

Domestic violence and its' prevention

Abstract

The subject of this thesis is the issue of domestic violence and its' prevention from the perspective of criminal law with specific focus on the comparison of partial aspects of the protection of victims from domestic violence in the domestic legal system and the legal system of the French Republic.

The thesis consists of four parts, which are further divided into chapters and paragraphs, the first part being mainly devoted to finding a definition of the phenomenon of domestic violence, examining its defining features, forms and manifestations. The first part further examines the profile of perpetrators of domestic violence.

The second part of the thesis discusses how the protection against domestic violence was historically conceived in Act No. 117/1852 ř. z., on Crimes, Misdemeanours and Offences. It also examines what legislative actions have been taken to achieve the current form of protection against domestic violence.

The main body of the thesis is found in Parts Three and Four. Part Three discusses contemporary statutory protection from domestic violence and identifies and discusses two key offences specific to domestic violence. These are *the abuse of a person in a position of reliance* pursuant to the provisions of section 198 of Act No. 40/2009 Sb., the Criminal Code, and *the abuse of a person living in a common dwelling* pursuant to the provisions of section 199 of the same Act. Furthermore, the thesis examines private, administrative and criminal law methods of protecting victims of domestic violence, with particular emphasis on measures consisting in preventing violence and preventing contact between the perpetrator and his victim.

The last part of the thesis is built on a comparison between the Czech and French law regarding the legal provisions for the protection of the victims of crimes. In particular, the emphasis is placed on the definition and description of the adjacent offences. Furthermore, the section discusses the possible private law measures that the legal system allows to be taken in order to temporarily prevent the perpetrator of domestic violence from entering the common dwelling.

Key words: domestic violence, intimate partner violence, abuse, prevention, child abuse