

Abstract

This thesis deals with the issue of imprisonment, which is the strictest penalty that our legal system uses. Although the possibility of alternative sanctions has extended widely in recent years, imprisonment still retains a very important position in the system of criminal sanctions, as it is a punishment that can be imposed for the commission of any crime. Imprisonment therefore remains and shall remain punishment designated primarily for the perpetrators of the most serious criminal activities.

The aim of this work is to assess the current situation of the Czech prison system with regards to the relevant legal regulation of imprisonment, including problems associated to it. This thesis consists of seven chapters; each of them deals with various aspects of this form of punishment.

The first chapter is devoted to theoretical issues of the concept and purpose of the punishment. There are two main approaches mentioned in the discussion about the purpose of punishment; the absolute theory and relative theory. Attention is also given to the purpose of punishment in the Czech legal regulation of criminal law.

The second chapter deals with the historical perspective on the evolution of punishment and gradual enforcement of the imprisonment sentence in the criminal sanctions. This chapter then discusses some penological systems, including their view of the prison sentence.

In the third chapter the author of this thesis deals with the position of the imprisonment sentence in the system of penal sanctions. Account is taken of the issue of alternative sanctions and their relationship to imprisonment.

The fourth chapter solves question of inflicting unsuspended term of imprisonment with regards to the possibility of its exceptional increase. Not ignored is the issue of punishing juveniles, inflicting an exceptional sentence of imprisonment or punishment of perpetrators of crimes committed in favor of an organized criminal group.

The most important and largest part of this work is part five, which focuses on the performance of imprisonment. First mentioned is the applicable law. Then the stay of the convicts in prison is observed, from the time of onset until their release. Mentioned is also the issue of the placement of prisoners in the relevant types of prison, the possibility of changing prisons, taking into account the forthcoming amendment of

legislation. Attention is also paid to the preparation and implementation of treatment programs, including employment and education of inmates. In this part, the author deals with the rights and obligations of convicts, specifics of imprisonment at some groups of convicts and motivational element in the form of conditional release.

The problems and negative effects associated with unconditional imprisonment are the content of the sixth chapter. The thesis in this section focuses on the urgent problem of overcrowded prisons as well as violence between prisoners and also the problem of adaptation of sentenced to life in prison known as “prisonisation”.

Last chapter of this thesis is devoted to the questionnaire investigation in the prison Valdice. Its purpose is to provide a perspective on imprisonment by those, who are directly concerned, and those are the convicted. Attention is particularly paid to the influence of the stay in prison on social ties of convicted, further to their opinion on offer of leisure activities; and at last but not least, to the predominating feelings of convicts.