

The subject of the doctoral dissertation focuses on the issue of protecting attorney's professional secrecy in criminal proceedings. The main goal of the scientific research in this work was to demonstrate the validity of the thesis that the inconsistency of the provisions regulating attorney's professional secrecy does not facilitate the development of an optimal standard of confidentiality protection. In order to solve the problem described above, it was necessary to determine the nature of attorney-client privilege, i.e. whether this privilege is of a relative or absolute nature, and thus to recognize the primacy of the regulations of the Act of June 6, 1997, Code of Criminal Procedure (Journal of Laws of 2022). r., item 1375, hereinafter referred to as: Code of Criminal Procedure) or recognition of the primacy of the provisions of the Act of May 26, 1982, Law on the Bar (Journal of Laws of 2022, item 1184). The analysis of the above made it possible to determine the limits of respect for a lawyer's professional secrecy in criminal proceedings as well as the optimal scope of its protection, which should be understood as the level of respect for secrecy.

The structure of the work is as follows, the first chapter is a short introduction to the title issue, which begins with the definition of a lawyer's professional secrecy. The second chapter discusses the scope of a lawyer's professional secrecy, including its subjective, objective and temporal scope. The third chapter deals with issues related to the questioning of a lawyer who acts as a witness from the perspective of protecting his professional secrecy, under the provisions of the Code of Criminal Procedure. with particular emphasis on evidentiary prohibitions. The first and second subchapters contain the characteristics of legal norms that, under certain conditions, prohibit the taking of evidence and limit its obtaining. The third and fourth subchapters discuss the most important evidentiary prohibitions which, from the perspective of the applicable Code of Criminal Procedure, are of key importance in terms of protecting attorney-client privilege, i.e. the relative prohibition of evidence formulated in Art. 180 § 2 of the Code of Criminal Procedure and the absolute prohibition of evidence under Art. 178 point 1 of the Code of Criminal Procedure The fourth chapter focuses on the issues related to the interrogation of a lawyer as an accused, mainly analyzing the problem of the right to defense of an accused who is a lawyer in terms of his obligation to maintain legal professional secrecy. Chapter five is a discussion of art. 225 and 226 of the Code of Criminal Procedure, which determine the procedure for detaining documents that contain confidential information, as well as Art. 237 of the Code of Criminal Procedure dealing with the control and recording of conversations. The last, sixth chapter, is an analysis of the effects or consequences that may arise in the event of a lawyer's breach of the obligation to maintain secrecy.

The work ends with a proposal to amend selected provisions relating to attorney's professional secrecy.