

## **Abstract in English, Title and Keywords**

### **The Specifics of Children Interrogation**

Children, meaning people under 18 years of age, appear in criminal procedures rather often and have various process statuses. Therefore, they can get into a situation in which they have to be interrogated. In these cases, they need a different approach than adults. Moreover, they also deserve an extra level of protection.

Legislation has taken this into account by specifying how children should be treated during criminal procedures, interrogation included, in numerous details. Amongst these legal provisions, one can find for example the legal provision about necessary protection of minors, about the presence of certain other people during interrogation or the provision regulating the possibility of interrogating children before the prosecution officially begins. Both the Constitutional Court of the Czech Republic and also the European Court of Human Rights have commented on the possibilities of interrogating children before the prosecution start and then using such obtained protocols, especially on the aspect of preserving the rights of defense. Both have declared that such obtained evidence can be used in criminal proceedings despite the fact that the right to a fair trial has been violated, because there are either other guarantees of legality or there has been a need to protect other basic human rights. However, judicature has also limited the use of such obtained evidence in the sense that it cannot be used as key evidence.

From psychological point of view, one of the biggest issues when interrogating children is the level of their suggestibility, which is much higher in children than in adults. Apart from manipulative questions, testimony given by children can also be affected by the level of their development and also by vocabulary used by the person interrogating them.

The overall atmosphere also plays a very important role. It comprises both of the environment where the interrogation is conducted and also by the interrogator's personality. The environment should promote the feeling of calm and safety. For that reason, special interrogation rooms exist. The interrogator should also have a calming effect on the interrogated child. Feelings of fear and anxiety should be eliminated. It is therefore crucial to form a bond between the interrogator and the child prior to the interrogation itself.

The thesis also consists of a research which examines the extent to which certain requirements are met in real life and practise. The biggest issue seems to be the expertise of interrogators. Even though it has improved over the past years, it is still far from ideal. Another

part of the research examines the effect of the presence of parents during their child's interrogation; most respondents tend to agree that it may be rather contraproductive. Last but not least, the research also focuses on the topic of interrogation rooms, which are generally popular. However, the frequency of their usage is also rather far from ideal. They are most probably used in serious or in any other way difficult cases, but unfortunately not on a regular basis in standard cases of children interrogation.

**Keywords: interrogation, child, testimony**