

Protection of a victim of a criminal offence

Abstract

This thesis addresses the protection of victims of crime, a serious and currently very topical issue. The initial part of the thesis is devoted to victimology as a scientific field, the subject of which is mainly the victim of crime. This chapter introduces basic victimological concepts that are important for a comprehensive understanding of the issue under study.

The next chapter provides a brief overview and comparison of the definition of a victim across basic international documents, EU legislation, and the legal order of the Czech Republic. Furthermore, this section proceeds to analyse and evaluate the currently valid definitions of victim and particularly vulnerable victim as defined in the Victims Act, and offers a brief introduction of the Act.

Subsequently, the third chapter describes and analyses the individual rights that victims are entitled to exclusively under the above-mentioned law, and, in the light of the findings from practice, presents a proposals for their improvement. The Victim Act has established a number of important rights that improve the legal position of victims, nonetheless their exercise is problematic in certain cases, in particular with regard to the victim's right to information.

Moreover, the fourth part briefly presents the individual legal instruments constituting the victim's right to protection from imminent danger, followed by a detailed discussion of the preliminary measure under the Criminal Procedure Code. A detailed analysis of the interim measure under the Criminal Procedure Code is presented, where both its positives and negatives are presented. The reason for the increased interest in this legal institution is the fact that only on the basis of it can a European protection order be issued, which is the subject of the last chapter.

Finally, the last chapter concerns the above-mentioned European Protection Order which is intended to ensure the protection of female victims of gender-based violence across EU countries. This section introduces this relatively unknown and almost unused institution and analyses its legal regulation at the level of EU legislation and the Czech legal system. Additionally, the final part identifies several shortcomings that may prevent this legal institution from achieving its full potential and, in some cases, suggests the means of their elimination.

Key words: victim of crime, protection, european protection order