

Abstract

The topic of this thesis is "Stalking and Its Legal Regulation". Stalking was introduced as a criminal offense in the Czech criminal law in 2010 by the new Penal Code. The Penal Code regulates it as a criminal offense of dangerous pursuing in the provision § 354.

Thanks to its enactment, it is finally possible to prosecute all kinds of actions committed by perpetrators. Before the Penal Code came into effect, these actions could be punished by subordinating the perpetrator's partial action to another criminal offense or not at all.

At the beginning of the work, there is a definition of stalking as a social phenomenon and a list of the forms, or types of activities of the perpetrator, by which stalking can be perpetrated. Of these, the most common is ex-partner stalking, which accounts for more than half of all criminally prosecuted stalking cases.

The following is a brief overview of the history of stalking and its psychological and legal perspective, and a summary of several foreign and domestic cases, some of which ended in the death of the victim at the hands of the perpetrator. These cases were widely publicized and led to increased public pressure on legislators to criminalize stalking.

The main part of the work focuses on how the law regulates the crime of dangerous pursuing. With the use of specialized, especially commentary literature, relevant jurisprudence and knowledge of forensic psychology and criminology, it characterizes the particular constituent elements of stalking, while emphasizing the person of the perpetrator. In connection with this, four typologies of perpetrators created by different authors and their brief comparisons are given. Connections of dangerous pursuing with other criminal acts are indicated, especially with those whose body of a crime is similar in some features, or with which the criminal act of dangerous pursuing is often committed in concurrence.

A lot of attention is also paid to victims of stalking and what consequences stalking has for them, what revictimization and secondary victimization are, what are the possibilities to help victims and whether stalking can be stopped in its beginning.

In the conclusion, the key findings and an overview of the entire situation of the current legal regulation of stalking are summarized.