

## Subject card

|                                             |                                                                                                                                                                           |                                                          |                                         |                                     |                        |            |     |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-----------------------------------------|-------------------------------------|------------------------|------------|-----|
| Subject name and code                       | Evidence law (criminal, civil and administrative) - lecture, PG_00146938                                                                                                  |                                                          |                                         |                                     |                        |            |     |
| Field of study                              | Law                                                                                                                                                                       |                                                          |                                         |                                     |                        |            |     |
| Date of commencement of studies             | October 2022                                                                                                                                                              |                                                          | Academic year of realisation of subject |                                     | 2025/2026              |            |     |
| Education level                             | uniform Master's studies                                                                                                                                                  |                                                          | Subject group                           |                                     | Optional subject group |            |     |
| Mode of study                               | full-time studies                                                                                                                                                         |                                                          | Mode of delivery                        |                                     | at the university      |            |     |
| Year of study                               | 4                                                                                                                                                                         |                                                          | Language of instruction                 |                                     | Polish                 |            |     |
| Semester of study                           | 7                                                                                                                                                                         |                                                          | ECTS credits                            |                                     | 2.0                    |            |     |
| Learning profile                            | academic                                                                                                                                                                  |                                                          | Assessment form                         |                                     | credit                 |            |     |
| 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                                                                                                                                                     | 15.0                                                     | 0.0                                     | 0.0                                 | 0.0                    | 0.0        | 15  |
|                                             | 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                                                                                                                                                     | 15                                                       |                                         | 0.0                                 |                        | 35.0       | 50  |
| Subject objectives                          | The aim of the lecture is to familiarise students with the legal norms regulating the procedural steps that make up the so-called evidence procedure, taking into account |                                                          |                                         |                                     |                        |            |     |

| Learning outcomes | Course outcome                                                                                                                                                                                                                        | Subject outcome                                                                                                                                                                 | Method of verification            |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
|                   | [PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work                                                                                                                        | and a deepened awareness of his/her knowledge and skills and understands the need for lifelong learning;                                                                        | [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 problems related to the law of evidence and to forecast the course of their solution and foresee the consequences of planned actions; | [SW4] 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 use and integrate theoretical knowledge in the field of evidence law;                                                                                                | [SU4] 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 | can perceive, analyse and have the ability to diagnose moral as well as legal dilemmas in command;                                                                              | [SK4] test/exam - oral or written |
|                   | [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. | [SU4] test/exam - oral or written |
|                   | [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 use and integrate theoretical knowledge in the field of evidence law;                                                                                                | [SW4] test/exam - oral or written |
|                   | [PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities                                                                                                       | is able to acquire knowledge and develop his/her professional skills proficiently, using a variety of sources in the native language and modern technology;                     | [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, analyse and have the ability to diagnose moral as well as legal dilemmas in command;                                                                              | [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                             | s able to assess the usefulness of typical procedures and good practice in obtaining evidence.                                                                                  | [SW4] test/exam - oral or written |
|                   | [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                                                                               | [SW4] test/exam - oral or written |
|                   | [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 proficiently, using a variety of sources in the native language and modern technology;                     | [SK4] test/exam - oral or written |
|                   | [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 to forecast the course of their solution and foresee the consequences of planned actions; | [SK4] test/exam - oral or written |

|  | Course outcome                                                                                                                                                                                                                                                                                                                                                         | Subject outcome                                                                                                                                                                 | Method of verification            |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
|  | [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                                                                                                                           | knows the methods and tools, including data and information extraction techniques and research methods, appropriate to the taking of evidence;                                  | [SW4] test/exam - oral or written |
|  | [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. | [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 use and integrate theoretical knowledge in the field of evidence law;                                                                                                | [SU4] test/exam - oral or written |
|  | [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 proficiently, using a variety of sources in the native language and modern technology;                     | [SW4] test/exam - oral or written |
|  | [PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics                                                                                                                                                                                                                                                                        | is able to assess the usefulness of typical procedures and good practice in obtaining evidence.                                                                                 | [SK4] 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                                                                                                          | has an in-depth awareness of his/her knowledge and skills and understands the need for lifelong learning;                                                                       | [SK4] test/exam - oral or written |
|  | [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 | has a belief in the importance of behaving in an ethical and professional manner, and follows ethical principles in the law of evidence.                                        | [SU4] test/exam - oral or written |
|  | [PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work                                                                                                                                                                                                                                                                   | has a belief in the importance of behaving in an ethical and professional manner, and follows ethical principles in the law of evidence.                                        | [SU4] test/exam - oral or written |
|  | [PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning                                                                                                                                                                                                                           | on methods and tools, including data and information extraction techniques and research methods, specific to the evidence process;                                              | [SK4] test/exam - oral or written |
|  | [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 actions;             | [SW4] test/exam - oral or written |
|  | [PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship.                                                                                                                                                                                                                            | has knowledge of, and terminology for, the body of legal rules governing the obtaining, preservation, evaluation and use of evidence in specific legal proceedings;             | [SW4] test/exam - oral or written |

|  | Course outcome                                                                                                                                                                                           | Subject outcome                                                                                                                                                                 | Method of verification            |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
|  | [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 practice in obtaining evidence.                                                                                 | [SU4] test/exam - oral or written |
|  | [PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately                                                                                 | has an in-depth awareness of his/her knowledge and skills and understands the need for lifelong learning;                                                                       | [SK4] test/exam - oral or written |
|  | [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.                               | has a belief in the importance of behaving in an ethical and professional manner, and follows ethical principles in the law of evidence                                         | [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                               | has knowledge of, and terminology for, the set of legal norms governing the acquisition, preservation, evaluation and use of evidence in specific 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.                                                           | on methods and tools, including data and information extraction techniques and research methods, specific to the evidence process;                                              | [SU4] 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     | 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. | [SW4] test/exam - oral or written |
|  | [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 use and integrate theoretical knowledge in the field of evidence law;                                                                                                | [SU4] test/exam - oral or written |
|  | [PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language                                                                                  | is able to generate solutions to specific evidentiary law problems and to forecast the course of their solution and anticipate the consequences of planned actions;             | [SU4] test/exam - oral or written |

| Subject contents                                         | <ul style="list-style-type: none"><li>. Essential concepts in the theory of evidence<ul style="list-style-type: none"><li>1 General knowledge</li><li>2. the taking of evidence</li><li>3. proof</li><li>4. the surrogates of proof</li></ul></li><li>II. Selected divisions of evidence.</li><li>III. Introduction of evidence into the criminal process.</li><li>IV. Prohibitions on evidence.</li><li>V. Individual means of proof.<ul style="list-style-type: none"><li>1. Statements of the accused.<ul style="list-style-type: none"><li>A. Confession of guilt.</li><li>B. Slander.</li></ul></li><li>2. Testimony of witnesses.<ul style="list-style-type: none"><li>A. Concept and types of witnesses: incognito and crown witness.</li><li>B. Rights and duties of a witness.</li><li>C. Questioning a witness - procedural and forensic aspects/ interrogation tactics and confrontation and presentation.</li></ul></li><li>3. Expert witness and his/her opinion.<ul style="list-style-type: none"><li>A. Definition of an expert witness.</li><li>B. Activities of an expert witness.</li><li>C. Psychiatric opinion.</li></ul></li><li>4. Documentary evidence. Electronic evidence.</li><li>5. visual inspection.</li><li>6. Obtaining and using foreign evidence in a criminal trial.</li></ul></li><li>VI. Problems of evaluation of evidence.</li><li>VII. Evidence in general administrative proceedings.</li><li>VIII. Evidence in civil proceedings.<ul style="list-style-type: none"><li>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.</li><li>2. the burden of assertion and proof.</li><li>3. the free evaluation of evidence.</li><li>4. facts as objects of evidence.</li><li>5. rules of evidence.</li><li>6 Means of proof.</li><li>7 Proceedings of evidence.</li></ul></li></ul> |                                                                                                                                                                                                                                                                                                         |                   |                               |  |       |        |  |  |
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| Prerequisites and co-requisites                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                         |                   |                               |  |       |        |  |  |
| Assessment methods and criteria                          | <table><tr><th>Subject passing criteria</th><th>Passing threshold</th><th>Percentage of the final grade</th></tr><tr><td></td><td>51.0%</td><td>100.0%</td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Subject passing criteria                                                                                                                                                                                                                                                                                | Passing threshold | Percentage of the final grade |  | 51.0% | 100.0% |  |  |
| Subject passing criteria                                 | Passing threshold                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Percentage of the final grade                                                                                                                                                                                                                                                                           |                   |                               |  |       |        |  |  |
|                                                          | 51.0%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 100.0%                                                                                                                                                                                                                                                                                                  |                   |                               |  |       |        |  |  |
| Recommended reading                                      | Basic literature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | P. Wiliński, <i>Criminal proceedings</i> , Zedler F., <i>Civil proceedings</i> , A. Skoczylas, <i>Administrative Proceedings and Judicial Review of Administration</i> [w:] W. Dajczak, A. J. Szwarc, P. Wiliński (ed.), <i>Handbook of Polish Law</i> , PWN - Park Prawo, Warszawa-Bielsko-Biała 2011. |                   |                               |  |       |        |  |  |
|                                                          | Supplementary literature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <ul style="list-style-type: none"><li>• C.H. van Rhee, Alan Uzelac, <i>Evidence in contemporary civil procedure</i>, Intersentia; First edition, 2018;</li><li>• A. Keane, <i>Modern Law of Evidence</i>, Oxford University Press 2018</li></ul>                                                        |                   |                               |  |       |        |  |  |
|                                                          | eResources addresses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                         |                   |                               |  |       |        |  |  |
| Example issues/ example questions/ tasks being completed |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                         |                   |                               |  |       |        |  |  |
| Work placement                                           | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                         |                   |                               |  |       |        |  |  |

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