

Abstract

This dissertation thesis discusses the problems of entitlement to a claim of the injured party in adhesion proceedings. Concretely the procedure and conditions of a claim of the injured party in adhesion proceedings were introduced and the differences between a civil and adhesion claims were identified, especially in the relation to determining the amount of damage or other than proprietary loss. Academic literature, internet sources, relevant legal regulations, case law from not only the supreme court but also other sources, such as many personal meetings with specialists in given area, or practical experience gained during a study-related internship, were used to obtain information. The thesis is divided systematically into eight chapters.

The first chapter deals with defining the term ‘injured party’ including its historical development. Next it deals with the legislation now in force alongside with defining the categories of injured parties. Following is an interpretation of the term ‘victim of a criminal act.’

The second chapter is focused on the claim of the injured party, concretely the conditions of a claim in adhesion proceedings, a claim of a legal representative and the basic principles of a claim were also explained.

The third chapter is centered around damage compensation. Included in this chapter are also information about the way of determining the damage in adhesion proceedings and the consequences of not fulfilling this responsibility.

The fourth chapter deals with the question of strengthening the rights of the injured party, which is a topic discussed in the context of novelization of legal regulations but also in the context of case law from the past years, maybe decades.

The fifth chapter discusses the adhesion proceedings themselves, the basis of the proceedings and their stages.

The sixth chapter focuses on the question of determining a claim in adhesion proceedings. Amongst other things there is also the mention of not allowing the injured party to the adhesion proceedings, possible reference of the injured party with their claim

to civil proceedings, or an alternative kind of proceedings is described such as negotiation of guilt and punishment with regards to the injured party.

The seventh chapter is important for its focus on identification of the differences between a claim in adhesion proceedings and in civil proceedings. Concrete case studies are introduced as well which practically show the position of the injured party.

The eighth chapter deals with the application of other than proprietary loss in practice and in the very end the main outputs of the whole thesis are concluded, including the thought *de lege ferenda*.