

Abstract in English

This thesis focuses on the institute of the agreement on guilt and punishment, which has been incorporated in Czech criminal procedure code by the Act No. 193/2012 Coll. with effectuality from 1st September 2012. The main purposes of the incorporation of the agreement on guilt and punishment in Czech legal system were the acceleration and better efficiency of criminal proceedings and unloading the courts.

Besides introduction and ending this thesis is divided into seven chapters. The first chapter deals with the diversions in Czech criminal proceedings. The second chapter is addressed to the excursus into world history of plea bargaining, the third chapter introduces the early stages of agreement on guilt and punishment in Czech Republic. The next fourth chapter analyses in detail the existing legal regulation of agreement on guilt and punishment in Czech Republic. The fifth chapter focuses on the existing foreign legal regulations of agreement on guilt and punishment, especially Slovak and German legal regulation. The sixth chapter discusses frequent arguments for and against the institute of agreement on guilt and punishment. The last seventh chapter deals with the practical experiences in application of agreement on guilt and punishment in Czech Republic and Slovak Republic.

In general, this thesis has a positive attitude to the institute of agreement on guilt and punishment, especially to the Czech legal regulation, which is relatively well formulated. Naturally, there are also some negatives of this Czech institute, which can be relatively easily eliminated by an amendment to the existing legal regulation of agreement on guilt and punishment. This amendment should reduce the administrative difficulty of the institute of agreement on guilt and punishment and make this institute more attractive to the accused persons by reducing the sentences. By above mentioned amending the institute of agreement on guilt and punishment could fulfil its original goals – acceleration, simplifying and better efficiency of the Czech criminal proceedings.