

Public opinion on lay participation in the criminal justice system of the Netherlands Some tentative findings from a panel survey

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Abstract

In the Netherlands the recent debate on lay involvement in the administration of criminal justice was initiated by politicians who maintain that the public favours such involvement. The response of the judiciary and legal academics to these politicians has been fairly defensive. They have pointed in particular to the dangers of the punitive character of the vox populi and rejected the idea. As a result, the debate on lay involvement has quickly become a black and white issue. This article presents the findings of a recent research of the Netherlands Council for the Judiciary and the Research and Documentation Centre of the Dutch Ministry of Justice regarding the opinion of the public on different kinds of lay involvement under different conditions. This research shows that both the position of the politicians that favour lay involvement in the administration of criminal justice and the position of the judiciary and legal academics that reject lay involvement are to a relatively large degree unrepresentative of the wishes and views of the public.

Keywords

lay involvement; criminal justice system; the Netherlands; panel survey

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ISSN 1871-515X