

The issue of an offender's personality in criminology

Abstract

The presented thesis aims to improve our understanding of the offender's personality, i.e. why they commit crimes, what is the cause of their actions (motivation) and what are the specific personality traits of these offenders. The thesis elaborated on the topic of offender personality with a focus on offenders of rape and child molestation, its aim was to provide a comprehensive overview of the state of research on the personality characteristics of rapers and child molesters and to elaborate an analysis of the criminality of these crimes in the Czech Republic between 2018-2022. The analysis was based on police crime statistics, the „How We Punish“ app and the Ministry of Justice statistical yearbooks. The presented overview of the state of research drew almost exclusively from foreign literature; the concept of rape and child molestation may thus not necessarily be identical to the Czech concept of these crimes and therefore may include a different group of offenders to some extent.

The thesis also presented an explanation of personality disorders (a subcategory of mental disorders), their classification and the possible influence of these deviating personality traits on the determination of insanity, the conduct of criminal proceedings or the imposition of punishment. Concerning personality disorders, the thesis advocated for the fact that, as part of the preparation of the treatment programme, each convicted person should be ascertained as to whether he or she suffered from a personality disorder. Such a practice could contribute significantly to the effectiveness of these programmes. Concerning the current discussions on redefining rape in the criminal code, the thesis proposed a mandatory specialisation of law enforcement authorities focused on the so-called „particularly vulnerable victims“, rather than focusing our efforts on the so-called "consent-based legislation", as this approach would make a much more significant contribution to improving the factual position of the victim and, as a result, it would also contribute to increasing the quality of decision-making by the authorities concerned.

Keywords: personality, rape, child molesting, specifics of the sexual offenders