

Abstract

This thesis deals with alternatives to unconditional imprisonment. Since this is a very extensive topic, I have focused only on alternative sentences in the narrower sense of the term, namely conditional conviction, conditional conviction with supervision, house arrest, community service and financial punishment. The aim of this thesis is to analyse the Czech lawful legislation of alternatives to unconditional imprisonment, to compare it with selected French alternative sentences and to propose changes *de lege ferenda*. The thesis consists of an introduction, five chapters and a conclusion.

The first chapter deals with the concept of punishment and its purpose. At the same time, this chapter outlines a general introduction to alternative punishments in Czech and French legislation.

The second chapter deals with institutes related to restorative justice, namely probation and mediation. This chapter also describes the organisation of the Probation and Mediation Service.

The third chapter focuses on individual Czech alternative punishments in the narrower sense. Individual subchapters are ordered according to the systematic of law. Within each subchapter the sentence is characterized, followed by a list of conditions under which the sentence can be imposed, as well as the conditions for the execution of the sentence and possible consequences in case of violation of these conditions.

The fourth chapter is devoted to selected French alternative punishments. Some French alternative punishments are also enshrined in the Czech legal order, but the thesis also presents French alternative punishments which are not regulated under the Czech legislation. Individual French punishments are compared with their Czech alternatives.

The fifth chapter summarizes the *de lege ferenda* proposals presented in the third and fourth chapters.

The conclusion of the thesis summarizes the knowledge gained from the previous chapters and at the same time there are again proposed proposals for changes in legislation which could increase the number of imposed alternative sentences.