

Abstract

This Thesis is focused on the most important part of criminal proceedings - the trial - and also on its actual problems.

The purpose of the Thesis is to grant a complex view of the trial and its course as well as chronological summary of particular problems which appear in legal practice. Individual institutions are then analyzed from both academic and practical perspective.

The Thesis is divided into five basic chapters each covering different aspects of the trial.

The first part deals with general introduction in which are also discussed reasons for focusing on this particular topic, defined key goals and basic structure of the Thesis.

Chapter One discusses basic principles of criminal proceedings, especially those most important for the trial.

Chapter Two deals with persons taking part in the trial. This chapter analyzes their position during the trial as well as their rights and obligations during aforementioned stage of criminal proceedings.

Chapter Three is focused on trial preparation which has extraordinary importance for successful development of the whole trial.

Chapter Four, subdivided into four parts, deals with the trial itself. First part concentrates on the arraignment. Second part, the most important one, is focused on the law of evidence and is further subdivided according to particular kinds of evidence which can be used during the trial. Third part then discusses the closing part of the trial. Last part of this chapter analyzes specifics of trial which is run under §314d of Czech Criminal Procedure Code. This is a “simplified” trial which is also preceded by simplified pre-trial procedure.

Chapter Five then analyzes possible outcomes of the trial and pays special attention to “judgement” (as a form of court decision) and its requirements.

Final, conclusive part of the Thesis presents evaluation of discussed questions and anticipates future development of the trial legislation in the Czech Republic.