

**Subject card**

<b>Subject name and code</b>	The use of evidence obtained during operational and reconnaissance activities in a criminal trial - lecture, PG_00134577						
<b>Field of study</b>	Criminology and Criminal Justice						
<b>Date of commencement of studies</b>	October 2024	<b>Academic year of realisation of subject</b>			2024/2025		
<b>Education level</b>	Bachelor's studies	<b>Subject group</b>			Optional subject group		
<b>Mode of study</b>	full-time studies	<b>Mode of delivery</b>			at the university		
<b>Year of study</b>	1	<b>Language of instruction</b>			English		
<b>Semester of study</b>	1	<b>ECTS credits</b>			5.0		
<b>Learning profile</b>	academic	<b>Assessment form</b>			credit		
<b>Conducting unit</b>	Department of Criminal Procedure and Criminalistics -> Faculty of Law and Administration -> Rector						
<b>Name and surname of lecturer (lecturers)</b>	<b>Subject supervisor</b>		dr Maciej Fingas				
	<b>Teachers</b>						
<b>Lesson types</b>	<b>Lesson type</b>	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	<b>Number of study hours</b>	20.0	0.0	0.0	0.0	0.0	20
	E-learning hours included: 0.0						
<b>Learning activity and number of study hours</b>	<b>Learning activity</b>	Participation in didactic classes included in study plan	Participation in consultation hours	Self-study	SUM		
	<b>Number of study hours</b>	20	0.0	105.0	125		
<b>Subject objectives</b>	<p>The main aim of the course is to present nodal issues related to operational and reconnaissance activities, in particular to approximate:</p> <ul style="list-style-type: none"> <li>- the essence and functions of secret police operations;</li> <li>- the scope, management and supervision of such operations;</li> <li>- use of secret co-workers of the Police to gather evidence;</li> <li>- the formula of entrapment as a defense line of a person provoked to crime</li> <li>- the possibility of using information obtained in the course of such operations in criminal proceedings.</li> </ul>						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[CCJL3_WG03] He/she demonstrates basic knowledge of facts and concepts, as well as dependencies between selected natural and social phenomena and in the sphere of products of human thought, in particular in the perspective of legal conditions related to the problem of a prohibited act	Has basic knowledge of facts and concepts related to reconnaissance activities.	[SW4] test/exam - oral or written
	[CCJL3_KK01] He/she is aware of his/her level of knowledge and skills, as well as understands the need for lifelong learning.	Taking into account the variability of the law on the area and the development of technology in the field of reconnaissance activities, he understands the need for lifelong learning.	[SK4] test/exam - oral or written
	[CCJL3_UW01] He/she can observe and interpret correctly phenomena that appear in the area of etiology and phenomenology of crime, universal for various societies, analyzes their connections with various areas of criminology	Is able to observe and correctly interpret phenomena that appear universally in various societies in the context of the use of covert surveillance and police provocation.	[SU4] test/exam - oral or written
Subject contents	1. Initial information on the nature and functions of secret police operations. 2. The notion of operational and reconnaissance activities in the Polish legal order 3. Problems of relations between the so-called police legislation and the criminal procedure. 4. Admissibility, form and scope of secret collection of evidence by the Police. 5. Limits of legality of secret police operations. 6. Threats to the individual's rights related to the extra-process, secret collecting of evidence 7. Secret Police operations in Strasbourg jurisprudence		
Prerequisites and co-requisites			
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
		51.0%	100.0%
Recommended reading	Basic literature	During the classes, students use the normative acts regulating the issues covered by the course contents and selected jurisprudence. B. Hay, Sting Operations, Undercover Agents, and Entrapment, Missouri Law Review 2005, vol. 70, issue 2 - fragments indicated by the lecturer. L. Stariene, The limits of the use of undercover agents and the right to a fair trial under article 6(1) of the European Convention on Human Rights, Jurisprudence 2009, vol. 3 (117) - fragments indicated by the lecturer. J. Sherman, A person otherwise innocent: Policing Entrapment in Preventative, Undercover, Counterterrorism Investigations, Journal of Constitutional Law 2009, vol. 11 - fragments indicated by the lecturer.	
	Supplementary literature	P. Marcus, The Entrapment Defense and Procedural Issues: Burden of Proof, Questions of Law and Fact, Inconsistent Defenses, Criminal Law Bulletin, Faculty Publications 1986, .Paper 14	
	eResources addresses		
Example issues/ example questions/ tasks being completed	Describe the conditions of police provocation in the light of the ECtHR case law.  Describe operational control.		
Work placement	Not applicable		

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