

This thesis deals with the topic of means of substitution of custody. These means are milder than a custody itself which out of all the securing institutes of criminal procedural law can interfere with the rights of the individual in a most severe way. Custody must always be duly substantiated and applied only when necessary. Even if the custody of the accused is fully justified by legal facts, it is still necessary, in accordance with the exceptional nature of this institute, to examine whether it cannot be replaced by more lenient measures that can fulfil its purpose and at the same time are less restrictive in terms of basic human rights. The aim of my work is to examine such means of substitution of custody. The work is divided into four chapters.

In the first chapter I characterize the institute of custody, its purpose and the reasons for which the accused can be taken into custody. This is the basis for other parts of this thesis, as the substitution of custody is linked to the custody itself inextricably.

In the second chapter I follow the gradual development of substitution of custody. With the gradual increase in the level of basic human rights and freedoms, means of substitution of custody have been added accordingly. The chapter contains these developments from 1918 to present. The historical context is presented to provide better understanding of the current legislation.

The third chapter is a key part of the thesis. It contains a general legislation of means of substitution of custody. It further focuses on detailed description of each of these measures. These means are as follows: a guarantee for the defendant's further conduct, a written promise by the accused, the supervision by a probation officer, interim measures and a bail. In addition to that, the particularities of substitution of custody of juveniles is also addressed in this chapter.

The fourth chapter focuses on some other institutes that can be imposed together with the means of substitution of custody, specifically a ban on traveling and electronic monitoring. These additional measures can increase the efficiency of the main means while also contributing to their broader application.