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A summary of the doctoral dissertation entitled: „*Consensualism* in Polish criminal trial"
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The subject of this doctoral dissertation is the question concerning *consensualism* in Polish criminal trial. In order to meet the expectations, particularly on the issue of expediting and improving the dynamics of ongoing criminal proceedings, in 1997 the legislator introduced to polish criminal procedure two new institutions: conviction without a hearing (article 335 and 343 of the Code of Criminal Procedure) and voluntary submission by the accused to criminal liability (article 387 of the Code of Criminal Procedure). These solutions regulate entering into procedural agreements among people, for whom there is a suspicion of committing criminal acts and the public prosecutor's office and the court. These solutions allow to leave from assumptions of classical criminal process.

Now, after more than twenty years since their introduction, these institutions undoubtedly permanently exist in practice and Polish criminal trial science, because statistically in the whole country, more than half of cases completed with conviction occurs as a result of *consensual* solutions. Because of this, essential question can be asked, which is at the same time the main thesis of this doctoral dissertation: does in the polish criminal trial a new trial rule has been shaped – the principle of *consensualism*? In order to verify this fundamental thesis in work, the following issues have been examined in particular:

1. does the *consensualism* is a feature of Polish criminal trial?
2. does the *consensualism* on the basis of Polish criminal trial has the prescriptive nature?
3. does the *consensualism* determines behavior of the judicial bodies and persons participating in the proceedings, as well as the course of procedural actions?
4. does the *consensualism* has an impact on the development of other standards in a criminal trial or their legal specification and implementation?

Both methods, dogmatic-legal as well as empirical were used in the dissertation. Legal provisions, case-law of the courts and tribunals, as well as the achievements of the doctrine were analyzed. In the second chapter comparative method also was used. Empirical studies also verified indicated hypothesis.

The dissertation consists of an introduction, six chapters, and final conclusions.

In chapter one law of criminal procedure agreements was characterized. The definition of the agreement was presented there, and an attempt to define the concept of *consensualism* in the criminal trial and its interpretation was performed. Due to the fact that until the entry into force of the Code of criminal procedure of 1997, concluding formal agreements in the *prosecuted ex officio* criminal trial was possible only in the context of the penal-fiscal proceedings within the institution of voluntary submitting to criminal liability, and some of their manifestations were also in the law of criminal procedure rules of 1928 and 1969, these issues were also presented in the work.

The second chapter takes into account the solutions applicable in other countries, which, as stressed in the literature of the trial – constitute a model to put these institutions in Poland. However, due to the target and the size of the work, terms of comparative legal analysis are presented to the extent necessary for the analysis of the main and additional examined issues. Reference to this analysis is only to the necessary extent, and it is apply only to the solutions adopted in common law and chosen countries of continental law – Italy, Spain and Germany.

Chapter three of this dissertation presents the evolution of the consensual solutions since their introduction in 1997, through the successive amendments in 2003, 2013, 2015, and 2016. In the third chapter discussed and analyzed institutions recognized now as the classic manifestations of law of criminal procedure agreements i.e. motion for a conviction at the hearing (article 335 and 343 of the Code of Criminal Procedure), voluntary submission to criminal liability (article 387 of the Code of Criminal Procedure), as well as motion for issue of a conviction verdict without conducting evidentiary proceedings (Article 338a and 343a of the Code of Criminal Procedure).

In the fourth chapter of the work consensual solutions in the light of the selected trial principles – the material truth, legalism, openness, directness, adversarial system, the right of defense and the presumption of innocence were characterized. I focused on detailed consideration of compliance of these solutions with these selected proceedings' directives, which operating in consensual modes of criminal proceedings completion, from their introduction gave the most doubts, or those directly related to the analyzed institutions.

The fifth chapter shows the difference between the principle and the rule, and also defines the concept of principle of law, the principles of criminal trial and the supreme principle of the criminal trial. Indicated also criteria that allow to extract trial principle. Elaborating the theoretical assumptions allowed then to build the conditions by which it can

be concluded that in today's Polish criminal trial new process principle has been shaped — the principles of *consensualism*.

Chapter six, which is research chapter, includes comments on the application in practice consensual institutions. As the research method adopted statistical data analysis obtained from the District Court and Regional Court in Rzeszów for the years 2010-2016. In turn, in order to illustrate functioning of the analyzed issues on the national-level, research material has been enriched with the statistical data obtained from the Ministry of Justice for the period 2011-2016.

Performed analysis of the current legislation, their shape, supported with statistical data entitles to conclude that in Polish criminal trial the principle of *consensualism* functions.