

A right to a public hearing before administrative courts in times of emergency – significance, reality and expectations for the future

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Abstract

One of the fundamental principles of each dispute is the right to a public hearing. In an emergency time due to health conditions, the preserverance of this right may be limited or even excluded. The aim of the paper is to answer a question about possible limitations of this right which will be in accordance with the European and national standards of the rule of law. The phenomenon of public hearings will be presented from a perspective of administrative judiciary. In the court-administrative disputes a potential for a resignation from public hearings is greater than in civil or criminal proceedings. The analysis is based on the European and national legal orders. Beside the normative analysis, the sociological data will be analysed (numbers of cases solved by the administrative courts in private and in camera, time frames in which the disputes were solved). In the final part of the presentation, the answers on the above mentioned questions will be given.

Key words: public hearings, administrative judiciary, new technologies, times of emergency, public confidence to judiciary.