

## **Apprehension according to Slovene legal order and arrest in the United States of America and Great Britain**

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With regard to the fact that Slovenia does not have a death penalty and that corporal punishment and torture are forbidden, an intrusion in individual's personal freedom represents the State's most serious violation of individual's personal integrity. Constitution makes distinction between freedom and liberty. Freedom cannot be taken to anyone, yet it can be temporarily limited by a deprivation of liberty. In Slovene legal order there is a considerable terminological confusion regarding (police) interventions in personal liberties of individuals, what is reflected in problems of procedure and its enforcement, especially in regard to the rights of apprehended persons. When making comparison with grounds for and procedures of (police) arrest in the U.S.A. and United Kingdom, such inconsistencies cannot be found. Certain solutions could be a good indicator of a more precise legal regulation in Slovene penal law, what has already been pointed up by the Constitutional Court of the Republic of Slovenia.

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