

Abstract

The thesis deals with the issues of pre-trial detention in the criminal procedure of the Czech Republic. It comprises and compares opinions voiced by various scholars, high courts and myself. The thesis also includes a section about the rules of pre-trial detention in the American federal criminal procedure and compares it with the Czech system.

The first part of the thesis is the Introduction, in which the goals of the thesis are set out. The second part is the main part of the thesis and it is divided into five chapters. The first chapter consists of a general description of pre-trial detention in the Czech Republic and the principles that govern it. The second part is called Formal Rules of Pre-Trial Detention, and it deals with the issues of competence, court procedure and decision-making. The third chapter is where the focus point of the thesis lies, as it investigates the conditions of ordering a pre-trial detention of a person and addresses the numerous problems that arise in this area. The fourth chapter describes the conditions for pre-trial release of an accused person, including the legislative changes recently made in this area. The fifth chapter explores the American federal criminal procedure and compares it with the Czech criminal procedure. It also includes American scholars' criticisms of their procedural rules and suggestions to be made in the legislation in order to eradicate the bail bond industry.

Lastly, the third part is divided into two chapters. The first one is a suggestion of changes to be made to the current legislation in order to benefit both the state (government) and the accused person. It proposes the use of modern technology in criminal procedure regarding pre-trial detention and outlines the progress already made in this area in recent years. The second chapter is the summary of the thesis.