

Abstract

The topic of my thesis is a recognition in criminal proceedings. The thesis deals with recognition in terms of criminology and criminal procedure. The recognition is one of the important evidence, which are often based on evidence in criminal proceedings. At first sight it may seem that a recognition is easy procedure in criminal proceedings, but closer examination reveals its complexity. The aim of the thesis is to introduce the recognition as a special way of proving and its specifics, summarization of the knowledge gained by studying textbooks and monographs, articles in journals and some judicial decisions, as well as outlining the selected questions and pointing out possible problems, especially the obligation of the defendant to attend the recognition.

The thesis is divided into eight chapters, which are divided to subchapters. Following the introduction, the first chapter defines the concept of recognition, and then focuses on psychological basics of recognition, historical evolution of recognition as an evidence since 1873 and also its grounding in the Code of Criminal Procedure. Second chapter describes the relationship between recognition and other criminal methods, pointing out some of the common features and also its differences. Third chapter defines different types of recognition – with the special attention paid to “empty” recognition and “hidden” recognition. Fourth chapter is related to the subject and object of a recognition, their types and characteristics. Fifth chapter describes principles of recognition of people. It defines the concept of a bystander and it is dealing with the question of the number fillers with the recognized person. It offers a critical perspective on the issue of showup of the defendant and the fact, that the defendant is prohibited to change his/her looks. The sixth chapter is related to the organization and division of the recognition's preparation and its timeliness. The seventh chapter is devoted to the performance of recognition and its tactics. It defines recognition as an as unrepeatable and unique act. Also it focuses on the defects of a recognition. Defects of a recognition are demonstrated on real cases from practice.

The last chapter is related to the required documentation and evaluation of the credibility of evidence obtained by recognition. The final summarizes the findings of the thesis, points out some problematic issues related to recognition and its usage in criminal proceedings. The conclusion is devoted mainly to modify the recognition in terms of *de lege ferenda*.