

## **Abstract**

The presented Advanced Master's thesis describes one of the most frequently committed criminal offences in the Czech Republic, specifically the criminal offence of neglecting the duty to maintain and support pursuant to Section 196 of the Criminal Code and, in general, the issue of parents' failure to comply with the duty to maintain and support their children; this thesis aims to provide a comprehensive description of this topic. The thesis is divided into seven chapters supplemented by an introduction and a conclusion. Chapter one focuses on the historical roots of this criminal offence, as the punishability of non-compliance with the duty to maintain and support has a long tradition in this country. Subsequently, chapter two outlines the basic characteristics of this criminal offence and provides a detailed analysis of the individual elements of two basic merits under Section 196 (1) and (2) of the Criminal Code, as well as of the qualified merits with respect to these two basic merits. In view of the blanket nature of the merits of neglecting the duty to maintain and support, chapter three hereof describes the private-law regulation of the duty to maintain and support. Chapter four analyses the most common reasons and motives for non-compliance with the duty to maintain and support, as well as the effect thereof on perpetrators' criminal liability. The thesis also outlines the current issues that are common in practice in relation to the criminal offence of neglecting the duty to maintain and support; references to the current case law are also provided. In order to fully cover this topic, the presented thesis explains the reasons for extinction of punishability of this criminal offence and, in particular, describes in detail the special provision on effective repentance under Section 197 of the Criminal Code. Chapter five deals with the topic of punishment, focusing on the most frequently imposed punishments for the criminal offence of neglecting the duty to maintain and support; available statistical data are provided as well. Chapter six covers selected procedural issues that are most often addressed in the context of the criminal offence of neglecting the duty to maintain and support. To conclude with, the thesis summarises the issues that are nowadays discussed in relation to non-compliance with the duty to maintain and support, and ponders over the effectiveness of the current legislation and possible future amendments to the applicable laws. Prevailing opinions are also presented on potential decriminalisation of non-compliance with the duty to maintain and support, including the different variants of corrections of this criminal offence.