

Cambridge University Press

978-1-316-51054-4 — Core Concepts in Criminal Law and Criminal Justice

Edited by Kai Ambos, Antony Duff, Alexander Heinze, Julian Roberts, Thomas Weigend
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CORE CONCEPTS IN CRIMINAL LAW AND CRIMINAL JUSTICE

The trans-jurisdictional discourse on criminal justice is often hampered by mutual misunderstandings. The translation of legal concepts from English into other languages and vice versa is subject to ambiguity and potential error: the same term may assume different meanings in different legal contexts. More importantly, legal systems may choose differing theoretical or policy approaches to resolving the same issues, which sometimes – but not always – lead to similar outcomes. This book is the second volume of a series in which eminent scholars from German-speaking and Anglo-American jurisdictions work together on comparative essays that explore foundational concepts of criminal law and procedure. Each topic is illuminated from German and Anglo-American perspectives, and differences and similarities are analysed.

Kai Ambos has a Chair for Criminal Law, Criminal Procedure, Comparative Law, International Criminal Law and Public International Law at the University of Göttingen, Germany. He is Judge at the Kosovo Specialist Chambers and Advisor (*amicus curiae*) of the Colombian Special Jurisdiction for Peace.

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CORE CONCEPTS IN CRIMINAL LAW AND CRIMINAL JUSTICE

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ABBREVIATIONS

A2d	Atlantic Reporter, Second Series
ABA	American Bar Association
Abs.	Absatz (paragraph)
AC	Appeals Chamber / Law Reports Appeal Cases / Appeal Cases
AI	artificial intelligence
All ER	All England Law Reports
ALR	Allgemeines Landrecht für die Preußischen Staaten (General Law for the Prussian States)
AR	<i>actus reus</i>
Art.	Artikel / Article
BBC	British Broadcasting Corporation
B & C	Barneswell and Cresswell's Reports
BeckRS	Rechtsprechungssammlung in beck-online (Collection of Case Law in the Database 'beck-online')
BGBI	Bundesgesetzblatt (German Federal Law Gazette)
BGE	Bundesgerichtsentscheid (Amtliche Sammlung der Entscheidungen des Schweizerischen Bundesgerichts – Decisions of the Swiss Federal Supreme Court)
BGer	Schweizerisches Bundesgericht (Swiss Federal Supreme Court)
BGH	Bundesgerichtshof (German Federal Court of Justice)
BGHSt	Entscheidungen des Bundesgerichtshofes in Strafsachen (Decisions of the German Federal Court of Justice, Official Collection)
BT-Drs	Bundestags-Drucksache (Official imprint of the German Parliament)
BtMG	Betäubungsmittelgesetz (German Narcotics Law)
BVerfG	German Constitutional Court
BVerfGE	Entscheidungen des Bundesverfassungsgerichts (Decisions of the Federal Constitutional Court, Official Collection)
BZRG	Bundeszentralregistergesetz (German Federal Central Register Law)
Cal. App.	California Appellate Reports
Cal. Rptr.	California Reporter

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CCC	<i>Constitutio Criminalis Carolina</i>
CCP	Code of Criminal Procedure
ch.	chapter
CJ	Chief Justice
CJA	Criminal Justice Act 2003
CJS	Criminal Justice System
cl.	clause
Colo.	Colorado Supreme Court
Colo. App.	Colorado Court of Appeals
CPS	Crown Prosecution Service
CRB	Criminal Records Bureau
Crim. LR	Criminal Law Review
crit.	critical/ly
DBS	Disclosure and Barring Service
DC	Divisional Court
DC Cir.	United States Court of Appeal, District of Columbia Circuit
DPP	Director of Public Prosecutions
DR	Disciplinary Rule
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
Edw.	Edward
EHRR	European Human Rights Reports
EU	European Union
EWCA Crim.	England & Wales Court of Appeal Criminal Division
EWHC	England and Wales High Court
F2d	Federal Reporter, Second Series
F3d	Federal Reporter, Third Series
Fed. R. Crim. P.	Federal Rules of Criminal Procedure
Fed. R. Evid.	Federal Rules of Evidence
Fla. Dist. Ct. App.	Florida District Court of Appeal
fn.	footnote
FS	Festschrift (Collection of Essays in Honor)
GG	Grundgesetz (German Basic Law, Constitution)
GSSt	Großer Senat für Strafsachen (Grand Chamber in Criminal Matters of the German Federal Court of Justice)
GVG	Gerichtsverfassungsgesetz (German Court Organisation Act)
HDC	Home Detention Curfew
HEADS	Haft-Entlassenen-Auskunfts-Datei-Sexualstraftäter
Hen.	Henry
HMIP	Her Majesty’s Inspectorate of Prisons
HMSO	Her Majesty’s Stationery Office
ICC	International Criminal Court

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ICCPR	International Covenant on Civil and Political Rights
ICR	Industrial Case Reports
Ind. Code Ann.	Annotated Indiana Code
IPP	Imprisonment for Public Protection
ISA	Independent Safeguarding Authority
JD	Juris Doctor
JGG	Jugendgerichtsgesetz (German Juvenile Criminal Court Law)
JR	Juristische Rundschau
JW	Juristische Wochenschrift (Legal Weekly, Journal)
Kan.	Supreme Court of Kansas
KSC	Kosovo Specialist Chambers
Law Com.	The (English) Law Commission
LCN	La Cosa Nostra
L. Ed.	Lawyers' Edition
LJ	Lord Justice
LR CCR	Law Reports, Crown Cases Reserved
MAPPA	Multi-Agency Public Protection Arrangement
Mass.	Supreme Judicial Court of Massachusetts
MDR	Monatsschrift für Deutsches Recht (Monthly Journal on German Law)
Mich. App.	Michigan Appeals Reports
Mich. Ct. App.	Michigan Court of Appeal
Minn.	Supreme Court of Minnesota
Misc.2d	Miscellaneous Reports, Second Series
Misc.3d	Miscellaneous Reports, Third Series
mn.	margin number
MPC	Model Penal Code (American Law Institute)
MR	<i>mens rea</i>
NE2d	Northeastern Reporter, Second Series
NGO	non-governmental organisation
NICCC	National Inventory of the Collateral Consequences of Conviction
NJ	New Jersey
NJW	Neue Juristische Wochenschrift (New Legal Weekly, Journal)
NPM	National Preventive Mechanism
NStZ	Neue Zeitschrift für Strafrecht (New Journal of Criminal Law, Journal)
NStZ–RR	Neue Zeitschrift für Strafrecht – Rechtsprechungsreport (New Journal of Criminal Law, Case Reports)
NW2d	North Western Reporter, Second Series
NY2d	New York Reports
NYS2d	New York Supplement, Second Series

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OGHSt	Entscheidungen des Obersten Gerichtshofes für die Britische Zone in Strafsachen (Decisions of the Supreme Court of Justice for the British Zone in Criminal Matters, Official Collection)
OJ	Official Journal of the European Union
OLG	Oberlandesgericht (Higher Regional Court)
OM	Offender Manager
OOCD	Out-of-court disposal
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
OWiG	Gesetz über Ordnungswidrigkeiten (Law on Administrative Offences)
P2d	Pacific Reporter Second
P3d	Pacific Reporter Third
Pa.	Superior Court of Pennsylvania
PACE	Police and Criminal Evidence Act 1984
PC	Privy Council
PolG-BW	Polizeigesetz Baden-Württemberg (Police Law of the State of Baden-Württemberg)
PSI	Prison Service Instruction
QB	Law Reports Queen’s Bench
QBD	Queen’s Bench Division
R	Rex/Regina
RGBl.	Reichsgesetzblatt (Law Gazette for the German Reich)
RGSt	Entscheidungen des Reichsgerichts in Strafsachen (Decisions of the Supreme Court of the German Reich, Official Collection)
RiStBV	Richtlinien für das Strafverfahren und das Bußgeldverfahren (Guidelines for Criminal and Administrative Proceedings)
ROTL	Release on Temporary Licence
SCCR	Scottish Criminal Case Reports
sch.	schedule
S. Ct	Supreme Court Reporter
So2d	Southern Reporter Second
SOPO	sexual offences prevention order
SORA	Sex Offender Registration Act
SPoLG	Saarländisches Polizeigesetz (Police Law of the State of Saarland)
StA	Staatsanwaltschaft (German Prosecution Service)
StGB	Strafgesetzbuch (German Penal Code)
StPO	Strafprozessordnung (German Code of Criminal Procedure)
St. Tr. NS	State Trials, New Series
StV	Strafverteidiger (Defence Lawyer, Journal)

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SW2d	South Western Reporter Second
SWAT	Special Weapons and Tactics
TFEU	Treaty on the Functioning of the European Union
UK	United Kingdom
UKHL	UK House of Lords
UKSC	Supreme Court of the United Kingdom
Urt.	Urteil (Judgment)
US	United States / United States Reports
USC	United States Code
USSG	United States Sentencing Guidelines
UZwG	Gesetz über den unmittelbaren Zwang bei Ausübung öffentlicher Gewalt durch Vollzugsbeamte des Bundes (German Act on the Use of Force by Federal Officers)
VRS	Verkehrsrechts-Sammlung (Traffic Law Reporter, Collection of German case law)
WLR	Weekly Law Reports
ZBJV	Zeitschrift des Bernischen Juristenvereins (Journal of the Lawyers' Association of the Canton Bern, Switzerland)
ZStW	Zeitschrift für die gesamte Strafrechtswissenschaft (Journal for the Science of Criminal Law)

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