

Abstract

House arrest, its execution and control

This thesis focuses on the punishment of house arrest and its position as an alternative punishment. Its aim is to provide a comprehensive view of this institute in a broader context, to reveal its advantages and disadvantages and to evaluate its development so far. Given one of the functions of house arrest as a substitute for imprisonment in particular, the work goes in this direction and evaluates this aspect from several possible perspectives. The assessment is then based on a comparison of the theoretical assumptions and results of the practice, which offers a comparison of the actual use of punishment and its likely development in the coming years, including *de lege ferenda*.

The first part of the thesis is conceived as a general introduction which aims to introduce the concept of punishment, including its purpose, meaning and function. The following section then narrows the broad subject of punishment to alternative punishments, among which house arrest is included. One subchapter is also devoted to the concept of restorative justice as the cornerstone of alternative sanctioning.

The second part of the thesis deals with the main topic and analyzes all the requirements of the house arrest. These chapters describe its development, meaning, purpose and positive and negative arguments for its introduction. Subsequently, all legal requirements, such as its content, storage conditions, reasonable restrictions and obligations and possible transformations associated with this punishment are described. Chapter Four focuses on its performance and related institutes of postponement, interruption, change and abandonment of imprisonment. The most comprehensive and at the same time the most controversial part deals with the control of this punishment. In addition to the statutory provisions, there are two main ways of controlling the prison sentence, namely the Probation and Mediation Service and the Electronic Control System. Due to the relatively new electronic bracelets, more attention is paid to this area at work.

The final section contains somewhat unusual insight into the sentence of house arrest from the psychological point of view of its effect on the convicted compared to imprisonment. The last chapter statistically evaluates the use of punishment in practice, highlights the main legal shortcomings and presents possible alternatives for future development. This information should then be able to provide a basis for assessing the house arrest penalty and fulfilling its intended purpose.