

## **CASE BRIEF**

summary of the history of the case

**Parties:** L. M. v. Czech Republic – Department of Justice

**Facts:** Plaintiff was imprisoned and then, after some time they managed, that he had not committed the crime. He was released and he sued the Czech Republic for 500.000 Kč as a compensation for breaking his moral rights.

**Legal issue(s):** Is the defendant liable for false imprisonment?

**Procedural history:** The first instance court decided in favour of the defendant. The court of appeal affirmed the decision of the first instance court. The High court decided, that previous court rulings were wrong and get the case back to the court of appeal to new discuss.

**Reasoning of the court:** The first instance court and the court of appeal said, that the imprisonment was not wrongful, that the decision of the court, which had accused him, was right. But the High Court decided, that every imprisonment, which is cancelled because of mistake or because of new evidences, is wrongful.