

Summary Preliminary Proceedings

Abstract in English

The diploma thesis deals with the topic of Summary Preliminary Proceedings, which is one of the most important institutes in terms of accelerate the criminal proceedings. It is one of the three forms of preliminary proceedings, the essence of which is to enable simplification of the process for the least serious crime, so that the perpetrator of such a crime can be convicted and punished as quickly as possible. This is not only in order to make the proceedings more efficient in economic terms, but also to ensure that it has the greatest possible impact in terms of individual and general prevention.

The aim of this thesis is not to discuss the above mentioned institute only in isolation, but also in its broader context. It therefore presents its characteristics, historical context, the problems associated with the proceedings, including a solution proposal, as well as a more detailed analysis of the planned modification. In addition, the thesis also presents the subsequent special Proceedings before a Single Judge, which, together with the Summary Preliminary Proceedings, form a kind of accelerated form of the entire criminal proceedings.

The thesis is also structured in this respect. It consists of four chapters, firstly presenting the preliminary stage of the criminal proceedings with regard to its relationship to the trial, in terms of its historical development, with emphasis on the tendencies towards its acceleration, and also in the light of the current legal regulation contained in the Criminal Procedure Code. In the second chapter, the thesis focuses on the topic itself. It characterises the Summary Preliminary Proceedings, lists its important aspects and describes its entire course. It points out the shortcomings of the regulation, the problems arising from them and the suggestions that could be used to improve the regulation of the institute. A similar approach is then taken to the subsequent special Proceedings before a Single Judge, which is dealt with in Chapter 3. The fourth and final chapter is devoted to the planned recodification of the criminal proceedings in the light of the current draft of the new Criminal Procedure Code. The forthcoming regulation of preparatory proceedings, including their abbreviated form, is presented, as well as a description of the ways in which the proposal reflects the shortcomings associated with the current regulation of Summary Preliminary Proceedings. The thesis concludes with a summary, as well as individual findings, criticism and proposed changes that may contribute to a more frequent and effective use of this institute in the future.

Key words: Criminal Proceedings, Summary Preliminary Proceedings, Proceedings before a Single Judge