

Minimum age of criminal responsibility in English and Czech law – comparative study

Abstract

The subject of the rigorous thesis is criminal responsibility of juveniles, specifically the minimum age of criminal responsibility and its legal regulation in legal orders of selected countries - England and Wales on the one side and Czech republic on the other side. The minimum age of criminal responsibility in England and Wales which are both countries of the United Kingdom of Great Britain and Northern Ireland and typical representatives of *Common Law* legal system is 10 years old. The legal regulation in Czech republic as a representative of *Continental Law* legal system sets the age of criminal responsibility at the moment of completion of 15 years.

The main aim of this thesis is to provide a reader with a comprehensive awareness of the legal regulation concerning the minimum age of criminal responsibility in surveyed countries and to compare these two different regulations via the method of comparative jurisprudence.

First two chapters define the subject of this thesis from theoretical and methodological point of view. Theoretical determination provides a reader with elementary introduction of the main issue and includes also the list of fundamental legislation used in the following text of this thesis. Methodological determination explains the way in which the research methods in this thesis will be used. The thesis continues with its material part which in chapter three describes historical development of the legal regulation concerning the age of criminal responsibility in compared countries and enables reader to see the issue in a broader context. Chapter three is completed by partial comparison. The main part of this thesis is in chapter four, which includes a detailed and complex analysis of recent legal regulations of the age of criminal responsibility in English and Czech Law. Chapter four also mentions legal construction of absolute and relative criminal liability, the issue of compliance of the age of criminal responsibility with the other legally relevant age limits, the intellectual and moral development of juveniles and juveniles' regime of treatment. The final completion of this chapter is represented by the comparison of examined legal regulations. The chapters five and six, that form a creative part of this thesis, include

possible suggestions *de lege ferenda* for the future changes in English and Czech legislation. The final chapter number seven, using the method of comparative jurisprudence again, compares the information gained from the previous two chapters and tries to answer the question whether the legal regulations of surveyed countries may inspire each other or not.