

# **Military Police in preliminary proceeding – regulation in legislation and bylaws**

## **Abstract**

The Military Police is a significant and specific police body. Recent statutory amendments have substantially bolstered the function of the Military Police in criminal proceeding. The significance of the Military Police is raised as well thanks to increased investments in the Armed Forces and overall in the Ministry of Defense. There is a lack of theses or specialist reports concerning the legal status of the Military Police in criminal proceeding.

The main source of information concerning the legal status of the Military Police in the before-court phase of criminal proceeding or preliminary proceeding is the legislation; particularly an analysis of the Criminal Code and the Military Police Act. However, such information is not complete. Information concerning application of the legislation may be gained by analysis of the Military Police bylaws and by the comparison of legislation and bylaws. The Military Police bylaws had not been analyzed in a thesis until now. Thus, this thesis brings a unique view into the functioning and operation of this police body.

The goals of this thesis are as follows: The main goal is to provide a complete overview regarding the legal status of the Military Police. That means to describe not only the status *de lege lata*, as it appears under the legislation, but the status *de lege applicata*, as it follows the bylaws. The next crucial goal is to help to improve the actual status. Therefore, the proposals *de lege ferenda* have a key function in this thesis. The topic shall be explained using multiple relevant connections and references in order to be properly comprehensible. Thus, follows the secondary goals of the thesis. That is to provide a brief history of the Military Police, description and evaluation of the actual status and comparison with respective legislation in selected foreign countries.

The main goals as well as the secondary ones have been comprehensively met. Moreover, this thesis contributes significant discoveries regarding wrongful application of certain laws in the Military Police operation and discovers specific systemic errors as well. Nevertheless, concrete measures were proposed to put the issue in order and to avoid such wrongs in the future. Information and findings regarding the daily operation and functioning of the Military Police when investigating the crimes are a bonus of this thesis.

**Key words: Military Police, criminal proceeding, preliminary proceeding**