Course Specifications
Valid as from the academic year 2019-2020

Course
Criminal Law (B001424)

Valid as from the academic year 2019-2020

Course Specifications

Lecturers in academic year 2019-2020
Vander Beken, Tom
RE23 lecturer-in-charge

Course offerings and teaching methods in academic year 2019-2020
A (semester 2) Dutch lecture 60.0 h

Offered in the following programmes in 2019-2020
Bachelor of Arts in Moral Sciences 6 A
Bachelor of Arts in History 6 A
Bachelor of Arts in Philosophy 6 A
Bachelor of Laws in Laws 6 A
Linking Course Master of Laws in Laws 6 A
Preparatory Course Master of Laws in Laws 6 A

Teaching languages
Dutch

Keywords
Substantive criminal law, criminal law, crime, incrimination, qualification, criminal liability, sanction, punishment, Criminal Code, criminal legislation

Position of the course
The course aims to present the student with fundamental knowledge and insight in the historical and intrinsic foundations of the Belgian criminal law as it can be found in book I of the Code of Criminal Law and as it has been further elaborated in book II of the Code of Criminal Law, and in the complementary and special criminal laws. The course provides the basic understanding necessary to follow practical skills courses and be able to successfully draft a paper on a criminal law related topic. The course also provides the foundations necessary for later courses aiming for a more profound insight into criminal law and/or policy.

Contents
Following themes are dealt with:
1. The historical development of criminal law and its philosophy;
2. The sources of criminal law;
3. The basic principles of criminal law;
4. The applications of criminal law in time, space and towards the person;
5. The crime: the constitutive elements, the classification, the reasons of justification and excuse, the mitigating and aggravating circumstances;
6. Criminal liability: the moral element of a crime and the reasons of exclusion of guilt;
7. The punishable attempt and the punishable participation;
8. The punishment: overview, how to mete out a punishment, the execution of a punishment and the rehabilitation and automatic erasing of punishments.

Initial competences
Final objectives of the secondary education.

Final competences
1. To have profound active knowledge of and insight into the historic development of Belgian criminal law, its fundamental principles and sources.

(Approved)
2 To have knowledge of and insight into criminalisation, qualification, sentencing and sentence execution within the Belgian criminal justice system.
3 To know and be able to correctly use the specific legal jargon.
4 To be able to identify, interpret and correctly use the legal sources relevant for criminal law.
5 To be able to critically reflect on the legal provisions criminalising and punishing certain behaviour.
6 To demonstrate a critical-scientific attitude towards (historic) sources and (scientific) literature related to (Belgian) criminal law.
7 To be able to independently solve fictitious cases by correctly qualifying the behaviour and to identify the applicable sanction (taking account of possibly applicable legal structures).
8 To be aware of the societal role and relevance of criminal law.
9 To be able to situate legal questions within the current societal context.

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
Access to this course unit via an exam contract is unrestricted

Teaching methods
Lecture

Extra information on the teaching methods
Considering the large amount of students the material is taught in the form of seminars. These seminars aim at familiarising students with the principles and structure of the criminal law. Also, the seminars are aiming at offering students insights into the historical, political, economical and sociological dimension of criminal law. The self-discovering character is activated by the technique of hearing- and responding-seminars. By asking questions and provoking reactions, active participation and critical thinking is spurred.

Learning materials and price
Documents
- Slides and other documents, available on Minerva
- Estimated cost: € 0

Handbook
- VAN DEN WYNGAERT, C., Strafrecht en strafprocesrecht in hoofdlijnen, Deel I, Antwerp, Maklu, 2017 (10th revised edition)
- Estimated cost: +/- € 46

Updated codex
- BaMaCodex, or
- VERMEULEN, G., Strafwetboek, Wetboek van Strafvordering en bijzondere wetten, Antwerp, Maklu, 2018 (39th revised edition), or
- any other criminal law codex
- Estimated cost (depending on which codex): € 10 - € 35
- Total estimated cost (depending on codex) = € 56 - € 81

References

Course content-related study coaching
Students are free to ask questions during or after the lecture. Question may also be sent to the university teacher or assistant by mail. The student may also pass by during office hours after making an appointment. Furthermore, there is an interactive support through Minerva or individually after making an appointment. For a useful incorporation of the subject material and to obtain the final goals we provide a (facultative) individual guiding by an academic assistant.

Evaluation methods
end-of-term evaluation

Examination methods in case of periodic evaluation during the first examination period
Written examination with open questions

Examination methods in case of periodic evaluation during the second examination period
Written examination with open questions

(Approved)
Examination methods in case of permanent evaluation

Possibilities of retake in case of permanent evaluation
not applicable

Extra information on the examination methods
The written exam is a closed book exam, the use of the criminal code is permitted during the entire exam. The exam tests the knowledge, insights and scientific thinking abilities en written 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 criminal law. It is also tested if the student can apply this theoretical knowledge by determining the legal qualification of criminal behaviour and the corresponding sanction. Finally, the questions aim at testing if the student shows the ability to critically reflect on the role of criminal law in society.

Calculation of the examination mark
100% open questions that look into the theoretical knowledge, insights and skills to apply the knowledge.
The written exam is a closed book exam where the use of the criminal code is permitted during the entire exam.

Facilities for Working Students
An introductory evening session is organised to elaborate on the content, goals and requirements for this course. Students may contact the lecturer in the course of the semester to gain more detailed information on the course matter and the topics that are to be studied for the exam. The academic assistants are also available to provide more information.