

The right of defence is one of the most important fundamental rights of a person against whom the criminal proceedings is brought. The role of defence counsel in preliminary procedure is essential. He has to be an advocate only and a member of Bar Association, consequently a person with a juristic education and qualified to this job. Defence counsel must defend a laws of accused by all the tolerable ways and work on his behalf. In my work I direct my attention towards the legal status of counsel under current Czech legal regulation, issues of the compulsory defence, legal position of chosen and court-appointed counsel, designation of the counsel by the Bar Association, rights and duties of counsel. Also I direct my attention towards preliminary procedure and on various aspects of defender's participation in preliminary procedure and his tasks in it.