

SELF-PRESENTATION

1. Name and surname: MACIEJ SIWICKI

2. Diplomas held, scientific (artistic) degrees with name, place and year of obtaining them, as well as the title of doctoral dissertation:

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| 1996-2001 | studying at the Nicolaus Copernicus University in Torun, Faculty of Law and Administration, domain: law, the thesis topic: "Health Insurance " (supervisor Professor Krzysztof Kolasiński); |
| 2001 - 2002 | Nicolaus Copernicus University in Torun, Faculty of Law and Administration, Postgraduate Tax Law |
| 2002 | Carl von Ossietzkiego University of Oldenburg, course and language exam: Deutsche Sprachprüfung für den Hochschulzugang ausländischer Studienbewerberinnen und Studienbewerber (DSH) |
| 2002 - 2003 | University of J. W. Goethe in Frankfurt am Main, Magisteraufbaustudiengangs für im Ausland graduierte Juristinnen und Juristen (LL.M.) degree: Lex / Legum Magister, Master's thesis topic : " Werbung im Rundfunk und im Internet " (supervisor Professor Dr. Thomas Vesting) |
| 2004 | School of American Law at the Faculty of Law of the University of Gdańsk conducted in collaboration with the Chicago - Kent College of Law (USA) |
| 2009 | Defense of the doctoral dissertation entitled: "Combating incitement to racial hatred and promoting fascist state system using the Internet. Criminal law study (supervisor : dr hab. Andrzej Adamski, University Professor UMK, reviewers: prof. Marian Filar, prof. Tomasz Kaczmarek) at the Faculty of Law and Administration in Torun, the degree of doctor of law (LLD) obtained on this basis on the 19 th day of on February 2009. |

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2018 completing the weekly course "Reflect Lab: Supporting lecturers in applying inquiry-based learning" at the University of Gottfried Wilhelm Leibniz in Hanover (Germany).

3. Information on previous employment in scientific (artistic) units:

2005 - 2009	Researcher and lecturer in Institute of Political Science, Nicolaus Copernicus University in Toruń (civil law contract)
2009 - 2011	Researcher and lecturer in School of Humanities and Economics in Wloclawek (civil law contract)
2009 -2010	Researcher and lecturer in The University of Economy in Bydgoszcz (civil law contract)
2009 and currently	Researcher and lecturer in the Department of Journalism and Communication at the Faculty of Political Science and International Studies Nicolaus Copernicus University
2010 - 2014	Researcher and lecturer in the Department of Journalism and Communication at the Faculty of Economic and Social et Kujawsko-Pomorskiej Szkoły Wyższej in Bydgoszcz.
2014	Teacher in III High School S. B. Linde in Torun. Subject: The basics of law for the internal security class. Summer semester.

4. On the basis of art. 16, pass. 2 of the act of the 14th day of March 2003 on scientific degrees and scientific title, as well as on the degrees and title in the field of arts (Journal of Laws no. 65, item 595 with amendments), indication of a scientific achievement that constitutes the author's significant contribution to the development of a specific discipline of science:

I wish to present as my scientific achievement after I received my doctor's degree (doctor of legal sciences -LLD) that constitutes my significant contribution to the development of law as a scientific discipline. my monograph "Criminal law against fraud and other related crimes in online commerce and electronic banking (ISBN: 978-83-231-4005-4, Publication year: 2018, Number of pages: 398, Publisher: Scientific Publisher of the Nicolaus Copernicus University). Reviewers of this monograph were: prof. dr. hab. Jacek Giezek from the Material Penal Law Department at the Faculty of Law. Administration and Economics of the University of Wrocław and dr. hab. Marek Kulik, prof. Associate. University of Maria Curie-

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Skłodowska from the Department of Criminal Law and Criminology at the Faculty of Law and Administration of UMCS.

4.1. Discussing scientific aims of the monograph devoted to employment and unemployment prevention:

The issue of fraud in e-commerce and online banking is the subject of numerous studies of sociological and criminological nature. However, there is a lack of research in the field of dogmatic analysis. Seeking at least to partially fill this research gap, the scientific goal of my monograph is to analyze the phenomenon of fraud and other related cases in e-commerce and e-banking. The spectrum of provisions that can be applied in the analyzed case is particularly extensive. For obvious reasons, special attention was devoted to the analysis of art. 286 and in art. 287 of the Polish Penal Code. Reference was also made to art. 190a § 2, art. 267, art. 268a, art. 269, art. 269a, art. 270, art. 278, art. 296, art. 297 and art. 310. After analyzing the aforementioned provisions, another scientific goal was to indicate possible directions of adjustment of existing regulations and to present methods that could be used to optimize solutions for preventing analyzed crime. In addition to the above, the presented study is intended to help people dealing with the problems of counteracting various types of fraud in e-commerce and e-banking.

The thesis of this work is that the currently adopted criminal-laws allows enough protection against the most common cases of fraud in e-commerce and electronic banking without need to change the binding provisions. In order to examine the accuracy of the aforementioned theses the book has been divided into four chapters, preceded by an introduction and finished with an ending. The introduction outlines the research topics with an indication of the main assumptions and hypotheses and methodological issues.

The first chapter is devoted to the analysis of behaviors perceived as frauds in e-commerce and e-banking. This part of the work was devoted not only to dogmatic analysis, but above all to technical issues. Understanding the basics of the network, as well as the techniques and tools used to commit crimes on the Internet, is crucial for developing effective methods of counteracting (prosecution and prevention), as well as for understanding the technical side of a prohibited act. This part of the work also contains criminological image of the presented phenomenon, international standards applicable in the area of fighting fraud related to non-cash means of payment, and at the same time includes comparative legal analyzes. Chapter II is much more dogmatized. It contains commentary analysis of the crime of classical fraud and the

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so-called computer fraud. The next chapter presents issues related to criminal offenses (scams) related to electronic banking, which have been extended to abuse against electronic payment instruments. Chapter IV was devoted to criminal provisions concerning preparing for the crime of fraud in e-commerce and e-banking. The whole work is crowned with a synthetically concluded ending which contains the most important final conclusions.

The analysis conducted in this publication leads to the conclusion that the majority of currently known methods of fraud in e-commerce and e-banking is punishable because the existing criminal law provisions cover typical ways of committing this crimes. The work, however, pointed to several drawbacks hindering the prosecution of the analyzed crimes. As indicated, the amendment should be considered art. 190a, art. 267 § 3, art. 285 § 5; art. 269b and art. 287.

1.2. Discussion of the remaining scientific research achievements

My scientific publications are devoted to Polish law. For this reason, they are published in national journals, and my output does not include scientific publications in the Journal Citation Reports (JCR) and there are currently no legal science journals on the European Reference Index for the Humanities (ERIH) list. However, my publications are recognize in the Google Scholar database (quotations 23, h-index 3 and 10-index 0).

My current achievements include 58 scientific publications (including 6 before obtaining the doctoral degree). This achievement consists of three monographs, three articles in collective studies and 52 articles in scientific journals. All of this publication except for one is my authorship. The total number of ministerial points awarded is 349. A detailed list of publications is attached to the application.

My research work can be divided into three main areas of research.

The first area of my research interests is an extension of research that became the basis of my dissertation and mainly includes the law of new technology, with particular attention to computer criminal law. Therefore I continue to analyze normative regulations concerning the prevention of incitement to racial hatred and promoting fascist state system on the Internet. The result of these studies is the monograph: "Illegal and harmful content on the Internet. Aspects of criminal law ", Warsaw 2013 (ed. Wolters Kluwer). The text of this book, in the section on racism and fascism, is almost entirely my doctoral thesis, supplemented by dogmatic analysis of other legal provisions relating to the issue of crimes content related crimes in terms of

international and EU normative standards, in particular: incitement to hatred against certain groups of the population, distribution of text, images and other media containing expressions of racism and xenophobia, blasphemy and the dissemination and transmission of child pornography (including pedophile pornography). Issues concerning criminalization of offenses related to the content I have also discussed in two publications in scientific journals (The minor's protection against confrontation with pornographic materials, *Państwo i Prawo*, No. 12/2011, pp. 68 – 80 and *Defamation in comparative law*, *Europejski Przegląd Sądowy*, No. 6/2012, pp. 12 - 18) and popular (Breach of confidentiality of information, *Edukacja Prawnicza*, No. 6/2012, pp. 36-40 and Offenses related to the content of information, *Edukacja Prawnicza* 10/2012, pp. 25-29).

Within this area of research I carried out research in addition: Spam (Protection against unwanted electronic information, *Państwo i Prawo* No. 1/2010, pp. 73-81), Retention of traffic data (Retention of transmission data pursuant to Article 180a of the Telecommunications Law, *Prokurator i Prawo*, No. 9/2011, pp. 111-124), Online betting (*Przegląd Sądowy*, No. 09/2011, pp. 100 - 108) or Fee scam in Internet from the perspective of a software company and consumer protection (*Przegląd Sądowy* No. 11-12/2012, pp. 146-157).

Separate articles are devoted to determine the location of the offense at the scope of criminal jurisdiction (Definition of locus delicti and the principles of Criminal Jurisdiction in comparative law (part I), *Europejski Przegląd Sądowy* No. 9/2011, pp. 23 – 28; Definition of locus delicti and the principles of Criminal Jurisdiction in comparative law (part II), *Europejski Przegląd Sądowy* No. 10/2011, pp. 26 – 33; 19; Basis for determining the locus delicti and of committing cybercrimes on the basis of Polish penal legislation in the light of the EU's normative standards, *Palestra. Pismo Adwokatury Polskiej*, No. 3-4/2013, pp. 101 – 109; Jurisdictional bases in cybercrime cases in the EU, *Europejski Przegląd Sądowy* No. 9/2013, pp. 20-26).

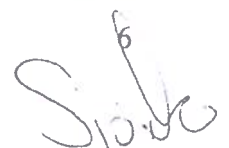
I also published a monograph titled "Cybercrime", Warsaw 2013. To the issue of cyber crime. I have presented this monograph in accordance with art. 16 sec. 1 of the Act of 14 March 2003 on academic degrees and academic title, and on degrees and title in the field of art, as a scientific achievement constituting a significant contribution to the development of a specific scientific discipline in the postdoctoral proceedings, which I initiated on 16 January 2014 at WPIA UMK. The proceedings ended with a resolution refusing to grant the degree of doctor habilitated (Resolution No. 60 / N / 2014 of 10 June 2014). I also devoted a study to the terminology problems of cybercrimes (Division and definition of cybercrimes, *Prokurator i Prawo*, No. 7-8/2012, pp. 246-256).

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The culmination of the scientific research conducted so far connected with the law of new technologies, including in particular the legal and criminological aspects of information technologies, published by the Scientific Publisher of the Nicolaus Copernicus University in 2018 is book: Criminal law against fraud and other related crimes in e-commerce and electronic banking (number of pages: 398). The presented book is a monographic study devoted to fraud and other related crimes in e-commerce and electronic banking. This issue was also main topic in the article entitled: Characteristics of the perpetrator and victim of "cyber-fraud" (in:) Security problems of Europe and Asia, T. Ambroziak, A. Czwoltek, S. Gajewski, M. Nowak-Paralusz (ed.), Toruń 2016, pp. 450-466.

The second area of my research is the press law, in particular the legal regulation of electronic media. The result of research in this area are publications that often cover issues from other different areas of the law referring also to the rights of new technologies. The above issues have spent much attention in numerous scientific articles (Website and the obligation of press registration, *Przeгляд Sądowy*, No. 1/2011, pp. 61-74; The limits of liability of Internet service providers conducting electronic versions of newspapers, *Nowe Media*, No. 2/2011, pp. 113 – 127; Service provider as an electronic publisher of the press. The issue of liability, *Przeгляд Sądowy* No. 1/2012 , pp. 87-97; Journalist in terms of the Press Act - terminology issues, *Monitor Prawniczy*, No. 20/2012 , pp. 1079-1085; Right to information in comparative law, *Orzecznictwo Sądów Apelacyjnych*, No. 9/2012 , pp. 100-117; Basis for determining the criminal jurisdiction of press offenses in the Internet - *Przeгляд Sądowy* No. 11-12/2013 , pp. 37-51; The concept of the press and press offenses, *Prokurator i Prawo* No. 1/2014 , pp. 85-106).

The third direction of my scientific interests also related in many aspects of the law of new technologies, is subject of protection of intellectual property, in particular copyright protection in the new electronic media. The first result of my research in this area is the article "Journalist in the light of the copyright law" ([in:] *The theory and practice of media functioning*, J. Marszałek-Kawa (ed.), Torun 2010, pp. 8-21). I also devoted to this issue other studies (Violations of copyright and related rights in the digital environment in terms of international normative standards, *Przeгляд Sądowy* No. 5/2012 . pp. 36 – 50; Streaming media in the Internet, *Państwo i Prawo*, No. 8/2012 , pp. 90 – 100; Plagiarism and illegal distribution of others works by journalists, *Monitor Prawniczy* No. 15/2013 , pp. 805 – 812; Google Street View and the protection of privacy, image and copyright, *Monitor Prawniczy* 18/2014, pp. 953-961; Distribution and exchange of meta-files with the .torrent extension and copyright protection, *Edukacja Prawnicza* 12/2014, pp. 3-7 (subject of the month), pp. 3-7, Concept of

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exhaustion of proprietary copyrights in digital distribution - part I I, EPS, 2015 No. 4, pp. 10-16; The concept of exhaustion of proprietary copyrights in digital distribution - part II, EPS, 2015 No. 6, pp. 31-37).

I also published a series of publications devoted to cloud computing, in which I discussed copyright aspects (New forms of exploitation of works in the cloud - Part I, Monitor Prawniczy, 2015 No. 20, pp. 1085-1094; New forms of exploitation of works in the cloud - part II, Monitor Prawniczy, 2015, no. 21, pp. 1135-1145; National Jurisdiction in matters of copyright in cloud computing in the light of Regulation (EU) No 1215/2012 of the European Parliament and of the Council (EU) No. 1215/2012 (EPS) 2016/1, pp. 1-6; Copyright and protection of cloud computing constructions, Przegląd Sądowy 2016/03, pp. 78-98; Responsibility of suppliers and operators of services in the cloud computing for infringement of proprietary property rights, Przegląd Sądowy 2016 / 7-8, pp. 74-90; The law applicable to non-contractual obligations arising from infringements of copyright in the cloud., Monitor Prawniczy, No 2016/22, pp. 1209-1217) criminal and procedural aspects (Processing of IT data in cloud computing. Selected criminal and procedural aspects, Palestra No1-2/2015, pp. 46-55; Protection of copyrights, security of information systems, personal data and telecommunications secret in computing clouds, Prokuratura i Prawo No 5/2015, pp. 108-127), as well as the problems of processing personal data in the cloud and protection of employee rights (Protection of personal data in the cloud computing, Monitor Prawniczy No 12/2016, pp. 654-660; Rules for determining jurisdiction in the case of enforcement employee rights and personal data violations in the cloud, Palestra (e.palestra.pl 12/2016, No 22 / A, print 13/2016, pp. 151-162). I have also devoted the issue of personal data protection to the publication on the draft Regulation General on the Protection of Personal Data (Protection of individuals in relation to the processing and free flow of personal data (comments in relation to the draft regulation of the European Parliament and the Council), Prawo i Prawo No 2016/03, pp. 68-87).

I would like to mention that in addition to the aforementioned directions of research also dealt with other legal issues. An example is the article: "The scope of tortious liability of a bank for damage done by a bank franchisee (co-author J. Olszewska) in: Palestra. Pismo Adwokatury Polskiej No. 9-10/2012 , pp. 68-76.

2. Information on educational achievements and popularizing and international cooperation

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5.1 . The achievements of educational, organizational and popularizing

My educational achievements is above all associated with the work for Nicolaus Copernicus University in Torun, with which I am associated since 2005 (since 2009 a full-time job as Researcher and lecturer). At UMK I run exercises and lectures in criminal law (for the direction of Homeland Security) and for the direction of Journalism lectures: Introduction to the Study of State and Law, Right Media, (formerly also Polish media system) as well as exercises and seminars with the copyright protection of property intellectual rights of the press and the Internet. Based on my own program I run seminars in subjects: copyright on the Internet and the Internet and regulations. I also runs lectures for other departments on the subject of protection of intellectual property rights (for the Institute of History and Archival, Institute of Archaeology, Institute of Ethnology , Institute of Philosophy). An important part of my teaching activities is to conduct two seminars: media law and copyright law. Since June 2012 I have also supervised 53 graduate of the Faculty of Political Science and International Studies UMK. I was also a reviewer of 25 theses.

In 2011, I was a tutor of first-year students majoring in journalism and since 2010 and current I tutor of student placements.

In addition to the above, since 01.10.2010 I was employed in Kujawsko- Pomorskiej Szkole Wyższej w Bydgoszczy, where I lead lectures on subjects such as: protection and processing of personal data , protection of intellectual property, media law and practice of copyright law and public international law. Since 2013, lead the seminars. At the time I was a reviewer of 4 MA theses.

In June 2013 I realized cooperation with the National Science Centre (NSC) as an external expert, which deals with the assessment of applications for funding of research projects submitted to the NSC.

Since October 2013, also cooperate with the Ośrodkiem Przetwarzania Informacji-Instytutem Badawczym (Information Processing Centre - Institute for Research) in the role of OPI Expert.

On 13 April 2011, I led the training titled "Insult and defamation on the Internet and offenses related to the content" within the Media Academy in Kujawsko-Pomorskiej Szkole Wyższej addressed to high school students.

From 10.10.2013 I have been cooperating with the Children University (Amicus Foundation UMK) providing training for parents on how to protect children from the dangers

on the Internet. In addition to the above, I run training for high school students in IV High School in Torun about: Protection of Intellectual Property and Media Law (from 29.11.2013 and present) and III High School in Torun about: criminal law and jurisprudence (from 29.11.2013 and today). Since October 2013, also cooperate with the Krajowa Rada Radiofonii i Telewizji (Department of National Broadcasting Monitoring).

2.2. Targeting international or national research projects or participation in such projects

In 2011, I participated in the project: "The Knowledge Transfer NiP - Science and Practice" funded under sub 8.2.1. Operational Programme Human Capital - Support of science and business. Under this program, I carried out an internship in the company " Felski , Pirog - Wolska and partners. Law firm" in Torun.

In 2012, I participated in the project "Man - the best investment" , co-financed by the European Union under the European Social Fund (Sub-measure 4.1.1 Strengthen the capacity of university teaching Human Capital Operational Programme) in the Kujawsko-Pomorska Szkoła Wyższa in Bydgoszcz.

In May 2018, I obtained a grant for a scientific trip to Cuba (Holguin University) as part of the KA107 Erasmus + program. Trip planned: November / December 2018.

From October 2017 I'm head of the UMK project on "Reflect Lab - Supporting lecturers in applying inquiry based learning" carried out as part of the so-called Erasmus + Strategic Partnership (Erasmus + Strategic partnership in the field of higher education), in cooperation with the main beneficiary of the Gottfried Wilhelm Leibniz Universitaet Hannover program (Germany) and other partners Universitatea Alexandru Ioan Cuza Din Iasi (Ruminia), The Manchester Metropolitan University (Great Britain) and Universidad de la Laguna (Spain). The overall goal of this project is to modernize European universities by improving the quality and significance of the development of teaching staff at universities, including by introducing Inquiry Based Learning and information technology. This project was planned for 30 months.

2.3. Participation in expert groups and expert work

My work usually consists of expertise on a detailed assessment of specific legal institutions generally in the context of the planned changes in the field. Such was the nature of expertise on the draft resolutions "Terms protection , acquisition and use of the Intellectual

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Goods and rationalization projects in the Nicolaus Copernicus University in Toruń (dated 10.01.2013), or the study of the protection of minors in VOD services in the light of international normative standards prepared for the Krajowa Rada Radiofonii i Telewizji (Department of National Broadcasting Monitoring) dated 12/04/2013.

I am also the author of several opinions and expertise prepared on behalf of law firms or entrepreneurs (eg on the tort liability of the bank for the Law Firm Felski T. and E. Pirog - Wolska in Torun , the origin of the appeal on the misdemeanor for PPLS MEDYK in Miastko and liability for the forest theft for PPLS MEDYK).

In 2011 and 2012 I worked with the law firm "Felski , Pirog - Wolska and partners. Law Firm" from Torun .

As a work of the expert should be considered also cooperation with the Krajowa Rada Radiofonii i Telewizji in the protection of a minor in VOD services.

In 2016, together with Dr. Sophie Stalla-Bourdillon (Associate Professor in IT / IP law, Director of Ilaws & iCLIC of University of Southampton), Dr Eleonora Rosati (Lecturer in IP Law, University of Southampton) and other representatives of science addressed a letter to the EU regarding the need for legislative changes in the protection of copyright on the Internet (available online: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2850483).

In 18/05/2017 I conducted training in the field of personal data protection in education for teachers of the Music School Complex in Toruń.

I also participated in an expert meeting organized by Microsoft on access by the state authorities and the judiciary to the so-called digital evidence and harmonization activities in the EU in this area. Place: Sołtysiński Kawecki Szlęzak Law Firm (SKS) - ul. Jasna 26. 00-054 Warsaw, on 4 July 2017. The meeting was attended by, among others representatives of the Legislative Department at the Ministry of Justice, Head of the Department of European Criminal Law in the Ministry of Justice, Plenipotentiary of the Minister of Digitization for the Information Society, Head of the Department for Cybercrime at the National Prosecutor's Office and representatives of education from UMK and the University of Liege. Microsoft was represented by Mr. John Frank - VP EU Government Affairs and Mr. Piotr Marczuk - CEE Government Affairs Director.

From October 2017, he is a member of the Faculty Legal Committee at WPISM.

In 2017, I started cooperation with prof. Fernando Barragán Medero, University of La Laguna, Tenerife (Spain), completed preparation of a study on legal and social aspects of transgenderism and cyberbullying.

6. Research plans

In the future, I intend to continue to conduct research related to the previously mentioned areas of my interests, in particular with the protection of intellectual property. I also intend to devote special attention to the protection of the minor from content potential threat to its normal psychosocial development.

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