

Resumé

The tactical procedures if overcoming the false testimony

The subject of my diploma work is the tactical procedures of overcoming the false testimony. I also dealt with methods, which can be used for revelation and overcoming the untrue testimony. The central concepts which are connected with tactical procedures and methods are the testimony and the interrogation.

The interrogation and testimony can be characterized from the psychological, criminalistic and legal view. Concerning my diploma work the criminalistic view is the most important. Criminalistics defines the interrogation as the criminalistic method, which is used (under the law) to obtain criminalistically- and law-important information from the memory of the interrogated person. This is done by the testimony and the rights of the both of the interrogator and the interrogated person have to be strictly observed. In this method are used the tactical procedures, which can help examiner to overcome the false testimony.

I evaluated all tactical procedures and methods according to their reliability and effect in the fight against the untrue testimony. I also dealt with the possibility of using the unusual tactical procedures and methods in the future. I compared all procedures and methods if they are right for overcoming the false testimony of the witness or accused person (I was investigating if the procedure or method is more effective in false testimony of habitual offender or new offender).

All tactical procedures and methods were completed with the practical examples. In some cases (particularly in the usage of reflective ideas) practical examples almost don't exist. Due to this situation these procedures and methods can't be used in practice. But they could be very useful for helping the interrogator to influence interrogated person. I gave the examples to bring the procedures and methods near both to policemen, who come into contact with the interrogation, and to the public, that is interested in this theme.

Some of the tactical procedures and methods can't be used in practice because the interrogators don't know them well. I think it is very important to remind them because they can be very useful in practice. In my work, which is limited, I couldn't treat with all problems of this theme. In my opinion I dealt with the most important parts of this topic.

Relationship between the interrogator and interrogated person always develops in different way, so universal procedure or method, which could be used in the situation of false testimony, doesn't exist. It is very important to keep the rights of the interrogated person and procedural rules, which are contained in the criminal law. The interrogator mustn't make procedural mistakes, because accused person might use these mistakes to make evidences inapplicable before the court. And mainly the assistance with conviction of the offenders by obtaining incriminating evidences relates to the basic tasks of the Police.