**SYLLABUS**

**regarding the qualification cycle FROM 2023 TO 2024**

1. Basic Course/Module Information

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| Course/Module title | Criminal Law |
| Course/Module code \* | PRP13 |
| Faculty (name of the unit offering the field of study) | Institute of Legal Studies |
| Name of the unit running the course | Department of Criminal Law |
| Field of study | Law |
| Qualification level  | Uniform master's studies |
| Profile | General Academic |
| Study mode | Full-time studies |
| Year and semester of studies | 2 year, III semester |
| Course type | Obligatory |
| Language of instruction | English |
| Coordinator | PhD Dorota Habrat, PhD Katarzyna Czeszejko-Sochacka |
| *Course instructor* | PhD Dorota Habrat, PhD Katarzyna Czeszejko-Sochacka  |

\* - as agreed at the faculty

1.1.Learning format – number of hours and ECTS credits

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Semester(n0.) | Lectures | Classes | Colloquia | Lab classes | Seminars | Practical classes | Internships | others | **ECTS credits**  |
| III |  | 30 |  |  |  |  |  |  | 5 |

1.2. Course delivery methods

X conducted in a traditional way

X involving distance education methods and techniques

1.3. Course/Module assessment (exam, pass with a grade, pass without a grade)

Classes: pass with a grade

2. Prerequisites

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| Students are expected to know (or get to know) the rules concerning the criminal liability in their domestic legal systems. |

3. Objectives, Learning Outcomes, Course Content, and Instructional Methods

3.1. Course/Module objectives

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| O1 | The aim of the lecture is to acquaint students with the issues of criminal law, the essence of a crime, the rules of criminal responsibility, the rules of excluding criminal responsibility, the rules of applying international criminal law, the forms of committing a crime, the institutions of concurrence of regulations and theories of concurrence of regulations in terms of causation |
| O2 | Classes are devoted to familiarize students with the practice of applying the knowledge acquired during the lecture. |
| O3 | The aim of the classes is to familiarize students with the practical application of the provisions of the Penal Act, create the basis for independent analysis and solution of case studies, independent analysis of the legal text and its interpretation. |

3.2. Course/Module Learning Outcomes (to be completed by the coordinator)

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| Learning Outcome | The description of the learning outcome defined for the course/module | Relation to the degree programme outcomes |
|  | Knowledge |  |
| LO\_01 | knows terminology of penal law, defines crime and types of crime, punishment and other means of penal reaction, | K\_W01, K\_W02, K\_W04, K\_W06, K\_W11 |
| LO\_02 | identifies prerequisites of criminal responsibility | K\_W02, K\_W07 |
| LO\_03 | distinguishes between cases of non-criminal liability on the basis of specific grounds | K\_W02, K\_W07 |
| LO\_04 | recognises forms of commit the crime | K\_W05 |
| LO\_05 | formulates theories about the confluence of laws and causation, | K\_W06, K\_W10 |
| LO\_06 | has well-ordered general knowledge of penal law, the basics of penal responsibility | K\_W02, K\_W03, K\_W04, K\_W05, K\_W06, K\_W07, K\_W09 |
| LO\_07 | knows the text and understands the methods of analysis, legal interpretation and understands the analysis of judicial decisions. | K\_W05, K\_W06,K\_W12 |
|  | Skills |  |
| LO\_08 | solves the case on its own, subsumes the facts according to the legal norm chosen by it, proposes alternative legal solutions to the criminal law | K\_U01, K\_U04, K\_U02, K\_U10, K\_U12 |
| LO\_09 | has basic research skills, including the formulation and analysis of a criminal law issue / problem, | K\_U05, K\_U16 |
| LO\_10 | derives conclusions on the basis of the content of the legal act, | K\_U06, K\_U08, K\_U15, K\_U16 |
| LO\_11 | independently acquires knowledge and develops research skills following the guidance of a research supervisor, | K\_U03, K\_U11 |
| LO\_12 | uses the basic theoretical approaches, legal formulations in the field of criminal law, | K\_U07, K\_U12 |
| LO\_13 | has the ability to use the acquired theoretical knowledge and to select the appropriate method to solve a specific legal problem, including proposing an appropriate legal classification of an act, | K\_U09 |
| LO\_14 | argues for the position he represents on the meaning, content or application of a criminal law provision, | K\_U05, K\_U12, K\_U16 |
| LO\_15 | uses knowledge in professional work in accordance with ethical principles, understands the legal text, uses the rules of logical reasoning and interpreting regulations, | K\_U02, K\_U12, K\_U16  |
| LO\_16 | can communicate interpersonally and communicate in the process of making legal decisions | K\_U10, K\_U13 |
| LO\_17 | understands the need for lifelong learning | K\_U17 |
|  | Social competences |  |
| LO\_18 | is cautious / critical in expressing an opinion on a selected criminal law issue, | K\_K01, K\_K07, K\_10 |
| LO\_19 | correctly identifies and resolves dilemmas related to the profession | K\_K04, K\_K06 |
| LO\_20 | understands the need to maintain professional ethics | K\_K05, K\_K10 |

**3.3. Course content (to be completed by the coordinator)**

1. Lectures

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1. Classes

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| The concept of an act, to act despite the appearance of an act, the concept of a crime, types of crimes. |
| The applicability of a criminal statute with respect to the time and place of the commission of a criminal act. |
| Principles of intertemporal law. |
| Principles of international criminal law. |
| The elements of a prohibited act, division of elements, structure of a criminal offence, subject of the prohibited act |
| Subjective side of an offence, subject of the crime, subject side |
| Objective attribution of a prohibited act in the case of action and omission, theories of causation. |
| Circumstances excluding criminal liability due to the lack of unlawfulness |
| The concept of guilt, guilt as the basis of responsibility and penalty, gradation of guilt. |
| The subject's ability to culpate, circumstances excluding culpability |
| Forms of committing a prohibited act, |
| International crimes |
| International tribunals |
| Differences between the crime of genocide and crime against humanity |
| Minors in criminal law |
| Principles concerning the court sentence and penal measures, extraordinary sentence, circumstances affecting the mitigation or tightening of the sentence |
| The real coincidence of crimes, total punishment, sequence of crimes |
| Limitation of criminal records, limitation of the execution of a penalty, limitation of prosecution |

3.4. Methods of Instruction

Lecture: -

Classes: text analysis and discussion/project work, case study, group work, solving tasks

4. Assessment techniques and criteria

4.1 Methods of evaluating learning outcomes

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| Learning outcome | Methods of assessment of learning outcomes (e.g. test, oral exam, written exam, project, report, observation during classes) | Learning format (lectures, classes,…) |
| LO\_01-10 | *WRITTEN EXAM, TEST OR DESCRIPTION (ALTERNATIVE METHOD), OBSERVATION OF THE STUDENT'S PRACTICAL SKILLS DURING CLASSES* | Classes |
| LO\_11-12 | OBSERVATION OF THE STUDENT'S PRACTICAL SKILLS DURING CLASSES | Classes |
| LO\_13 | WRITTEN EXAM, TEST OR DESCRIPTION (ALTERNATIVE METHOD), OBSERVATION OF THE STUDENT'S PRACTICAL SKILLS DURING CLASSES | Classes |
| LO\_14-15 | OBSERVATION OF THE STUDENT'S PRACTICAL SKILLS DURING CLASSES | Classes |
| LO\_16 | TEST OR DESCRIPTION (ALTERNATIVE WAY), OBSERVATION OF THE STUDENT'S PRACTICAL SKILLS DURING CLASSES | Classes |
| LO\_17-20 | OBSERVATION OF THE STUDENT'S PRACTICAL SKILLS DURING CLASSES | Classes |

4.2 Course assessment criteria

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| Student grade  will  be  based  on  prepared by itself essay, attendance  and exam. Tutorials – the assessment of the course include: attendance, activity, essay or presentationStudents are obliged to prepare a paper (5-8 pages, double spaced) with regard to the Criminal Law (Polish or International Criminal Law). Some topics will be also raised during the classes.  |

5. Total student workload needed to achieve the intended learning outcomes

– number of hours and ECTS credits

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| --- | --- |
| Activity | Number of hours |
| Scheduled course contact hours | exercises 30 hours |
| Other contact hours involving the teacher (consultation hours, examinations) | time for writing essay/essays50 hoursparticipation in consultations 3 hours |
| Non-contact hours - student's own work (preparation for classes or examinations, projects, etc.) | preparation for classes 45 hours  |
| Total number of hours | 125 hours |
| Total number of ECTS credits | 5 |

\* One ECTS point corresponds to 25-30 hours of total student workload

6. Internships related to the course/module

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| Number of hours |  |
| Internship regulations and procedures |  |

7. Instructional materials

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| Compulsory literature:Lectures on criminal law given in the form of current and up-to-date notes during the lectureAct of the 6th June 1997 – (Polish) Criminal CodeAct of 28 October 2002 - Act on liability of collective entities for acts prohibited under penaltyS. Frankowski, „Introduction to Polish law”, Wolters Kluwer Polska 2005 |
| Complementary literature: D. Habrat, Criminal Law Instruments to Counter Corporate Crimes in Poland, International Journal of Social, Behavioral, Educational, Economic and Management Engineering Vol:9, No:6, 2015D. Habrat, The analysis of collective entities responsibility for unfair competition acts in penal law aspect, OPOLSKIE STUDIA ADMINISTRACYJNO-PRAWNE XIII/3, Opole 2015D. Habrat, Protection of Human Dignity as a Basis for Penalization of Hate Speech against People with Disabilities in Polish Criminal Law, Studia Iuridica Lublinensia 2020, T 30, nr 4, p. 259-279D. Habrat, Effect of the European Court of Human Rights case-law on judgments of Polish courts in the crime of hate speech, 2019, nr 9, p. 5-14K. Czeszejko-Sochacka**,** Some remarks on the issues of the consequences of war rape on the example of Bosnia and Herzegovina, Polityka i Społeczeństwo 2022, DOI: [10.15584/polispol.2022.1.3](https://doi.org/10.15584/polispol.2022.1.3)K. Czeszejko-Sochacka, Radislav Krstic's case as an example of commander`s liability, Journal of Liberty and International Affairs, 2020, <https://www.e-jlia.com/papers/17_5.pdf> |

Approved by the Head of the Department or an authorised person