

The detention proceedings constitutes a heavy intervention into the individual's right to personal freedom guaranteed by the Czech Constitution in a way of involuntary stay in hospital. The basis of present legal regulations of detention proceedings is necessary to see especially in the Czech Declaration of Human Rights And Freedoms (article 8, clause 6) that continues European Convention on Human Rights (article 5, clause 1e) specifying that (only) law constitutes, in which events individual may be kept in a hospital without his acceptance.