

Abstract

I have chosen this topic because of my long-lasting interest in criminal law in general. The aim of this work was to map the legislation of our strictest penalty clearly and to come up with comparison of this legislation and reality of the czech prisons using a questionnaire research. I have summoned my discoveries at the end of each chapter about the individual problem of the penalty of imprisonment and also in the closure of this work.

There are five chapters in this diploma thesis. The first one is providing basics about the punishment of unconditional imprisonment and also about the purpose of this strictest penalty.

Chapter number two offers a brief historical excursion into the former legislation of the issue of the penalty of unconditional imprisonment and its progress and is very important for good understanding of the whole issue of the penalty of unconditional imprisonment.

Third chapter provides a well arranged summary of the current legislation of the unconditional imprisonment on constitutional and also legal level. Author of this diploma thesis deals with the topic of the unconditional imprisonment which is included in the Constitution of the Czech republic, the Bill of Basic Rights and Liberties, the Criminal Code, the Penal Code and the Law of the Performance of the Imprisonment.

Chapter four divides the punishment of unconditional imprisonment into categories according to the duration. There is mentioned short-term imprisonment, long-term imprisonment and also life imprisonment. Author of this work provides a basic information about each of these categories and tries to mention the differences and pros and cons of them.

The fifth and the most extensive chapter is dedicated to the performance of the unconditional imprisonment. It is subdivided into six parts and tries to compare the legislation with the reality of czech prisons using a questionnaire research. First part of this chapter is dedicated to prisons, their types and also suggested changes in the division into these types. Second part of chapter five is dedicated to authorities which are taking part in the performance of the unconditional imprisonment. The aim of the third part of this chapter is to map a course of the imprisonment from an admission to a release. Following part brings a summary of basic rights and duties of the prisoners and uses a comparison of the legislation

and results of the questionnaire research of the author of this work. Fifth part of this chapter is dedicated to the topic of employment of the prisoners and also to their education. The last part of this chapter offers to its reader another results from the questionnaire research.