

## THE LIMITS OF CRIMINAL LAW



# THE LIMITS OF CRIMINAL LAW

Anglo-German Concepts and Principles

*Edited by*

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## The Limits of Criminal Law. Anglo-German Concepts and Principles

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## PREFACE

This book represents the work of a community of criminal lawyers connected to the University of Oxford and the Max Planck Institute for Foreign and International Criminal Law in Freiburg, and there are many people who deserve thanks for it coming to life on the page. While the editors were lucky to work with such talented and diligent authors, they were particularly lucky to have the sage guidance of Ulrich Sieber, Director at the Max Planck Institute. From the English side, Lucia Zedner, Rebecca Williams and Grant Lamond also helped in numerous ways, from logistics to detailed discussions of the finer points making a book about criminal law. The funding for the two workshops came from the Research Support Fund of the Faculty of Law, University of Oxford, and from the Max Planck Institute, to whom all participants in the project are very grateful. The project benefitted greatly from the assistance of Anna Riddell-Roberts in preparing the texts, and in bringing the book from ideas through to the hands of readers, the wonderful team at Intersentia, with Ann-Christin Maak-Scherpe and Rebecca Moffat deserving particular thanks.



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## LIST OF ABBREVIATIONS

AC	Appeal Cases
AcP	Archiv für die civilistische Praxis
ACPO	Association of Chief Police Officers
AiB	Arbeitsrecht im Betrieb
All ER	All England Reports
BayPAG	Gesetz über die Aufgaben und Befugnisse der Bayerischen Staatlichen Polizei
BeckRS	Beck online Rechtsprechung
BfV	Bundesamt für Verfassungsschutz
BGB	Bürgerliches Gesetzbuch
BGBI	Bundesgesetzblatt
BGH	Bundesgerichtshof
BGHSt	Entscheidungen des Bundesgerichtshofes in Strafsachen
BGHZ	Entscheidungen des Bundesgerichtshofes in Zivilsachen
BKA	Bundeskriminalamt
BKAG	Gesetz über das Bundeskriminalamt und die Zusammenarbeit des Bundes und der Länder in kriminalpolizeilichen Angelegenheiten
BND	Bundesnachrichtendienst
BNDG	Gesetz über den Bundesnachrichtendienst
BPolG	Gesetz über die Bundespolizei
BT-Drs	Drucksache des Deutschen Bundestags
BULR	Boston University Law Review
BVerfG	Bundesverfassungsgericht
BVerfGE	Sammlung der Entscheidungen des Bundesverfassungsgerichts
BVerfGK	Sammlung der Kammerentscheidungen des Bundesverfassungsgerichts
BVerfSchG	Gesetz über die Zusammenarbeit des Bundes und der Länder in Angelegenheiten des Verfassungsschutzes und über das Bundesamt für Verfassungsschutz
BVerwG	Bundesverwaltungsgericht
BVerwGE	Sammlung der Entscheidungen des Bundesverwaltungsgerichts
CLJ	Cambridge Law Journal
CMA	Competition and Markets Authority
COP	Court of Protection

Cowp.	Cowper's King's Bench Reports
CPR	Criminal Procedure Rules or Civil Procedure Rules
CPS	Crown Prosecution Service
Cr App R	Criminal Appeal Reports
Crim LR	Criminal Law Review
DRiZ	Deutsche Richterzeitung
Drs	Drucksache
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EGBGB	Einführungsgesetz zum BGB
EGStGB	Einführungsgesetz zum Strafgesetzbuch
EHRR	European Human Rights Reports
ER	English Reports
EuGRZ	Europäische Grundrechte-Zeitschrift
EVBl.	Evidenzblatt der Rechtsmittelentscheidung
EWCA	England and Wales Court of Appeal Case (if followed by "Crim", it is the Criminal Division; if followed by "Civ" it is the Civil Division)
Ex	Exchequer Reports
FCA	Financial Conduct Authority
G 10	Gesetz zur Beschränkung des Briefs-, Post- und Fernmeldegeheimnisses
GA	Goltdammers Archiv für Strafrecht
GewO	Gewerbeordnung
GewSchG	Gewaltschutzgesetz
GG	Grundgesetz
GSZ	Zeitschrift für das Gesamte Sicherheitsrecht
GVG	Gerichtsverfassungsgesetz
HRRS	Höchstrichterliche Rechtsprechung zum Strafrecht
HSOG	Hessisches Gesetz über die öffentliche Sicherheit und Ordnung
JA	Juristische Arbeitsblätter
JGG	Jugendgerichtsgesetz
JR	Juristische Rundschau
JZ	JuristenZeitung
KritV	Kritische Vierteljahresschrift für Gesetzgebung und Rechtswissenschaft
KWG	Gesetz über das Kreditwesen
LG	Landgericht
LQR	Law Quarterly Review
NJOZ	Neue Juristische Online-Zeitschrift
NJW	Neue Juristische Wochenschrift

NJWE-MietR	Neue Juristische Wochenschrift – Entscheidungen Mietrecht
NStZ	Neue Zeitschrift für Strafrecht
NStZ-RR	NStZ Rechtsprechungsreport Strafrecht
NVwZ	Neue Zeitschrift für Verwaltungsrecht
OJLS	Oxford Journal of Legal Studies
OLG	Oberlandesgericht
OSHA	Occupational Safety and Health Administration
OWiG	Gesetz über Ordnungswidrigkeiten
PGE	Preußisches Gesetz über die Eisenbahnunternehmungen
PolG B-W	Polizeigesetz Baden-Württemberg
QB	Queen's Bench Reports
QBD	Queen's Bench Division
RGBL.	Reichsgesetzblatt
RG EE	Reichsgericht, Eisenbahn- und Verkehrsrechtliche Entscheidungen und Abhandlungen
RGZ	Entscheidungen des Reichsgerichts in Zivilsachen
RHPfIG	Reichhaftpflichtgesetz
RIDP	International Review of Penal Law
RiStBV	Richtlinien für das Strafverfahren und das Bußgeldverfahren
ROGE	Reichs-Oberhandelsgericht, Entscheidungen des Reichs-Oberhandelsgerichts
Rn	Randnummer
RTR	Road Traffic Reports
RW	Zeitschrift für rechtswissenschaftliche Forschung
SFO	Serious Fraud Office
StGB	Strafgesetzbuch
StPO	Strafprozeßordnung
StraFo	Strafverteidiger Forum
StV	Strafverteidiger
UKHL	United Kingdom House of Lords Case
UKSC	United Kingdom Supreme Court Case
UrhG	Gesetz über Urheberrecht und verwandte Schutzrechte
US	United States or United States Reports
UVG	<i>Unfallversicherungsgesetz</i>
VersR	Versicherungsrecht
VG	Verwaltungsgericht
WLR	Weekly Law Reports
WuM	Wohnungswirtschaft und Mietrecht
ZIS	Zeitschrift für Internationale Strafrechtsdogmatik
ZMR	Zeitschrift Mietrecht
ZRP	Zeitschrift für Rechtspolitik
ZStW	Zeitschrift für die gesamte Strafrechtswissenschaft



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