

Protection of crime victims

Abstract

This thesis deals with the protection of victims of crime, specifically with the protection of their privacy. The aim of the thesis is firstly to clarify the purposes for which victims' privacy needs to be protected, secondly to summarize the instruments by which victims' privacy is protected, and thirdly to analyze how the interest in protecting privacy is balanced against other interests. The thesis consists of an introduction, five chapters and a conclusion.

The first two chapters serve as a general introduction to the issue. The introductory chapter defines the basic concepts of the subject, namely victim of crime, victimization, and privacy. The second chapter focuses on the theoretical background of the issue. Firstly, it explains the importance of victims' privacy protection, and secondly, it summarizes the international and European sources serving as a basis for Czech legislation. For a broader overview, the chapter concludes with an excursion into the common law concept of victim privacy protection.

The thesis further analyzes the current Czech legislation, namely Sections 15 and 16 of the Victims of Crime Act and Sections 8a to 8d of the Code of Criminal Procedure. Thus, it focuses on the rules for disclosure of information on the activities of law enforcement agencies, prohibitions on disclosure of the victim's identity, and tools for the protection of selected personal data of the victim.

The fourth chapter deals with the conflict between the protection of victims' privacy and the principle of publicity of criminal proceedings. It analyzes various situations in which a balance between these legal goods must be sought (for example the taking of recordings of court proceedings or the publication of a judgment).

The last chapter describes how the mass media interfere with victims' privacy when reporting on criminal cases, or what media approaches to victims are appropriate and inappropriate. Finally, it summarizes how a victim can defend himself against media interference in his privacy, which is further explained by examples from the courts' decision-making practice.

Keywords: victim of crime, legal protection of victims, protection of privacy