

Abstract

I selected the topic of my diploma thesis some time ago, having in mind the internship that I completed at the prosecution and later at the court, where I had the opportunity to encounter the victims of criminal activity. This applied especially to situations when the victims came to serve a complaint and also to situations when they had already fulfilled their part in the criminal suit in their role of the damaged. It preoccupied me then how little are the victims in reality informed of their status and how little information is granted to them by the authorities acting in the criminal procedure.

The victims often came after a not very pleasant previous experience with the policemen and dealing with them was often uneasy. It is necessary to add that the guilt couldn't be unequivocally cast upon the authorities acting in the criminal procedure flooded by a large amount of work, but the situation of the victim was unnoticed also because of the absence of a comprehensive legal framework for their rights and of the establishment of a basic standard for the care and protection of which it was entitled.

This, however, changed by the adoption of the law on the victims of criminal acts, through which the treatment of rights of the victim was unified and became well-arranged and the education concerning the application of its contents was subsequently undergone by policemen and similarly its contents were adopted by other units of the public authority, with which the victim inevitably comes into gradual contact during its victimisation.

In my thesis I hence dealt with these positive changes to the status of victims, but in the limited extent that was granted by the thesis I attempted to clarify and define in the introduction the basic institutes of the concepts of victim, damaged, victimology and I then tried to proceed through the trail of the victim by her victimisation, the victimogenic factors and situations. The following chapters are focused on the primary, secondary and tertiary victimization itself and the impact of the criminal act on the victim in conjunction with her psychological perception of the damage itself. Then I proceed in the direction of a possible victimisation from the part of the police authorities and media and the victimisation of the victim during the principal trial.

The second half of the thesis is devoted to aid to the victims, that is to say laic and psychological aid which I divided into the aid to the victims immediately after the commitment of the criminal act and aid to the victim in different phases of victimisation. In relation to social aid it was necessary to also mention the number of organisations providing services and aid to the victims whereas I aimed more specifically on the most renowned of them – The White Circle of Security. Concerning legal aid I couldn't do otherwise but pull in and compare the rights of the victim according the Rules of Criminal Procedure and the Law on Victims no. 43/2013 Sb.

The closure of the sixth chapter concluding on aid to victims is devoted to financial aid and damage compensation in criminal and civil proceedings.

Since the victim after the announcement of the criminal act or stepping out of anonymity itself during the criminal proceedings assumes different roles, the seventh chapter is dedicated to them and the role of the victim as a witness, whereas in a subchapter I also dealt briefly with the Law

on the Protection of Witnesses no. 137/2001 Sb. and the status of the victim while using deflections in accordance with the principal of restorative justice.

In the end of the thesis I wanted to demonstrate the protection of the victim on a concrete case and for this demonstration I chose the phenomenon of home violence which is being mentioned in relation to § 199 harassment of a person living in common dwellings of the criminal law. There I then defined which criminal acts may be attributed under it, the other subchapters I then devoted to concrete steps of the victim to its own protection and aid which is provided to the victim of home violence by the police, the institute of expulsion, which graphic illustration can be found in the appendix of my thesis and the whole thesis is concluded with legal and criminal law protection of those concrete victims.

I realize that by far I couldn't have succeeded in covering such a wide substance in its entire amplitude, nonetheless I hope that my work will provide at least a basic array of general institutes serving to define the necessary concepts, but also of guidelines and last but not least of suggestions that can serve not only to victims, but also to the subjects providing this protection and aid.