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Protection of the right to privacy and the coverage of the court main hearing in the Polish criminal proceedings

SUMMARY

The subject of this thesis focuses on an issue of privacy protection in the light of the coverage of the court main hearing by the media in the Polish criminal proceedings. The article examines both the conditions permitting the coverage of the trial, the subject of interference and the entities whose right to privacy may be violated in the course of the trial coverage by the media during criminal proceedings. Since the right to the privacy is currently protected not only by provisions of the civil law but also by the constitutional law, the obligation to observe and respect it also burdens the authorities conducting criminal proceedings. The research concludes that it is possible to reconcile seemingly conflicting objectives of the criminal proceedings, at the same time respecting the right to privacy. It is so because the sphere of one's privacy is also protected in the criminal proceedings. The effective protection of the right to privacy is threatened with the lack of sanctions for breaching the ban on publication of personal details or image, which is not stipulated in the criminal law or the press law.

KEYWORDS: right to privacy, criminal proceedings, coverage of the court's main hearing, principle of publicness