

Criminalistic theory of victims of crime

Abstract

The diploma thesis focused on Criminalization of Crime Victims deals with the issue of victims from the perspective of criminalistic victimology, which is a relatively young field examining the victim in terms of its impact on the crime investigation process, in connection with victimology findings.

The thesis is divided into introduction, conclusion and four chapters, which provide insight into the issues of criminalistic victimology. The first chapter is devoted to the primary characteristics of the concerned field, including the definition of basic terms. In particular, the work deals with the victim of crime, its legal basis and description of rights that are guaranteed by Victims of Crime Act. Furthermore, the work discusses the concept of vulnerability and the process of victimization, where the thesis focuses mainly on secondary victimization, its sources and impacts. The second chapter in all its subchapters focuses on the subject of criminalistic victimology. Firstly, the thesis deals with the role of the victim in the genesis of the offense and with the importance of the victim's relationship with the perpetrator. The work also deals with material and memory traces of which the victim is the originator and the holder, and which are a valuable source of information about the crime and its perpetrator. Attention is also paid to corpse investigation and examination of human body and the method of securing the traces. A significant part of the work is dedicated to the role of the victim in the investigation of a crime, especially in terms of its reporting and barriers that discourage victims from making an early criminal complaint. The thesis also discusses the victim's participation in investigative acts such as interrogation, recognition and confrontation. In this context, the thesis also discusses an issue concerning the correct approach to victims of crime by prosecuting authorities, including the specifics of the treatment of persons identified as particularly vulnerable victims, as these victims have other rights guaranteed by law and require particularly sensitive treatment. The third chapter is devoted to the victims of the crime of abuse of a person living in a common habitation. The chapter deals with the phenomenon of domestic violence and points out the specifics occurring in the victims of this crime given the fact that they can have a significant impact on the investigation process and their acquaintance thus it allows a better understanding of the victim and its behavior. The last chapter is devoted to the consideration *de lege ferenda* concerning the inappropriate regulation of the victim's right to information, which is regulated confusingly. Furthermore, the present

wording of the moment when information must be provided to victims does not reflect victim's current mental and health condition. Consequently, it misses its purpose.

Keywords

victim, criminalistic, victimization