

Admission of Guilt And Undisputed Facts In the Light of the Principle of Material Truth

Abstract

The presented rigorous thesis focuses on the topic of admission of guilt and undisputed facts as new methods of consensual resolution of criminal cases. These institutes, together with the plea bargain, create a mutually linked tripartite of institutes, which allows the accused to limit the scope of evidence in court proceedings to the disputed circumstances between the parties, thereby speeding up the proceedings in exchange for the benefit of a lighter sentence for the accused.

The aim of the rigorous thesis is to comprehensively and clearly process the issues of both examined institutes from the perspective of theoretical legal foundations, practical notes, and recent case law, all while reflecting the perspectives of all interested procedural parties. Given the nature of the institutes, attention is also paid to their compliance with the principle of material truth, as they inherently represent to some extent its limitation.

The introductory part defines the basic concepts to be further elaborated upon. The admission of guilt and undisputed facts are defined not only among themselves, but also in relation to the plea and sentence agreement, as well as in relation to other similar institutes of substantive and procedural law. Attention is also paid to the historical genesis of both examined institutes. Within the following chapters, the material and procedural aspects related to the application of both institutes are outlined, as well as their functioning in terms of the entire systematics of criminal procedure. Subsequently, space is devoted to comparison with foreign legal regulations, namely with German, Polish, and Slovak criminal codes, with increased attention being paid to Slovak criminal law due to cultural and legal interconnectedness. The concluding part represents to some extent the culmination of the entire work, as it highlights unresolved problematic aspects of both institutes, for which alternatives are sought with the help of all previously identified facts.

Key words

Consensual methods of resolving criminal cases, admission of guilt, undisputed facts.