

The crime of theft according to section 205 of the Czech Criminal Code

Abstract

In this thesis, the author deals with the crime of theft according to § 205 of the Czech Criminal Code as one of the most frequently committed crimes. The aim of the thesis is not only to describe the legal regulation of the crime of theft in Czech law but also to describe the legal regulation of this criminal offense in the French legal system and subsequently to compare these two legal regulations.

In the first chapter, there is a historical overview of the development of criminal law, where the author focuses on the period of Roman law and then on the development in the Czech lands from the middle of the 19th century to the present day, where, among other things, he compares the then and current law.

In the second chapter, readers will find the current legal regulation of the crime of theft according to the Czech Criminal Code. The basic and qualified facts are analyzed here, including the addition of relevant case law. Special attention is paid to current changes in the limits of the amount of damage, and at the end of the chapter, there is a brief overview of the relevant statistical data.

The third chapter contains an analysis of the legal regulation of the crime of theft in French law. First, the system of French sources of law is described, then attention is paid to the sources of criminal law, the systematics of the criminal code, and then the description of individual facts. These are continuously compared with Czech legislation and supplemented with knowledge from the jurisprudence of French courts.

In the fourth and final part of the thesis, a comparison of the Czech and French legislation on the crime of theft is made. On the one hand, the basic points of the legal systems of both countries are compared, on the other hand, individual facts with a focus on some important areas.

The author concludes that the legal regulation of the crime of theft in both countries does not differ much, the differences appear mainly in the systematics of the criminal codes and

some specific areas (e.g. the legal regulation of the crime committed with the use of violence, the protection of special categories of things or the absence of thresholds of damage in French law). The penalties for committing the crime of theft are generally higher in the French criminal code for qualified facts, but this is partly based on the system of legal regulations. In conclusion, it is possible to say that although the legal regulation of the crime of theft in both legal systems is relatively detailed and clear, it does not seem to have a desirable effect on possible perpetrators and we can only hope that this trend will begin to change soon.

Keywords: theft, misappropriation of another's property, french law