

Abstract

Protection of the Injured Party in Criminal Proceedings

The diploma thesis deals with the issue of the injured party and his protection in criminal proceedings. Its main goal is to analyze the position of the injured party in criminal proceedings and to analyze in more detail his selected rights, which in this proceeding serve to protect him. The partial goal of the thesis is to summarize the most important aspects of adhesion proceedings and draw attention to the shortcomings of the protection of the injured party in criminal proceedings *de lege lata*.

To meet this goal, the core of the work is divided into three main parts. In the first chapter, the thesis deals with the injured party as a subject and a party to criminal proceedings, negative and positive definition of the term victim, categorization of this term, the issue of victim representation, the issue of victims according to Act No. 209/1997 Coll. and Act No. 45/2013 Coll. and categorization of the rights of the injured party. Since the aim of the thesis is not to exhaustively analyze all the rights of the injured party arising from the Criminal Procedure Code, only the selected rights are analyzed in more detail. This section presents examples of the recent extensions of the rights of the injured party.

The next part of the diploma thesis deals with the topic of adhesion proceedings. After the adhesion procedure is described in general, its meaning, subjects, requisites of the proposal, the issue of non-admission of the injured party, decision on his claim and remedies that the injured party can use within the adhesion procedure are explained. The importance of the adhesion procedure can be seen especially in the possibility of the injured party to reach a faster decision on the claim for damages at the same time as the decision on guilt and punishment. Another important factor is the absence of increased expenses of the injured party, which are inextricably linked to the conduct of civil litigation.

Finally, the last part of the diploma thesis consists of *de lege ferenda* considerations, which are based on a critique of the *de lege lata* arrangement, presented throughout the work. In this part, the author presents her own proposals for future legislation - it is mainly the implementation of private lawsuits in criminal proceedings for a relatively narrow range of crimes. The advantage of this measure would be to reduce the congestion of law enforcement authorities by trivial offenses and to increase the involvement of the injured party in criminal proceedings. The author would also welcome the possibility of resisting victims against a criminal order. The author sees its most recodification as the most effective solution to the current shortcomings of the Criminal Procedure Code, which would bring it closer to the new Criminal Code.

Key Words

Criminal proceedings, protection of the injured party, adhesion proceedings