

Nina Peršak

B.A., LL.M. (Cantab), M.Phil. (Cantab), Ph.D.

I. Education and Qualifications

- 2006-2007 FACULTY OF SOCIAL AND POLITICAL SCIENCES, UNIVERSITY OF CAMBRIDGE, UK *M.Phil.*
▪ Programme: Social and Developmental Psychology; awarded with distinction
- May 2007 UNIVERSITY OF LJUBLJANA, SLOVENIA *(Habilitation) Assist. Prof.*
- 2002-2004 FACULTY OF LAW, UNIVERSITY OF LJUBLJANA, SLOVENIA *Ph.D.*
▪ Doctoral dissertation: Harm Principle and the Continental Criminal Legal System (in English); defended *cum laude* (the highest mark)
- Sept. 2003 ISTITUTO SUPERIORE INTERNAZIONALE DI SCIENZE CRIMINALI AND UNIVERSITY OF PALERMO
▪ *Specialisation course in International Criminal Law*
- July 2002 MINISTRY OF JUSTICE, SLOVENIA *State Law Examination*
- 1999-2000 FACULTY OF LAW, UNIVERSITY OF CAMBRIDGE, UK *LL.M.*
- 1993-1998 FACULTY OF LAW, UNIVERSITY OF LJUBLJANA, SLOVENIA *B.A. in Law*
▪ Final thesis defended *cum laude* (the highest mark)

II. Professional history

- 2017-present INSTITUTE FOR CRIMINAL-LAW ETHICS AND CRIMINOLOGY, LJUBLJANA, SLOVENIA
Scientific Director, Senior Research Fellow
- 2011-2017 FACULTY OF LAW, GHENT UNIVERSITY, BELGIUM
Professor
- 2015 UNIVERSITY OF CALIFORNIA-BERKELEY, CENTER FOR THE STUDY OF LAW AND SOCIETY
Visiting Scholar (2 months)
- 2015-present EUROPEAN COMMISSION: EXPERT GROUP ON EU CRIMINAL POLICY
Independent Expert on Criminal Law
- 2013 UNIVERSITY OF CAMBRIDGE, CENTRE FOR PENAL THEORY AND PENAL ETHICS
Visiting Scholar (2 months)
- 2010-2011 INSTITUTE FOR CRIMINAL-LAW ETHICS AND CRIMINOLOGY, LJUBLJANA, SLOVENIA
Scientific Director, Research Fellow
- 2008-2011 FACULTY OF CRIMINAL JUSTICE AND SECURITY, UNIVERSITY OF MARIBOR
Assistant Professor (Docent)
- 2007-2009 SCIENTIFIC RESEARCH CENTRE AT THE SLOVENIAN ACADEMY OF SCIENCES AND ARTS
Research Fellow
- 2002-2006 INSTITUTE OF CRIMINOLOGY AT THE FACULTY OF LAW, UNIVERSITY OF LJUBLJANA, SLOVENIA
Research Fellow (2004 - 2006), Young Researcher (2002 - 2004)
- 1999-2001 HIGH COURT IN LJUBLJANA, SLOVENIA
Judicial Trainee

III. Other appointments, affiliations and professional activities

2015-present: International Review of Penal Law (Revue Internationale de Droit Pénal - RIDP, incl. eRIDP and RIDP Libri), *Editor, Member of the Executive Editorial Board (COEXREV)*

2015-present: European Commission, *Ethics Expert*

2013-2016: Ghent University, project 'Dealing with nuisance: Regulation, representation and legitimate penalisation', *Principal Investigator/Grant Holder*

2013-2014: International project 'Mapping the legislation and assessing the impact of Protection Orders in the European Member States', *Researcher – National rapporteur*

2012-present: TEMIDA, Journal on victimisation, human rights and gender, *Member of the Advisory Board and Guest Editor* of its issue no. 4, 2014

2011-2015: ETTIS ('European security Trends and Threats In Society') EU-funded project, *Member of Ethics Committee*

2011: EU-funded project 'Study on Disqualifications as a Sanctioning Measure in the national systems of MSS', *Researcher*

2011: EU-funded project 'Judicial Cooperation in Criminal Matters', *National Rapporteur*

2008-2009: CAS Sofia, project 'Shaken Order: Authority and Social Trust in Post-Communist Societies' (2008-2009), *Research Fellow*

2007-2008: Research Centre of the Slovenian Academy of Sciences and Arts (ZRC SAZU), project 'Human rights, security and challenges of contemporary crime', *Principal Investigator/Grant Holder*

2006-present: European Commission, Research Executive Agency, *Independent Expert - Evaluator of EU research project proposals and funded EU projects*

2005-2006: Institute of Criminology at the Faculty of Law, University of Ljubljana, research project 'Computer/cyber crime in Slovenia', *Principal Investigator/Grant Holder*

2004-2006: International project 'Security and cooperation in reaction to organised crime in Central and South-East Europe', *Researcher and Coordinator*

2004-2005: Ghent University, project 'Missing and sexually exploited children in the enlarged EU: epidemiological data in the new MSS', *Researcher/National Rapporteur*

2002-2004: Institute of Criminology at the Faculty of Law, University of Ljubljana, research project 'Harm Principle in the Continental Criminal Legal System', *Principal Investigator/Grant Holder*

Peer-reviewer of articles and manuscripts for various journals and publishers, such as: Criminal Law and Philosophy, Journal of Criminal Justice and Security, Journal of Criminal Investigation and Criminology (Rev. Crim. Criminol.), TEMIDA (journal on victimisation, human rights and gender), International Review of Victimology, GERN Research Paper Series, Maklu, Routledge.

Member of academic networks, such as International Association of the Penal Law – Association Internationale de Droit Pénal (AIDP), European Society of Criminology (ESC), European Criminal Law Academic Network (ECLAN), Europol Data protection Experts Network (EDEN), inter alia.

IV. Scholarships and Fellowships

- Senior Fellowship of the Institute for Advanced Study, Central European University (IAS CEU), Budapest, Hungary (Oct 2017-June 2018)
- Visiting Scholar of the Center for the Study of Law and Society, School of Law, UC Berkeley, USA (mid-Oct till mid-Dec 2015)
- Visiting Scholar of the Centre for Penal Theory and Penal Ethics of the Institute of Criminology, University of Cambridge, UK (Oct-Dec 2003, Jan-Mar 2005 and 2006, Jan-Jul 2008, 2009-Sept 2010, Oct-Nov 2013)
- Visiting Scholar of Wolfson College, University of Cambridge (Oct-Dec 2003, Jan-Mar 2005 and 2006, Jan-Jul 2008, 2009-Sept 2010)
- Visiting Fellow of Wolfson College, University of Cambridge (Oct-Nov 2013)
- Research Fellowship of the Centre for Advanced Study (CAS) Sofia (Oct 2008-Jun 2009)
- HEUNI (The European Institute for Crime Prevention and Control, affiliated with the UN) scholarship, Helsinki, Finland (April 2004)
- OSI/FCO Chevening/Cambridge Scholarship for the LL.M. course (1999/2000)

V. Other

- Languages: Slovenian (native), English, French, Dutch, Serbian, Croatian, Spanish
- Sworn Court Interpreter for English language in Slovenia (2001-2016)
- Contractual Translator for the Court of Justice of the EU, Luxembourg (Dec. 2009-2011)

Selection of recent publications

Books

- *Regulation and Social Control of Incivilities*. London: Routledge, 2016. (Editor and author of chapters)
- *Legitimacy and Trust in Criminal Law, Policy and Justice: Norms, Procedures, Outcomes*. Farnham: Ashgate, 2014. (Editor and author of chapters)
- *Reframing Prostitution: From Discourse to Description, from Moralisation to Normalisation?* Antwerp/Apeldoorn: Maklu, 2014. (Co-editor and author of chapters)
- *The Disqualifications Triad: Approximating Legislation, Executing Requests, Ensuring Equivalence*. Antwerp/Apeldoorn: Maklu, 2012. (Co-author)
- *Criminalising Harmful Conduct: The Harm Principle, its Limits and Continental Counterparts*. New York; London: Springer, 2007, 2010. (Author)

Book chapters

- The rude, the bad and the ugly: penalising incivilities in Europe, in: N. Peršak (ed.), *Regulation and Social Control of Incivilities*. London, New York: Routledge, 2016, pp. 1-9.
- Criminalising through the back door: normative grounds and social accounts of the incivilities regulation, in: N. Peršak (ed.), *Regulation and Social Control of Incivilities*. London, New York: Routledge, 2016, pp. 13-34.
- Using 'quality of life' to legitimate criminal law intervention: Gauging gravity, defining disorder, in: A. P. Simester, U. Neumann and A. du Bois-Pedain (eds.), *Liberal Criminal Theory: Essays for Andreas von Hirsch*. Oxford: Hart, 2014, pp. 225-245.
- Norms, harms and disorder at the border: The legitimacy of criminal law intervention through the lens of criminalisation theory, in: N. Peršak (ed.), *Legitimacy and Trust in Criminal Law, Policy and Justice: Norms, Procedures, Outcomes*. Farnham: Ashgate, 2014, pp. 13-34.
- Legitimacy and trust-related issues of judiciary: new challenges for Europe, in: N. Peršak (ed.), *Legitimacy and Trust in Criminal Law, Policy and Justice: Norms, Procedures, Outcomes*. Farnham: Ashgate, 2014, pp. 89-110. (Co-author)
- Shared standards of justice: Towards normative indicators of judicial legitimacy at EU level, in: L. Pauwels and G. Vermeulen (eds.), *Update in de criminologie VII: Actuele ontwikkelingen inzake EU-justitiebeleid, cannabisbeleid, misdaad en straf, jongeren en*

jeugd zorg, internationale vrede, veiligheid en gerechtigheid, gewelddadig extremisme & private veiligheid en zelfregulering. Antwerpen, Apeldoorn: Maklu, 2014, pp. 45-65.

- The charter of fundamental rights and EU citizenship: The link with EU law re-examined, in: E. Guild, C. Gortázar Rotaecche and D. Kostakopoulou (eds.), *The Reconceptualization of European Union Citizenship*. Nijmegen: Brill/Nijhoff, 2014, pp. 323-341. (Co-author)
- Paternalistic interventions through the law on violations, in: M. Ulväng and I. Cameron (eds.), *Essays on Criminalisation & Sanctions*. Uppsala: Iustus Forlag, 2014, pp. 125-142.
- Prostitution in times of economic crisis: effects, human agency and societal responses, in: P. Saitta, J. Shapland and A. Verhage (eds.), *Getting by or getting rich? The formal, informal and criminal economy in a globalized world*. Den Haag: Boom/Eleven International Publishing, 2013, pp. 305-325.
- Die Kriminalisierung der unterlassenen Hilfeleistung: ein solidaritätsbasierter Ansatz (Solidarity-based criminalisation of the omission to help), in: A. von Hirsch, U. Neumann and K. Seelmann (eds.), *Solidarität im Strafrecht: Zur Funktion und Legitimation strafrechtlicher Solidaritätspflichten (Studien zur Strafrechtstheorie und Strafrechtsethik 3)*. Baden-Baden: Nomos, 2013, pp. 251-230.
- Building justice through criminal law: Issues of criminalisation and trust, in: K. Goodall, M. Malloch and B. Munro (eds.), *Building Justice in Post-Transition Europe: Processes of Criminalisation within Central and Eastern European Societies*. London: Routledge, 2012, pp. 43-55.
- Prostitution, harm and the criminalisation of clients, in: L. Pauwels and G. Vermeulen (eds.), *Update in de Criminologie VI: Actuele ontwikkelingen inzake EU-strafrecht, veiligheid, politie, strafprocedure, prostitutie en mensenhandel, drugsbeleid en penologie*. Antwerp: Maklu, 2012, pp. 229-239.
- In den Nebengebieten des Strafrechts: Paternalistische Interventionen im Recht der Ordnungswidrigkeiten (Borderlands of criminal law: Paternalistic interventions through the law on violations), in: A. von Hirsch, U. Neumann and K. Seelmann (eds.), *Paternalismus im Strafrecht: die Kriminalisierung von selbstschädigendem Verhalten, (Studien zur Strafrechtstheorie und Strafrechtsethik, Bd. 1)*, 1. Aufl. Baden-Baden: Nomos, 2010, pp. 173-191.

Journal articles

- Procedural justice dimensions of judicial legitimacy and their contemporary challenges, *Oñati Socio-Legal Series*, 2016, vol. 6, no. 3, pp. 749-770.
- Sovražni govor v perspektivi človekovih pravic in nekatera odprta vprašanja kriminalizacije in pregona (Hate speech in the human rights perspective and some open

questions of criminalisation and prosecution), *Pravosodni bilten (Justice Bulletin)*, 2016, no. 3, pp. 45-63.

- Rule of Law and institutional legitimacy: challenges of transition, challenges of Europe, *Southeastern Europe*, Brill publishers, 2015, vol. 39, no. 3, pp. 369-391.
- Regulation of incivilities in the UK, Italy and Belgium: Courts as potential safeguards against legislative vagueness and excessive use of penalising powers?, *International Journal of Law, Crime and Justice*, 2014, vol. 42, no. 4, pp. 340-365. (Co-author)
- Criminal law, the victim and community: the shades of 'we' and the conceptual involvement of community in contemporary criminal law theory, *Criminal Law and Philosophy*, 2014, vol. 8, no. 1, pp. 205-215. (Also translated into Turkish)
- Informal economy and the crisis: economic challenges and social reaction in the case of prostitution, *Rev. krim. kriminol. (Journal of Criminal Investigation and Criminology)*, 2014, vol. 65, no. 2, pp. 83-95.
- The 'human factor' of road (un)safety: social desirability, work environment and personality, *Journal of Criminal Investigation and Criminology*, 2011, vol. 62, no. 1, pp. 39-49.

Journal issue editor

- *Protection of the Environment through Criminal Law (AIDP World Conference Bucharest, Romania, 18th-20th May 2016)*, *International Review of Penal Law*, vol. 87, no. 1. Antwerp, Apeldoorn, Portland: Maklu. 349 pages. ISSN: 0223-5404; ISBN 978-90-466-0809-8. (Co-editor)
- *Invisible Victims*, Special issue of TEMIDA journal (Journal on victimisation, human rights and gender) 2014, no. 4, 133 pages. ISSN: 1450-6637. (Guest Editor)