

## **The punishment of house arrest, its execution and control**

### **Abstract**

The thesis deals with the punishment of house arrest and topics closely related to it, especially its execution and control. The thesis elaborates on the findings of the relevant literature, namely textbook, commentary and monographic literature, and draws on scholarly articles that are an important source of information for this topic. There is also an analysis of available case law and statistical data. The thesis also widely uses internet sources.

The thesis attempts to provide a comprehensive treatment of the topic by introducing the issue of punishment, followed by a detailed treatment of the legal regulation of all relevant phases of the imposition and execution of house arrest in the Czech Republic. Throughout the thesis, the author tries to present the pros of this punishment, analyses the shortcomings and facts that hinder the wider use of the punishment in the Czech Republic and reflects on its future direction.

The thesis is divided into seven chapters, which proceed from the theoretical basis to the legal treatment of the institute itself and then deal with the execution and control of the execution of the sentence of house arrest, as well as other related issues. The introductory chapters offer an insight into the issue of punishment, the concept of punishment, the system of punishment in the Czech Republic and introduce the concept of restorative justice. The core of the thesis is the second chapter, in which the history and development of house arrest in the world and in the Czech Republic is briefly discussed, followed by a description of the substantive aspects of house arrest. This chapter also briefly presents the process of imposing punishment both in general and specific terms in relation to the aspects typical for the punishment of house arrest. The chapter also concludes with a treatment of the enforcement and control of house arrest, supplemented by an elaboration of the role of the Probation and Mediation Service, which is crucial in this respect. This chapter also includes a look at the resocialisation effect of this punishment and an analysis of the specifics of the regulation of house arrest for juveniles, which are, however, treated rather marginally.

The remaining part of the thesis describes the current developments in the field of legal regulation of house arrest in the Czech Republic and provides a look at the European dimension of this institution and its regulation in Slovakia, Great Britain, the USA, the Netherlands, Belgium, and Germany, including a comparison. In this part of the work, there is a summary of existing case law, followed by a statistical analysis of the imposition of house

arrest to date, especially in relation to the introduction of electronic monitoring. At the very end of the thesis, selected problematic aspects and suggestions *de lege ferenda* are elaborated.

**Key words:** alternative punishment, electronic monitoring, house arrest