# COURSE DATA

## DATA SUBJECT

**Code:** 35064
**Name:** Penitentiary Law
**Cycle:** Undergraduate Studies
**ECTS Credits:** 6
**Academic year:** 2026-27

## STUDY (S)

| Degree | Center | Acad. year | Period |
|---|---|---|---|
| 1302 - Degree in Criminology | Facultat de Dret | 3 | Second quarter |
| 1923 - Double Degree Programme Law-Criminology | Facultat de Dret | 4 | Second quarter |

## SUBJECT-MATTER

| Degree | Subject-matter | Character |
|---|---|---|
| 1302 - Degree in Criminology | Criminal law | COMPULSORY |
| 1923 - Double Degree Programme Law-Criminology | Year 4 compulsory subjects | COMPULSORY |

## COORDINATION

CERVELLO DONDERIS MARIA VICENTA

# SUMMARY

The Penitentiary Law course is a compulsory semester course for the Criminology Degree and consists of 6 ECTS credits. Its specific content covers the study of the execution of custodial sentences and penitentiary systems, as well as the rights and duties affected by imprisonment, the prison regime and treatment, and the legal and criminological consequences of incarceration, including the alternatives provided for in Spanish law.

# PREVIOUS KNOWLEDGE

## RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE

There are no specified enrollment restrictions with other subjects of the curriculum.

## OTHER REQUIREMENTS

## COMPETENCES / LEARNING OUTCOMES

### 1302 - Degree in Criminology

Aportar datos e informes para el control y seguimiento de las medidas de excarcelación asesorando al Juzgado de Vigilancia en sus resoluciones.

Saber plasmar en un informe los instrumentos idóneos para la reinserción social y la reducción de los efectos nocivos de la prisión.

Ser capaz de analizar el delito, el delincuente y la víctima, y diseñar estrategias de prevención e intervención, desde el respeto a los derechos humanos, la igualdad entre hombres y mujeres, la paz, sostenibilidad, accesibilidad universal y diseño para todos y valores democráticos.

Tener una conciencia crítica frente a la realidad social y los problemas sociales respetando los principios de igualdad, derechos humanos, paz, accesibilidad universal, solidaridad y protección medioambiental, todo ello desde una perspectiva de género.

## DESCRIPTION OF CONTENTS

**1.Penitentiary Law. Guiding Principles. Penitentiary Legislation Concept and content of Penitentiary Law. Guiding principles of penitentiary enforcement. The General Organic Penitentiary Law. Penitentiary Regulations. Circulars and Instructions.**

**2.Deprivation of liberty sentences: historical origin and current regulation. Penitentiary relevance of other sentences Historical background of prison. Penitentiary systems. The prison sentence in the Spanish legal system. Permanent location. Permanent revisable imprisonment.**

**3.Alternatives to prison: substitution and suspension. Community service. Prison crisis. Alternatives to prison: penitentiary powers. Substitution of sentence. Suspension of execution. Community service.**

**4.Legal-penitentiary relationship: rights and duties of inmates. The Penitentiary Administration. The special restraint relationship and its consequences. Rights and duties of inmates. Penitentiary bodies**

**5.The Penitentiary Surveillance Judge The Penitentiary Jurisdiction. Duties of the Penitentiary Surveillance Judge. Resources**

**6.Penitentiary regime and internal organization. Admissions and freedoms. Transportation and**

transfers. Inmate complaints. Security and surveillance. Education, healthcare, and nutrition.

7.Penitentiary classification Classification procedure. General and specific requirements for first-degree, second-degree, and third-degree classification

8.Penitentiary establishments Types of penitentiary centers: closed regime, ordinary regime, and open regime. Special forms of execution. 9. Penitentiary treatment. Concept and principles of penitentiary treatment. Modalities and problems of application.

9.Penitentiary treatment. Concept and principles of penitentiary treatment. Modalities and problems of application.

10.Prison Labor Prison Labor: Modalities, Content, and Penitentiary Effects

11.Relations with the Outside World: Communications and Visits.

12. Conditional Release and Penitentiary Benefits Conditional release: Legal requirements. Analysis of Article 78 of the Criminal Code. Penitentiary benefits. Settlement of Sentences.

## WORKLOAD

### PRESENCIAL ACTIVITIES

| Activity | Hours |
|---|---|
| Theoretical and practical classes | 60,00 |
| **Total hours** | **60,00** |

### NON PRESENCIAL ACTIVITIES

| Activity | Hours |
|---|---|
| Attendance at other activities | 5,00 |
| Individual or group project | 20,00 |
| Independent study and work | 25,00 |
| Preparation of lessons | 25,00 |
| Preparation for assessment activities | 5,00 |
| Resolution of case studies | 10,00 |
| **Total hours** | **90,00** |

## TEACHING METHODOLOGY

The Penitentiary Law course is worth 6 ECTS credits, which, according to the Faculty of Law's

teaching protocol, involves two weekly teaching sessions of one hour and forty minutes each, along with two complementary activities. Each week, one session will be devoted to explaining the subject, after students have prepared the course material available in the virtual classroom, and another session will be devoted to practical activities.

## EVALUATION

The course grade will be determined based on the grades obtained from the continuous assessment, which accounts for 30% of the final grade, and the final exam on the dates set by the Faculty, which accounts for 70% of the final grade. A minimum passing grade on the final exam is required to pass the course, regardless of the grade obtained on the continuous assessment. The professor's appendix will detail the conditions for continuous assessment and the oral or written nature of the final exam, as well as whether a partial exam, whether compensatory or non-remunerative, will be administered on the dates set by the Faculty. Students who do not complete the continuous assessment may take the final exam in the first sitting. The grade obtained will be limited to the weighted value of this exam in the final grade (70%), so that the maximum final grade obtained is 7. If the student fails the first session, the grade obtained in the continuous assessment will be retained for the second session. If the instructor's appendix specifies that any activity may be retaken, the instructor will determine how the grade will be obtained for that activity in the second session. For cases where, due to a date clash with another subject, or due to justified force majeure, students can't take the exam on the official date, the teachers may change the exam format.

## REFERENCES

Legislación penitenciaria. 2026Derecho Penitenciario. Vicenta Cervelló Donderis.5ª edición.Valencia 2022. Derecho Penitenciario. Sergio Cámara, Laura Delgado, Daniel Fernández, Elena Maculan, Madrid 2022.Derecho Penitenciario. Enseñanza y aprendizaje. Dtora. R. de Vicente. Valencia 2015Manual de ejecución penitenciaria. Defenderse en la cárcel. J. Ríos Martín/X.Etxebarria/E.Pascual 2ª Ed. Madrid 2018. Manual de Derecho Penitenciario. 3ª ed. C.Juanatey. Madrid 2016http://www.derechopenitenciario.com/index.asphttp://www.institucionpenitenciaria.es Derecho Penitenciario. L.Fernández Arevalo/J.Nistal Burón, Pamplona 2016.