



## Teaching Guide

| Teaching Guide      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------------------------------------------------|-----------|
| Identifying Data    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           | 2019/20   |
| Subject (*)         | Criminal Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |        | Code                                                                                      | 612G01028 |
| Study programme     | Grao en Dereito                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
| Descriptors         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
| Cycle               | Period                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Year   | Type                                                                                      | Credits   |
| Graduate            | 2nd four-month period                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Third  | Obligatory                                                                                | 6         |
| Language            | SpanishGalician                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
| Teaching method     | Face-to-face                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |        |                                                                                           |           |
| Prerequisites       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
| Department          | Dereito Público                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
| Coordinador         | Camara Ruiz, Juan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | E-mail | juan.camara@udc.es                                                                        |           |
| Lecturers           | Anguita Juega, Luis<br>Camara Ruiz, Juan<br>Neira Pena, Ana<br>Soto Díaz, David José                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | E-mail | luis.anguita.juega@udc.es<br>juan.camara@udc.es<br>ana.neira@udc.es<br>david.sdiaz@udc.es |           |
| Web                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                           |           |
| General description | A docencia que se imparte nesta materia persegue, principalmente, a adquisición polo estudante dun grao axeitado de coñecementos sobre as principais institucións do proceso penal. Concretamente: a) Os principios constitucionais relativos ao Proceso penal; b) A tutela xudicial efectiva; c) A función do Dereito procesual penal como instrumento na aplicación do ius puniendi estatal e na protección dos dereitos do imputado e da vítima; d) O procedemento preliminar; e) O xuízo oral; f) O sistema de recursos; g) Os procesos especiais; h) A execución penal. |        |                                                                                           |           |

## Study programme competences

| Code | Study programme competences                                                                                                                                                                                                                                   |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A1   | Knowledge of the main legal institutions                                                                                                                                                                                                                      |
| A2   | Knowledge of the role of law as a regulatory system of social relations                                                                                                                                                                                       |
| A4   | Appreciating the interdisciplinary nature of legal problems                                                                                                                                                                                                   |
| A5   | Knowing the constitutional principles and values.                                                                                                                                                                                                             |
| A7   | Knowing the national and international legal and political structures.                                                                                                                                                                                        |
| A8   | Basic knowledge of legal argumentation.                                                                                                                                                                                                                       |
| A9   | Ability to handle legal sources (legal, jurisprudential and doctrinal).                                                                                                                                                                                       |
| A10  | Ability to interpret and critically assess the legal system.                                                                                                                                                                                                  |
| A11  | Ability to understand and write legal documents.                                                                                                                                                                                                              |
| A12  | Management of legal oratory (ability to express themselves properly in public).                                                                                                                                                                               |
| A13  | Mastering new technologies applied to law.                                                                                                                                                                                                                    |
| A14  | Ability to draft legal norms.                                                                                                                                                                                                                                 |
| A15  | Ability to negotiate and mediate.                                                                                                                                                                                                                             |
| B2   | Ability to know how to apply their knowledge to their work or vocation in a professional way and possess the skills that are usually demonstrated through the elaboration and defense of arguments and the resolution of problems within their area of study. |
| B3   | Ability to gather and interpret relevant data (usually within their area of study) to make judgments that include a reflection on social, scientific or ethical relevant issues.                                                                              |
| B5   | Acquisition and assessment of those learning skills necessary to undertake further studies with a high degree of autonomy                                                                                                                                     |
| B7   | Effective problem solving.                                                                                                                                                                                                                                    |
| B8   | Critical, logical, and creative thinking.                                                                                                                                                                                                                     |
| B9   | Working autonomously on own initiative with a lifelong learning approach.                                                                                                                                                                                     |
| B10  | Teamwork and collaboration.                                                                                                                                                                                                                                   |
| B11  | Ethical and social responsibility.                                                                                                                                                                                                                            |
| B12  | Effective workplace communication and oral and written skills in Spanish, Galician and foreign languages.                                                                                                                                                     |
| B13  | Computing and ICT skills.                                                                                                                                                                                                                                     |



|    |                                                                                                                           |
|----|---------------------------------------------------------------------------------------------------------------------------|
| C2 | Mastering oral and written expression in foreign languages.                                                               |
| C3 | Using ICT in working contexts and lifelong learning.                                                                      |
| C4 | Exercising an open, educated, critical, committed, democratic and supportive citizenship for the sake of the common good. |
| C7 | Assume as a professional and citizen the importance of lifelong learning.                                                 |

| Learning outcomes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |     |                             |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------|----|
| Learning outcomes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |     | Study programme competences |    |
| To know function of the Law as a regulatory system of social relations.<br>Knowledge of constitutional principles and values.<br>Knowledge of legal-political structures at national and international level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | A1  | B2                          | C3 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A2  | B3                          | C4 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A4  | B5                          | C7 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A5  |                             |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A7  |                             |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A8  |                             |    |
| Ability to handle legal sources (legal, jurisprudential and doctrinal).<br>Ability to interpret and critically analyze the legal order.<br>Ability to understand and write legal documents.<br>Management of legal oratory. (Ability to express oneself appropriately in public).<br>Knowledge of the new technologies applied to the law.<br>Ability to read, understand and write legal texts in English.<br>Capacity to elaborate laws                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | A9  |                             | C2 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A10 |                             |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A11 |                             |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A12 |                             |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A13 |                             |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A14 |                             |    |
| Solve problems effectively, assessing the importance of research, innovation and technological development in the socio-economic and cultural development of society.<br>Apply a critical, logical and creative thinking, understanding, also, the importance of the entrepreneurial culture.<br>Work autonomously with initiative taking into account the importance of learning throughout life.<br>Work collaboratively<br>Behave with ethics and social responsibility as a citizen and as a professional.<br>Communicate effectively in a work environment, showing both oral and written expression in the official languages ??of the autonomous community, as well as in a foreign language.<br>Ability to use the computer network (internet) in obtaining information and in the communication of data and, in general, ability to use the basic tools of ICT required for the exercise of the profession. | A15 | B7                          |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | B8                          |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | B9                          |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | B10                         |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | B11                         |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | B12                         |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | B13                         |    |

| Contents             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Topic                | Sub-topic                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Criminal proceedings | 1.- The criminal procedural systems and the principles of criminal proceedings<br>2.- Jurisdiction and competence<br>3.- The parties to the criminal procedure<br>4.- The object of criminal proceedings<br>5.- The pretrial stage or the preliminary procedure<br>6.- The acts of investigation<br>7.- The precautionary measures<br>8th.- The oral trial and the dismissal<br>9 <sup>a</sup> .- The accusation, the defense, plea bargaining and the "thesis of disengagement"<br>10th.- Evidence<br>11th.- Judgment and res judicata<br>12th.- Review proceedings and other judicial remedies<br>13th.- Other procedures: the summary procedure, the abbreviated procedure, the procedure for minor offenses and the Jury trial |



## Planning

| Methodologies / tests           | Competencies                                                                                           | Ordinary class hours | Student's personal work hours | Total hours |
|---------------------------------|--------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|-------------|
| Directed discussion             | A15 A14 A13 A12<br>A11 A10 A9 A8 A7 A5<br>A4 A2 A1 B7 B8 B9<br>B10 B11 B12 B13 B2<br>B3 B5 C2 C3 C4 C7 | 15                   | 0                             | 15          |
| Oral presentation               | A8 A12 B2                                                                                              | 6                    | 18                            | 24          |
| Mixed objective/subjective test | A1 A2 A4 A5 A7 A9<br>A10 A11                                                                           | 5                    | 68                            | 73          |
| Guest lecture / keynote speech  | A1 A2 A4 A5 A7 A8                                                                                      | 21                   | 0                             | 21          |
| Supervised projects             | A11 B7 B2 B3                                                                                           | 6                    | 6                             | 12          |
| Personalized attention          |                                                                                                        | 5                    | 0                             | 5           |

(\*)The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

## Methodologies

| Methodologies                   | Description                                                                                                                                                                                                                                                                                                  |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Directed discussion             | The directed discussion is a tool that encourages the intervention of the students in class from a proposed topic on the subjects that are being taught as well as on other current topics. Likewise, it causes students to look for solutions quickly based on the knowledge acquired in previous sessions. |
| Oral presentation               | The oral presentation is a technique both for the oral presentation of resolved cases and for the oral presentation of parts of the subject.                                                                                                                                                                 |
| Mixed objective/subjective test | The mixed test, although it may vary from one course to another, is basically composed of test exam, but it may also include some short questions, some development questions or the resolution of practical cases.                                                                                          |
| Guest lecture / keynote speech  | Master classes are developed based on theoretical sessions. Then other techniques are used, such as directed discussions or oral presentations                                                                                                                                                               |
| Supervised projects             | With the preparation of work at home by the students it is expected that they acquire the technique of research and autonomous learning.                                                                                                                                                                     |

## Personalized attention

| Methodologies                   | Description                                                                                                                                                                                                                |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Supervised projects             | Normally, for the preparation of oral presentations or continuous evaluation works, the participation of the teaching staff is important for the supervision, the resolution of doubts, the correction of the drafts, etc. |
| Mixed objective/subjective test | Likewise, in view of the preparation of the mixed test it is very convenient to consult teachers to ask for advice and request, if necessary, personalized attention                                                       |
| Oral presentation               |                                                                                                                                                                                                                            |

## Assessment

| Methodologies                  | Competencies      | Description                                                                                                                                                             | Qualification |
|--------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Supervised projects            | A11 B7 B2 B3      | A valoración dos traballos tutelados dependerá da calidade, interese, rigor e corrección dos mesmos                                                                     | 10            |
| Guest lecture / keynote speech | A1 A2 A4 A5 A7 A8 | A valoración da sesión maxistral consistirá na asistencia habitual ás clases presenciais e na participación nos debates dirixidos e na resposta ás cuestións formuladas | 5             |



|                                 |                                                                                            |                                                                                                                                                                                                                                                                                           |    |
|---------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Mixed objective/subjective test | A1 A2 A4 A5 A7 A9 A10 A11                                                                  | Tal e como se expuxo no apartado das metodoloxías a proba conxunta pode estar constituída por varios capítulos: preguntas tipo test, curtas, a desenrolar, caso práctico, etc. Dependendo da configuración do exame concreto farase unha ponderación dos resultados de todas as cuestións | 65 |
| Oral presentation               | A8 A12 B2                                                                                  | Para a cualificación da presentación oral valorarase, principalmente, a calidade do traballo presentado ou a do caso resolto. Así mesmo, terase en conta a claridade na exposición e a corrección na argumentación e nas respostas ás cuestións formuladas                                | 10 |
| Directed discussion             | A15 A14 A13 A12 A11 A10 A9 A8 A7 A5 A4 A2 A1 B7 B8 B9 B10 B11 B12 B13 B2 B3 B5 C2 C3 C4 C7 | A valoración da discusión dirixida consistirá na asistencia habitual as clases presenciais e na participación dos mesmos                                                                                                                                                                  | 10 |
| Others                          |                                                                                            |                                                                                                                                                                                                                                                                                           |    |

## Assessment comments

To pass the subject it is necessary to pass the mixed test (test questions and short questions). The grade of the mixed test will be used to obtain the final grade with the other scores. Part-time students with recognized academic dispensation will perform compensatory activities, prior agreement with the professors. The rest of the assessment methods will be carried out without any adaptation.

## Sources of information

|                      |                                                                                                                                                                                                                                          |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Basic</b>         | Bibliografía básica: - MONTERO AROCA et. al, Derecho Jurisdiccional III. Proceso Penal, 25ª ed., Tirant Lo Blanch, Valencia, última edición;- GIMENO SENDRA, Manual de Derecho Procesal Penal, Castillo de Luna, Madrid, Última edición. |
| <b>Complementary</b> | Bibliografía complementaria:- GIMENO SENDRA, V., Derecho procesal penal, Aranzadi, Navarra, 2ª ed., 2015.- ASENCIO MELLADO, J. Mª, Derecho Procesal Penal, Tirant lo Blanch, Valencia, 7ª Edición, 2015.                                 |

## Recommendations

### Subjects that it is recommended to have taken before

Criminal Law: General /612G01010

Constitutions and Judicial Power/612G01014

Criminal Law: Special Part/612G01025

### Subjects that are recommended to be taken simultaneously

### Subjects that continue the syllabus

### Other comments

(\*)The teaching guide is the document in which the URV publishes the information about all its courses. It is a public document and cannot be modified. Only in exceptional cases can it be revised by the competent agent or duly revised so that it is in line with current legislation.