

Abstract

This diploma thesis deals with the problem of the criminalistic method of on-the-spot examination of the testimony, namely with particular questions of its theoretical definition as well as selected questions concerning its practical use within the activities of law enforcement authorities. The overall aim of this thesis is to give a comprehensive view of this institute and to present a detailed analysis of individual aspects of this method of forensic practice, as well as the subsequent identification of particular questions, problems and uncertainties that arise in this context.

The first part focuses on the theoretical perspectives of the on-site examination of the testimony. Attention is brought to its process of constitution in Czechoslovak forensic science, its conceptual definition as well as differentiation from other methods of forensic practice.

The second part of this thesis deals with selected practical questions related to the on-site examination of the testimony. In addition to the basic tactical principles elaborated by forensic theory, a substantial part of this chapter is devoted to the legal aspects of the on-site examination of the testimony, i.e. its legal regulation, its incorporation into the criminal justice system and possibilities of its use. This part also contains a chapter focused on recent judicature and the way it deals with the issue.

The third part of the thesis contents an analysis of ten random protocols recording the course of investigative acts titled as on-site examinations. The focus is put mainly on the formal and content requirements of these acts in order to assess and evaluate how the act of on-the-spot examination is used in the current practice of police authorities.

Considering the abovementioned overview of the submitted work, I dare to conclude that presented theses provides its readers with a comprehensive view of the institute of on-site examination, not only from the point of view of forensic theory and procedural law, but also from the perspective of investigative practice which was made possible thanks to accommodating approach of few members of Police of the Czech Republic.