

## **Abstract**

This diploma thesis concerns the criminal act of neglecting of compulsory nutrition according to § 196 of the criminal code. Its main focus is to comprise this area completely and complexly, furthermore to examine individual signs of facts of the case and to present them in a complex context of the law, especially in relation to the civil law, which firmly binds a rightful claim for nutrition.

The work comprises seven chapters following in a logical order. The first chapter aims at current legislation, at legislation related to the claim for nutrition and at systematic classification of the criminal act of neglecting of compulsory nutrition. The following chapter analyses individual obligatory signs of the criminal act, its subchapters study the object, the objective side, the perpetrator and the subjective side. The purpose of this part of the study is to outline the terminology used in § 196 of the criminal code. The third chapter presents the possibility of termination of criminal responsibility based on a special provision of effective regret. The work states conditions which need to be fulfilled to apply this principle, furthermore it clarifies possible doubts about application of § 197 of the criminal code. Imposing criminal sanctions is discussed in the fourth chapter. The diploma thesis also explores a special provision of punishment allowing an adequate restriction in form of revoking a driving licence. Specifics and advantages and disadvantages of this provision are described in full detail. The fifth chapter depicts the historic development of legal protection of right for nourishment from 19. century to the present, components preserved all that time are stressed in the first place. These constituents serve as basis of the current legislation.

The final part of this diploma thesis deliberates about possible legislations, which could assist at decreasing the high number of perpetrators of the criminal act of neglecting of compulsory nourishment, the most favoured areas being prepayment compulsory nourishment and decriminalisation.