

LE MAUVAIS PROCÈS FAIT AUX JURYS

LAURENT LEMASSON*

ABSTRACT

A recent study as called into question the role of popular juries in criminal courts by claiming that the television broadcasting of crime and criminal justice stories has an influence on their decisions : sentences are supposed to be longer after more coverage of crimes and shorter after stories on criminal errors. This study suggests thus that criminal courts composed solely of professional judges would be less biased and would offer more security for the litigant. Nevertheless, on closer scrutiny, the results of this study appear less than fully convincing, since they seem to be based on questionable assumptions concerning the functions of prison sentences and the role of popular juries in the judicial process.

Keywords : Bias ; Criminal courts ; Judicial decision ; Media ; Popular juries ; Professional judges ; Sentencing.

* Docteur en Droit Public et Science Politique, responsable des publications à l'IPJ.