

Šesté číslo časopisu Státní zastupitelství přináší opět spoustu zajímavých článků. Jejich anglické anotace můžete nalézt zde.

### **Towards the Procedure of the Appeal Court under Section 254, Paragraph 2, Criminal Procedure Code, or the Context allowing a Broader Review of a Contested Judgment (Ivo Kouřil)**

The article deals with the issue of the so-called wider review of a contested judgment by the Court of Appeal, i.e. with the cases where a part of the judgement not contested by appeal is reviewed (or should have been reviewed) due to a content link of the defect challenged by the appellant and the follow-up separable statement (usually the part of the judgement concerning punishment). Specifically, it highlights the difficulties that the application of Section 254, Paragraph 2, Criminal Procedure Code, may cause, mentioning also possible errors that can occur regarding the proper determination of the extent of the review, or its reasoning in the decision of the court of second instance. Following that, the article points out that the proper solving of the given question has also a significant impact on the appellant's deciding to what extent he may reasonably request the decision of the Court of Appeal to be reviewed by the Supreme Court.

### **The Possibility of Assistance through Omission (Pavel Kučera)**

The author deal with the framework of the partial question concerning the relationship between two major criminal laws, the omission. He specifically regards the answer to the question, whether it is possible to help the offender as well as through certain 'mere' omission thus whether you can act omissive assistant.

**Prophylactic Treatment in Poland and the Czech Republic  
in Comparative Perspective  
(Adéla Stec)**

This article summarizes Czech legal concept of protective treatment and security detention and compares it with the Polish system of court-ordered obligatory protective treatment and therapeutic departments in local prisons. As a conclusion is analysed several partial changes in the applicable Czech legislation inspired by analyzed Polish system.

**Process Usability Test Result Reliability as Evidence in Criminal Proceedings  
(Kateřina Hlaváčová)**

This article deals with a narrowly defined issue of the procedural usability of a video and audio recording obtained during a reliability check as evidence in a criminal proceeding. This article is based on an analysis of relevant case law of the Constitutional Court and the European Court of Human Rights and answers the question whether it is possible to use a recording obtained by the General Inspection of Security Forces as evidence in a criminal proceeding.