

Technical records as material evidence in criminal proceedings

PhD (C.) Fitim Shishani
University of Pristina

Abstract

Nowadays, with the aid of technical records - recordings (audio, visual or combined audio-visual) events and occurrences can be registered in the outside world in detail. The recording enables the creator or anyone who has it in disposal that at any moment of its reproduction, it can be found in detail how the recorded event has happened or how an occurrence seemed at the time of the recording. Among the current formats of technical records are included: photography, filming, magnetic, magnetoscope, and videophone recording etc. (Sahiti & Murati 2016, 295). The possibility provided by the rapid technical development is also of interest to criminal procedure because technical records containing any fact that may be proved in criminal proceedings may serve as a source of knowledge about facts. In other words, they may serve as evidence to establish facts in criminal proceedings. Given the extensive options that technical fact recordings provide, entities that use the aid of various devices from this field, as well as the different purposes of the author of the recording which have led to the case of making the recording, there is a reasonable question of the permission on their use as evidence in criminal proceedings. In Kosovo, the situation is clear in terms of recordings made in the criminal procedure, as Kosovo CCP¹ provides the possibility of photographing, filming, sketching, etc., of the crime scene, audio visual recording etc. examination of persons (defendant, witness, expert) or recordings of any action on judicial review.

Keywords: technical records, material, evidence, criminal proceedings.

Full Text: [PDF](#)



This work is licensed under [Creative Commons Attribution 3.0 License](#).

Academic Journal of Business, Administration, Law and Social Sciences ISSN 2410-3918 (print)

ISSN 2410-8693 (online)

Copyright © IIPCCCL-International Institute for Private, Commercial and Competition law