

[DE] Mainz District Court Lifts Ban on TV Drama

IRIS 2000-4:1/6

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Following the decision of the Landgericht Mainz (Mainz District Court - LG) of 23 March 2000, the television broadcaster SAT.1 may finally show the programme *Der Fall Lebach* ("The Lebach Case"), which was supposed to be the pilot film of the series *Verbrechen, die Geschichte machten* ("Crimes that made history"). The judgement followed different rulings by the Oberlandesgerichte Saarbrücken & Koblenz (Saarbrücken and Koblenz Courts of Appeal) and a decision by the Bundesverfassungsgericht (Federal Constitutional Court - BVerfG) (see IRIS 2000-1: 9). The Federal Constitutional Court had lifted the ban imposed by the Mainz District Court and Koblenz Court of Appeal. The Mainz District Court has now adopted the interpretation of the Constitutional Court, according to which, in this case, the basic right of broadcasting freedom took precedence over the general personality rights of the criminal, who could only be identified in the programme by people who already knew about his involvement in the crime.

Urteil des Landgerichts Mainz vom 23. März 2000, Az. 1 O 531/96.

Judgement of the Mainz District Court, 23 March 2000, case no. 1 O 531/96.

