

# Compensation of damages in criminal proceedings

## Abstract

This rigorous thesis is devoted to the topic of compensation of damages in criminal proceedings and the application of claims for compensation of damages of the injured in criminal proceedings. The aim of this rigorous thesis is to try to isolate the most important objectives of the current legislation of the Criminal Procedure Code in relation to the application of claims for compensation of damages in criminal proceedings by the injured, to provide the necessary insight into the issue of adhesion proceedings, which is closely related to the topic of this thesis, and to answer the basic research question: Has the current legislation of the Criminal Procedure Code achieved the goals set by the legislator in relation to the compensation of damages in criminal proceedings? The ongoing evaluations of the current legislation of the Criminal Procedure Code are also supplemented by *de lege ferenda* considerations relating to possible remedies or improvements to the current legislation of the Criminal Procedure Code. This rigorous thesis has been prepared using the critical analysis method, the systematic method and the comparative method.

In the first chapter of this rigorous thesis, I focus on the civil law concept of „*damage*“ – in the sense of damage to property and in the sense of non-proprietary damage. This chapter is a necessary chapter for the exhaustion of the topic of this rigorous thesis.

In the second chapter of this rigorous thesis – similarly to the first chapter – I am devoted to the definition of concepts that are directly related to the compensation of damages in criminal proceedings. In contrast to chapter one, in this chapter I focus on criminal law concepts, without the analysis of which, in my opinion, the main chapter of this thesis could not be approached.

Chapter three is the central chapter of this rigorous thesis, because it is in this chapter that the most important objectives of the current legislation of the Criminal Procedure Code in relation to compensation for damages in criminal proceedings are isolated. At the same time, this chapter discusses the various aspects of the adhesion proceedings in which compensation of damages is decided, with these being evaluated in the light of the stated objectives of the current legislation of the Criminal Procedure Code. The assessments in question are also supplemented by *de lege ferenda* considerations

aimed at a possible correction or improvement of the current legislation of the Criminal Procedure Code.

**Key words:**                    **criminal proceedings, compensation of damages,  
the injured, adhesion proceedings**