



How to deal with the deals?: The role of plea bargaining in Australia and Germany - a comparison

Ole Kramp

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Scientific Essay from the year 2008 in the subject Law - Comparative Legal Systems, Comparative Law, grade: High Distinction, The University of Adelaide, language: English, abstract: Plea bargaining has been and still is an important issue in Australia and Europe. Interestingly, in Australia only a few articles focus on the phenomenon plea bargaining. This cannot properly address the importance of plea bargaining in the criminal procedure and the whole judicial administration system. In Germany plea bargaining is intensively discussed after the German Federal Constitutional Court and the German Supreme Court made first attempts to regulate and implement the phenomenon in the existing criminal procedure. This essay will discuss selected issues concerning plea bargaining in order to describe its nature in the criminal justice system. After presenting the preconditions for plea bargaining in Australia and Germany both systems are critically reviewed by focussing on particular issues being important from a comparative point of view.

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