

Complexity of suspicion in criminal investigation

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Scientific progress on the one hand, and an increase in crime on the other, open up to the criminal investigation police additional possibilities and necessities to prevent, detect and investigate crime. In this context, the complexity of suspicion undoubtedly raises even more questions, related to cognitive psychology, artificial neural networks, molecular biology, philosophy of morality, theory of law etc. Looking from the constitutional law perspective and from the viewpoint of ethics and morality, it is important for the protection of human rights as well as for the image of a state with the rule of law that reasons for suspicion are expressed in an unequivocal way and that the personal characteristics of a suspect are dealt with only in the connection with other, objective elements of crime. In no case can a suspicion be grounded exclusively on the personal characteristics of a suspect or on possible biases and stereotype images of the "congenital" criminal activity of an individual as a member of a given social group - be it national, religious or alternative. Since findings related to circumstances, clues, pieces of evidence and facts upon which a suspicion is grounded are at the same time also a basis for the restriction of human rights by police powers and criminal procedure activities, any possibility of unequal (discriminatory) or arbitrary treatment must be eliminated in making decisions about the exercise of these powers and activities. In criminal investigation, a suspicion still remains therefore one of the central points, which in practice represents the beginning and end of the mission of investigators (police officers - criminal investigators). If it is well grounded, then the outcome will be a fair conviction of the offender. In the case of a lack of legal or true reasons on the one hand, and following the principle in "dubio pro libertate" or in "dubio pro reo" on the other, it is quite possible that suspicion will leave a court room hand in hand with a suspect. In sum, it is practically never possible to believe a suspicion.

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