

Diploma thesis name: Criminalistics experiment

Keywords: criminalistic experiment, investigative experiment, special methods of evidence

Abstract

The diploma thesis entitled "Criminalistic Experiment" deals with the analysis of the concept of criminalistic experiment as one of the methods of criminalistic practice in the environment of the Czech legal system. It contains a theoretical part, which is a summary of the first ten chapters, and a practical part, which is the last, eleventh chapter. The theoretical part uses mainly the descriptive method, while the fifth chapter uses the comparative method.

The first chapter presents the definition of the concept and the essence of the criminalistic experiment, while the specificity that distinguishes this criminalistic method from experimental activities in other areas of human activity is outlined.

The second chapter then introduces the basic principles according to which we can divide the more general method of criminalistic experiment. The forms that can be distinguished for it are presented, while the investigative experiment, which is a specific method of criminalistic practice that is based on the more general method of criminalistic experiment, is discussed more.

The third chapter deals with the history of the investigative experiments, first mentioning its first surviving implementation, and then a brief explanation of the perception of this method in the Czechoslovak environment, which is loosely related to today's concept.

Within the framework of today's concept, the fourth chapter focuses on the legal regulation of the investigative trial, after which possible *de lege ferenda* proposals are outlined on how this regulation can be improved in the future. Mention is also made of the recodification of the Criminal Procedure Code, which is currently under preparation.

The fifth chapter compares the investigative experiment with other acts referred to as special methods of evidence, namely first reconstruction, on-site examination, recognition and also confrontation.

Chapter 6 specifies the participants in the investigative experiment, their possible theoretical divisions and their role within the investigative experiment. Here the current view of theoretical divisions is also contrasted with that of the second half of the 20th century.

Chapter 7 discusses the preparation that must be undertaken before an investigative experiment can be carried out, dividing it into that before departure for the site and that after arrival.

Within Chapter Eight, some of the tactical principles that the literature recommends when conducting investigative experiments are mentioned.

Chapter Nine outlines the circumstances to be considered when evaluating the outcome of an investigative trial. The tenth chapter, which concludes the theoretical part, discusses the requirements for its documentation.

The final chapter, chapter eleven, presents a look at the execution of two investigative experiments in practice. It is a critical analysis of the protocols, supplemented with photographs to illustrate the process of the investigative experiment.