

6. JUSTICE, CRIME

This chapter was compiled using figures and texts provided by the Ministry of Justice of the Czech Republic, General Directorate of the Prison Service of the Czech Republic, Ministry of the Interior of the Czech Republic, Police Presidium of the Czech Republic, General Directorate of Fire & Rescue Service of the CR, Ministry of Defence of the CR, and Directorate General of Customs.

Since 2010, the Act No. 40/2009 Sb., Criminal Code is valid and, at the same time, the Act No. 140/1961 Sb. remains valid. Data in tables for convicted persons are summarised since 2010 according to both the old and new Criminal Code.

Definitions of selected indicators

Accused – number of persons against whom a legal action was brought to trial (motion for punishment).

Sentenced – number of persons ruled guilty and sentenced by the court, when the sentence has come into effect already.

Prosecuted – the number of persons, who were notified of the accusation pursuant to Article 160 of the Criminal Procedure Code (delivered, announced) in the reference year.

Total prosecuted persons = persons prosecuted for murders, offences of violence, total, offences against morality, total, offences against property, total, other criminal acts, total, remaining criminality, total economic crimes, total and military acts and acts against constitutional system, total.

Accused – the number of persons, against whom action was brought pursuant to Article 176 of the Criminal Procedure Code in the reference year.

Shortened proceedings – number of persons against whom shortened preparatory procedure was discontinued according to Section 179a of the Penal Act.

Proposed sentences – number of persons against whom a motion for punishment was filed with a court according to Section 179c of the Penal Act.

Murders, total, include murders with robbery, sexual, motivated by personal relations, murders by contract, murders of a new-born infant by its mother and other murders.

Violent crimes include killing of foetus, child abandonment, kidnap, robbery, thefts in financial institutions, violence against public officials save for policemen, violence against public man – policeman, violence against public official – general policeman, wilful bodily harm, brawlings, violence against and threatening to group of population, taking as hostage, dangerous threatening, blackmail, restriction and deprivation of personal freedom, violation of domestic freedom, unauthorised interventions into the right of domicile, dwelling, cruelty to a charge, cruelty to a person living in common dwelling, restriction of the freedom of religious worship, oppression, violence of the freedom of association and assembly and other violent crimes.

Vice crimes include violation, sexual abuse of dependant, sexual abuses, other, commercial form of sexual abuse of dependent, commercial forms of sexual abuse, other, other sexual deviations, endangering public morals, threatening by venereal disease, injury to health caused by venereal disease, injury to health by venereal disease by negligence, pandering, intercourse between relatives, trade in human, other vice crimes.

Offences against property – thefts by breaking and entering, ordinary thefts, fraud, embezzlement, unjustified enjoyment of someone else's thing, concealment of a thing, damaging of someone else's thing, and other offences against property.

Sexual abuse of dependant – a crime, when somebody misuses dependence of a person younger than 18 years or a person commended to his/her supervision, forces such person to have intercourse out of marriage, or sexually abuses such a person in another way misusing his/her dependence.

Cruelty to a person sharing common dwelling – crime when someone abuses a close person or other person sharing common dwelling or house (family violence).

In the Czech Republic, illegal migration is understood cases of illegal crossing of state border on the territory of given state due to various reasons, cases of unauthorised abandonment of the state and also cases of illegal stay – violation of legal condition for the stay of an alien. Two basic categories are distinguished: A) illegal migration across the state border of the CR and B) illegal migration in the Czech inland – violation of stay regime.

Prison category – *since 1 January 1994, the convicted have been put into 4 basic categories of prisons, which differ by the degree of external guarding, degree of security, and the way of implementing rehabilitation schemes.*

Prison category: *prisons are divided by way of external guarding and degree of security into four basic types as follows: guard and by security into four basic types. These are*

- a) Open prison,*
- b) Prison under supervision,*
- c) Prison especially guarded,*
- d) Top security prison.*

In addition to basic types of prisons, special prisons are established for juveniles, who are younger than 19 and for persons in the age of 19+, in the case of whom the court decided that they would serve their sentence among juveniles also after they reach the age of 19.

Within a prison, departments of various types can be established, provided that it will not endanger the purpose of a service of a sentence.