## Appendix No. 6

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## List of academic publications:

## I. BOOKS

- 1. The criminal offence and the petty offence of causing damage to things, Lublin 2005, 329 pages
- 2. The Criminal Code. Practical commentary (together with M. Mozgawa, P. Kozłowska-Kalisz, and M. Budyn-Kulik), Zakamycze 2005, 2<sup>nd</sup> edition: 2007, 3<sup>rd</sup> edition: 2010, 4<sup>th</sup> edition: 2011, 5<sup>th</sup> edition: 2013;
- 3. Substantive criminal law. The general part, Zakamycze 2006 (co-authored by M. Mozgawa, P. Kozłowska-Kalisz, and M. Budyn-Kulik), 2<sup>nd</sup> edition: 2009, 3<sup>rd</sup> edition: 2011;
- 4. The Code of Petty Offences. Commentary. Zakamycze 2007, 2<sup>nd</sup> edition: 2010 (coauthored by M. Mozgawa, P. Kozłowska-Kalisz, and M. Budyn-Kulik);
- 5. Other criminal offences against property (forest-related theft, blackmailing, theft of a computer programme, computer fraud, taking over a mechanical vehicle for short use, theft of call units), (in:) R. Zawłocki (ed.), Volume IX. Criminal offences against property and economic criminal offences, (in:) A. Marek (ed.), The criminal law system, Warsaw 2011:
- 6. Chapter XXV: Crimes against sexual freedom and decency, (in:) M. Królikowski, R. Zawłocki (eds.) The Criminal Code. The specific part. Commentary (together with M. Budyn-Kulik), Warsaw 2013;
- 7. Prescription of criminal liability and prescription of carrying out the penalty in Polish criminal law, Warsaw 2014, 757 pages.

(All published after obtaining the doctoral degree)

### II. Articles:

- 1. The right to privacy vs. criminal liability resulting from causing minor body injury with the aggrieved party's consent, Prokuratura i Prawo 1999, Issue 10, pp. 69–81;
- 2. Criminal law aspects of graffiti, Prokuratura i Prawo 2001, Issue 2, pp. 71–95;
- 3. Amendments to the Criminal Code of 1997 so far, Prokuratura i Prawo 2002, Issue 12;
- 4. Does a groundless evasion of making a testimony constitute 'concealment of truth' within the meaning of Article 233 § 1 of the Criminal Code? Remarks with respect to the resolution of seven judges of the Supreme Court of 22 January 2003 (I KZP 39/02), WPP 2003, Issue 3, pp. 43 56;
- 5. Faust and Margaret. An attempt at a criminal law analysis of some themes in J. W. Goethe's drama, (in:) L. Leszczyński, E. Skrętowicz, Z. Hołda (eds.): In the circle of theory and practice of criminal law. A book in memory of Professor Andrzej Wąsek, Lublin 2005 (together with M. Budyn-Kulik), pp.539 556;
- 6. On Professor Andrzej Wąsek, (in:) L. Leszczyński, E. Skrętowicz, Z. Hołda (eds.): In the circle of theory and practice of criminal law. A book in memory of Professor Andrzej Wąsek, Lublin 2005, pp. 13 21;

7. Amendments to the provisions on forfeiture of things and pecuniary benefits in the Criminal Code of 1997, (in:) T. Bojarski, K. Nazar, A. Nowosad, M. Szwarczyk (eds.), Changes to the Polish criminal law after the coming into force of the Criminal Code of 1997, Lublin 2005, pp. 81 - 92;

8. Freedom of artistic activity as a circumstance excluding or limiting criminal liability, (in:) M. Mozgawa (ed.): Criminal law aspects of freedom, Zakamycze 2006 (co-authored by M. Budyn-Kulik), pp. 233 - 248;

9. A defence of Margaret, Palestra, Issue 7–8, 2006, pp. 181 - 184;

10. Several remarks on liability for false testimony, in particular from an anonymous witness, (in:) I. Nowikowski (ed.), Problems of the criminal procedure. A book in memory of Professor Edward Skrętowicz, Maria Curie-Skłodowska University Press, Lublin 2007, pp. 38 - 53;

11. Commentary to the Act - Provisions Introducing the Code of Petty Offences, SIP

Lex/el. (2008), No. 90614;

- 12. Professor Andrzej Wąsek (together with P. Kozłowska-Kalisz), (in:) A. Przyborowska-Klimczak (ed.), Professors of the Faculty of Law and Administration of the Maria Curie-Skłodowska University 1949–2009; A jubilee book for the 60<sup>th</sup> anniversary of the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin, Lublin 2009, pp. 322 339;
- 13. Aspects of criminal cooperation in the works produced by the Department of Comparative Criminal Law, in particular by Professor Andrzej Wąsek, (in:) T. Bojarski (ed.), Development of penal sciences in the sixty years of existence of the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin, Lublin 2009, pp. 107 171;
- 14. Opinion in discussion, (in:) M. Mozgawa, K. Dudka (eds.), The Criminal Code and the Code of Criminal Procedure after 10 years from coming into force. Evaluation and perspectives for changes. Conference materials, Zakamycze 2009, pp. 275 283;
- 15. The so-called accompanying act in view of the rules on excluding unanimity of evaluations, Czasopismo Prawa Karnego i Nauk Penalnych 2009, Issue 2, pp. 185 208;
- 16. Commentary on the penal provisions of the Act of 23 July 2003 on the Protection of and Care for Historical Artefacts (Dz. U. No. 162, item 1568, as amended), Lex/el. 2010:
- 17. Criminal liability of a public official, especially a notary, (in:) A. Oleszko (ed.), The criminal liability of a notary, Warsaw 2010, pp. 206 239;
- 18. The public order clause in the legal excuse of the aggrieved party's consent as an instrument of ensuring proportionality of its use, (in:) T. Dukiet-Nagórska (ed.), The principle of proportionality in criminal law, Warsaw 2010, pp. 215 233;
- 19. Criminal liability for the criminal offence of destroying or damaging a historical artefact, (in:) T. Gardocki, J. Sobczak (eds.), Legal protection of historical artefacts, Warsaw 2010 (together with A. Szczekala), pp. 125 145;
- 20. Aspects of concurrence of Article 35 of the Act on Animal Protection and the provisions establishing the criminal offence of causing damage to things (together with M. Mozgawa), Prokuratura i Prawo 2011, Issue 6, pp. 5 23;

21. 'Pornographic' criminal offences in a comparative approach, (in:) M. Mozgawa (ed.), Pornography, Warsaw 2011, pp. 89 - 127;

22. Legitimacy of the premises taken into account in making the decision on conditional release from serving the remainder of the penalty of imprisonment in court practice between 2002 and 2007, (in:) A. Michalska-Warias, I. Nowikowski, J. Piórkowska-Flieger (eds.), Theoretical and practical problems of contemporary criminal law. A book in honour of Professor T. Bojarski (together with M. Budyn-Kulik), Lublin 2011, pp. 995 - 981;

23. Criminal law protection of animals: a dogmatic analysis and practice of prosecuting the criminal offences specified in Article 35 of the Act of 21 August 1997 on Animal Protection (together with M. Mozgawa, M. Budyn-Kulik, and K. Dudka), Prawo w działaniu 2011, Issue 9, pp. 41 - 100;

24. The criminal offence of rape in a comparative approach, (in:) M. Mozgawa (ed.), The

criminal offence of rape, Warsaw 2012, pp. 73 - 115;

25. The beginning of suspension of the prescription period for criminal liability in connection with the relative procedural immunity on the example of a judge's formal immunity, WPP 2012, Issue 4, pp. 81 - 102;

- 26. Extension of the prescription period for criminal liability for criminal offences against sexual freedom and decency committed aggrieving minors *de lege ferenda*, Zeszyty Naukowe Wyższej Szkoły Humanistyczno Ekonomicznej im. Jana Zamoyskiego z siedzibą w Zamościu 2012, Issue 6, pp. 127 135;
- 27. Prescription of criminal liability for private-prosecuted criminal offences, Prokuratura i Prawo 2013, Issue 7–8, pp. 127 146;
- 28. Criminal offences against respect and bodily integrity in selected European countries, (in:) M. Mozgawa (ed.), Criminal offences against respect and bodily integrity, Warsaw 2013, pp. 65 94;

29. Preventive measures in the criminal laws of selected European countries, Prawo w

działaniu 2013, Issue 13, pp. 63 - 120;

30. Selected issues of criminalising sexual offences against minors, (in:) S. Pikulski, M. Romańczuk-Grącka (eds.), Boundaries of criminalisation and penalisation, Olsztyn 2013 (together with M. Budyn-Kulik), pp. 320 - 332.

(items 1-4 prior to obtaining the doctoral degree)

### III. Commentaries:

- 1. Commentary on the resolution of the Supreme Court of 19 August 1999 (I KZP 24/99), Przegląd Sądowy 2000, Issue 2, pp. 140–150;
- 2. Commentary on the judgment of the Appellate Court in Lublin of 16 January 2000, II AKa 248/2000, Prokuratura i Prawo 2001, Issue 10, pp. 108–117;
- 3. Commentary on the resolution of the Supreme Court of 21 November 2001 (I KZP 14/2001), Prokuratura i Prawo 2002, Issue 4, pp. 97–106;
- 4. Commentary on the decision of the Supreme Court of 25 February 2002 (I KZP 1/2002), Palestra 2003, Issue 1–2, pp. 215–221;
- 5. Commentary on the resolution of the Criminal Chamber of the Supreme Court of 29 October 2002 (I KZP 30/02), WPP 2003, Issue 3, pp. 141 145;
- 6. Commentary on the judgment of the Appellate Court in Lublin of 9 December 2002, II AKa 306/02, WPP 2004, Issue 3 (together with M. Budyn), pp. 146 153;
- 7. Commentary on the decision of the Supreme Court of 6 June 2006 (IKZP 15/06), Palestra 2007, Issue 7, pp. 302 307;
- 8. Commentary on the resolution of the Supreme Court of 21 March 2007, I KZP 39/06 (together with M. Budyn-Kulik), Przegląd Sądowy 2009, Issue 5, pp. 134 137;
- 9. Commentary on the resolution of the Supreme Court of 30 June 2008, I KZP 8/08, Ius Novum 2009, Issue 1, pp. 148 158;
- 10. Commentary on the resolution of the Supreme Court of 30 June 2008, I KZP 10/08 (together with M. Budyn-Kulik), SIP LEX/el. (2008) 93962;

- 11. Commentary on the decision of the Supreme Court of 23 September 2008 (I KZP 18/08), SIP LEX/el. 2009, No. 97461;
- 12. Commentary on the judgment of the Appellate Court in Katowice of 30 October 2008 (II AKa 266/08), SIP LEX/el. (2009), No. 102901 (regarding the classification identity of criminal offences comprising a series of offences);
- 13. Commentary on the decision of the Supreme Court of 30 September 2009 (I KZP 12/09), SIP LEX/el. 2009;
- 14. Commentary on the Supreme Court ruling of 6 October 2009, II KK 87/09, LEX/el. 121345;
- 15. Commentary on the decision of the Appellate Court in Lublin of 7 April 2010 (II AKzw 232/10), not published, CzPKiNP 2010, Vol. 4, pp. 139 148;
- 16. Commentary on the decision of the Supreme Court of 23 March 2011 (I KZP 29/100), SIP LEX/el. 2009, Lex/el. 2011;
- 17. Commentary on the decision of the Supreme Court of 27 January 2011 (I KZP 27/10), Lex/el. 2012;
- 18. Commentary on the decision of the Supreme Court of 25 March 2010 (IV KK 315/09), Lex/el. 2012;
- 19. Commentary on the judgment of the Supreme Court of 14 January 2010 (V KK 235/09), Lex/el. 2012;
- 20. Commentary on the decision of the Supreme Court of 1 September 2011 (V KK 43/11), Lex/el. No. 149059;
- 21. Commentary on the decision of the Supreme Court of 12 December 2012 (V KK 82/12), OSP 2013, Vol. 10, pp., 709 716;

(items 1–6 prior to obtaining the doctoral degree)

### IV. Reviews:

- 1. Review of the work edited by S. I. Nikulin: Commentariy k ugolovnomu kodyeksu RF s postatyeynymi materyalami y sudyebnoy praktikoy, Manager, Moscow 2000, 1182 pages, Państwo i Prawo 2001, Issue 8, pp. 68–70;
- 2. Review of a book by Oktawia Górniok: Criminal liability of managers, Prokuratura i Prawo 2005, Issue 7–8, pp. 205 210

(item 1 prior to obtaining the doctoral degree)

V. Legal opinions published in print:

1. Legal opinion produced at the request of the Centre for Studies and Legislation of the National Board of Legal Counsellors for the draft of 20 June 2011 of the Act on Amendments to the Criminal Code (together with P. Kozłowska-Kalisz), Radca Prawny 2011, Issue 9.

### V. Other:

- 1. Changes to the criminal law, Wiadomości Uniwersyteckie 2002, Issue 4;
- 2. A recollection of Professor Andrzej Wąsek (together with M. Budyn), Wiadomości Uniwersyteckie 2004, Issue 12;
- 3. A recollection of Professor Andrzej Wąsek (together with M. Budyn and M. Mozgawa), PPK 2004, Issue 23;

- 4. Supplements and corrections to the part authored by A. Wąsek, (in:) O. Górniok, S. Hoc, M. Kalitowski, S. M. Przyjemski, J. Szumski, L. Tyszkiewicz, A. Wąsek, The Criminal Code. Commentary, 2<sup>nd</sup> edition, Gdańsk 2004.
- 5. Supplements and corrections to the part authored by A. Wasek, (in:) M. Filar (ed.), The Criminal Code. Commentary, Warsaw 2008, 2010, 2012;
- 6. A report on the Criminal Law Aspects of Freedom conference (together with P. Kozłowska-Kalisz and M. Budyn-Kulik), PiP 2005, Issue 8;
- 7. A report on the Criminal Law Aspects of Freedom conference (together with P. Kozłowska-Kalisz and M. Budyn-Kulik), Prok. i Pr. 2005, Issue 9;
- 8. Opinion in discussion, (in:) M. Mozgawa (ed.): Criminal law aspects of freedom, Zakamycze 2006

(items 1–3 prior to obtaining the doctoral degree)

- VI. Publications accepted for publication:
- 1. Accessory liability in Polish criminal law, (in:) M. Mozgawa (ed.), Current problems in crime theory and the criminal laws of Poland and the Ukraine (in printing);
- 2. The possibility of exclusion of an artist's criminal liability for blasphemy, (in:) K. Wiak (ed.), Freedom in art vs. affronts to religious feelings (together with M. Budyn-Kulik, in printing);
- 3. The criminal offence of abducting or holding a minor or an inept person Article 211 of the Criminal Code (with particular consideration for parental abduction) (Prawo w działaniu, together with M. Mozgawa and A. Szczekala, in printing);
- 4. Commentary on the Supreme Court ruling of 24 October 2013 (III KK 311/13), LEX No. 1379928 (Prawo w działaniu, in printing);
- 5. Prostitution-related criminal offences in a comparative approach, (in:) M. Mozgawa (ed.), Prostitution (in printing).

VII. List of legal opinions produced at the request of the Centre for Studies and Legislation of the National Board of Legal Counsellors between 2009 and 2012:

- Opinion on the proposed changes to the Criminal Code, PS 85/09 and PS 88/09 (together with P. Kozłowska-Kalisz);
- Opinion for the draft of the Act on Ensuring Safety in Connection with the Organisation of the Finals of the UEFA EURO 2012 Championships and Amendments to the Criminal Code, the Code of Criminal Procedure, the Criminal Executive Code, the Code of Petty Offences, and Certain Other Acts (together with P. Kozłowska-Kalisz);
- Opinion for the draft of the Act on Amendments to the Criminal Code, the Criminal Executive Code, and the Environmental Protection Law (parliamentary document No. 1854);
- Opinion for the draft of the Act on Amendments to the Criminal Code, the Code of Criminal Procedure, the Criminal Executive Code, the Code of Petty Offences, and Certain Other Acts (together with P. Kozłowska-Kalisz);
- 5. Opinion for the draft of the Act on Amendments to the Criminal Code of 24 January 2012;
- 6. Opinion for the draft of 20 June 2011 of the Act on Amendments to the Criminal Code of 24 January 2012 (together with P. Kozłowska-Kalisz);

- 7. Opinion for the governmental draft of the Act on Amendments to the Criminal Code and Certain Other Acts of 14 September 2012 (together with P. Kozłowska-Kalisz);
- Opinion for the parliamentary draft of the Act on Amendments to the Criminal Code of 20 January 2012;
- 9. Opinion for the parliamentary draft of the Act on Amendments to the Criminal Code, the Criminal Fiscal Code, the Code of Criminal Procedure, and the Criminal Executive Code;
- 10. Opinion for the draft of the Act on Amendments to the Code of Criminal Procedure and Certain Other Acts (together with P. Kozłowska-Kalisz);
- 11. Opinion for the draft of the Act on the Prosecutors' Offices and Certain Other Acts;
- 12. Opinion produced at the request of the Centre for Studies and Legislation of the National Board of Legal Counsellors for the draft of 9 July 2012 of the Act on Amendments to the Act on the Prosecutors' Offices and Certain Other Acts;
- 13. Opinion for the draft of the Act on Amendments to the Criminal Code and Certain Other Acts of 2 November 2012;
- 14. Opinion on the governmental draft of the Act on Amendments to the Criminal Code of 10 December 2013.

Lublin 19<sup>th</sup>. February 2014.

March Kell