

ABSTRACT

My master thesis deals with the topic of alternatives to unconditional sentence of imprisonment. It is a vast topic, thus I have focused on alternative sentences in the narrower sense of the term, in other words, suspended sentence of imprisonment, suspended sentence of imprisonment with surveillance, community service, financial penalty and house arrest. The goal of this thesis is to discuss lawful legislation of alternative sentences, to evaluate their practical usage and potentially, to suggest changes *de lege ferenda*, which could lead to higher rate of application of these sentences. The thesis consists of an introduction, seven chapters and a conclusion, where the three initial chapters are written in general sense.

The first chapter is concerned about the term and the purpose of sentence. The concept of restorative justice, which provides us another way how to react to the criminal acting, is introduced as a part of this chapter, too.

The second chapter focuses on unconditional sentence of imprisonment and issues of the short-term sentence. Furthermore, the term of alternative sentence is explained, including a brief commentary on actions of international organizations in this area, namely Council of Europe and UN. The development of these sentences in the Czech republic after 1989 is contained, eventually.

Considering the third chapter, institutions related to the restorative justice - more specifically probation and mediation - are discussed. At the same time, organization structure and actions of Probation and Mediation Service are described.

The chapters from fourth to seventh, which describe single alternative sentences, are core for this thesis. Order of these chapters is not arranged the same way, as are corresponding sentences in the law but with respect to the rate of their imposition by courts in the Czech republic. Every chapter begins with characteristics of the sentence, followed by listing of conditions under which the sentence can be imposed. In addition, conditions for service of the sentence and potential consequences of their breaking are included as well. In the very end of every of concerned chapters, the statistical data are attached in order to illustrate the imposing of the specific sentence by courts, such as opinions of judges and prosecutors about the legislation are.

In the conclusion, there are summarized acknowledgements from preceding chapters and finally, the suggestions of changes in legislation, which could contribute in the increase in imposing of alternative sentences, are repeated.