

Summary

The topic of my thesis is Legal Status of a Victim of Domestic Violence. It is devoted to domestic violence as a contemporary phenomenon and to the legal status of its victim. The purpose of the thesis is to analyse relevant Czech legislation and compare it with the real needs of a victim of such treatment. It attempts to give to the reader a comprehensive overview of this topic and also to suggest some amends aiming at better protection of the victim of domestic violence.

The thesis consists of five chapters each of them dealing with different aspects of domestic violence and position of its victim. Chapter one is called The concept of a domestic violence: explanation and is subdivided into five parts. The first part deals with the definition of the concept and its elements. Part two lists kinds and forms of violent conduct. The third part points out the psychological consequences the victims of domestic violence may suffer from, such as the so called battered woman syndrome. Part four suggests that not only women may be victims of domestic violence and deals with selected specific aspects of situations when men, children or elderly people become victims of domestic violence. The last part of the first chapter is about victimization.

Chapter two deals with the means of protection of a victim of domestic violence set forth the Police Act or the Rules of Civil Procedure. This chapter consists of two parts. The first part focuses primarily on the institute of expulsion. Part two explains the concept of preliminary rulings under the Rules of Civil Procedure.

The third chapter is subdivided into three parts and is dedicated to criminal law aspects of domestic violence. Part one provides an explanation the concept of victim in Czech law and deals with the Act 209/1997 Sb, regulating financial assistance to victims of crime. The second part focuses on the injured person under Czech Rules of Criminal Procedure and the procedural rights of. The third part of this chapter contains the description of an offence called battering a person living in a common residence.

The last chapter discusses some proposals for future regulation of this area and in particular it analyses the proposed separate law to regulate victims of crime and amendments of the Rules of Criminal Procedure.

The thesis was written in accordance with the applicable law of the Czech Republic on the 15th March 2012.