Raise and solve the issues generated by the execution of the judgments in criminal sentencing

- Ability to pursue permanent autonomous learning and adapt to the new circumstances (Systemic ability)

Goals

- Select, interpret and correctly apply the rules determining the jurisdiction of the criminal courts
- Contrast the various acts of the beginning of the criminal proceedings, detecting their specificities

- and the effects that arise. Write a complaint
- Justify budgets and purposes of precautionary and protection measures. Compose a judicial decree taking a precautionary measure
- Develop strategies for defending the interests of the accused and the victim. Write letters of accusation and defence
- Describe the types of criminal cases and relate them to the institutions developed in the general part
- Raise and solve the issues generated by the execution of the judgments in criminal sentencing

## Subject contents

Subject contents

**Subject 1.** Criminal Procedure Law and Criminal Procedure

**Subject 2.** Jurisdiction and competence

**Subject 3.** Parties in the criminal process

**Subject 4.** Purpose of criminal proceedings

**Subject 5.** Beginning of criminal proceedings

**Subject 6.** Investigation stage

**Subject 7.** Precautionary and protective measures

**Subject 8.** Intermediate phases and trial

**Subject 9.** Process termination

**Subject 10.** Resources and appeal of final judgments

**Subject 11.** Criminal procedures (I)

**Subject 12.** Criminal procedures (II)

**Subject 13.** Youth criminal process

**Subject 14.** Criminal enforcement

## Bibliography

### Recommended bibliography

BANACLOCHE y ZARZALEJOS, Aspectos fundamentales de Derecho Procesal Penal, Madrid

DE LA OLIVA SANTOS, ARAGONESES MARTÍNEZ, HINOJOSA SEGOVIA, MUERZA ESPARZA, TOMÉ GARCÍA, Derecho Procesal Penal, Madrid.

MONTERO AROCA, GÓMEZ COLOMER, MONTÓN REDONDO, BARONA VILAR, Derecho Jurisdiccional, III, Proceso Penal, València.

MORENO CATENA, CORTÉS DOMÍNGUEZ, Derecho Procesal Penal, València.

GIMENO SENDRA, Derecho Procesal Penal, Madrid.