

Abstract: Recognition – problems of theory and practice

The diploma thesis focuses on one of the special methods of proof, particularly on recognition. The legal regulation of this method can be found in section 104b, Act No. 141/1961 Coll., Criminal Procedure Code. Recognition is an action that is urgent in many cases and cannot be repeated. From the point of view of criminology, this is a separate method of identifying persons, things or animals based on re-recognition.

At the first sight, recognition seems like an easy-to-implement mean of proof, but in reality it requires thorough preparation and careful execution by law enforcement authorities. Any mistake in its course may result in the evidence obtained from recognition being considered absolutely ineffective.

The submitted diploma thesis is divided into eight chapters. The first four chapters represent the theoretical part of the diploma thesis. In the first chapter, recognition is discussed from a legal and criminological point of view. Considerable attention is paid to the psychological aspects of recognition, which influence the process of re-recognition and the individual factors that influence the entire process. The second chapter is devoted to introducing who is the subject and object of recognition. The third chapter deals with the historical development of recognition since 1873. The fourth chapter continues the historical development of recognition, as it presents the current legal regulation of recognition in the criminal procedure code, which is subjected to critical analysis and evaluation.

The second part of the diploma thesis conceptually represents the practical part. The fifth chapter is devoted to a detailed description of the recognition of persons *in nature*, discusses the two-phase recognition and presents possible ways of documenting the act. The sixth chapter is focused on tactical recommendations of carrying out recognition and, in order to bring closer the individual types of recognition, it also elaborates the methodology of individual types of recognition. To learn about the implementation of recognition in practice, the outputs of the visited recognition, processed in the seventh chapter, are used. The outputs represent a brief insight into the implementation of recognition *in nature*, by voice and by photo.

The last chapter of the diploma thesis presents an excursion in the form of recognition in the Slovak legal system. The chapter briefly addresses the development of legislation in Slovakia and then compares recognition from the point of view of both legal arrangements, taking into account the common legal and historical traditions of both countries.