

This leaflet defines cases where the Defender (Ombudsman) may inquire into the procedure of the Police of the Czech Republic or the municipal police. It describes what you have to do before contacting the Defender. You will also learn what to do when the Defender cannot help.

You can find an electronic version of the leaflet at [www.ochrance.cz](http://www.ochrance.cz) in the section *Problems and their solutions*.

## When is the Defender not authorised to inquire into the procedure of the Police of the Czech Republic?

If the Police act as a **body involved in criminal proceedings**. For example, the Police:

- assess a criminal complaint
- decide (not) to initiate criminal proceedings
- perform a personal search and a house search
- confiscate items and cash
- intercept telecommunication operations
- perform related operations (inspection of files, giving advice to witnesses and parties to proceedings)

## What can I do if I object to the police procedure within criminal proceedings?

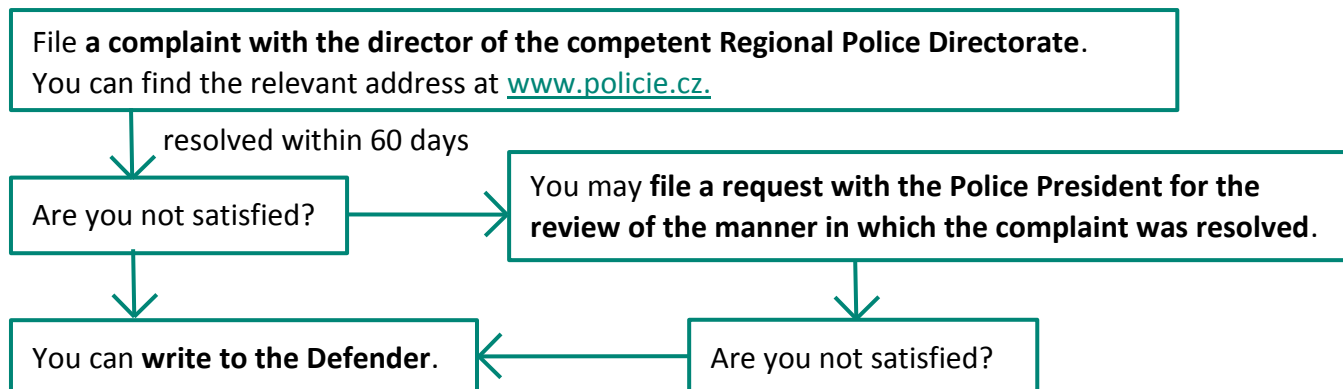
Contact **Public Prosecutor's Office**. You can find the relevant address at [www.justice.cz](http://www.justice.cz).

## When is the Defender authorised to inquire into the procedure of the Police of the Czech Republic?

If the case does not involve **criminal proceedings**. For example, the Defender may inquire into cases such as:

- inappropriate conduct of police officers
- unjustified or disproportionate police action
- use of coercive means
- resolving minor infractions
- crowd control measures used against protesters
- domestic violence (more in the leaflet [Domestic Violence](#) at [www.ochrance.cz](http://www.ochrance.cz) in the section *Problems and their solutions*)
- treatment of persons restricted in their freedom
- security at facilities for detention of foreigners
- receiving reports and notices

## What should I do if I object to the police procedure outside of criminal proceedings?



## ? What do the (municipal) police do?

### 1 Uphold public order within the municipal limits, for example:

- pursuant to the Municipal Police Act
  - identify persons
  - bring persons before authorities
  - confiscate items
  - use coercive means
- tow vehicles during street cleaning
- put wheel boots on vehicles

### 2 Perform tasks assigned to them by the government, for example:

- accept reports on suspected infractions or crimes
- resolve minor infractions by issuing a summary order
- measure vehicle speed, issue orders for towing a vehicle which is parked at a reserved parking space or impedes traffic
- order an indicative examination or special medical examination or enforce the ban on smoking pursuant to the Act on protection of health against the harmful effects of dependency producing substances

This is considered **independent competence**. This is considered **delegated competence**.

**The municipal police are a municipal institution** established by the municipal assembly by means of a generally binding ordinance.

## ? Is the Defender authorised to inquire into the procedure of the municipal police?

**Yes**, but in cases under **1** only indirectly. The Defender may not interfere with the independent competence of a municipality. You can learn more in the [Municipality](#) leaflet at [www.ochrance.cz](http://www.ochrance.cz) in the section *Problems and their solutions*.)

Yet, even in such cases, the Defender may inquire whether the **regional authority** properly addressed a request (filed with the mayor of a municipality) for a review of the manner in which a complaint was resolved at the municipal police. The procedure is explained below.

## ? What should I do if I object to the procedure of the municipal police (officer)?

