

## **Abstract**

The Diploma thesis deals with problems of Public Prosecution with a focus on Public Prosecution in the Czech Republic. The main purpose of this thesis is to provide information about current condition of Public Prosecution and perform analysis of selected problems. The thesis is divided into three chapters. The first chapter briefly introduces historical development of bodies of Public Prosecution. The second chapter is devoted to Public Prosecution in the Czech Republic, its legislation, organization, position and role. Knowledge of functioning of Public Prosecution is a necessary prerequisite for understanding the problems that are analyzed in this thesis. The conclusion of the chapter contains a comparative comparison with Public Prosecution in Poland, Finland, Italy and Slovenia. The third chapter is a major part of this thesis and analyses selected problems of Public Prosecution. The aim of this thesis is to search for possible solutions of these problems. The first problem is the constitutional framework of Public prosecution. Subsection of a chapter describes and evaluates possible frameworks of Public Prosecution in the Constitution of the Czech Republic. The second issue is statutory regulation of Public Prosecution and prepared amendments. This subsection of a chapter analyses the act of the Prosecution and criminal procedure code. The third discussed problem is European Public Prosecutor's Office. The goal of this subsection of a chapter is to introduce this institution and reflections about its future functioning. The fourth problem is private prosecution in criminal law. Subsection of a chapter includes historical development of this institute, summary of advantages and disadvantages and considerations about possible existence of private prosecution in legal order of the Czech Republic. This thesis also offers a comparative comparison with private prosecution in Germany, Austria and Spain. The fifth issue is the burden of proof in criminal procedure. Subsection of a chapter provides general information about the burden of proof and its history, consideration about the burden of proof in the Czech Republic and analysis of the possibility of the public prosecutor to stop prosecution. The sixth problem is latent criminality, decriminalization and depenalization. Subsection of a chapter contains introduction of these topics and analyzes their relationship to Public Prosecution. The last selected problem of Public Prosecution is public confidence in Public Prosecution and its media image. Subsection of a chapter researches the level and meaning of public confidence in Public Prosecution. Subsection of a chapter is also focused on the presentation of criminality in the media and its impact on the public's perception of Public Prosecutor.