

Imposing Punishments in Czech and Polish Legislations

Abstract

The comparison of the legal systems of individual states is an important source of inspiration for the further development of legislation. In my work I compare the legal regulation of punishments in the Czech Republic and in Poland, namely those of them which both Czech and Polish legal systems refer to as punishments. These are Czech fines, community service, imprisonment, and an exceptional sentence together with their Polish equivalents. The aim of the thesis is to find inspiration and stimuli for *de lege ferenda* considerations for further development of Czech criminal law by comparing Czech and Polish regulation of punishments, as well as the types of punishments most often imposed by courts in both countries.

In the first part of the work I deal with the systems of criminal sanctions in both states in order to introduce the context for the subsequently analysed punishments. Furthermore, each part is devoted to one type of punishment and a comparison of its regulation in the Czech Republic and Poland. The second part is devoted to the Czech fine and the Polish sentence of *grzywna*, the third part to the Czech community service and the Polish sentence of imprisonment, the fourth part is related to the regulation of imprisonment, and the fifth part to the regulation of the most severe sentences in both countries. Each of these parts is structured so that I first provide an explanation of the Czech regulation of the punishment, then of its Polish regulation, further I compare the two regulations, and at the end of each part I present the inspirations and conclusions that I have derived from the comparison. Each part also contains statistical data processed into tables and graphs expressing the development in the imposing of a particular type of punishment in both countries in recent years. In conclusion, I summarize the inspirations and suggestions for considerations *de lege ferenda* which I gathered during the comparison. Among other things, the work shows that in addition to differences in the regulation of specific institutes, the systems of punishments and the overall concepts of imposing the punishments in both countries also differ significantly.