

**Collaborators with Justice in the German Criminal Justice System –
Results of a Qualitative Study**

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As in many other jurisdictions, collaboration with justice is rewarded with sentence mitigation or even total exemption from punishment in the German criminal justice system. While the conditions under which a contribution to the detection or prevention of serious offences may be honoured by German criminal courts are stated relatively precise in substantive criminal law, the German Code of Criminal Procedure contains no provisions regulating the negotiations between law enforcement authorities and potential collaborators. Suspects who want to benefit from the advantages granted by the collaborators' provisions are forced to make their statement before the police or the public prosecutor during the investigation, while a decision about sentence mitigation or a total exemption from punishment will be left to the discretion of the trial judges, who are not formally bound by any commitments made during the preliminary proceedings. The lack of procedural safeguards thus results in a situation of particular uncertainty for potential collaborators with justice. These and other characteristics of the German legislation were subject to a qualitative study which was conducted as part of a comparative research project commissioned by the Dutch Research and Documentation Centre (WODC). The results of this study are presented and discussed.