

Abstract

The topic of this diploma thesis is represented by two protective measures – protective therapy and security detention. The aim of this thesis lies in familiarization with their most important aspects in order to get a better picture of their character and possibilities of imposing them. Due to space limitation, the thesis focuses on legal regulations of imposing protective therapy and security detention on adult perpetrators. Only significant differences in legal regulations concerning children under 15 and juveniles are discussed.

The diploma thesis is divided into five chapters. The first chapter deals with a dualistic system of penal sanctions in general as well as a classification of protective therapy and security detention. This chapter also specifies differences between punishments and protective measures, purpose of these penal sanctions and principles of their use with a particular emphasis on protective measures. In order to understand the conditions for imposing protective therapy and security detention, the most important terms are discussed in the second chapter.

A significant part of this diploma thesis is included in the third and fourth chapter which cover the analysis of protective therapy and security detention itself. Each of these chapters describes the aforementioned institutes in a similar manner, allowing a comparison between them. These chapters include a general specification of protective therapy and security detention, current legal regulations and obligatory as well as optional conditions for imposing them. In these chapters, there is also a discussion about duration, termination, order and execution of protective therapy and security detention. Furthermore, the chapter concerning protective therapy covers forms and types of protective therapy. The execution of both protective measures is illustrated on two institutions designated for their execution – the Psychiatric Hospital Bohnice in Prague and Security Detention Facility in Brno.

The diploma thesis is concluded by a comparison of protective therapy and security detention and their legal regulations in Germany and Switzerland.