

# **The offence of dangerous threatening pursuant to Section 353 of the Criminal Code**

## **Abstract**

This master thesis focuses on the detailed analysis and description of the criminal offence of dangerous threatening with the goal to evaluate the current legal regulation of this criminal offence. For this purpose, Czech and foreign sources were used.

This master thesis is divided into five parts. The first part describes individual regulations which amended the criminal offence of dangerous threatening up to the present.

In the second part, the misdemeanour of dangerous threatening is categorised from the point of view of seriousness and systematic nature of the Criminal Code. In addition, the specific features of the merits of the criminal offence are described with the focus on the possibility to raise legitimate concern. Last but not least, the individual terms which are included into the basic and qualified merit of the criminal offence are described.

The third part is dedicated to the description of individual types of criminal penalties which can be imposed for the misdemeanour of dangerous threatening on adults, minors and legal entities. The main focus of this part is on the evaluation of the effectiveness of imposing individual penalties. In addition, the specific ways of expiration of the criminal responsibility are described in this part.

The fourth part focuses on the possibilities of one act concurrence of the criminal offence of dangerous threatening and other crimes.

The fifth part describes the French legal regulation of the crime of threatening from the point of view of historical development, categorisation, description of the merit of crime and the criminal penalties which can be imposed. Throughout this part the emphasis is on the comparison with the Czech misdemeanour of dangerous threatening.

The conclusion of this master thesis contains the evaluation results of the legal regulation of the criminal offence dangerous threatening. It describes the suggestions for possible changes of the current legal regulation of this criminal offence and includes the results of the comparison with the French legislation.