

The Specifics of Interrogation of Children

Abstract

The diploma thesis focuses on the specifics of interrogation of children. According to the thesis, children are persons under the age of eighteen. It is imaginarily divided into three parts, because this topic can be viewed from the perspective of criminal law, criminalistics and psychology. It is divided into seven chapters. The thesis is based on specialized literature, professional newspaper articles, Czech courts case law, current legislation, internet resources and materials, which were provided on the request by the relevant institutions.

The goal of this thesis is to provide available scientific knowledges on this topic and their synthesis in a logical unit. The legal regulation of the interrogation of children is subjected to critical analysis. It is highlighted in questionable issues and there are possible ways for solving them.

In the thesis are first defined the basic concepts (an interrogation, a statement, a child). Their knowledge is necessary for understanding the following text. There are introduced various perspectives of interrogation. After that there are general characteristics of the development periods of the child and a brief description of psychological processes applying in phases of statement. Following with summary of these processes in children's developmental periods. These findings are essential to understand why it is necessary to treat children differently than with adults. The thesis also deals with the higher suggestibility of children, children's lies and the risks of concluded questions. Even the knowledge about these psychological specifics of children, we must have in mind in children interrogation. The fourth chapter deals with the environment of interrogation, special interrogation rooms, roles of persons participating in interrogation. It introduces the aids used in interrogation and also offers a short insight into the documentation of interrogation. The next chapter discusses the regulation of interrogation of children in the position of witnesses (or victims) contained in the Criminal Procedure Regulations. It also includes reflection on the relationship of not repeating the child's interrogation and the right of the defendant to fair trial. The sixth chapter reflects the fact that children can commit crime. In accordance with the law, the chapter is divided into the problematic of interrogation of juvenile and interrogation of the child younger than fifteen years. Important is the presentation of different opinions of defense of the child who is younger than fifteen years and evaluation of legislation. The seventh chapter finishes the thesis by describing the interrogation from the perspective of criminalistic tactics.

Key words: an interrogation, a child, a special interrogation room.