

Introduction

Volume 22(1) of “Białostockie Studia Prawnicze” [Białystok Legal Studies] focuses on the models of disciplinary proceedings regarding selected professions in the light of the standards of a fair trial. Articles published herein are the effect of statutory research pursued by the Chair of Criminal Procedure at the Faculty of Law of the University of Białystok since 2013. As part of the research project, a national scientific seminar titled “Models of disciplinary proceedings in the light of fair trial principles” was held on 17 March 2014. In the aftermath of scientific deliberations and discussions, representatives of the criminal trial doctrine from leading Polish scientific centres as well as university staff and PhD students of the Chair of Criminal Procedure submitted articles for publication herein.

The subject matter presented in this volume is significant since disciplinary liability is, on the one hand, a manifestation of autonomy of individual professional groups, while on the other hand, as a form of repression, it has always been perceived from the constitutional perspective and through the prism of requirements of a fair trial determined in Art. 6 of the European Convention on Human Rights. Furthermore, it should be emphasized that disciplinary procedures have evolved considerably in recent years as a result of either direct changes of relevant provisions of law regulating them, or indirect impact thereon of the Code of Criminal Procedure’s amendments effected between 2015 and 2016.

The subject matter of scientific articles focuses on substantive or procedural aspects of models of disciplinary liability adopted in legal corporations of prosecutors, legal advisors and attorneys at law. From this perspective, the article devoted to the procedure of disciplinary liability of Internal Security Agency officers analyzed in the light of the concept of a fair trial appears particularly interesting. Moreover, evolution of selected disciplinary procedures has been thoroughly analyzed herein in the light of conventional and constitutional standards of the right to a trial. Deliberations presented in the article on the regulation of a minor disciplinary breach in the Polish law are of a universal nature. The issue of coincidence of criminal and disciplinary proceedings in the context of the provisions of the Law on Higher Education has also been considered herein.

Research methods adopted by the authors in their studies are not merely limited to a dogmatic analysis. Since most of them are members of specific professional groups, their deliberations also include practical aspects of disciplinary proceedings adopted in corporations.

We dare to hope that this volume of “Białostockie Studia Prawnicze” and articles contained herein will considerably contribute to the scientific discussion on the consistency of disciplinary procedures with the requirements of a fair trial while evoking a profound scientific reflection thereon in the readers.

Cezary Kulesza, Dariusz Kuźelewski
Volume Theme Editors