

This thesis describes the differences created by the enactment of the new juvenile justice law (Law on the Responsibility of Youth for Criminal Acts and on Justice in Juvenile Matters) as opposed to the general legislation contained in the Penal Law no. 140/1961 Coll. and in the Criminal Procedure Act no. 141/1961 Coll. Relationship between the new law and the general legislation is that the new piece of legislation prevails over provisions of the general legislation as it is expressly stated in section 1 paragraph 3 of the new.

The new juvenile justice law is based on the principle not to punish young delinquents in a repressive way, but to protect them from harmful influences and to create better conditions for their intellectual and moral development and thus at the same time to prevent their future criminal activity. The new legislative system stands on the principles of the restorative justice theory that focuses more on future reparation of losses suffered.

Therefore the attitude of judges, prosecutors and other officials active in criminal cases of juveniles differs from the traditional ways when dealing with criminal offences committed by adults. Everyone involved with proceedings in juvenile cases should undergo special preparation on how to treat juveniles, and a close co-operation of bodies responsible for penal proceedings with other institutions such as the Office for Social and Legal Child Protection and the Probation and Mediation Service is required.

In the first chapter I have looked at what makes criminal liability of a juvenile offender for a petty offence specific. Criminal liability is not only linked to sanity and certain age, but the new law has brought about the change that a juvenile offender, who has not reached, at the time of committing the crime a degree of intellectual and moral maturity to be capable to recognize its dangerousness for society or to control his/her actions, is not criminally responsible for this act. In this chapter I have considered various reasons for disappearance of the criminal liability and I have made a comparison of age borders for criminal liability in European countries.

In the second chapter I have discussed penal sanctions, which are employed in the juvenile criminal proceedings under the new law. In more details, I have attempted to answer questions dealing with imposition of special sanctions and at the end I have described history of punishing juveniles.

The third chapter depicts the procedural differences which are characteristic for proceedings in juvenile cases. From a wide range of applicable ways to criminal proceeding I have mainly analyzed newly introduced type of diversion called

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“abandonment of the criminal prosecution”, which can be used only for juvenile category. I have also described differences in the use of custody and specialties related to the defense counsel in juvenile criminal delinquency proceedings. Finally, I have addressed the principle of protection of the personal data of a young delinquent as it is expressed in section 3 paragraph 5 of the new law and effect of this principle on publicity of the proceedings and publication of information about ongoing proceedings.

In the Fourth Chapter I have stressed the role of the Probation and Mediation Service in juvenile cases. Having presented history of the probation, I have analyzed the current legislative framework of the Probation and Mediation Office and its scope of activities specially designed for proceedings with juveniles. I have commented on statistical data reflecting individual work results of the Probation and Mediation Service offices in the Czech Republic.

The closing chapter deals with causes of the criminal activity of young delinquents, I have attempted to search for possible measures to prevent this phenomenon. In conclusion, I have attempted for an analysis of the juvenile delinquency in the Czech Republic with a help of the comparison with the world wide situation and influence of the public opinion.