


BUNDESRECHTSANWALTSKAMMER

BRAK-SCHRIFTENREIHE
BAND 20

**STRAFRECHTSAUSSCHUSS
DER BUNDESRECHTSANWALTSKAMMER**

**THESEN ZUR
STRAFVERTEIDIGUNG**

2. AUFLAGE

Thesen Zur Strafverteidigung Strafrechtsausschuss Bundesrechtsanwaltskammer

Hannah Stoffer



Thesen Zur Strafverteidigung Strafrechtsausschuss Bundesrechtsanwaltskammer:

Thesen zur Strafverteidigung Strafrechtsausschuss Strafrechtsausschuss der Bundesrechtsanwaltskammer, 2015

Wie viel Privatisierung "verträgt" das strafprozessuale Ermittlungsverfahren? Hannah Stoffer, 2016-02-19 Die Privatisierung des Strafverfahrens gehört weltweit zu den zentralen Themen der aktuellen strafprozessualen Diskussion. Der Einsatz von V-Leuten und Sachverständigen sowie die Hinzuziehung Privater im Rahmen der kommunalen Verkehrsüberwachung sind klassische Streitpunkte dieses Problemkreises. Gleichzeitig geraten regelmässig neue Phänomene der Privatisierung ins Blickfeld. So stehen in den letzten Jahren vor allem die Verwertbarkeit verdeckter vernehmungähnlicher Befragungen, der staatliche Zugriff auf die Ergebnisse unternehmensinterner Ermittlungen sowie der staatliche Ankauf rechtswidrig erlangter Steuerdaten im Mittelpunkt der Kontroverse. Hannah Stoffer stellt die tatsächlichen und rechtlichen Facetten all dieser Fallgruppen umfassend dar und erarbeitet auf dieser Grundlage ein Gesamtkonzept zu der Frage, unter welchen Voraussetzungen sich der Staat private Ermittlungen zurechnen lassen muss.

Verteidigung im Ermittlungsverfahren Jens Bosbach, Julian Ackermann, Jan Caba, Bosbach Ackermann Caba, 2022-05-19 Das Werk beinhaltet wertvolle Ratschläge und prozesstaktische Hinweise aus langjähriger Verteidigererfahrung, die helfen, schwerwiegende Fehler im Ermittlungsverfahren zu vermeiden. Dargestellt wird das Handeln der Verteidigung von der Mandatsannahme bis hin zum Abschluss des Ermittlungsverfahrens. Checklisten und Mustertexte erleichtern dem Verteidiger die Arbeit und ermöglichen eine schnelle und effiziente Nutzung des Handbuchs in der täglichen Praxis. In der 9. Auflage, die neben Dr. Jens Bosbach nunmehr auch von Dr. Jan Caba und Julian Ackermann bearbeitet wurde, sind u.a. folgende Neuerungen enthalten: Völlig neuer Teil zum Thema der Pflichtverteidigung, Pflichtverteidigervergütung, Neubearbeiteter Teil zu den Zwangsmaßnahmen, Neue Vorgaben im Bereich der Geldwäsche, Elektronische Akte und elektronische Kommunikation inkl. DSGVO, Vertiefung und Erweiterung der Unternehmensverteidigung, Aktuelle Rechtsprechung insbesondere im Bereich der Beschlagnahme 97 StPO. Öffentlichkeitsarbeit der Beteiligten im Strafverfahren und mediale (Verdachts-)Berichterstattung Janine Fielitz, 2024-05-16 Bei medial begleiteten Strafverfahren geht es nicht mehr nur um die Wahrheitsfindung. Die Verfahrensbeteiligten streben zunehmend danach, die Deutungshoheit über die mediale und öffentliche Meinung zu gewinnen. Neben der Öffentlichkeitsarbeit der Ermittlungs- und Justizbehörden und der damit einhergehenden durch die internetbedingten Entwicklungen erhöhten Risiken und Gefahren für die Rechte und Interessen des Beschuldigten befasst sich die Autorin insbesondere mit den als Verbindungsglied zwischen Strafjustiz und Öffentlichkeit fungierenden Medien der medialen Verdachtsberichterstattung sowie der Öffentlichkeitsarbeit, Litigation PR der Verteidigung und Nebenklage. Sie zeichnet ein umfassendes Bild von dem Zusammenspiel und den Wechselwirkungen zwischen der Öffentlichkeitsarbeit der Beteiligten im Strafverfahren und der Medienberichterstattung von den unterschiedlichen Rollen, den jeweiligen z.T. konträren Interessen, Rechten und Pflichten der Akteure, deren Handlungs- und Gestaltungsmöglichkeiten und den sich in diesem

Zusammenhang für den Beschuldigten die sonstigen Verfahrensbeteiligten das Verfahren und damit auch für die Strafrechtspflege ergebenden Auswirkungen und Risiken Festschrift für Peter Rieß zum 70. Geburtstag am 4. Juni 2002 Ernst-Walter Hanack, Hans Hilger, Volkmar Mehle, Gunter Widmaier, 2011-06-03 Diese Festschrift ist einem Wissenschaftler gewidmet dessen berufliches Wirken untrennbar mit dem deutschen Strafprozessrecht verbunden ist *Internal Investigations* Markus Adick, Philipp Beckers, Folker Bittmann, Florian Block, Dennis Bock, Matthias Brockhaus, Rainer Buchert, Matthias LL.M. Dann, Lucian E. Dervan, Björn LL.M. Fiedler, Dirk M.A. Fleischer, Cornelia Gädigk, Sönke Gerhold, Felix A. LL.M. Gloeckner, Gina Greeve, Sebastian M.I. Tax Hölscher, Jesco Idler, Caroline Jacob-Hofbauer, Gerwin LL.M. Janke, Antje Klötzer-Assion, Oliver K.-F. Klug, Sven Köhnen, Thomas C. Knierim, Oliver Kraft, Helmut Kranzmaier, Lutz Krüger, Carsten Laschet, Jan Olaf Leisner, Anja LL.M. Mengel, Ole Mückenberger, Nina Nestler, Christian Pelz, Hannah Milena Piel, Harald W. Potinecke, Martin Pröpper, Christof Püschel, Michael Racky, Frank Reutter, Christian Rosinus, Markus Mag.iur. Rübenstahl, Markus Ruttig, Alexander Sättele, Hellen Schilling, Kathie Schröder, Frank Schuster, André Strecker, André-M. LL.M. Szesny, Michael Tsambikakis, Marc J. Waeber, Sebastian Wollschläger, Tim Wybitul, Silvia Ziebell, 2016-10-26 Das Standardwerk zu Internal Investigations führt die allgemeinen rechtlichen Grundlagen und Anforderungen an unternehmensinterne Ermittlungen mit praxiserprobten Darstellungen der für Wirtschaftsunternehmen aller Branchen relevanten Fachgebiete zusammen Zahlreiche umfassende gesetzliche Änderungen wie z.B. bei der Selbstanzeige im WpHG oder im Korruptionsstrafrecht waren einzuarbeiten Erweitert wurde das Handbuch um Beiträge zur Personenberwachung und den kommunikativen Herausforderungen bei einer Internal Investigations sowie presserechtlichen Vorgaben für Compliance Krisen Im ersten Teil werden systematische grundlegenden Querschnittsthemen wie gesellschafts- und arbeitsrechtliche Grundlagen Anforderungen an Art und Umfang einer Internal Investigation auch grenzüberschreitend aufbereitet Einen für den Praktiker besonderen Reiz haben Kapitel über die Planung und Organisation der Investigation die Dokumentenanalyse die Datenaufbereitung sowie die Mitarbeiterbefragung Standards setzt das Handbuch auch beim Datenschutz bei Kronzeugen und Amnestieprogrammen sowie der Reorganisation eines von der Investigation betroffenen Unternehmens Darauf aufbauend umfasst der zweite Teil ausführliche Kompendien für themenspezifische Aufklärungsmaßnahmen einschließlich materiell rechtlicher Grundlagen sowie prozessualer Besonderheiten u.a. zu den Themen Korruption im Vertrieb steuerrechtliche Verfehlungen Vermögensschädigung des Unternehmens durch Mitarbeiter kartellrechtliche Verfehlungen Geheimnisverrat und illegaler Know how Transfer Unfälle und Katastrophen Kapitalmarktstraftaten Außenwirtschafts- und Zolldelikte **Interne Erhebungen in Wirtschaftsstrafsachen mit Auslandsbezug** Oliver Jedynak, 2019-04-11 Die Dissertation durchmisst ein ausweislich des Koalitionsvertrages für die 19. Legislaturperiode gesetzgeberisch noch unzulänglich strukturiertes Feld des Wirtschaftsstrafrechts Oliver Jedynak untersucht die besonderen Schwierigkeiten bei internen Erhebungen bei denen die Anforderungen unterschiedlicher Rechtsgebiete zu beachten sind

Auch die Tätigkeit eines Unternehmensanwalts wirft eine Reihe rechtlicher und praktischer Fragen auf wenn es darum geht Unternehmen im Hinblick auf drohende oder bereits anhängige Ermittlungsverfahren zu beraten Hier spielt insbesondere die Frage nach der Beschlagnahmefreiheit von anwaltlichen Unterlagen eine große Rolle Durch die aktuellen Fälle VW DFB und FIFA sowie das Urteil des BVerfG in der Causa Jones Day sind interne Erhebungen wieder in den Fokus der Öffentlichkeit gerückt Neues Unternehmenssanktionenrecht ante portas Michael Kubiciel, 2020-08-27 Deutschland steht vor der größten Reform des Wirtschaftsstrafrechts der letzten Jahrzehnte einer Modernisierung des Unternehmenssanktionenrechts Der Band analysiert unterschiedliche Regelungsmodelle zeigt rechtsvergleichende Alternativen widmet sich transnationalen internen Untersuchungen und skizziert die Auswirkungen auf das Berufsbild der Rechtsanwaltschaft Bedeutung des Zeugenbeistands Aufgaben des Unternehmensverteidigers **Neue juristische Wochenschrift**, 2000 Deutsche Nationalbibliographie und Bibliographie der im Ausland erschienenen deutschsprachigen Veröffentlichungen, 1993 NStZ, 2001 StB, 2003 **Reform der Verteidigung im Ermittlungsverfahren**, 2004 **Vorschläge des Strafrechtsausschusses der Bundesrechtsanwaltskammer zur "Kleinen Strafprozessreform"**. Bundesrechtsanwaltskammer. Strafrechtsausschuss, 1960

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