

**Subject card**

<b>Subject name and code</b>	Evidence law (criminal, civil and administrative) - lecture, PG_00144691						
<b>Field of study</b>	Law						
<b>Date of commencement of studies</b>	October 2021	<b>Academic year of realisation of subject</b>			2024/2025		
<b>Education level</b>	uniform Master's studies	<b>Subject group</b>			Optional subject group		
<b>Mode of study</b>	part-time studies	<b>Mode of delivery</b>			at the university		
<b>Year of study</b>	4	<b>Language of instruction</b>			Polish		
<b>Semester of study</b>	7	<b>ECTS credits</b>			4.0		
<b>Learning profile</b>	academic	<b>Assessment form</b>			exam		
<b>Conducting unit</b>	Faculty of Law and Administration -> Rector						
<b>Name and surname of lecturer (lecturers)</b>	<b>Subject supervisor</b>		dr hab. Krzysztof Woźniewski				
	<b>Teachers</b>		dr hab. Krzysztof Woźniewski dr Krzysztof Kaszubowski dr Grzegorz Julke				
<b>Lesson types</b>	<b>Lesson type</b>	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	<b>Number of study hours</b>	15.0	0.0	0.0	0.0	0.0	15
	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>	15		0.0		85.0	100
<b>Subject objectives</b>	The purpose of the lecture is to familiarize students with the legal norms regulating the procedural activities that make up the so-called evidence procedure, taking into account evidence in administrative trials, as well as in civil trials, but with particular emphasis on evidence in criminal trials.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	Is able to generate solutions to specific problems related to the law of evidence and forecast the course of their solution and predict the consequences of planned actions;	[SK5] implementation of a problem task
	[PRAWOJ5_WK13] He/she has advanced knowledge of the functioning of professional self-governments in legal professions, is familiar with the principles of judges' and prosecutors' professions, and has knowledge of the organization of the judiciary in Poland.	Has the knowledge and terminology of the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in certain legal proceedings;	[SW4] test/exam - oral or written
	[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	Has a deepened awareness of the level of his knowledge and skills, and understands the need for lifelong learning;	[SK5] implementation of a problem task
	[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	Has a deepened awareness of the level of his knowledge and skills, and understands the need for lifelong learning	[SK5] implementation of a problem task
	[PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation	Is able to efficiently acquire knowledge and develop his professional skills, using a variety of sources in the native language and modern technologies;	[SW4] test/exam - oral or written
	[PRAWOJ5_WG07] The graduate knows methods and tools, including techniques of data and information acquisition, as well as research methods appropriate for the field of study and the related disciplines	has knowledge and terminology of the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in certain legal proceedings	[SW4] test/exam - oral or written
	[PRAWOJ5_WG06] He/she has systematic knowledge about the man as the subject establishing social structures and principles of their operation and about the man as the individual operating in these structures	can perceive, analyze and have the ability to diagnose moral as well as legal dilemmas in command	[SW5] implementation of a problem task
	[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	is able to efficiently acquire knowledge and develop his professional skills, using a variety of sources in the native language and modern technologies	[SU5] implementation of a problem task
	[PRAWOJ5_WG03] He/she demonstrates deepened knowledge about the political system in Poland, about individual authorities with particular consideration of legislative authority and the judiciary,	has knowledge and terminology of the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in certain legal proceedings	[SW4] test/exam - oral or written
	[PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions	Is able to generate solutions to specific problems related to the law of evidence and forecast the course of their solution and predict the consequences of planned actions;	[SW4] test/exam - oral or written
	[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	can perceive, analyze and has the ability to diagnose moral as well as legal dilemmas in command	[SU5] implementation of a problem task
	[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	Is able to assess the usefulness of typical procedures and good practices in obtaining evidence.	[SU5] implementation of a problem task
	[PRAWOJ5_UW02] The graduate utilizes theoretical knowledge in legal science and the connected academic disciplines to analyze and interpret complex legal issues	is able to generate solutions to specific evidentiary law problems and forecast the course of their solution and predict the consequences of planned evidentiary actions.	[SU4] test/exam - oral or written

Course outcome	Subject outcome	Method of verification
[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	Is able to efficiently acquire knowledge and develop his professional skills, using a variety of sources in the native language and modern technologies;	[SU4] test/exam - oral or written
[PRAWOJ5_UW06] The graduate is able to assess the usefulness of typical procedures and good practice in the implementation of tasks connected with various spheres connected with law and related fields	Is able to assess the usefulness of typical procedures and good practices in obtaining evidence.	[SU4] test/exam - oral or written
[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	Is able to generate solutions to specific evidentiary law problems and forecast the course of their solution and predict the consequences of planned evidentiary actions.	[SW4] test/exam - oral or written
[PRAWOJ5_WK10] He/she understands and knows the basic concepts and principles of industrial property protection and copyright law, as well as understands the need for proper protection of intellectual property and managing its resources	Is able to assess the usefulness of typical procedures and good practices in obtaining evidence.	[SW5] implementation of a problem task
[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	Is able to efficiently acquire knowledge and develop his professional skills, using a variety of sources in the native language and modern technologies;	[SU4] test/exam - oral or written
[PRAWOJ5_UW01] He/she has advanced skills in observation and interpretation of social phenomena, analyzes their connections with various areas, activity of legal science and the related disciplines	Is able to generate solutions to specific evidentiary law problems and forecast the course of their solution and predict the consequences of planned evidentiary actions.	[SU4] test/exam - oral or written
[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	Is able to generate solutions to specific evidentiary law problems and forecast the course of their solution and predict the consequences of planned evidentiary actions.	[SU5] implementation of a problem task
[PRAWOJ5_KO04] The graduate is ready to prepare own projects connected with the creation, application and interpretation of legal regulations, including projects co-financed by the European Union's funds	Is able to generate solutions to specific problems related to the law of evidence and forecast the course of their solution and predict the consequences of planned actions;	[SK5] implementation of a problem task
[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law	can perceive, analyze and have the ability to diagnose moral as well as legal dilemmas in command;	[SK4] test/exam - oral or written
[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	Can use and integrate theoretical knowledge in the field of evidence law;	[SW4] test/exam - oral or written
[PRAWOJ5_WG09] He/she demonstrates deepened and systematic knowledge about the processes of changes of political systems and of individual authorities, as well as the consequences of these changes	Has the knowledge and terminology of the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in certain legal proceedings;	[SW4] test/exam - oral or written
[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	Is able to assess the usefulness of typical procedures and good practices in obtaining evidence.	[SU5] implementation of a problem task

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[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics	Has a belief in the importance of behaving in an ethical and professional manner, follows ethical principles in the law of evidence	[SK5] implementation of a problem task
[PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship.	Is able to generate solutions to specific problems related to the law of evidence and forecast the course of their solution and predict the consequences of planned actions;	[SW5] implementation of a problem task
[PRAWOJ5_WG01] The graduate demonstrates deepened and systematic knowledge about the character of legal science, its place in the system of sciences and mutual relations.	Knows the methods and tools, including techniques for obtaining data and information, and research methods, appropriate to the evidentiary process;	[SW4] test/exam - oral or written
[PRAWOJ5_WG04] He/she knows the system of Polish law, mutual connections within the system and connections of Polish law with the European Union law and international law	Is able to generate solutions to specific problems related to the law of evidence and forecast the course of their solution and predict the consequences of planned actions;	[SW4] test/exam - oral or written
[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	Is able to generate solutions to specific evidentiary law problems and forecast the course of their solution and predict the consequences of planned evidentiary actions.	[SK5] implementation of a problem task
[PRAWOJ5_UW03] The graduate demonstrates deepened skills of using complex theoretical points of view to analyze, interpret and plan strategies of legal activities; solves concrete problems connected with the creation, application and interpretation of legal regulations, anticipates the course of their solution and predicts the effects of planned activities	Knows the methods and tools, including techniques for obtaining data and information, and research methods, appropriate to the evidentiary process	[SU4] test/exam - oral or written

Subject contents	<p>I. Essential concepts in the theory of evidence</p> <ol style="list-style-type: none"> <li>1 General knowledge</li> <li>2 Proceedings of evidence</li> <li>3. proof</li> <li>4. surrogates of proof</li> </ol> <p>II. Selected divisions of evidence.</p> <p>III. Introduction of evidence into the criminal process.</p> <p>IV. Prohibitions on evidence.</p> <p>V. Individual means of evidence.</p> <ol style="list-style-type: none"> <li>1. explanations of the accused.</li> </ol> <p>A. Confession of guilt. B. Slander.</p> <ol style="list-style-type: none"> <li>2. Testimony of witnesses.</li> </ol> <p>A. Concept and types of witnesses: incognito and crown witness. B. Rights and duties of a witness. C. Interrogation of a witness - procedural and forensic aspects/ interrogation tactics and confrontation and presentation.</p> <ol style="list-style-type: none"> <li>3. expert witness and his opinion.</li> </ol> <p>A. Definition of an expert witness. B. Activities of an expert witness. C. Psychiatric opinion.</p> <ol style="list-style-type: none"> <li>4 Documentary evidence. Electronic evidence.</li> <li>5. visual inspection.</li> <li>6. Obtaining and using foreign evidence in the criminal process.</li> </ol> <p>VI. Problems of evidence evaluation.</p> <p>VII. Evidence in general administrative proceedings.</p> <p>VIII. Evidence in civil proceedings.</p> <ol style="list-style-type: none"> <li>1. General issues of the system of evidence: the concept of evidence, the right to evidence, evidence and evidentiary proceedings in light of the chief procedural principles.</li> <li>2. The burden of assertion and proof.</li> <li>3. Free evaluation of evidence.</li> <li>4. facts as the subject of evidence.</li> <li>5. rules of evidence.</li> <li>6. means of proof.</li> <li>7. Proceedings of evidence.</li> </ol>								
Prerequisites and co-requisites									
Assessment methods and criteria	<table border="1"> <thead> <tr> <th data-bbox="453 1464 794 1487">Subject passing criteria</th> <th data-bbox="799 1464 1141 1487">Passing threshold</th> <th data-bbox="1145 1464 1493 1487">Percentage of the final grade</th> </tr> </thead> <tbody> <tr> <td data-bbox="453 1494 794 1516">written study</td> <td data-bbox="799 1494 1141 1516">51.0%</td> <td data-bbox="1145 1494 1493 1516">100.0%</td> </tr> </tbody> </table>			Subject passing criteria	Passing threshold	Percentage of the final grade	written study	51.0%	100.0%
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written study	51.0%	100.0%							
Recommended reading	Basic literature	<p>W. Jasiński, K. Kremens, Criminal Law in Poland, Part Two-Criminal Procedure; Chapter 5. The rules of evidence, Wolters Kluwer 2019</p> <p>P. Wiliński, Criminal Procedure in: W. Dajczak, A. Szwarc, P. Wiliński, Handbook of Polish Law, Warszawa-Bielsko-Biała 2011</p>							

	Supplementary literature	A. Keane, P. McKeown, <i>Modern Law of Evidence</i> , Oxford University Press 2022  Vogler/Huber (eds.) <i>Criminal Procedure in Europe</i> , Duncker&Humboldt, Berlin 2008
	eResources addresses	
Example issues/ example questions/ tasks being completed		
Work placement	Not applicable	

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