HOW DOES THE CRIMINAL JUSTICE PROCEDURE WORK IN THE NETHERLANDS?



PUBLIC PROSECUTION SERVICE

- Directs the investigation
- Prosecutes the suspects, through the district attorney's office
- Decides whether to prosecute someone; brings a case to court



DISTRICT COURT

- Judge bases his/ her view on the law
- There is no trial by jury
- Directs the proceedings in a full-bench panel (3 Judges) of which one is the presiding judge
- Establishes the truth during the hearing by discussing the case file and hearing parties and witnesses
- Determines whether a suspect is guilty and, if so, what punishment should follow

Once the court has given its verdict, the parties may still appeal.

SUSPECTS

- Are innocent until proven guilty
- May be assisted by a lawyer

WITNESSES / EXPERTS

- Are heard before

 a court session;
 statements are placed
 in the case file
- Can also be heard by the judge during the court session

VICTIMS / RELATIVES

- Have the right to speak during the case
- Can seek damages



The **Dutch judiciary** is one of the three branches of state power, in addition to the legislative branch (the parliament) and the executive branch (the government).

The Judiciary in the Netherlands is independent.

3 different levels of hearing a case

1

DISTRICT COURT

facts of the case are examined



COURT OF APPEAL

facts of the case are re-examined



SUPREME COURT

assessment of the correct application of the law