

## **ABSTRACT**

The present thesis addresses the issue of obtaining and gathering information in criminal proceedings which is subject to attorney-client privilege, and its subsequent use in criminal proceedings. The issue is rather complex, as *de lege lata* there is no comprehensive legal regulation addressing it in a satisfactory manner. The objective of the thesis is to find legally correct and fair solutions in respect of the protection of the attorney-client privilege, on the one hand, and the societal need to obtain and gather evidence effectively for the purposes of criminal proceedings, on the other hand.

The thesis provides a general description of the attorney-client privilege and legal assistance, on which the attorney-client privilege is based, and it also contains specific application problems encountered in connection with the use of means of obtaining evidence and gathering criminal intelligence pursuant to the Criminal Procedure Code. Such application problems are dealt with using methods of analysis, synthesis, analogy, comparison, with the results being generalized. Last but not least, the thesis provides an outline and comparison of the relation between the attorney-client privilege and other professional privileges, focussing on the options of obtaining different types of information.

The author concludes, *inter alia*, that the current legal regulation of the protection of the attorney-client privilege is wholly insufficient, that a completely new legal regulation must be prepared in order to harmonise the level of protection when means for obtaining evidence and gathering criminal intelligence are applied pursuant to the Criminal Procedure Code.

The key result and benefit of the thesis is the applicability of the conclusions mentioned above, whether concrete or general, both in theory and practice of the criminal law.