

Preface

This book presents the outcome of a comparative EU-study focussing on the way multi-offenders are dealt with within the different Member States of the European Union.

For the scope of this book, the working definition of *multi-offenders* reads “offenders that have committed a series of offences (either in one single act or in different acts) before being (finally) convicted for one of them”. A crucial element thereto is that the whole series of offences—which make the offender a multi-offender—has been committed before being subject to a final conviction. Differently put, the book looks into situations where offenders have committed multiple offences before getting caught for those offences. This is why they are referred to as multi-offenders. It is important not to confuse multi-offenders with repeat and multiple-conviction offenders. The latter have continued committing offences after getting caught. They ‘repeat’ their criminal behaviour even though they have been warned about it by the judicial system. Multi-offenders are yet to receive such a warning.

The comparative EU-study was initiated in light of the doctoral research of Nele Audenaert, funded by the Special Research Fund of the Ghent University (Belgium). Her research project focuses on the different approaches that exist to deal with multi-offenders. More specifically it focusses on the question how such an offender should be treated in light of several procedural and fundamental safeguards and in light of the increasing impact of the EU in criminal matters and the mutual recognition principle adopted in this regard. Against this background, Nele took the initiative to set up a comparative legal EU-study to take a look into the way the different EU Member States approach the punishment of multi-offenders. (European) criminal law experts from Belgium, the Netherlands, Sweden, Finland, Germany, Poland, Portugal, Spain, Italy and Greece were brought together to jointly reflect on their individual legal systems, the rationale underneath them and the impact of cross-border sentencing practices. It resulted in an enriching overview of the different legal systems and an inspiring comparative analysis demonstrating the gaps in the current legal architecture to aptly prosecute and punish multi-offenders in the EU.

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