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**LEGISLATIVE PAST AND PRESENT OF THE BACHELOR'S
DEGREE IN CRIMINOLOGY IN SPAIN: SOLUTIONS AND
OUTSTANDING ISSUES**

Joanne Mampaso Desbrow¹. Camilo Jose Cela University. Spain
jmampaso@ucjc.edu

Ana Seoane Ruiz. Camilo Jose Cela University. Spain

Francisco Pérez Fernández. Camilo Jose Cela University. Spain
fperez@ucjc.edu

Claudia Martín-Moreno Blasco. Camilo Jose Cela University. Spain

Alba García Cortés. Camilo Jose Cela University. Spain

ABSTRACT

Criminology studies in Spain have a short span if they are compared with other degrees. By this reason this type of studies required adjustments in its design and other qualifications, but also the generation of a specific identity. It is noteworthy that despite this “youth”, in academic terms, in the different manifestations of this degree specific issues that are the object of this paper are shown. On one hand, we find some legislative changes which serve to develop and implement many titles associated with this specialty. On the other hand, the need to adjust the social and labor demands of this degree to the requirements of equivalence required for the effective implementation of the European Higher Education Area (EHEA) in 2008. Also, throughout this article we analyze how the Government has tried to establish mechanisms to readjust legislative enactments to the market needs. However, Criminology studies, in the history of Spain, first as unofficial studies and later as official degrees, have never being closed at all. They have always been subject to continuous changes and adjustments of the recipients interested in this profile to an evanescent reality. Many of them, for example, consider today if the degree -of 240 ECTS credits- shows similarities or differences with the unofficial titles of the past.

¹**Joanne Mampaso Desbrow**: Camilo Jose Cela University. Spain
jmampaso@ucjc.edu

Therefore in this article are also established, as a reflection, it tries to analyze whether such studies are covered by the text of Royal Decree 43/2015.

KEYWORDS

Criminology - European Higher Education Area - Legislation - Criminologists.

PASADO Y PRESENTE LEGISLATIVO DE LOS ESTUDIOS DE GRADO EN CRIMINOLOGÍA EN ESPAÑA: SOLUCIONES Y CUESTIONES PENDIENTES

RESUMEN

Los estudios de Criminología en España cuentan con un corto recorrido si se comparan con otras carreras. Cabe mencionar que a pesar de su “escasa edad”, en términos académicos, en las diferentes manifestaciones de esta titulación se observan cuestiones específicas que suponen el objeto del presente artículo. Por un lado, encontramos una cantidad de modificaciones legislativas que sirven para desarrollar e implantar multitud de títulos propios asociados a la especialidad. Por otro, existe la necesidad de ajustar las demandas sociales y laborales a los requerimientos de equivalencia exigida por la implantación efectiva del Espacio Europeo de Educación Superior (EEEs) en el año 2008.

Asimismo, a lo largo de este artículo se analiza cómo, desde la propia Administración, se han tratado de establecer mecanismos que reajustaran las promulgaciones legislativas a las necesidades del mercado. Sin embargo, los estudios de criminología, a lo largo de su historia en España, primero como estudios propios y posteriormente como oficiales, nunca han terminado de verse cerrados. Al contrario, siempre han estado sometidos a continuos y cambios y ajustes de los destinatarios de este perfil a una realidad volátil. Muchos, por ejemplo, se planean a día de hoy si el grado, de 240 créditos ECTS, muestra similitudes o diferencias con aquellas titulaciones propias y los estudios de segundo ciclo del pasado. Por ello en el presente artículo también se establecen, a modo de reflexión, se trata de analizar si este tipo de estudios encuadraría en la promulgación del Real Decreto 43/2015.

PALABRAS CLAVE: Criminología - Espacio Europeo de Educación Superior - Legislación - Criminólogos.

1. INTRODUCTION

1.1 Legislative reality

Graduate studies in Criminology have been implemented in many Spanish universities, but not without controversy because of the type of access to which many of the old graduates in Criminology underwent when it was established, in terms of equivalence, access "bridge" to the second cycle of the Degree in Criminology. It is noteworthy that these studies allowed to establish such equivalences when it was a degree of the previous second cycle education legislation.

It was through the Royal Decree 858/2003, that for the first time, the official title of Criminology in Spain was established, as up to that moment all had been own degrees. This is a late official certificate creation when compared with other more "classic" qualifications that already had their own general guidelines in 1990, such as degrees in Law (Royal Decree 1424/1990), Psychology (Royal Decree 1428/1990) or Medicine (Royal Decree 1417/1990). The qualifications that were not considered emerging also had the Royal Decree 1497 / 1987 establishing the common general guidelines for all curricula of official university degrees.

The reality of Criminology studies as an official title did not come until the enactment of *the Royal Decree 858/2003, of 4 July, the official university title of Graduate in Criminology and the own general curriculum guidelines conducive to obtaining it*. As it happens in all official titles, general guidelines related to the design of curricula for degrees in Criminology were established. Since this was a "novel" degree, but from which there was already a large academic offer in universities as their own title, the first adjustment that has made a real difference to other degrees occurs.

Undergraduate Studies in Criminology were second cycle studies, in which it was required for access, to overcome first-cycle studies and the corresponding complements of training. The need to respond to all those students who, having made a separate title in several Spanish Universities, were at a disadvantage with respect to others. Thus, in order to respond to this problem, *the sixth general guideline of the Royal Decree 858/2003 of 4 July was established through the ORDER ECI / 4171/2004 of 13 December, which develops the official university degree in Criminology and its own curricula leading to obtaining general guidelines* stating that the own degrees in Criminology would be declared equivalent to the title of University Graduate for the sole purposes of access to the Degree in Criminology.

2. OBJECTIVES

This article has as prioritized objectives: to analyze how the Administration has generated, in short time, legislative enactments to respond to criminologists and if the degrees in Criminology of the Spanish Universities, of 240 ECTS credits, as a reflection, might respond to the type of profile and essence of the predecessor qualifications to European Higher Education Area (EHEA) and therefore would be framed in the promulgation of Royal Decree 43/2015.

3. DISCUSSION

3.1. Declaration of Equivalence

One of the most controversial aspects of studies related to Criminology has been the question of the celebrated "declaration of equivalence". It must be remembered in this regard that when graduate studies and studies of second cycle were born, there was in Spain a lot of universities that, for lack of development in legislation related to official studies of Criminology created countless Diplomas, Expert Titles, and so on. Through the Order ECI / 4171/2004 by which it was decreed that they can access the cycle Degree in Criminology *those who are in possession of a degree in Criminology which has been declared equivalent by the present Ministry of Education and Science to the university degree of University Diploma, for the sole purpose of that access*. It was intended to encourage, through equivalence to the title of University Diploma (for the sole purposes of access to the Degree in Criminology), as it is shown in Table I, to the students who had studied those old qualifications and, therefore they were in an obvious disadvantage.

Table I. Summary of own titles declared equivalent

YOUR LEVEL OF QUALIFICATIONS	UNIVERSITIES MEDIA	STUDENTS	CREDITS MEDIA
First and Second Cycle	19	4200	128
Postgraduate and Masters	7	200	47
Doctorate	4	65	60

Source: White Paper on the Degree in Criminology. Date of extraction August 4, 2015

The above rule did not expressly state which were declared equivalent qualifications. Thus, the lack of specificity in legal matters, the University of Alicante prepared a document in which the degrees of all the Spanish Universities in terms related to Criminology who have requested, by administrative means, the equivalence and which met the identified requirements of the order that therefore allowed access to the Degree through Criminology Bachelor Diploma. This equivalence was made at the request of the universities that were providing these titles that also had to meet the following minimum requirements: the maximum academic workload of the title should be 180 ECTS and must have been taught by a college or university.

Another legislative enactment remarkable in this sense, is the *ORDER ECI / 1995/2007 of 29 June, establishing the equivalence of the categories of Police and Police Officer of the Basic Scale of the National Police Force, to the established titles of Technician and Higher Technician, respectively, corresponding to the professional training of the educative system* Through this standard, it established the equivalence of Police Officers to Senior

Technician of Professional Training, so that they could access to certain degrees, presenting a closed list consisting of three degrees of diplomas and four of undergraduate degree, among which was not that of Criminology. In this resolution, two limitations were derived for their access to these studies:

- Police officers could not access to pursue a degree in Criminology, although this title existed for a long time in the Spanish universities. It is possible that this possibility was not valued because the Degree in Criminology was located within the degrees of the second cycle, that is, it was necessary to have passed the first cycle of another degree to access it.
- On the other hand, this resolution has not been subsequently modified with the new introduction to the EHEA, which implies a gap in the access to these police officers to current qualifications.

These limitations were overcome, albeit many years later, with the approval of the *Royal Decree 412/2014, of June 6, by which the basic rules of procedures for admission to official university degree is established*. This legislation states that those students who hold the official title of Advanced Technician in Professional Training can access the official university degree. In this regard, police officers could access to any graduate degree, but since so far only they have been allowed access to certain degrees it is unclear if such a restriction continues to hold at present.

This special status of the studies of Criminology, contrary to popular belief, does not happen only in Spain but also extends to the European scene in general. Medina (2002) analyzed in this regard, four facts:

- Between the creation of the first university center that gave a degree of Criminology and its official status, in 2003, about fifty years passed. This means that although Criminology studies have a long tradition in the educational system, its formalization and regulation happened very late.
- Criminology studies have very limited career opportunities, which affects the impact they have on society.
- Spain has the largest number of students pursuing these degrees. The number of schools providing some degree related to this discipline and the students indicated above, show a significant social interest of this discipline in our country.
- probably what has most affected the discipline, at a professional, teacher and researcher level, is the absence of an area of knowledge belonging solely to Criminology

Of the equivalence of the degrees in Criminology

With the commitment to the creation of degrees in European Higher Education Area (EHEA) we have, at present, with a degree in Criminology. As was the case with access to the Degrees, it became necessary to create an equivalence so that students who completed a title proper and not an official degree -because did not exist, could

access this new qualification. Thus, the resolution of 14 June 2010 established that these students could access the extent provided that the college fulfilled a number of requirements²:

- That the university where the degree was imparted there were one of those titles to which the ECI / 4171/2004 Order refers and therefore implemented prior to the application of the verified degree of Degree in Criminology as specified by the Real Decree 1393/2007, or its subsequent enactment, the Royal Decree 861/2010
- to proceed to the extinction of those own title / s linked, in the criminological field to the request for verification.
- That an express reference to this Resolution were included in the area of access and admission to the Degree memory

Since the publication of the *White Paper on the Degree in Criminology* in which was included, from the adaptation of Criminology studies to European Higher Education Area to the evolution in historical studies of Criminology, going through the demands of the Title, profiles, competencies and proposals of general guidelines for the design, the official studies of Degree in Criminology began in Spain in public and private universities. As shown in the following table:

Table II. Official studies of the Degree in Criminology in Spain

	Universidad a Distancia de Madrid
	Universidad de Girona
	Universidad del País Vasco/Euskal Herriko Unibertsitatea
	Universidad Autónoma de Barcelona
	Universidad Católica San Antonio
	Universidad Complutense de Madrid
	Universidad de Alicante
Graduate or graduate in Criminology	Universidad de Barcelona
	Universidad de Granada
	Universidad de Málaga
	Universidad de Murcia
	Universidad de Sevilla
	Universidad Europea de Madrid
	Universidad Francisco de Vitoria
	Universidad Internacional de La Rioja
	Universidad Internacional Isabel I de

² Requirements that, for example, prevented the University Camilo Jose Cela could facilitate access to their Graduate studies from own qualifications linked to Criminology, since, although imparted own degrees in criminology (titles of Private Detective and Director of Security), was that they were not declared equivalent, since the declaration of equivalence is not requested or extinction set in the verification report grade as set out the procedure under the Order ECI / 4171/2004.

	Castilla
	Universidad Pablo de Olavide
	Universidad Pontificia Comillas
	Universidad Rey Juan Carlos
	Universitat de València (Estudi General)
	Universitat Oberta de Catalunya
Graduate or graduate in Criminology and Public Prevention Policies	Universidad Pompeu Fabra
	Universidad Camilo José Cela
Graduate or graduate in Criminology and Security	Universidad Jaume I de Castellón
	Universidad de Cádiz
	Universitat Abat Oliba CEU

Source: Register of Universities, Centres and Titles. Date of extraction August 4, 2015

Currently exist in Spain three official nomenclatures for graduate studies related to Criminology (Table II). The difference lies in the realization that, following the identification of the Degree in Criminology, has been verified favorably to the administration at various universities. As shown in the table most universities have an identical and unique nomenclature for the "Degree in Criminology" degree and only in Pompeu Fabra University associates with such studies the nomenclature "Prevention Public Policies". Moreover, five of the nineteen universities, associate the point "and Security" to the degree. Undoubtedly, the influence of the white paper on the designs, the verification date, the linking to the need for creating studies, the fact that they also watched over prevention, and the concern to include as part of its core the public safety, have influenced the general designation of the studies.

4. CONCLUSIONS

The degree in Criminology and Security, as set in the white book, is differential because of their own divergences that allows the academic design of each university in Spain. Outside our borders it is difficult to find equivalent degrees in these terms. Some representative examples are the Bachelor in Arts BA (Hons) *Criminology & Security*, of the Universities of Liverpool and Birmingham. In addition, outside of Spain and in a widespread form a more generalist training in Degree is usually found to foster a more specific training in the Master's level. Some representative examples of the types of studies are *Sociology & Criminology* (BA), *Criminology, Psychology with Criminology* Bachelor of Science (BSc), and *Policing & Investigation* (BA).

In Spain, although it is true that it is difficult to find universities with an official and specific security training it is easier to have a training offer, in public and private universities in which Criminology and Psychology are grouped together. But it has not been raised, nowadays, a more focused training, as it is done in Europe, or linking Sociology with Criminology or Police and research. If we go deep in this way, what should be considered in the first instance, is to improve access to the current legislative terms, avoiding unnecessary restrictions on their academic development.

Undoubtedly, this would facilitate the union a more accessible training tailored to their needs.

Moreover, with the approval of Royal Decree 43/2015 the duration of university studies is made more flexible and it is allowed to raise new degrees of 180 ECTS credits. Certainly, it is expected that in the coming years, the studies in Criminology, by their nature and idiosyncrasy, will be reduced to 180 ECTS -or 3 years so that the alignment with European studies with its own essence, just as they were born, become a reality.

Finally, it is noteworthy that the studies related to Criminology have gone from being own qualifications to official ones in a relatively short time. From unofficial studies, passing through adjustments promoted by the educational Administration and were based mainly on the social pressure of the target groups, to the shelter of the need to provide an answer to crime prevention and public safety, official studies of Criminology have been established of found scattered around the country. However, the lack of a catalog, similar to that which existed in previous educational regulations of the European Higher Education Area, allowed to exist, under the cover of the famous white book, marked differences in the curriculum.

At this point, perhaps the biggest concern linked to these studies is a real labor demand for these types of graduates. There are many people who, having selected Criminology studies, either as a gateway to access labor jobs related to the field, or for other reasons and / or personal concerns are with low labor demand, both by public and private for their profile. However, it is expected that in the short term the number of postgraduate degrees, more concrete in terms of specialization, among their competencies, key aspects that tend to consideration of the labor demand for which these studies are required, but above all, the social demand for which they were designed.

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AUTHORS

Dra. Dña. Joanne Mampaso Desbrow

- Professor and researcher at the UCJC
- Degree in Psychology. Camilo Jose Cela University of Madrid.
- Diploma in Teaching, Special Education. Complutense University of Madrid.
- PhD in Developmental Psychology and Education.
- In his career highlights 13 years of teaching experience at various levels and schools. His research focuses on: Education policies, dependent population and educational proposals: design, implementation and analysis.
- Work in posts linked to academia. It is part of various scientific committees and national and international publishers.

Dña. Ana Ruiz Seoane

- Superior Title in Private Detective by UCJC
- Master in Clinical, Forensic and Legal Psychology by the UCM.
- Degree in Criminology from the UCJC.
- Degree in Psychology in 2012 by the UCJC.

- Academic Design Unit from the UCJC.
- Practice: Civil Guard, Forensic Medical Clinic (Plaza de Castilla Courts), Alcalá-Meco Prison, Superior Medical Expert Board Gómez Ulla Hospital, Internment and Disability Courts of Madrid.
- Participation in research projects: victim satisfaction and opinion of civil guards in gender violence.

Dr. Francisco Pérez Fernández

- Professor and researcher (UCM / UCJC).
- Doctor of Philosophy from the UCM: Basic Psychology, Cognitive Processes.
- Superior Title in Criminological Assessment - SECCIF.
- Training: Psychosocial Criminology, Scientific journalism, ICT, SPSS, Forensic Anthropology, Criminal Investigation
- Expertise in psychology, criminal sociology, psychology of personality and psychohistory.
- Presentations in about thirty international conferences.
- Editor-in-Chief of *EduPsykhé*, Journal of Psychology and Education.
- More than forty scientific publications in refereed journals.
- Author of several books.
- Performance of different academic management positions.
- Member in academic courts, different scientific committees (national and international) and various scientific societies.

Ms. Claudia Martin-Moreno Blasco

- Degree in Psychology from the Camilo Jose Cela University 2003-2007
- Degree in Criminology from the Camilo Jose Cela University 2007-2009
- University Master in Clinical Psychology and Health, Camilo José Cela University 2009-2011
- Carrying out of practices in different areas: Dr. Rodríguez Lafora Hospital, AMAPAR and private cabinets.
- Working in the admissions department at the Camilo Jose Cela University. 2010-Present
- Clinical psychologist Psychologists in Áncora Cabinet. 2013-Present.
- Participation in Pascual Duarte Research Project.
- Publications in various conferences and journals.

Dña. Alba Garcia Cortés

- Performing Doctorate in Psychology, by UCJC. Treatment adherence in patients with schizophrenia.
- Official Master in Clinical Psychology and Health by UCJC.
- Degree in Psychology from the UCJC, specialty in Clinical Psychology.
- Admissions Department UCJC.
- Psychologist in the Baby Luna Nursery and home.

- Practice: Dr. Rodríguez Lafora Psychiatric Hospital, Esquerdo Sanatorium Unit in patients with eating disorders, Madrid Association of Rheumatoid Arthritis patients and Baby Luna Nursery.
- Collaboration with Research Department UCJC, data analysis and reporting.