

Abstract

The Diploma thesis on *The Position and Role of Public Prosecutor in the Preparatory Criminal Proceedings* aims to give a comprehensive view of the public prosecutor's activities in this pre-trial stage of criminal proceedings. The public prosecutor has a completely dominant and irreplaceable role in it, which is fully reflected in the performance of supervision over the observance of the legality of the preparatory criminal proceedings. The public prosecutor bears full responsibility for the proper conduct of the preparatory criminal proceedings and supervisory authorizations represent an essential instrument by which the public prosecutor may exert influence and at the same time regulate the course of the preparatory criminal proceedings. Therefore, such authorizations are a crucial part of this Diploma thesis.

The Diploma thesis is divided into three basic chapters and tries to follow the systematics of the Criminal Procedure Code.

The first chapter deals with the historical development of public prosecution in our territory and also with the constitutional anchoring and organization of the public prosecutor's office in the Czech legal order. The current issue discussed in this section is an amendment to the Act on Public Prosecutor's Office which is being prepared now. It also introduces the scope of the public prosecutor's office in the criminal and non-criminal areas. The first chapter's conclusion then belongs to the issue of supervision in the system of public prosecutor's office and also to the basic principles that apply in the activities of the public prosecutor.

The second chapter is devoted to the preparatory criminal proceedings itself, its purpose and functions, individual phases and forms. It is the comparison of the practical use of the standard and summary preparatory criminal proceedings and the description of the specific influences and trends that have influenced their use in recent years is one of the main issues that this chapter focuses on.

The main part of the Diploma thesis is its third chapter. This chapter deals with the powers and duties of the public prosecutor, which the legislature has entrusted and imposed on him in the exercise of supervision over the observance of the legality of preparatory criminal proceedings. Within the third chapter these are presented separately for the stage of verification and for the stage of investigation of the standard preparatory criminal proceeding and also for the summary preparatory criminal proceedings. The chapter also includes the description of the individual decisions that end the individual phases of the standard and also the summary

preparatory criminal proceedings including an analysis of the rate of use of individual decisions with regard to the statistics of the Supreme Public Prosecutor's Office.