

Resumé

The purpose of my thesis is to analyze legal regulation of custody in Czech law. Custody is a part of criminal law procedure, which is related to deprivation of fundamental human right of personal liberty. The aim of this thesis is also to explain some problems with the application of this legal measure custody and illustrated disunity in interpretations of some provisions of a statute.

The thesis is composed of six chapters. The thesis begins with a short introduction, which presents the main perspectives on the topic and the thesis.

Chapter One describes the development of custody in Czech law focusing on the time period since 1918 and is divided into three subchapters by the historical background of evolution of Czechoslovakia. Main attention is dedicated to changes after Velvet revolution.

Chapter Two discusses concept of custody in Czech law and EU. The chapter consists of three subchapters. The first is addressed to custody as a concept. It is about the definition of custody, variety functions and main principles which custody is based on. The second subchapter investigates Czech constitutional law which deals with right to personal freedom liberty and the issue of deprivation of this liberty. The third subchapter includes limitation of liberty derived from international obligations, by which the Czech Republic is bound.

Chapter Three examines relevant Czech legislation of substantive law of custody. The chapter is divided into four subchapters which provide an outline of matter of custody, conditions which must be fulfilled to commit someone to custody, grounds for custody, tighter grounds of custody and limitations of taking someone into custody.

Chapter Four analyzes procedural law of custody and consists of six subchapters. It deals with judicial decision of custody, replacing someone's custody by different measures, term of custody and the decision of extension of time of custody.

Chapter Five points out special legislation of juvenile offenders and differences between legislation of juveniles and legal regulation involved in Code of criminal procedure.

Chapter Six reports on intended subject matter of the new Code of criminal procedure with the highlights of changes in substantive and procedural law of custody.

At the end of this thesis are conclusions and proposals *de lege ferenda*. The main aim of this thesis is to explain and review legal regulation of custody in Czech criminal procedure and discuss some proposals to improve legal regulation of custody.