

8. Resumé

For my doctorate work I have chosen a topic „operative search activity of the police for investigation of white collar crime“. I think, that the topic is very interesting and dynamically developing discipline of criminal procedural law.

In this discipline new offensive measures are applied. These measures react to courts' activities and new ways of committing of white collar crimes that we can successfully investigate with the assistance of the offensive operative measures.

The operative search activity brings a lot of interesting questions in relation to criminal proceedings. There are questions of definition of these measures, of their use for gathering of evidence, questions of tactic of their use, questions of their agreement with basic rules of criminal proceedings and also with basic rights and freedoms of the individual in society.

In my work I would like to describe not only operative search activity, but also to find and to perceive problem phenomenons. I want to account for these problems on the basis of constituent parts of my work, so both analysis of literature and fundamental judgements and results of research, to enumerate various attitudes and to find own opinion. The research of the problem phenomenons will be finished by my bill de lege ferenda.

In the first part of my work I describe definition of white collar crime and criminal procedural activity of the police. This is important for understanding of foundation of operative search activity, its codification and its application in practise of investigation of white collar crime.

In part of codification of operative search activity I describe this phenomenon. I also mention various common aspects of operative measures in relation to basic rules of criminal proceedings, gathering of evidence and their use. Then I describe individual kinds of operative search measures and subsidiary operative search measures in context with codification and juridical literature. In this part of my work I compare some of foreign institutes with Czech codification, particularly German and Slovak codification.

An essential part of my work are two researches, the first one from 2006, the second one from 2010. I made researches in the same group of respondents and also questions were very similar. Targets of researches were to confirm hypothesises of use of operative measures in practise and legal appraisal especially in relation to evidence. Researches had not only

quantitative questions, but also one qualitative question where respondents could express their own opinions of problems of operative search activity.

The last important part of my work is application practise. Firstly I mention fundamental judgements. I show problems of judicial practise in relation to operative search measures generally and also in white collar crime. I generalize the most important problems of judges in relation to operative search activity.

I demonstrate changes by way of an example of a government bill of measures against corruption that this bill brings relative to operative search measures. I consider utility of these changes in context of whole contemporary codification.

In conclusion I resume basic problems of operative search measures and subsidiary operative search measures in criminal procedural practise on the basis of my findings in this work. I also suggest some of changes of contemporary codification.