

Resumé v anglickém jazyce

The thesis is focused on the crime of stalking under s. 354 Criminal Code no. 40/2009, affecting the socially undesirable conduct known also as „stalking“. It provides a comprehensive view on the issue of stalking, respectively the issue of dangerous pursuit (literal translation for the crime of stalking in the Czech Republic that is used in this resume for the lucidity) with wider contexts than just within the Czech and criminal law. The dangerous pursuit is a new crime, because its merit was introduced into the Czech legal system thanks to the Criminal Code effective on 1st of January 2010, therefore this thesis has up-to-date character and responds to the current situation in the domestic legal environment.

This thesis is divided into three main chapters – stalking, historical geography of legal provision and crime of dangerous pursuit itself. The first chapter is focused on the phenomenon of stalking through its defining, history of the term, chosen types according to the seriousness of acts of stalkers, victim characteristics, modern means used while conducting stalking and ex-partner stalking, the most frequent form of stalking. Categorization based on common factors such as the personality of the stalker or his dangerousness follows. Subsection no. 1.4. is aimed at the assessment of stalking threats and risks, which is very important for its solution and reversing.

Historical geography of anti-stalking legal provision is the theme of the second part of the thesis. There are described reasons for the beginning of the legal fight against stalking with American roots, anti-stalking legal provisions of the United Kingdom of Great Britain and Northern Ireland, Republic of Austria and Federal Republic of Germany. The Czech Republic is the fifth represented state and its subchapters are focused on the possibilities of criminal punishment for stalking before the enforcement of the Criminal Code, causes for the criminalisation of stalking on Czech grounds and description of the corresponding legislative procedure with its result.

The third fundamental part of the thesis is devoted to the crime of dangerous pursuit, starting with its classification within the Criminal Code, object and analysis of objective aspects with the accent on criteria of long-term duration, evocation of reasonable fear and concrete means of conduct. This is followed by subsections themed criminal punishment, subjective aspects of the given crime, attributes of qualified merit and offender of dangerous pursuit with processed statistics. Interpretation of the term victim, particular impacts of the crime on stalked persons and problems of false

victimization is described in subsection no. 3.7. Furthermore, there are specified domestic and European organisations specialized on helping those victims, unique position of victim as being witness on the criminal trial. Subsection no. 3.8. is focused on relation between the crime of stalking and other legal provisions including other selected crimes, coherent procedural provisions of criminal law and other public law statutes such as police and administrative law, and the use of Civil Procedural Order. At the end, the comparison of the merits of Czech crime of dangerous pursuit and selected foreign legal provisions is done. Finally, there is short outline of the crime's potential future and conclusion of the whole thesis.