

## SUMMARY

The subject of this work is the issue of the procedural consequences of changing the mode of prosecuting crimes in criminal proceedings. The picture of this institution and the related legal consequences formulated in the doctrine and in practice is not complete and completely consistent. Nevertheless, the change of the mode of prosecution and the related procedural consequences are widely recognized as one of the key and complex issues in the theory and practice of the trial. The general assumption of the work is to present the change in the mode of prosecution against a broad normative, dogmatic, historical, pragmatic and, to a lesser extent, comparative background. The key argument of this work is the assumption that the prosecution on request and private prosecution are, apart from the public prosecution procedure, necessary elements in the Polish legal system, unlike those existing in other European countries. Considering the argument thus adopted, it became necessary to take into account another argument, namely to determine whether, in the current legal form, these institutions properly secure the course of the trial and the rights of the parties to the trial, and thus to prove the legitimacy of these prosecution procedures. The aim of this work is therefore to verify the aforementioned arguments and the shape of the practical model of the institution of changing the mode of prosecution of crimes as well as a comprehensive analysis and interpretation of the title issue outlined by legal regulations and doctrine views. As a consequence, it will make it possible to present possible fields for discussion on the volatility or immutability of the adopted legal regulations in the long-term perspective.

The following work consists of an introduction, seven chapters and a summary and final conclusions. Its structure is the result of the adopted course of consideration. The essential assumptions of the first part of the work (covering chapters 1 to 4) are introductory to the issue of changing the mode of prosecution, systematizing the concepts and terminology. The second part of the work (chapters 5 to 7) focuses on the key and detailed issues related to the change of the mode of prosecution.

As for relevant reasons, Chapter 1 presents the essence and evolution of the mode of prosecution as a way of initiating a criminal trial. Chapter 2 presents the types of modes of prosecution in the Polish criminal procedure, the criteria for the division of these modes and the procedural principles playing an important role in this context, as well as the ratio legis of the introduced regulations of the above modes of prosecution. Chapter 3 focuses on the presentation of the issue of the division of crimes in view of the mode of prosecution. On the other hand, Chapter 4 illustrates the changes in the mode of criminal prosecution and the procedural consequences of these changes, and shows these changes against the backdrop of competing procedural principles: legalism and opportunism,

as well as complaint and ex officio prosecution. Chapter 5 deals with the key issues of the essential elements of the five changes in the mode of criminal prosecution and the procedural consequences thereof. The following part of the work, Chapter 6 deals with the issue of the relationship between the change in the mode of prosecution and the change in the legal qualification of the act. The penultimate chapter 7 is devoted to the analysis of judicial practice in relation to the construction of social interest based on the study of selected court records. The final Chapter 8 contains a summary of the previous arguments and final conclusions including a brief summary of the characteristic and most important conclusions de lege lata and de lege ferenda.

A handwritten signature in blue ink, appearing to read "Goran R. R. R. R.", is positioned in the lower right quadrant of the page. The signature is fluid and cursive, with the letters "Goran" and "R. R. R. R." clearly distinguishable.