

European Criminal Policy (B001386)

Course size (nominal values; actual values may depend on programme)
 Credits 6.0 Study time 180 h Contact hrs 45.0 h

Course offerings and teaching methods in academic year 2018-2019

A (semester 1)	English	microteaching	5.0 h
		lecture	10.0 h
		self-reliant study activities	10.0 h
		excursion	15.0 h
		guided self-study	5.0 h
B (semester 2)		excursion	15.0 h
		guided self-study	5.0 h
		microteaching	5.0 h
		self-reliant study activities	10.0 h
		lecture	10.0 h

Lecturers in academic year 2018-2019

Vermeulen, Gert RE23 lecturer-in-charge

Offered in the following programmes in 2018-2019

	crdts	offering
Master of Laws in Laws	6	B
Master of Science in EU-Studies	6	B
Master of Laws in European Union Law	6	B
Master of Laws in International and European Law	6	B
Exchange Programme in Law	6	B
Exchange Programme in Political and Social Sciences	6	B

Teaching languages

English

Keywords

EU, European Union, European integration, Schengen, Council of Europe, criminal law, criminal policy, institutions, police, justice, home affairs, freedom, Cooperation, Terrorism, Organised crime, Mutual recognition, Approximation

Position of the course

The course concerns the criminal policy on different European co-operation levels. Previously gained basic insight into substantive and procedural criminal law and the sources and decision making structures of European and international law will allow students to better grasp the content of this specialist course.

Contents

- Description of the various European co-operation levels or levels having relevance for criminal policy making in the European context (Council of Europe, European Union, Schengen, Benelux, ...).
- The history and future of European integration in the area of Justice and Home Affairs (JHA), in view of the establishment of an area of freedom, security and justice and a

genuine European legal area.

- (Substantive and procedural) criminal law: protection of the financial interests of the EC/EU, corruption, trafficking in human beings, sexual abuse of children, racism and xenophobia, human rights, data protection, road traffic offences, combating organised crime, euro fraud, high-tech crime, terrorism, drug trafficking, ...
- Judicial co-operation: European judicial network, Eurojust, European Public Prosecutor's Office, mutual recognition of judicial decisions in criminal matters.
- Customs co-operation: EC/EU co-operation agreements.
- Police co-operation: Schengen Implementing Convention, Europol (European Union) and its relationship with Interpol, OLAF and Eurojust.
- Criminal policy: in numerous fields, on the basis of an analysis of relevant policy documents and legal instruments issued on the different co-operation levels.

Initial competences

Final competences

- 1 - To have advanced knowledge of and profound insight into the European and international context of the response to deviancy and crime, including criminal policy.
- 2 - To have advanced knowledge of and profound insight into European criminal policy (Institutions, policy and related decision-making processes), and of various aspects of the criminal justice system (legislation, criminalization, investigation, prosecution, punishment, execution of sanctions).
- 3 - To understand and to be able to use scientific and content-related English jargon (including abbreviations) on the subject matter.
- 4 - To be able to autonomously consult, analyse and process scientific sources in English.
- 5 - To formulate a common research question within a small group and to draft a common critical position in relation thereto.
- 6 - To have the ability to draft a problem statement in light of recent developments and defend a creative position based on a scientifically well-founded analysis and a logical legal reasoning.
- 7 - To be able to adequately report in English, both orally and in writing, about the subject matter.
- 8 - To be able to critically reflect on European criminal policy.
- 9 - To have awareness of the social responsibility and the role of the lawyer in the development of European criminal policy and the European (criminal) legal order

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Guided self-study, excursion, lecture, microteaching, self-reliant study activities

Extra information on the teaching methods

Seminars: The material is mainly taught in the form of hearing- and responding-seminars. The seminars aim at familiarising students with the principles and structure of European Criminal Policy. Also, the seminars are aiming at offering students insights into the historical, political and economic dimension of European Criminal Policy as developed today. The self-exploring character is activated by the technique of hearing- and responding-seminars. By asking questions and provoking reactions, active participation and critical thinking is spurred.

Excursion: a 2day study visit to The Hague aims at familiarising students with the practice of European Criminal Policy. Several institutions such as Europol and Eurojust are visited, being the driving forces behind European Criminal Policy. Staff of these institutions introduce the implications of the institutions' activities for today's legal practice.

Guided self-study: An online reader is made available to students, and they are expected to prepare for the seminars by reading the recommended literature that will broaden their knowledge of the topics handled in the corresponding seminar. The literature is explicitly discussed during the seminars.

Independent work: students – divided in small study groups – are to independently formulate a research question, relevant for the course. On the basis of that question, they are to write a critical paper. In this paper, they are to defend a creative viewpoint regarding a relevant question by offering a scientifically researched analysis and logical reasoning.

Microteaching: students assess papers of their peers after they have been orally presented. Students ask each other critical questions on their papers and/or presentations.

Lifelong learning: Students are informed about relevant scientific activities such as study seminars, relevant for the course.

Learning materials and price

- Vermeulen, G., Essential Texts on International and European Criminal Law, Antwerp-Apeldoorn, 2017, 9th edition, (+/-52 EUR)
 - Vermeulen G., De Bondt, W., (2017) Justice, Home Affairs and Security:European and international institutional and policy development, Maklu (+/-32 EUR)
 - comprehensive e-library with regulation and literature made available through athena (ECP library)
 - slides lecturer and possible supplementary teaching materials distributed via Minerva
 - Students' own lecture notes
 - student papers
- additional cost for the Study visit to Den Hague: +/- 75-85 euro for transport and overnight stay + breakfast. The students pay for lunch and dinner themselves (2 x lunch (at studentprices) and 1 x dinner = +/- 50 euro)

References

- Extensive electronic library including literature, legal and policy documents (ECP Library on Athena)
- Vermeulen G., De Bondt, W., (2017) Justice, Home Affairs and Security:European and international institutional and policy development, Maklu (+/-32 EUR)
- Vermeulen G., (2017) Essential Texts on International and European Criminal Law (+/- 52 EUR)

Course content-related study coaching

- Continuous feedback/coaching possible
- Interactive assistance via Minerva (documents, e-mail)
- Office-hours

Evaluation methods

end-of-term evaluation and continuous assessment

Examination methods in case of periodic evaluation during the first examination period

Written examination, oral examination

Examination methods in case of periodic evaluation during the second examination period

Written examination, oral examination

Examination methods in case of permanent evaluation

Oral examination, assignment

Possibilities of retake in case of permanent evaluation

examination during the second examination period is possible

Extra information on the examination methods

Non-periodic evaluation

Students prepare a course related paper as elaborated on above, prepare an oral presentation at which occasion students demonstrate their capacity to orally defend their position and respond to critical questions addressed to them by their co-students.

Periodic evaluation

The exam tests the knowledge, insights and scientific thinking abilities and written and oral communication skills of the examinandus. The questions aim at testing if the student has gained insights and knowledge relating to the terminology, the relevant structures, the system, and the principles of the course area. Finally, the questions aim at testing if the student can apply the gained knowledge by formulating an opinion regarding a complex legal issue.

Calculation of the examination mark

50% periodic evaluation/examination; 50% non-periodic/continuous evaluation

Non-periodic evaluation:

50% comprised of 30% course paper as described above; 10% oral presentation of the paper, during which the student must show the ability to orally defend a viewpoint starting from a legal argumentation; 10% critical questions for fellow students.

Periodic evaluation:

50% comprised of written and oral exam with closed book except codex, entailing open and short questions.

The oral exam is a crucial addition to the written exam. It aims at verifying/consolidating (re-evaluating, where necessary going into more detail into the understanding and insight and/or associations and links). The result of exam in its entirety (10 out of 20) is only final after having conducted both the written and oral part. The oral part can correct the provisional mark obtained with the written part. As a guideline the maximum variation will be 2 points.

The students are required to participate in all evaluations (the periodic as well as the non periodic evaluation). If not, the student will be declared failed. This means that if the final score is ten or more (out of twenty), this score will be reduced to the highest non-passing grade (7/20).

Facilities for Working Students

Working students are allowed to had in their course paper solely in an electronic format.