

Abstract

The Master's thesis deals with alternatives to unconditional sentence of imprisonment, the main attention is given to alternative punishments in the strict sense, primarily to conditional sentence of imprisonment, conditional sentence of imprisonment with supervision, community service orders, pecuniary punishment and house-arrest. The study consists of introduction, 8 chapters and conclusion and discusses essential principles and bases of alternative punishments and also analyses substantive and procedural legislation of each alternative punishments in Czech Republic and draws attention to their positives and negatives.

The first chapter explains the term "punishment" and describes the basic features of the absolute and the relative theories of punishment and also the purpose of punishment. In the last subchapter the study looks at basic principles that are applied for imposing sentences.

Chapter Two and Chapter Three deal with conception of restorative justice that brought a new view to punishing of offenders and which is a starting point for issues of Probation and Mediation. Chapter Three explores the activities of Probation and Mediation Service in Czech Republic as an institution which is also entrusted the power of probation and mediation in the area of criminal law, but not only in this area.

Chapter Four is divided to three subchapters. The author focuses on interpretation of the term "alternative punishment" and treats of the importance and significance of this institute. In this chapter the author draws attention to the advantages of alternative punishments compared to unconditional sentence of imprisonment and also summarizes the basic features of the current Czech legislation of alternative punishments. For the sake of completeness the study describes the historical development in the international context.

The core of the study is in the Chapter Five to Chapter Eight in which the substantive and procedural legislation of each selected alternative punishment is analysed in detail that is ordered according to the scheme of Criminal Act but according to the statistics of sentencing by courts in Czech Republic. Therefore, the fifth chapter deals with the most commonly used alternative punishment to imprisonment thus conditional sentence of imprisonment (with supervision) and conversely the last chapter discusses the house-arrest punishment. Each of these chapter deals with the process of execution of these punishments and the consequences

for infringement of the conditions of their execution. The study also comprises the evaluation and suggestions of possible improvements of legislative of various alternative punishments.