

“The issue of stalking in modern times”

Stalking is not a new phenomenon, but modern times, and especially the very dynamic development of modern technologies that have gradually become part of our lives, are taking this type of crime to a completely different dimension. This rigorous thesis deals mainly with the criminal offense of dangerous stalking according to § 354 of the Criminal Code and the related issue of misuse of modern technologies for the persecution of the victim, it also focuses on the motivation of the perpetrator and the behavior of the victim.

The theoretical part of the thesis summarizes the legislative basis of dangerous stalking, describes the ways of possible use of available technologies for stalking. It also deals with the typology of perpetrators of dangerous stalking and their criminal motivation. The practical part of the work consists of seven case studies of this negative phenomenon from the Czech environment. The first case study focuses on a lawsuit resolved by the Municipal Court in Prague in early 2008. The described case could not be legally qualified as a criminal offense of dangerous stalking According to Section 354 of the Criminal Code, but had a fundamental impact on the legal regulation of stalking in the Czech Republic. Subsequent case studies describe cases in which perpetrators have already been convicted by Czech courts for criminal offense of dangerous stalking. Individual offenders described in case studies are then classified according to the typology described in the theoretical part of the work.

The main questions of this thesis are: "What technologies can be used for persecution of the victim?" and "Why do people stalk others?" The author tries to answer these questions by focusing on different ways of modern technologies usage and a deeper understanding of the perpetrator's motivation. The case studies described in this work then demonstrate harmful effects on society of stalking in relation to its victims and the need to punish this serious crime. At the same time, the author tries to dispel the myth that the perpetrators of stalking are exclusively mentally ill individuals, but they can also be completely ordinary people from whom we would not expect such behavior.

Awareness of the potential risks posed by modern technologies and knowledge of the offender's motivation can help not only during the investigation of stalking, but also in prevention of this crime. Last but not least, the awareness of the intensity with which the offender, using modern technology in persecution, can interfere with the victim's intimate sphere is an important aspect for deciding on the offender's guilt and punishment, as well as deciding on compensation for non-pecuniary damage.