

8 Abstract – The issue of concept of criminal custody

My diploma thesis deals with the criminal custody. It is an indispensable part of criminal process where personal freedom comes in a conflict with the effectivity of prosecution. Accused people are taken into custody before there is a decision on the matter and therefore the application of presumption of innocence is limited. Even though custody is not a punishment it can have very severe impacts on the accused person coming close to the impact of an actual punishment.

The first part of the diploma thesis deals with the historical course beginning in the pre-hussite era until the present day.

Second part obtains a brief explanation of what the term criminal custody means.

The third part contains detailed characterization of the criminal custody reasons, strengthened criminal custody reasons and surrogate measures as well.

The fourth part concerns about the rules of who is authorized to decide if an accused person is taken into criminal custody, the maximum length of the criminal custody, revisions of criminal custody legitimacy and decisions about further criminal custody duration.

The diploma thesis should be able to describe the basic rules concerning the criminal custody.