

My thesis is called The Alternative Punishments in czech criminal law. I have chosen this topic as using alternative forms of sanctions alongside with traditional punishments is a product of the last decades in our legal order and remains very actual question untill now.

The crime rate is constantly rating therefor it is necessary to react on it adequally with providing a wide range of sanctions. As one of the governing principles in czech criminal law is a principle of humanity the alternative punishments take a pricipal place in our legal order.

The main purpose of my thesis is to analyse and clarify the particular forms of alternative punishments. Those sanctions bring a lot of advantages for convicted in contrary to other traditional punishments as they are not issolated from society and have a chance to re-educate themselves. The alternative punishments are useful and cheaper than short-term confinement. This thesis focuses on the analysis of the actual legislation, assesses changes brought by the new criminal code and defines proposals which would improve the legislation in future.

The thesis is composed of eight chapters. First chapter is subdivided into three parts. The first part deals with the term and purpose of the punishment, the second analysis theory of punishment and the third one discusses the concept of restorative justice.

The second chapter's heading is Types of punishments in Criminal Code No. 40/2009 and consists of three parts. The first part discusses the history of development of punishments since 1989, the second chapter defines the types and system of punishments and finally the third chapter explores alternative forms of the sentence of an imprisonment.

Chapters four to six gradually focuses on a conditional sentence of an imprisonment, a conditional sentence of an imprisonment with supervision, a sentence of house arrest, a sentence of community service order and a money penalty. Those chaptes provides with general characteristics of each sanctions mentioned above, legal conditions for imposition of particular sanction, length of sentence, general description

of the execution of each punishment. Finally follows clasification of current problems associated with their imposition and execution describing in meantime the view of punishment in judicial practice.

Chapter seven deals with other alternative punishments according to the valid legislation and with prohibiton of staying and prohibition of activities from view of practice.

In the last eight chapter I could not miss discussion about the Probation and Mediation Service, whose role significantly contributes to the effective implementation of alternative sentences and therefor their role is irreplaceable in criminal law.

The alternative punishments have irreplaceable position in the Czech criminal law. Adoption of Act No. 40/2009, Criminal Code, should contribute by its changes of substantive regulation to more effective enforcement ot those sanctions in practice and greater involvement of the Probation and Mediation Service in the process of their imposition and execution. By changing the concept of sanctions in favor of alternatives, the court has to consider the possibility of imposing other sanctions than imprisonment first and extension alternative sentence for punishment of house arrest and punishment prohibition of entry to sporting, cultural and other social events. It is interesting to see how these changes will affect the frequency of imposition of alternative punishments in the future.