

Subject card

Subject name and code	Sociological analysis of judicial decisions in criminal cases - lecture, PG_00132538						
Field of study	Criminology						
Date of commencement of studies	October 2024	Academic year of realisation of subject			2025/2026		
Education level	postgraduate studies	Subject group			Obligatory subject group in the field of study		
Mode of study	part-time studies	Mode of delivery			at the university		
Year of study	2	Language of instruction			Polish		
Semester of study	4	ECTS credits			2.0		
Learning profile	academic	Assessment form					
Conducting unit	Katedra Prawa Karnego Materialnego i Kryminologii -> Faculty of Law and Administration -> Rektor						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Andrzej Lewna				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	20.0	0.0	0.0	0.0	0.0	20
	E-learning hours included: 0.0						
	Additional information:						
	Conversation lecture						
	Discussion						
	case studies						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	20		0.0		30.0	50
Subject objectives	The primary purpose of the course is to introduce criminology students to contemporary research on the methodology of judicial decision-making and the factors determining the sentencing process, particularly in the field of punishment and other measures of criminal response, using comparative references to the legal systems of selected European countries (particularly Great Britain and Northern Ireland) and the United States, as well as the existing state of knowledge in the science of these countries on the practice of sentencing.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[KRYMMU2_KR08] He/ she is aware of the level of own knowledge and skills, and understands the need for lifelong learning	Understands the need for in-depth, empirical analysis of the decision-making processes underlying adjudication and to gain further knowledge in this area	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work
	[KRYMMU2_WG01] The graduate demonstrates widened knowledge about legal science and related penal sciences, their the place in the system of sciences and mutual relation	Has knowledge of the principles operating in Poland and other countries, related to the the determinants of the decision on the penalty and other measures of criminal reaction.	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work
	[KRYMMU2_WG04] The graduate demonstrates widened knowledge about various types of crime and the ways of preventing crime	Has an expanded knowledge of the relationship between different types of crime and the decision-making processes for punishment or other response measures for these crimes	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work
	[KRYMMU2_WG02] He/she demonstrates deepened knowledge about the character of natural sciences connected with the field of stud, their place in the system of sciences and mutual relations	He has in-depth knowledge of the models of the adjudication process operating in Poland and other countries.	[SW2] presentation/project/paper/report [SW3] text preparation/written work
	[KRYMMU2_UK06] He/she is able to supplement knowledge and skills independently and critically, widened by interdisciplinary dimension	has the ability to use knowledge of solutions adopted in other countries to critically analyze and discuss problems related to the functioning of the criminal justice system in the country.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work
	[KRYMMU2_KK01] The graduate is aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	Understands the need for in-depth, empirical analysis of the decision-making processes underlying adjudication and to gain further knowledge in this area	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work
[KRYMMU2_WG05] He/she has deepened knowledge referring to the ways and tools, including techniques of data and information acquisition appropriate for criminology and criminalistics	Has in-depth knowledge as to the technique of obtaining data and information on issues related to the analysis of the adjudication process	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work	
Subject contents	Part I. Sentencing as a process and its determinants 1. Sentencing in the context of the objectives of the criminal justice system. 2. General rationalisations of sentencing - sentencing directives. 3. Specific sentencing directives - selected issues and practices: a)The principle of minimising the use of isolation punishment b)The principle of proportionality (equal impact- A. Ashworth) c)The principle of equal treatment d)The so-called penal managerialism and control of public expenditure of the criminal justice system. 4. Research on sentencing rationales in practice on the example of general prevention and deterrence. 5. the role of public opinion in the sentencing and punishment process. 6. the principle of proportionality of penal response measures and research on factors affecting its assessment. 7. the problem of the impact of recidivism on the penal response and the criminological prognosis. 8. Inequalities and discrimination in the sentencing process: the problem of gender. 9. Inequality and discrimination in the sentencing process: the problem of racial and ethnic diversity. Part II. Modelling the sentencing process in selected legal systems 1. The Sentencing Reform Movement 2. The system of the United States of America. 3 The system of England and Wales, Scotland and Northern Ireland. 4. the problem of sentencing reform in the Polish system		
Prerequisites and co-requisites	None		
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
	Coursework (student's individual work)	51.0%	100.0%

Recommended reading	Basic literature	Literature required for final course credit (passing the exam): 1. used in class: 1. How Do Judges Decide?: The Search for Fairness and Justice in Punishment (2nd ed.), C. Spohn, Washington, Los Angeles 2009 2. Sentencing and Criminal Justice (6th ed.), A. Ashworth, Cambridge 2015. 3. The Oxford Handbook of Sentencing and Corrections, J. Petersilia, K. R. Reitz (eds.), Oxford, New York 2012 4. The Criminal Process. R Model relationships in terms of legal comparison, P. Kruszyński (ed.), Warsaw 2014. 5. Criminal law and justice of the European Union states, M. Filar (ed.) Warsaw 2005. 2. Studied independently by the student - Literature indicated by the lecturer during the classes.
	Supplementary literature	Supplementary literature: 1. A. Ashworth, The sentencing guideline system in England and Wales, South African Journal of Criminal Justice, 2006, vol. 19, issue 1, pp. 1-22. 2. C. Munro M. Wasik, (ed.) Sentencing, Judicial Discretion and Training, London 1992 3. J. W. Raine, E. Dustan, How well do Sentencing Guidelines Work?: Equity, Proportionality and Consistency in the Determination of Fine Levels in the Magistrates Courts in England and Wales', The Howard Law Journal, 2009, vol. 48, issue 1, pp. 13-36. 4. J. V. Roberts, Structured Sentencing: Lessons from England and Wales for common law jurisdictions, Punishment & Society, 2012, vol. 14, issue 3, pp. 267-288. 5. Roberts, J. V., Sentencing Guidelines in England and Wales: Recent Developments and Emerging Issues, Law and Contemporary Problems, 2013, vol. 76, issue 1, pp. 1-25.
	eResources addresses	Adresy na platformie eNauczanie:
Example issues/ example questions/ tasks being completed	What social and cognitive factors actually determine judicial decisions in the sentencing process? What is the role of perceptual simplifications and cognitive errors in the sentencing process? What mechanisms are provided within selected legal orders for modelling the sentencing process by judges?	
Work placement	Not applicable	

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