



Teacher(s)	Guillain Christine (coordinator) ;Nederlandt Olivia ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>By the end of the course, the students should be able to master the fundamental notions of the criminal law procedure, not only in terms of theory, but also in its practical implications. The students should be able to explain the different stages that mark the criminal trial (information, inquiry, trial, right of appeal, etc.) as well as the role and responsibilities of the different protagonists who comprise it (prosecutor, judge, defence, civil party, etc.). The students should also be able to use the different sources of criminal law procedure, be they legislative or jurisprudential, national or international.</p> <p>The exercise sessions (tutorials) allow the students to learn how to find the solution to a legal issue of a practical nature. Therefore, they require a rigorous (a high degree of accuracy is expected) and critical (the students should consider the existing theses with a discerning mind) analysis.</p> <p>The tutorials enable the mastery of the legal methodology: research and use of the sources of law, structuring of a text, correctness of quotations and bibliographical references.</p> <p>These sessions also invite the students to discover the advantages and limitations of a collective approach. Indeed, although their written work has to be personal and original, the students are encouraged to work together, especially in the research of sources and the identification of given legal issues. These tutorials enable the students to develop their capacity to express themselves orally on a legal subject.</p> <p>Finally, taking place over a period of around three months, these sessions allow the students to learn time-management, by meeting deadlines and external constraints such as typing, the number of pages...</p>
Evaluation methods	<p>The course is assessed by means of a written examination relating to the subject matter studied in class, comprising a number of questions (open questions, MCQs, case law commentary, etc.). The questions are designed to measure students' level of knowledge and test their ability to read, understand and explain legal texts. It is compulsory for students to bring their Code BAC to the exam, as well as the case law folder (see below for annotation instructions). Students may not bring to the examination either the book or the Power Point projected during the course.</p> <p>The practical work is marked out of 20 and the mark awarded is worth a quarter of the final mark. The assessment criteria are: the quality of the intellectual approach and the resolution of the practical problem, the structure of the written work, rigour in both form and content, the bibliography and the correct use of sources, compliance with constraints, spelling and participation in the sessions.</p>
Teaching methods	<p>The course is a lecture centred around: emphasising the most important points of the subject matter; establishing links between the different parts of the course and comparisons between principles and concepts; the commentary of applicable clauses and the illustration of principles based on decisions of jurisprudence.</p> <p>A PowerPoint presentation, available on the course's Moodle website, is shown during the course to facilitate commentary on legal texts and analysis of case law.</p> <p>A "case law folder", also available on the course Moodle website and for sale at the reprography, contains extracts of the decisions seen during the course. Students must have this case law folder with them when they sit the exam.</p> <p>Students are invited to consult the course Moodle regularly for the latest news, including announcements.</p> <p>An online forum is available to answer questions during the exam session.</p> <p>The practical work is organised in several stages, enabling the assistants to monitor the students' progress. From the beginning, the students have at their disposal the specifications manual, setting out the procedure to follow and providing bibliographical references. The resolution of practical case implies the use of different sources: course syllabus, non-exhaustive bibliography of the specifications manual, library research (legislation, doctrine, jurisprudence)...</p> <p>At an intermediate stage, the student is invited to submit an intermediate paper that shows the research that has already been done) , so that the assistant can adjust the direction taken by the student.</p> <p>Students can ask questions at the assistant's office or online via Microsoft Teams.</p> <p>The coursework ends with a correction session, which provides a positive assessment of the work done.</p> <p>At the end of the year, students are asked to evaluate the course and the practical work.</p>
Content	<p>Having set out the guiding principles of criminal law procedure, the course will describe the exercise and suppression modes of public action and civil action. It will then move on to the protagonists and characteristics of the pre-trial stage (information and inquiry) and trial stage of the criminal trial, ending with the examination of appeal rights.</p>

	<p>The course ends with an introduction to European and international criminal law and a discussion of legal theory in relation to certain developments in the criminal law and criminal law procedure.</p> <p>The practical work consists in writing an essay developing concrete issues on a given situation (see the specifications manual).</p>
Bibliography	<p>Le cours a comme support un ouvrage intitulé « Introduction à la procédure pénale », publié chez La Charte.</p> <p>Les étudiants qui souhaitent des informations complémentaires peuvent consulter l'ouvrage "Droit de la procédure pénale" de M.-A. BEERNAERT, H.-D. BOLSJY et D. VANDERMEERSCH (deux volumes) publié chez La Charte, 2021 (9e édition).</p> <p>The course uses as support the book entitled "Introduction à la procédure pénale", published by La Charte and available at the reprographie.</p> <p>Students wishing further information may consult the book "Droit de la procédure pénale" by M.-A. BEERNAERT, H.-D. BOLSJY and D. VANDERMEERSCH (two volumes) published by La Charte, 2021 (9th edition).</p>
Other infos	<p>With regard to the annotation of the BAC Code, holders should refer to the instructions included in the BAC Code. Bookmarks (or "post-its") may be used, but they may only mention the official title and date of the legislation in question.</p> <p>The index of the BAC Code may be supplemented by verbo, provided that they refer only to the titles of the legislation.</p> <p>As regards annotation of the case law folder, its content may only be circled, underlined or "highlighted" in whole or in part, using different colours if necessary. The folder may also be divided using bookmarks (or "post-its") on which the folder titles and sub-titles may be reproduced, without any other annotation (no indication of the legal provision relating to the subject).</p> <p>CAUTION: any annotation, even a single word, which exceeds the limits indicated here will be considered as fraud.</p>
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	DROB1BA	5		
Bachelor in Law French-English (and French-English-Dutch)	DRAB1BA	5		
Bachelor in Law French-Dutch (and French-Dutch-English)	DRNB1BA	5		