

## **Criminal procedure, the public and media – abstract**

In the information period when classical traditional media must adapt to new manners of dissemination of information, there arises a conflict between freedom of expression enshrined by the constitution and the right to information, which the media use as a shield in their actions, and an increased emphasis on individual rights, protection of the individuality and personal integrity against external interventions. It is also demonstrated in the field of informing the public about criminal procedures.

The initial thought to make the procedures before the court accessible to the public, in order to eliminate the risk of the so-called cabinet justice, aimed at the control of justice and protection of the right of parties to a fair procedure. The principle of the public procedure before the court had besides the control and guarantee role also the role of the means of prevention and education of the public. A publicly accessible procedure before the court should therefore lead the public to the respect for a valid legal system and its regulations, and also to enhance the trust in the function of judiciary and justice. With the expansion of media participation in the procedures before the court, especially in criminal matters, another dimension is currently being added to that. Especially in criminal matters it is necessary to protect some persons involved in the procedures, who may suffer from the publicizing of the case and disclosure of the information about them with a seriously negative psychological and social impact. It mainly involves the injured parties, witnesses, interested parties and those who are subject to criminal procedures, as well as the family members. The criminal procedure often ends differently than by a conviction and there is no rational reason for these persons to be excessively exposed to any potentially defamatory impacts.

Therefore, the thesis is focused on the legislation of the public presence during the criminal procedures, respectively procedures before the court, and the provision of information about criminal procedures in its course, that is in the context of constitutional and international freedom of speech, rights for information, principles of a fair trial and protection of individual rights for maintaining human dignity, personal honour, good reputation, and name. The thesis also contains legal possibilities of the exclusion of the public from the course of criminal procedures and legal restrictions on the provision of information about a criminal procedure with the emphasis on the current role of media in the criminal procedure.