

Murder:

written by Dennis_Rombaut_ | March 28, 2022

Murder is premeditated killing. The difference with manslaughter is that it is planned and not an impulse.

So, there must be an act that leads to death, where there is also an intention to kill and this intention to kill must have been planned beforehand. Both the intention and the premeditation are factual elements.

The intention to kill is a factual element that must be evident from the circumstances. In this respect, the degree of violence, the part of the body affected (e.g. the head or other vital parts), any statements made during or after the assault ("Die!"), the duration of the assault, any objects or weapons used, etc. are all taken into account.

The premeditation can be deduced from facts such as prior statements, bringing a weapon, luring the victim, preparing the location,

Murder is the most serious crime in our penal code and has several variants. Each can be punished with life imprisonment.

Parental homicide: the killing of a (grand)parent by the (grand)child

Infanticide: killing a child during or just after birth

Poisoning: killing someone by administering poison

Murder with racist or discriminatory motive: this is the killing of a person, motivated by his origin, orientation, descent, skin colour, nationality, gender, political convictions,

For more information about this crime or for tailored advice, contact our criminal lawyers at info@studio-penale.be.