

# **APPEALS IN CRIMINAL PROCEEDINGS**

## **ABSTRACT**

This thesis tries to describe the legislation of appeals in criminal proceeding in the Czech Republic. The aim is to present information on the historical development of remedies in criminal proceedings, on the basic principles of criminal proceedings, on the recent legislation of appeals in criminal proceedings, then a short comparison of the legislation in Austria and finally to point out to some of its deficiencies and suggest their solutions. The introduction of the thesis gives the basic information on the work itself, its aims and reasons which convinced the author to choose this topic. The first chapter of it is devoted to a short description of the legislation of remedies in history. Then, the basic principles of criminal proceedings and their effects on remedial proceedings are described. The third chapter focuses on the basic classification of remedies in the Czech Republic. The most exhaustive chapter with the analysis of the legislation of appeals follows. The biggest part in it is devoted to the description of remedial proceedings and several institutes are criticized here. Time periods, entitled person, the requirements for the content of an appeal, proceedings before the Court of First Instance, proceedings before Appeal Court and finally proceedings before the Court of First Instance after the case is referred back to it are described. The chapters also include the key judicature related to the given concern. The final chapter contains a brief overview of the legislation of appeals in Austria. The author present the outcomes he came up with in the conclusion. The conclusion contains ideas *de lege ferenda* in which the author found out that the legislation of appeals in the Czech Republic is unsuitable as a whole. However, he gives ideas on several possible changes the lawmakers could take into account when preparing a new Code of Criminal Procedure. He particularly recommends certain changes to the Code of Criminal Procedure either based on the model of the Republic of Austria or genuine ideas.