

## **Abstract**

### **Current issues of adhesive proceedings**

This thesis deals with current issues of adhesive proceedings. The thesis is divided into four chapters. The first chapter introduces the basic concepts essential for the definition of adhesive proceedings and related terms. These are primarily the definition of entities and parties to criminal proceedings, including the introduction of the institutes of harm as an overarching term, which includes damage, non-material damages and unjust enrichment. The first chapter also introduces the institute of bodily harm.

The second chapter is devoted to the injured party, including a list of procedural rights and obligations that the injured party confers the Criminal Procedure Code and the injured party recognizes the law on victims of crime, if the injured party is also a victim under this law. The following subchapters are divided according to the rights that belong to all the injured parties and the rights that belong to the injured party, who is at the same time subject to the adhesive procedure. In the case of the injured party, the institute of consent of the injured party to criminal prosecution and representation of the injured party is also mentioned. In this part of the thesis, the current problems concerning the remuneration of the injured party's representative and the defence attorney of the injured party in the same criminal proceedings are presented. The last subchapter introduces the institute of legal succession.

The third chapter focuses on the prerequisites for asserting the claim of the injured party, ie how the claim must be made by the injured party and what particulars it must contain in order for the tribunal to decide on it. This chapter also presents the general assumptions of liability for damage, non-material damage and the issue of unjust enrichment, as understood by the Civil Code. In the following subchapter, the issue of awarding the amount of property damage is discussed in more detail, and in particular the emphasis is placed on determining the amount in case of non-material damage. In the case of non-material harm, a brief excursion to the development of legislation is presented and the following subchapters discuss in more detail the compensation of non-material harm in the case of bodily harm and death of a close relative or in case of particularly serious bodily harm. The last subchapter introduces the institute of insurance indemnity.

In the last fourth chapter of this thesis there are mentioned ways how the court can decide on the claim of the injured party in the adhesive procedure. The following subchapter lists the claim of the injured party in special proceedings under the Criminal Procedure Code. The institute of the criminal order and the impossibility for the injured party to file an opposition to

the criminal order are presented in more detail. The last part of this chapter lists regular and extraordinary remedies.

**Keywords: adhesive proceedings, injured party, damages, non-material damages or unjust enrichment.**