

Punishment of house arrest, its execution and control

Abstract

This thesis deals with the punishment of house arrest. It describes the legal regulation of this punishment, further evaluates the practice and draws attention to the shortcomings.

The thesis first defines the Czech system of punishments imposed for criminal offenses and describes the position of the punishment of house arrest in this system and its relationship to other punishments. The thesis further analyzes the substantive legislation of the punishment of house arrest in the Criminal Code, explains the ambiguities in the regulation and tries to recommend changes that could benefit this regulation.

Moreover, the thesis deals with the legal regulation of the conversion of a punishment of house arrest sentence into a custodial sentence, which occurs when the execution of the punishment of house arrest sentence is violated. In addition, it deals with the legal regulation of the conversion of other punishments into the punishment of house arrest, draws attention to its shortcomings and proposes changes.

In addition to the substantive legislation, the work also describes the execution of punishment of house arrest and all related cases where the punishment of house arrest cannot be executed.

Furthermore, in this work, two ways of control of the house arrest punishment are described. Firstly, the function and activities of the Probation and Mediation Service in the Czech Republic are defined, as well as its role in the control of house arrest. This thesis also recapitulates the path to the electronic control system and describes its properties, functions and uses.

At the end the thesis the Czech and Finnish legislation are compared. The differences between the two regulations are identified and the quality of both legal regulations is evaluated.

The thesis is divided into 6 chapters. The main aim is to evaluate and, if necessary, propose changes in the legislation. In addition, it also identifies the shortcomings in practice, looks for reasons for their recurrence and outlines how they could be prevented in the future.

In addition to legislation, literature and other sources, this work is based on statistics on the punishment of house arrest provided primarily by the Probation and Mediation Service,

which act as a factual basis for concluding why house arrest is not imposed very often in practice.

Key words

Punishment of house arrest, electronic control system, alternative sentencing