

Subject card

Subject name and code	Evidence law (criminal, civil and administrative) - lecture, PG_00146518						
Field of study	Law						
Date of commencement of studies	October 2021	Academic year of realisation of subject			2024/2025		
Education level	uniform Master's studies	Subject group			Optional subject group		
Mode of study	evening studies	Mode of delivery			at the university		
Year of study	4	Language of instruction			Polish polish		
Semester of study	8	ECTS credits			4.0		
Learning profile	academic	Assessment form			exam		
Conducting unit	Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr hab. Krzysztof Woźniewski				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	30.0	0.0	0.0	0.0	0.0	30
	E-learning hours included: 0.0						
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	30		0.0		70.0	100
Subject objectives	The aim of the lecture is to familiarize students with the legal norms regulating procedural activities that make up the so-called evidentiary proceedings, including evidence in administrative proceedings as well as in civil proceedings, but with particular emphasis on evidence in criminal proceedings.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	has knowledge of and terminology for the body of legal rules governing the obtaining, preservation, assessment and use of evidence in certain legal proceedings	[SU3] text preparation/written work
	[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	is able to generate solutions to specific problems related to the law of evidence and to forecast the course of their solution and foresee the consequences of planned actions;	[SW3] text preparation/written work
	[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 to forecast the course of their solution and foresee the consequences of planned actions;	[SK3] text preparation/written work
	[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	has knowledge of and terminology for the body of legal rules governing the obtaining, preservation, assessment and use of evidence in certain legal proceedings	[SU3] text preparation/written work
	[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	is able to generate solutions to specific problems related to the law of evidence and to forecast the course of their solution and foresee the consequences of planned actions	[SU3] text preparation/written work
	[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 to predict the course of their solution and the impact of planned evidentiary measures	[SW3] text preparation/written work
	[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.	is able to generate solutions to specific evidentiary law problems and to predict the course of their solution and the impact of planned evidentiary measures	[SW3] text preparation/written work
	[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	can perceive, analyse and have the ability to diagnose moral as well as legal dilemmas in command	[SU3] text preparation/written work
	[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	is acutely aware of his/her level of knowledge and skills and understands the need for lifelong learning	[SU3] text preparation/written work
	[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 evidentiary law problems and to forecast the course of their solution and anticipate the consequences of planned evidentiary actions.	[SW3] text preparation/written work
	[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	is able to acquire knowledge and develop his/her professional skills efficiently, using a variety of sources in the native language and modern technology;	[SK3] text preparation/written work
	[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	is able to acquire knowledge and develop his/her professional skills efficiently, using a variety of sources in the native language and modern technology;	[SK3] text preparation/written work
	[PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation	can perceive, analyse and have the ability to diagnose moral as well as legal dilemmas in command;	[SW3] text preparation/written work

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[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 acquire knowledge and develop his/her professional skills efficiently, using a variety of sources in the native language and modern technology;	[SW3] text preparation/written work
[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,	is able to assess the usefulness of typical procedures and good practice in obtaining evidence.	[SW3] text preparation/written work
[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	has an in-depth awareness of his/her knowledge and skills and understands the need for lifelong learning;	[SK3] text preparation/written work
[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 acquire knowledge and develop his/her professional skills efficiently, using a variety of sources in the native language and modern technology;	[SU3] text preparation/written work
[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 generate solutions to specific evidentiary law problems and to forecast the course of their solution and anticipate the consequences of planned evidentiary actions.	[SU3] text preparation/written work
[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	has knowledge of, and terminology for, the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in specific legal proceedings;	[SW3] text preparation/written work
[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 to forecast the course of their solution and anticipate the consequences of planned evidentiary actions.	[SU3] text preparation/written work
[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	can perceive, analyse and have the ability to diagnose moral and legal dilemmas in command	[SU3] text preparation/written work
[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.	is able to generate solutions to specific evidentiary law problems and to forecast the course of their solution and anticipate the consequences of planned evidentiary actions.	[SW3] text preparation/written work
[PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions	is able to acquire knowledge and develop his/her professional skills efficiently, using a variety of sources in the native language and modern technology;	[SW3] text preparation/written work
[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	can perceive, analyse and have the ability to diagnose moral and legal dilemmas in command	[SK3] text preparation/written work

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	[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	can assess the usefulness of typical procedures and good practice in obtaining evidence	[SW3] text preparation/written work
	[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	is able to generate solutions to specific evidentiary law problems and to forecast the course of their solution and anticipate the consequences of planned evidentiary actions.	[SW3] text preparation/written work
	[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	is able to acquire knowledge efficiently and to develop his/her professional skills using a variety of sources in the native language and modern technology	[SW3] text preparation/written work
	[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	has knowledge of and terminology for the body of legal rules governing the obtaining, preservation, assessment and use of evidence in certain legal proceedings	[SU3] text preparation/written work
	[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics	has knowledge of, and terminology for, the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in specific legal proceedings;	[SK3] text preparation/written work
	[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 familiar with the methods and tools, including data and information extraction techniques and research methods, appropriate to the taking of evidence;	[SK3] text preparation/written work
	[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	has knowledge of and terminology for the body of legal rules governing the obtaining, preservation, assessment and use of evidence in certain legal proceedings	[SU3] text preparation/written work
Subject contents	<p>I. Essential concepts in the theory of evidence 1 General knowledge 2. the taking of evidence 3. proof 4. the surrogates of proofII. Selected divisions of evidence.III. Introduction of evidence into the criminal process.IV. Prohibitions on evidence.V. Individual means of proof. 1. Statements of the accused. A. Confession of guilt. B. Slander. 2. Testimony of witnesses. A. Concept and types of witnesses: incognito and crown witness. B. Rights and responsibilities of a witness. C. Questioning a witness - procedural and forensic aspects/ interrogation tactics and confrontation and presentation. 3. Expert witness and his/her opinion. A. Definition of an expert witness. B. Activities of an expert witness. C. Psychiatric opinion. 4. Documentary evidence. Electronic evidence. 5. visual inspection. 6. Obtaining and using foreign evidence in a criminal trial.VI. Problems of evaluation of evidence.VII. Evidence in general administrative proceedings.VIII. Evidence in civil proceedings. 1. General issues of the system of evidence: the concept of evidence, the right to evidence, evidence and evidence proceedings in the light of the chief procedural principles. 2. the burden of assertion and proof. 3. the free evaluation of evidence. 4. facts as objects of evidence. 5. rules of evidence. 6 Means of proof. 7 Proceedings of evidence.</p>		
Prerequisites and co-requisites			
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
	written elaboration	51.0%	100.0%

Recommended reading	Basic literature	P. Wiliński, Criminal Procedure in: W. Dajczak, A. Szwarc, P. Wiliński, Handbook of Polish Law, Warszawa-Bielsko-Biała 2011 W. Jasiński, K. Kremens, Criminal Law in Poland, Part Two-Criminal Procedure; Chapter 5. The rules of evidence, Wolters Kluwer 2019
	Supplementary literature	Vogler/Huber (eds.) Criminal Procedure in Europe, Duncker&Humboldt, Berlin 2008 A. Keane, P. McKeown, <i>Modern Law of Evidence</i> , Oxford University Press 2022
	eResources addresses	
Example issues/ example questions/ tasks being completed		
Work placement	Not applicable	

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