

The Crime of Rape

Abstract

This thesis focuses on the theme of the crime of rape, both from the criminal law perspective and the criminological perspective. The objective of this thesis is to address some specific aspects of this crime. This qualification work consists of seven chapters. In the first chapter, basic terms related to this theme are explained. Basic body of the crime of rape is analysed in detail, then the relationship between the basic body and qualified bodies and the final part of this chapter analyses the development stages of this crime. This thesis also deals with differences between the crime of rape and the crime of sexual coercion and sexual abuse. One chapter shows a concise overview of how the legislation on the crime of rape has developed since 1961. The so-called Istanbul Convention is mentioned here too, dealing with the crime of rape, which is a very current topic. The chapters four to seven analyse the theme from the criminological perspective and are completed with statistical data presented in a diagram and in charts. First of all, the criminology part shows the typology of the offenders, dividing them in two groups: offenders with a sexual preference disorder and without this disorder. Another chapter deals with the victims of the crime of rape, namely also from the perspective of the Act No. 45/2013 Coll. on victims of crimes and on the amendment of certain laws, as amended. The so-called rape myths are mentioned here marginally. Subsequently, this thesis presents a detailed analysis of the respective investigative acts that are specific for the investigation of rape, namely interrogation, crime scene investigation, body examination, recognition and expert reports. The last chapter looks at the latency of the crime of rape i.e. hidden crimes and the reasons for that.

Key words

Rape, victim, criminology