

Methodology for Investigating Sex Crimes (selected issues)

Abstract

This thesis deals with the methodology for sex crimes investigation, specifically rape. The goal of the thesis is to describe the specifics of the rape investigation methodology, evaluate current legislation and, where appropriate, propose recommendations to improve the situation. The theme is very topical nowadays, as there is a lot of attention paid to rape by our society. However, the myths surrounding rape continue to affect the attitude to the victims and remain a problem.

In order to present a more comprehensive view on rape, this thesis is divided into five chapters that examine the issue not only in terms of investigation methodology, but also in other related fields such as criminal law and criminology. The vast majority of the thesis is theoretical and is based primarily on an analysis of Czech and foreign literary sources and legislation, however it is also partly supported by examples from practice for better understanding. The final part of the work is empirical research, based on analysis of judicial and police files.

Research has been conducted on 84 rape cases reported in the South Bohemian Region of Czechia in the past 12 years. The research covered 3 hypotheses that were more or less confirmed. The first hypothesis concerned late reports, here it was confirmed that most rapes are reported soon after the commission, making delayed reports rather exceptional. The second hypothesis confirmed that in most cases there is a prior relationship between the victim and the offender. A sub-part of the research looked at 7 false allegations. Here, the last hypothesis confirmed that false accusations stem from desire for attention. The research also covered characteristics of perpetrators and victims, factual circumstances of rape or secondary victimization.

Furthermore, the work highlights the high latency of rape and the subsequent difficult investigation, with the prosecution, law enforcement and judicial authorities having to adopt a highly sensitive approach to the victim, which must be balanced against the requirement to learn all relevant information.

The proposed solutions are training professionals as well as educating the public in order to prevent secondary victimization. Then, among others, a modification of the concept of withdrawing consent to the criminal prosecution by the aggrieved person, or a more thorough examination of psychological harm to the victim are also proposed.

Key words: Rape, Methodology, Investigation