Summary

My thesis is focused on the issues of the punishment for traffic offences. This topic is actually in the spotlight of the social discourse since the relatively high number of tragic traffic accidents leads to the call for the solution of the anomy on the Czech roads. One of possible solutions is also a proportional use of the state repression using the legal tools of the criminal law. The goal of this thesis is an analysis of all the punishments applicable to the traffic offences and their *de lege lata* and *de lege ferenda* evaluation.

In the first part of this thesis, I will define all kinds of transportation and their legal basis. This is necessary to put the road traffic offences into their proper place in the system of traffic related offences. Furthermore, I define the traffic offence and I also elaborate on which offences are traffic offences *per se*. My conclusion is that we should use more restrictive approach when it comes to listing the traffic offence. Later on, I modify this restrictive approach by adding the offences of reckless endangerment and obstruction of an official decision. As a part of this chapter, I also examine each offence in the context of their practical use and judicial decisions.

The second part of this thesis is focused on the traffic offender. A very specific aspect of the traffic offences is the fact that offenders are usually average citizens who do not cross the law very often. Besides that, I also examine the two specific groups of traffic offenders – the pirates of the road and the notorious perpetrators of an obstruction of an official decision.

The center of the main part of this thesis is the punishment. I firstly define the term, examine different theoretical approaches with main focus on the theory of a restorative justice, which is a leading principle behind the alternative punishments. I also analyze the process of sentencing and the system of punishments in the Czech criminal law. The main part of this chapter is an exhaustive list of punishments and their analysis, I try to approach their issues *de lege lata* and *de lege ferenda*.

The fourth part is about the diversion in the criminal process. Even though it is an instrument of a procedural law it is an integral part of a criminal law repression, since in the cases predicted by the law, it can substitute the punishment.

In the end of my thesis, I generally sum up my *de lege lata* and *de lege ferenda* recommendations and I also define deeper causes of the issues of punishment of traffic offences.