

Penal measures imposed on juvenile offenders

Abstract

The topic of this thesis is punitive measures and their effectiveness. In the introduction the thesis is devoted to present the criteria according to which the court determines the type and the length of a punitive measure, the sources of legislation and the basic terms related to punitive measures. The thesis then describes the current legal regulation of punitive measures, always discussing for each measure what it consists of, how it is implemented, how it differs from the corresponding punishment imposed on adults and what the practical aspects of the punitive measure are. The shortcomings and proposals for possible changes to the penal measures in the current legislation are also discussed.

The third part of the thesis deals with waiving the imposition of punitive measures, which is very closely linked to the legislation on punitive measures. The thesis focuses on the conditions under which the imposition of a punitive measure can be waived, how this institute works and when it is possible to impose it conditionally.

Furthermore, attention is paid to the effectiveness of selected criminal measures. The thesis analyses and highlights the results of studies and empirical research on this topic, which have been carried out in the past years in the Czech republic or abroad. In particular, the thesis analyses the effectiveness of the criminal measure of suspended and unconditional imprisonment, community service and monetary punishment. In connection with the effectiveness of penal measures, the thesis also briefly mentions the educational measure of the probation programme.

Finally, the thesis deals with the influence of punitive measures on the legal guardians of juveniles and victims. As far as victims are concerned, the thesis deals exclusively with the application of their claims for compensation for damages, non-pecuniary damage and the release of unjustified enrichment.

The thesis also includes selected parts of the the guilty verdict and sentences, which were provided by the district and regional courts for the purpose of this thesis.