

CORE CONCEPTS IN CRIMINAL LAW
AND CRIMINAL JUSTICE

Volume III

Attempts at trans-jurisdictional debate and agreement are often beset by mutual misunderstandings. And while English is the new *lingua franca* in international and comparative criminal law, there are many ambiguities and uncertainties with regard to foundational criminal law and justice concepts. Professionals and academics engaged in collaborative comparative criminal law projects often do not understand one another, using the same terms with different meanings or different terms meaning the same thing. However, there exists greater similarity among diverse systems of criminal law and justice than is commonly realised. This third volume of *Core Concepts in Criminal Law and Criminal Justice* continues to explore the principles and concepts that underpin the different domestic systems and rules. It will focus on the Germanic and several principal Anglo-American jurisdictions, which are employed as examples of the wider common law–civil law divide.

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CORE CONCEPTS IN CRIMINAL LAW AND CRIMINAL JUSTICE

Volume III

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ABBREVIATIONS

2nd Cir.	United States Court of Appeals, Second Circuit
3rd Cir.	United States Court of Appeals, Third Circuit
9th Cir.	United States Court of Appeals, Ninth Circuit
A.3d	Atlantic Reporter, Third Series
AC	Appeals Chamber/Law Reports Appeal Cases/Appeal Cases
A.D.3d	Appellate Division Reports, Third Series
Admin	Administrative Court
Ala.	Alabama
Ala. Stat. Ann.	Alabama Statutes Annotated
ALI	American Law Institute
All ER	All England Law Reports
Am. Jur. 2d	American Jurisprudence, Second Series
ARIS	Asset Recovery Incentivisation Scheme
Ariz. Stat.	Arizona Statutes
Ark. Code Ann.	Arkansas Code Annotated
Art.	Artikel/Article
AT	Allgemeiner Teil
BayObLG	Bayerisches Oberstes Landesgericht (Higher Regional Court of Bavaria)
BGB	Bürgerliches Gesetzbuch (German Civil Code)
BGH	Bundesgerichtshof (German Federal Court of Justice)
BGHSt	Entscheidungen des Bundesgerichtshofes in Strafsachen (Decisions of the German Federal Court of Justice, Official Collection)
BRats-Drs	Bundesratsdrucksache (Official imprint of the German Federal Council)
BT-Drs	Bundestags-Drucksache (Official imprint of the German Parliament)
BVerfG	German Constitutional Court
BVerfGE	Entscheidungen des Bundesverfassungsgerichts (Decisions of the Federal Constitutional Court, Official Collection)

xviii	LIST OF ABBREVIATIONS
BvE	German Federal Constitutional Court file number
BvR	German Federal Constitutional Court file number
CA	Court of Appeal
Cal. App.	California Appellate Reports
Cal. App. 3d	California Appellate Reports, Third Series
Cal. Ct. App. 2d Dist.	California Court of Appeals, Second District
ch.	chapter
chs.	chapters
CIS	community impact statement
CJ	Chief Justice
CJA 2003	Criminal Justice Act 2003
CJS	Corpus Juris Secundum
CLR	Commonwealth Law Reports
Cmt	Comment
Cox CC	Cox's Criminal Cases
C & P	Craig & Phillips' Chancery Reports
Co.	company
CPP	Code de Procédure Pénale
Cr. App. R.	Criminal Appeal Reports
Crim. LR	Criminal Law Review
crit.	critical/ly
DC	Divisional Court
DDC	United States District Court for the District of Columbia
DEA	Drug Enforcement Administration
DPP	Director of Public Prosecutions
DSM-V	Diagnostic and Statistical Manual of Mental Disorders, 5th edition
DTQ code	PACE Code C, Code of Practice for the Detention, Treatment and Questioning of Persons by Police Officers
ECHR	European Convention on Human Rights
ECHR-P1	European Convention on Human Rights First Additional Protocol
ECtHR	European Court of Human Rights
ed.	Editor
edn	edition
eds.	editors
EHRR	European Human Rights Reports
Eng. Rep.	English Reporter
EU	European Union
EWCA Crim	England & Wales Court of Appeal Criminal Division
EWHC	England and Wales High Court
E&W	England & Wales

LIST OF ABBREVIATIONS

xix

E&W&S	England and Wales and Scotland
F.3d	Federal Reporter, Third Series
F. Supp. 3d	Federal Supplement, Third Series
FEEG	foetal electroencephalography
ff.	and following
FJC	Federal Judicial Center
Fla. Ct. App.	Florida Court of Appeals
Ga.	Georgia Reports
Ga. App.	Georgia Appeals Reports
GBMI	guilty but mentally ill
GC	Grand Chamber
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)
HL	House of Lords
HMSO	Her/His Majesty's Stationery Office
ICD-11	International Classification of Diseases, 11th edition
Ill. App. 3d	Illinois Appellate Court Reports, Third Series
Ind	India
IRCA	Impact of Race and Culture Assessment
J	Justice
JD	Juris Doctor
JGG	Jugendgerichtsgesetz (German Juvenile Criminal Court Law)
JZ	Juristenzeitung
KB	Kings Bench
Leach	Leach's Cases in Crown Law
LLM	Master of Laws
Ltd	Limited
MDR	Monatsschrift für Deutsches Recht (Monthly Journal on German Law)
mn.	margin number
MPC	Model Penal Code (American Law Institute)
NC	North Carolina
NE2d	Northeastern Reporter, Second Series
Neb.	Nebraska Reports
NJW	Neue Juristische Wochenschrift (New Legal Weekly, Journal)
NOK	Norwegian krone

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LIST OF ABBREVIATIONS

NOU	Norges offentlige utredninger (Norwegian Official Report)
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)
NSWCCA	New South Wales Court of Criminal Appeal (Australia)
NY	New York
N.Y.2d	New York Reports, Second Series
NY Sup. Ct.	New York Supreme Court Reports
NZ	New Zealand
OAPA	Offences Against the Person Act
OWiG	Ordnungswidrigkeitengesetz (Administrative Offences Act)
P.2d	Pacific Reporter, Second Series
P.3d	Pacific Reporter, Third Series
Pa. Super. Ct.	Superior Court of Pennsylvania
PACE	Police and Criminal Evidence Act 1984
PC	Privy Council
PEACE	Planning and preparation; Engage and explain; Account clarification and challenge; Closure; Evaluation
PhD	Doctor of Philosophy
POCA	Proceeds of Crime Act
QB	Law Reports Queen's Bench
QC	Queen's Counsel
R	Rex/Regina
Rev. Stat.	Revised Statute
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)
RSC	Revised Statutes of Canada
Rt.	Norsk Retstidende
RTA	Road Traffic Act
Russ & Ry	Russell & Ryan's Crown Cases
s.	Section
SC	South Carolina
SCC	Supreme Court Cases of India
SCR	Supreme Court Reports of the Supreme Court of Canada/ Supreme Court Reporter

LIST OF ABBREVIATIONS xxi

SE2d	South Eastern Reporter, Second Series
So.2d	Southern Reporter, Second Series
So.3d	Southern Reporter, Third Series
SOU	atens offentliga utredningar (Swedish Government Official Reports)
StGB	Strafgesetzbuch (German Penal Code)
StPO	Strafprozessordnung (German Code of Criminal Procedure)
StPO-E	Strafprozessordnung-Entwurf (German Code of Criminal Procedure – Draft)
StR	Revisionen und Vorlegungssachen nach § 121 Abs. 1 Nr .1, Abs. 2 GVG, § 79 Abs. 3 OWiG, §§ 13 Abs. 4, 25 StrRehaG
StV	Strafverteidiger (Defence Lawyer, Journal)
StV-S	Strafverteidiger Spezial (Defence Lawyer Special Edition, Journal)
S.W.3d	South Western Reporter, Third Series
TFEU	Treaty on the Functioning of the European Union
UDD	Uniform Determination of Death
UK	United Kingdom
UKHL	UK House of Lords
US	United States/United States Reports
USC	United States Code
UWO	Unexplained Wealth Order
VerSanG	Verbandssanktionengesetz (German Corporate Liability Act)
VIS	victim impact statement
Vol.	Volume
WEIRD	Western Educated Industrialised Rich Democratic
WLR	Weekly Law Reports
WvSt	Criminal Code of the Netherlands (Wetboek van Strafrecht)