

# THE LEGAL NATURE OF THE INFRINGEMENT REPORT

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**ABSTRACT:** *Regarding the probative force of the infringement report in the trial instances' legal maxim there have been framed two different opinions that have found a unitary rendition over the legal problem submitted to the debate.*

*According to the solution adopted by ECHR in the cause Anghel vs. Romania, the report didn't have the same probative force that previously had, that is the situation of its appeal on the complaint, such that for the re-establishment of the equality of the juridical procedures that the parties have in their hands within the started legal procedure is necessary that this start from the presumed innocence premise in favor of the claimant, with the consequence of the necessity for the court to prove – inclusively the claimant's guilt.*

*The author of the work considers that in the situation that the report has been signed with objections by the offender, at the moment of the fact's ascertainment comes to the ascertaining agent, the infringement report is governed by the legal premise and the premise of absolute solidity.*

**KEYWORDS:** *sanction report, ECHR in the cause Anghel vs. Romania, presumed innocence, legal premise*

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