

Summary

This thesis is focusing on the topic of the crime of stalking under section 354 of the Czech Criminal Code (Act. no. 40/2009). The offence of stalking captures in its merit the harmful psychological and social phenomenon known under the name *stalking*.

Aim of this thesis is to provide comprehension of the offence of stalking particularly in the context of the phenomenon on its broad forensic psychological level.

The conclusions about the crime itself are then derived from the observations made while examining stalking in its whole complexity. Aim of this thesis is also providing suggestions through comparison of the Czech legislation and legislations of selected foreign countries.

The topic of this thesis is opened with proper definition of the term stalking followed by and insight of its understanding and concept in the course of centuries.

Moving towards modern era, evidences contradicting common myths associated with stalking phenomenon are given, following the historical background. Following chapters deal with the perpetrators of stalking and introduce the problematics of stalking in the light of forensic psychology. Forensic insights are then used as a stepping stone for the journey towards examination of stalking through the lens of criminal law. In these chapters focus is primarily on specific forms of stalking which are the most vital for the purpose of this thesis. Besides ex-partner stalking and cyberstalking, this paper also focuses on stalking of public figures known as celebrity stalking. From the latter we move smoothly towards outlining the process of adoption of the first anti-stalking laws both in the world and in the Czech Republic.

The fifth chapter focuses on the victims of stalking and the related materia of the Act no. 45/2013 on crime victims. Adoption of this law played a significant role in the process of enhancement of the protection of crime victims and expanded the rights that benefit them distinctly.

Sixth chapter is opening the alleged second part of the thesis and at the same time it also stands as its main pillar. The offence of stalking as presented by Czech legislation is analyzed in detail with a focus on its merit. This chapter also provides the insight into the problematics of interpretation of some legislative terms used by the Czech legislature and consequently provides possible clarifications arising from the

interpretation of legal practice. Penalties anticipated for the perpetrators of the offence of stalking are being dealt with as well and the polemic with their effectiveness is offered. Articles of criminal procedure connected closely to the offence of stalking are not being overlooked either. Finally, the sixth chapter summarizes the findings that arose from putting the section 354 into practice. Space is given to related proposals de lege ferenda.

The last, seventh chapter deals with the legal regulation of stalking in selected countries and possible functionality of some legal elements for the Czech legislation are put into consideration.

All gathered findings are summarized and evaluated at the very end of the thesis. This part of the thesis is also dedicated to the final reasoning de lege ferenda.