

Abstract

Domestic violence is a serious social problem that has not received enough attention for a long time. Domestic violence differs from other forms of aggression by the fact that it occurs in private, behind closed doors between people who are close to each other. Violent and threatened persons are emotionally and materially connected so it is more difficult for the victim to leave the offender. In addition, victims often do not confess to their situation, so it makes domestic violence a very latent phenomenon.

The aim of this thesis is to clarify domestic violence through its features, forms, causes and profile of the violent and threatened person and to interpret the current effective legal regulation focusing on criminal aspects of substantive and procedural law. This thesis consists of four parts.

The introductory chapter defines some basic terms that are related to domestic violence. In particular, the term of domestic violence, key features, the cycle of domestic violence, its forms and causes. In addition, there is defined the profile of violent and threatened person. There are also summarized specific characters in context with women, men, children, seniors and LGBT people. This chapter also describes devastating implications of domestic violence on victims.

The second chapter deals with the progression and current legal regulation of domestic violence, which is contained in several different regulations. Criminal law in Czech legal order represents the ultima ratio principle. Attention is focused on police reporting, intervention centers and civilian precautionary measures. These institutes effectively protect victims outside criminal law. In this chapter there is also mentioned the contribution of the so-called Istanbul Convention.

The third chapter analyzes selected offenses related to domestic violence. The most frequently committed offense is an abuse of person living together in the dwelling, which was implemented into Czech law expressly for cases of domestic violence.

The fourth chapter deals with some of the procedure aspects in the criminal law related to domestic violence. It describes the status of victims in criminal proceedings with emphasis on their rights. It also describes the role of the victim's consent with criminal proceedings and how to protect the victim by means of precautionary measures under the Criminal Procedure Code and by institute of detention.