

The Influence of the Police Investigative Activities on the Court Trial in the Reasonable Time

Damijan Florjančič, M.Sc., Supreme Judge at the Supreme Court of the Republic of Slovenia

Initial pre-trial proceedings, as prescribed in the current Criminal Procedure Act, govern several types of pre-trial activities that are within the competence of the police and do not generally have a formal detailed format. Their meaning, purpose and goal are to track down the offender when there are grounds for believing that an offence has been committed. The police, however, are entitled to execute other pre-trial activities with the approval of the investigating judge. These activities then become more formal, have greater impact in further criminal proceedings, and may have an impact on the trial within a reasonable time period, especially when based on appropriate police measures and actions decided in the initial pre-trial procedure.

This applies in particular to decisions of the police, such as the ability to present convincing arguments or proposals to the prosecutor or to the investigating judge, as well as the ability to conduct measures and actions in accordance with the law concerning the validity of evidence. In the case of economic crime, we can observe that there are specific measures emphasized in this article; namely the implementation of covert investigation, temporary seizure of or a freezing order on the proceeds of a crime and some others specific investigative acts covered under the provisions of Article 164 and 166 of the Code of Criminal Procedure, in order to present their possible impact on further criminal proceedings or trial without undue delay.

Keywords: trial within a reasonable time, trial without undue delay, initial pre-trial proceeding, undercover investigation measures, temporary seizure of or freezing order on the proceeds of a crime, investigative action

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