

Abstract

This diploma thesis deals with the particularly vulnerable victims of crime and their protection within criminal proceedings. The situation of victim protection is one of the emerging trends in the area of criminal law and because it is a topic that has just recently been addressed by the legal order, there is a room for its assessment and an analysis of problematic areas of concerning legislation.

The aim of this thesis is to clarify current legislation regarding the legal position and protection of particularly vulnerable victims of crime that is set out in Act no. 45/2013 Coll., on Victims of Crime. The text is divided into five chapters that are further divided into sub-chapters and the research was done mainly through legislation, explanatory memorandums and concerning comments, specific legal literature and legal journal articles.

The first chapter is concerning the historical development, leading to the current legislation regarding the protection of victims of crime within the Czech legal order as well as the international legal order.

The second chapter defines important terms for this thesis (victim and particularly vulnerable victim) as stated in the current legislation.

It also shortly describes the term criminal proceedings and its specifications in the context of the legal position of the victim of a crime.

Victimology is a science that studies the victims of crime and is introduced in chapter number four. It looks at the terminology of the victims of crime from the victimology point of view. Next, it clarifies the process of victimization (primary as well as secondary) and the term vulnerability of a victim.

Chapter number four is focusing on different groups of particularly vulnerable victims of crime. Each one is characterized by the reasons for vulnerability, victims of what crime are they usually a subject to and other specifics for the given type of crime. It describes the aspects of victimization typical for each group of particularly vulnerable victims and reasons, why is it important to address them in an extra sensitive and respectful manner.

The last – fifth – chapter deals with the rights given to the victims of crime. It describes the rights that belong to all victims of crime but also rights

that are given only to the particularly vulnerable victims of crime (mainly the aspects of the latter are described in more detail). It reflects the current legislation as set out in the Act on Victims of Crime (the structure of this chapter copies the structure of Section II of the Act on Victims of Crime), however it also provides suggestions de lege ferenda.