I have found almost everything ever written about completing a PhD to be true. Most people describe it as a lonely, difficult and humbling endeavour, while those who are more optimistic call it challenging and exciting. My supervisor once said that I would only have to do it once – this I sincerely hope is true. Those who reach the end finally admit that, amidst the lonely academic research, they met great people. This I know to be true.

I would like to thank Gerard Mols, Taru Spronken, Monica Claes, Tineke Cleiren and Klaas Rozemond for reading and approving the manuscript, and their valuable feedback. I also thank Maastricht University for creating such an enjoyable atmosphere, and the NWO for generously financing my research, and the publication of this book. The criminal law department has, most hospitably, given me a home throughout my academic endeavours for which I am grateful.

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I want to express my gratitude to David for his astute comments and sharp feedback which had a defining influence on my research. His passionate pursuit of reason(s) in law, and his intellectual ability to carve windows into the cement walls of legal doctrine are an inspiration. The early suggestion to get myself acquainted with legal philosophy and, later on, to use the models of justice have had an immense impact on the approach I chose in the following pages. And despite my difficulties in successfully achieving this, I will always remain indebted to him for pushing me to explore well outside my comfort zone.

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4 September 2015
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## Abbreviations

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<tbody>
<tr>
<td>AC</td>
<td>Appeal Cases</td>
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<tr>
<td>AFSJ</td>
<td>Area of Freedom Security and Justice</td>
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<td>AG</td>
<td>Advocate General</td>
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<td>All ER</td>
<td>All England Law Reports</td>
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<td>App.</td>
<td>Application</td>
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<tr>
<td>BGH</td>
<td>Bundesgerichtshof</td>
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<td>BVerfG</td>
<td>Bundesverfassungsgericht</td>
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<tr>
<td>Cr App R</td>
<td>Criminal Appeal Reports</td>
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<tr>
<td>CS</td>
<td>European Coal and Steel Community Treaty</td>
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<tr>
<td>DCC</td>
<td>Dutch Criminal Code</td>
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<tr>
<td>EAW</td>
<td>European Arrest Warrant</td>
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<tr>
<td>EC</td>
<td>European Community</td>
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<tr>
<td>ECHR</td>
<td>European Convention of Human Rights</td>
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<tr>
<td>ECJ</td>
<td>European Court of Justice</td>
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<tr>
<td>ECLI</td>
<td>European Case Law Identifier</td>
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<tr>
<td>EComHR</td>
<td>European Commission of Human Rights</td>
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<tr>
<td>ECtHR</td>
<td>European Court of Human Rights</td>
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<tr>
<td>EPPO</td>
<td>European Public Prosecutor's Office</td>
</tr>
<tr>
<td>ER</td>
<td>The English Reports</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>EWCA Crim</td>
<td>Court of Appeal Criminal Division</td>
</tr>
<tr>
<td>EWHC</td>
<td>High Court of Justice</td>
</tr>
<tr>
<td>EWHC Admin</td>
<td>High Court (Administrative Court)</td>
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<tr>
<td>GCC</td>
<td>German Criminal Code</td>
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<tr>
<td>HR</td>
<td>Hoge Raad</td>
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<tr>
<td>KB</td>
<td>Law Reports King’s Bench Division</td>
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<tr>
<td>Law Com</td>
<td>Law Commission (UK)</td>
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<tr>
<td>LJN</td>
<td>Landelijk Jurisprudentie Nummer</td>
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<td>NJ</td>
<td>Nederlandse Jurisprudentie</td>
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<tr>
<td>NJW</td>
<td>Neue Juristische Wochenschrift</td>
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<td>OJ</td>
<td>Official Journal</td>
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<td>OLG</td>
<td>Oberlandesgericht</td>
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<td>Para.</td>
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<td>QB</td>
<td>Law Reports Queen’s Bench Division</td>
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<tr>
<td>RG</td>
<td>Reichsgericht</td>
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<tr>
<td>RGSt</td>
<td>Entscheidungen des Reichsgerichts in Strafsachen</td>
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<tr>
<td>Stb</td>
<td>Staatsblad van het Koninkrijk der Nederlanden</td>
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<tr>
<td>TEU</td>
<td>Treaty on European Union</td>
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<td>TFEU</td>
<td>Treaty on the Functioning of the European Union</td>
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<tr>
<td>The Charter</td>
<td>Charter of Fundamental Rights of the European Union.</td>
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<td>UK</td>
<td>United Kingdom</td>
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<tr>
<td>UKHL</td>
<td>House of Lords</td>
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<td>WLR</td>
<td>Weekly Law Reports</td>
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<tr>
<td>ZaöRV</td>
<td>Zeitschrift für ausländisches öffentliches Recht und Völkerrecht</td>
</tr>
<tr>
<td>ZIS</td>
<td>Zeitschrift für Internationale Strafrechtsdogmatik</td>
</tr>
<tr>
<td>ZStW</td>
<td>Zeitschrift für die gesamte Strafrechtswissenschaft</td>
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