

## **§ 189 zákona č. 40/2009 Sb. Trestní zákoník – pimping**

### **Abstrakt**

The diploma thesis is devoted to the crime of pimping under Section 189 of Act No. 40/2009 Coll. of the Criminal Code. The first part of the thesis defines the concept of prostitution, the reasons why prostitution is a sociopathological phenomenon and the different types of ways in which the legal systems react to prostitution. Subsequently, the historical development of the legal regulation of prostitution in the Czech Republic since the establishment of the Czechoslovak Republic is described. Then, the facts of the crime of pimping under the current legislation are analysed in detail, where the individual terms used in the basic facts of this crime and in its individual qualified facts are explained with the help of case law and doctrine. Furthermore, the possibilities of a single-act concurrence with other offences contained in the Criminal Code are discussed, namely with the offence of trafficking in human beings under Section 168 of the Criminal Code, the offence of rape under Section 185 of the Criminal Code, the offence of sexual coercion under Section 186 of the Criminal Code, the offence of enticement to sexual intercourse pursuant to Section 202 of the Criminal Code and the offence of endangering the upbringing of a child pursuant to Section 201 of the Criminal Code, as the offences that are most practically relevant in terms of the question of the concurrence with the offence of pimping pursuant to Section 189 of the Criminal Code. Also discussed are the offences that may regularly accompany the offence of pimping, although not necessarily in the form of a concurrence with the offence of pimping. This is followed by a detailed summary of the legal regulation of prostitution in Poland, Great Britain, and New Zealand in order to compare the approaches of these countries to prostitution with the approach applied in the Czech legal system. Finally, an assessment is made of the current situation with regard to the offence of pimping, statistics on this offence are provided and conclusions are drawn as to the effectiveness of the legislation making up this offence in terms of achieving the broader objectives in relation to prostitution.

**Klíčová slova: pimping, prostitution, criminal offence**