

Democracy and Criminal Process in Europe

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This paper argues that the control of criminal process should not remain exclusively in the hands of law professionals and state officials but that, for both practical and theoretical reasons, direct democratic participation should play a significant role in the evolving concept of European criminal justice. It examines a number of models of community involvement at the police station and in the criminal trial, drawing on examples from across Europe. Although the extreme hostility of judicial hierarchies towards popular participation is evidenced in both domestic and ECtHR caselaw, it is argued that this form of justice represents an important corrective to the increasingly authoritarian tendencies of contemporary European criminal justice.