

Subject card

Subject name and code	The use of evidence obtained during operational and reconnaissance activities in a criminal trial - lecture, PG_00134577						
Field of study	Criminology and Criminal Justice						
Date of commencement of studies	October 2026		Academic year of realisation of subject		2026/2027		
Education level	Bachelor's studies		Subject group		Optional subject group		
Mode of study	full-time studies		Mode of delivery		at the university		
Year of study	1		Language of instruction		English		
Semester of study	1		ECTS credits		5.0		
Learning profile	academic		Assessment form		credit		
Conducting unit	Department of Criminal Procedure and Criminalistics -> Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Maciej Fingas				
	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						
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		105.0	125
Subject objectives	The main aim of the course is to present nodal issues related to operational and reconnaissance activities, in particular to approximate: - the essence and functions of secret police operations; - the scope, management and supervision of such operations; - use of secret co-workers of the Police to gather evidence; - the formula of entrapment as a defense line of a person provoked to crime - the possibility of using information obtained in the course of such operations in criminal proceedings.						
Learning outcomes	Course outcome		Subject outcome		Method of verification		
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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