

**Міністерство освіти і науки України
Національний університет “Чернігівська політехніка”**

English for Law Enforcement

Методичні вказівки до практичних занять з англійської мови
для підготовки здобувачів вищої освіти освітнього ступеня «бакалавр»
спеціальності 262 «Правоохоронна діяльність»

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ВСТУП

Методичні вказівки призначені для проведення практичних занять із здобувачами вищої освіти спеціальності «Правоохоронна діяльність» та укладені відповідно до чинної робочої програми з дисципліни «Іноземна мова».

Мета методичних вказівок – сприяти формуванню професійно-орієнтованої іншомовної компетенції в читанні, усному і писемному мовленні, що здійснюється в межах ситуативного професійного контексту.

Методичні вказівки містять 4 модулів, в які входять 8 тем із текстами для читання, завданнями для перевірки прочитаного, лексичними та граматичними вправами, завданнями на розвиток умінь усного мовлення та письма. Граматичні вправи розроблені на лексичному матеріалі з фаху. Підібраний текстовий матеріал є органічним компонентом професійної підготовки здобувачів вищої освіти спеціальності «Правоохоронна діяльність». Різноманітність та варіативність завдань сприятимуть реалізації диференційованого та індивідуального підходів до здобувачів вищої освіти. Фахові тексти та система вправ допоможуть майбутнім правоохоронцям оволодіти відповідною термінологічною лексикою, підготують їх до спілкування іноземною мовою у професійному середовищі.

Module 5. Judiciary

Unit 1. Judicial System in Ukraine

1.1 Answer the following questions:

1. What is a role of judicial system in any country?
2. What types of courts in our country do you know?
3. What people take part in judicial proceedings in Ukraine?

1.1.1 Match the following English words and expressions with their Ukrainian equivalents:

1) appointment	a) судові рішення
2) court decisions	b) призначення
3) issues	c) питання
4) mandatory	d) обов'язковий
5) citizen	e) здійснювати правосуддя
6) to administer justice	f) обов'язковий
7) obligatory	g) профспілки
8) trade unions	h) громадянин
9) to resolve disputes	i) вирішувати спори
10) conformity	j) відповідність

1.1.2 Think of the definition of the word 'judiciary' and decide in what meaning it can be used in the text

- a) judicial power
- b) judicial system
- c) court organization
- d) all the judges in a country who form part of the system of government.

1.1.3 Look through the words and phrases and guess which of them can be used in the text "Judicial System of Ukraine". Explain your choice:

tribunal, crime, dispute, jurisdiction, court of appeal, monarch, prosecutor, law, legislation, arbitration, Constitutional Court of Ukraine.

1.1.4 Read the text to understand what information is of primary importance or new for you

JUDICIAL SYSTEM

Judicial power in Ukraine is based on the Constitution. It is an independent branch of state power created to solve legal problems between the state and citizens, citizens and legal persons; to supervise over constitutionality of laws; to defend citizens' rights in their relations with bodies of state power and officials; to supervise citizens' rights in the course of investigating crimes and conducting operational search activity; to establish the most significant legal facts. Judicial power is realized by judges in the form of civil, criminal, economic, administrative as well as constitutional legal proceedings. Thus, judicial system is an aggregate of all existing courts in Ukraine. They have jurisdiction over all legal relations that appear in the state. The system provides availability of justice for every person. The courts interpret and apply the laws created according to the Constitution of Ukraine. Their decisions are made on behalf of Ukraine and are obligatory for enforcement on the entire territory of the country. Judicial proceedings are administered by the Constitutional Court of Ukraine and courts of general jurisdiction. The Constitutional Court of Ukraine is the sole body of constitutional jurisdiction. It decides on issues of conformity of laws and other legal acts with the Constitution and provides their official interpretation.

Courts of general jurisdiction form the common system of courts united by aims, tasks, principles of organization and activity, and are headed by the Supreme Court of Ukraine. They are set up according to principles of territoriality and specialization. General courts are local, appellate, Highest Specialized Courts, and the Supreme Court. Economic, administrative and some other courts are defined as specialized.

The lowest courts are local which are courts of first instance or trial courts, decide different types of cases. The appellate courts hear appeals from the local ones. The Highest Specialized Courts deal with cassations and determine the legality and reasoning of the previous court judgments. The Supreme Court, the highest court in their system, administers justice, ensures equal application of legislation by all courts of general jurisdiction.

The specialized courts of general jurisdiction consist of administrative and economic courts resolving disputes in the sphere of administrative and economic legal relations. Justice is administered by professional judges and, in cases determined by law, people's assessors and jurors. Judicial proceedings are administered by a judge personally, a board of judges or a jury.

A citizen of Ukraine of at least 25 years old, who has higher legal education and work experience in the sphere of law for not less than 3 years, has resided in Ukraine at least 10 years and speaks state language may be recommended by the qualification commission for the position of a judge. The first appointment is made by the President for a five-year term. All other judges, except for judges of the Constitutional Court, are elected by the Verkhovna Rada for a lifetime. Professional judges must not belong to political parties and trade unions, occupy any other paid positions, and perform other paid work except scientific, teaching and creative activity.

1.1.5 Read the following statements to choose the main topics of the text. Arrange them according to the content of the text and add or exclude any point if necessary

- Types of courts
- Requirements for a judge
- Tasks of the judicial system
- Legal relations
- Jurisdiction of courts

1.1.6 Read the following statements and decide if they are true or false. Prove your answer with the information from the text above

1. The judicial system consists of courts of general jurisdiction.
2. Court decisions are binding for everybody in Ukraine.
3. Trial courts can hear some types of appeal.
4. President appoints all judges.
6. Judges are allowed to take part in political activity.

1.1.7 Answer the following questions:

1. What are the tasks of the judicial system?
2. What does the judicial system consist of?
3. What are the functions of courts?
4. What types of jurisdiction do courts possess?
5. Who can administer justice?
6. Who can become a judge?

Vocabulary practice

1.1.8 Find in the text 1.1.4 legal terms which have the following meanings:

1. A person with authority to hear and decide disputes brought before a court;
2. An application to a higher court to examine a case decided by a lower court;
3. The power of a court to hear and decide cases;
4. The process of settling a dispute by referring it to an independent third party for decision as an alternative to court proceedings;
5. A serious disagreement;
6. A body of persons who decide the facts of a case and give a decision of guilty or not guilty called a verdict.

1.1.9 Read the sentences and fill in the gaps with the words and phrases given in the box. There are two extra ones you do not need to use

court decision, jury, dispute, arbitration, trial judge, appeal, people's assessor, apply, punishment

1. The...was reduced to three years
2. She is not happy with the ..., and plans to appeal.
3. The dispute is going to
4. Both sides in the ... have agreed to binding arbitration.
5. The problem was settled out of
6. The ... determines the number of years to be spent in prison.
7. The ... plays an important role in the legal system of many countries.

1.1.10 Work in pairs. Practise active vocabulary and render the abstracts into English

Vocabulary 1

здійснювати правосуддя	administer justice	підготовка справ до судового розгляду	preparation of cases for hearing
кримінальні справи	criminal cases	призначення справ до судового розгляду	submission of cases for hearing
виключне становище	exclusive position	розгляд справ у першій інстанції	hearing cases in trial courts
законодавче визначення	legal description	розгляд справ у апеляційному порядку	hearing cases in the courts of appeals
обсяг повноважень	scope of powers	перегляд судових рішень	reviewing court decisions
гарантії здійснення	guarantees of implementation	набирати законної сили	become competent
прийняття рішень	taking decisions	виникати при виконанні рішення	arise while implementing a verdict

A.Render into English:

Суд є тим єдиним органом у державі, до компетенції якого Конституцією віднесено здійснення правосуддя, в тому числі у кримінальних справах. До повноважень суду, перш за все, треба віднести питання, пов'язані зі здійсненням правосуддя у кримінальних справах: прийняттям рішень, підготовкою і призначенням справ до судового розгляду, розгляд кримінальних справ у першій інстанції, у апеляційному порядку, перегляд судових рішень, що набрали законної сили, розгляд питань, що виникають при виконанні рішення.

Vocabulary 2

делегування функцій	delegation of the functions	поширюватися на	apply to
привласнення функцій	appropriation of the functions	правовідносини	legal relations
орган	body	судовий захист	legal defense
посадова особа	official	підлягати	be subject to
не допускається	shall not be permitted	єдиний орган	the sole body
надзвичайний суд	extraordinary court	відповідність законів	conformity of laws (with)
особливий суд	special court	правові акти	legal acts

B. Render into English:

У ст. 124 зазначено, що правосуддя в Україні здійснюється виключно судами і що будь-яке делегування функцій судів, а також привласнення цих функцій іншими органами чи посадовими особами не допускається. Згідно з Конституцією, юрисдикція судів поширюється на усі правовідносини, що виникають у нашій державі, тобто судовому захисту підлягають усі права, свободи та обов'язки громадян.

Vocabulary 3

загальні суди	common pleas courts	прирівняні до них суди	equivalent courts
адміністративна справа	administrative case	запровадження відповідних організаційних структур	introduction of corresponding structures
за принципом територіальності	based on the territorial principle	галузеві суди	specialized courts
за принципом спеціалізації	based on the specialization principle	окремі категорії справ	specific types of cases
районні суди	district courts	сімейні справи	family lawsuits
міські суди	municipal courts	Концепція судово-правової реформи	Concept of the Legal Reform
міжрайонні суди	district courts	розділ	chapter
окружні суди	county courts	переглядати справи в апеляційному та касаційному порядку	hear cases appealed from the lower courts
обласні суди	regional courts	справи за нововиявленими обставинами	cases with newly obtained evidence

C. Render into English:

Загальні суди забезпечують захист прав і свобод громадян шляхом розгляду цивільних, кримінальних, адміністративних та інших справ, їх система будується за принципами територіальності і спеціалізації. Принцип територіальності означає, що до системи цих судів входять районні/міські, міжрайонні, обласні і Верховний Суд України. Принцип спеціалізації передбачає спеціалізацію суддів вказаних судів, запровадження відповідних організаційних структур - галузевих судів для розгляду окремих категорій

справ, зокрема кримінальних, цивільних, сімейних, як це передбачено Концепцією судово-правової реформи в Україні.

Writing

1.2 Work in pairs. Write notes in the chart, discuss the results in small groups and write your reports about the following courts and their competences

The System of Judicial Power in Ukraine

Name of a Court	Competence
The Constitutional Court	
The Supreme Court	
Court of appeal	
Local Court	

Speaking

1.3 A. Imagine that you are a judge. Choose a court you work in and describe your job (types of cases, rights and duties, advantages and disadvantages, etc).

B. You work in judicial system of Ukraine. Describe it to your colleagues from Great Britain.

Grammar focus: Active and Passive Voice

1.4 Choose the appropriate form of the verb

1. Investigators (is needed/ needed) some time to come to the conclusion. 2. In the USA sheriff (is chosen/ chooses) for the service. 3. The prosecutor (presented/ is presented) the case yesterday. 4. They (carried out/ were carrying out) the expert examination an hour ago. 5. She (studied/ was studying) the report of the policeman when he came in. 6. The investigator (questioned/ was questioning) the suspect from 5 till 6 p.m. 7. The prisoner (was telling/ told) about the circumstances of the crime when his mother came to see him. 8. The judge (was calling/ called) the witnesses of the defence after the testimony of the plaintiff's witness. 9. After the direct

examination the defendant's lawyer (was having/ had) a chance to question the witness. 10. He (investigated/ was investigated) the difficult case last month.

1.4.1 Open the brackets using the verbs in correct forms of active or passive

1. In Ukraine justice (to administer) exclusively by courts functioning independently of other bodies or any officials. 2. The law (to determine) principles of judicial proceedings in courts of specific judicial jurisdiction. 3. The jurisdiction of courts (to extend) to all legal relations that arise in the State. 4. Ukraine's judicial system (to make up) of courts of general jurisdiction and the Constitutional Court of Ukraine. 5. The unified system of courts general jurisdiction (to form) in accordance with the territorial principle and the principle specialization. 6. The Constitutional Court of Ukraine (to decide) on the issues of conformity of laws and other legal acts with the Constitution. 7. The experts (to examine) the fingerprints from 1 till 2 yesterday. 8. The police (to make) inquires now. 9. When we (to come) into the room, the last meeting of the Supreme Court (to finish).

Unit 2. Judiciary in the UK and the USA

2.1 Answer the questions:

1. What do you know about the court system of the UK?
2. In what way does it differ from the Ukrainian one?

2.2 Match the following English words and expressions with their Ukrainian equivalents:

1) inferior court	a) комітет
2) domestic issue	b) вести, керувати
3) debt collection	c) визнання
4) preliminary hearing	d) обвинувачений
5) to commit for trial	e) достатньо доказів
6) sufficient evidence	f) віддати до суду
7) accused	g) попереднє слухання
8) recognition	h) стягнення боргу
9) to conduct	i) сімейна справа
10) committee	j) нижчий, підлеглий суд

2.2.1 Read the following text to understand what information is new for you and do the tasks below:

Notes:

Queen's Bench Division — відділ Королівської лави

Chancery Division — канцелярський відділ (Високого суду)

Divisional Court — Апеляційний суд відділу Королівської лави

Master of the Rolls — голова апеляційного суду та хранитель судових архівів

ADMINISTRATION OF JUSTICE IN ENGLAND AND WALES

Crown Courts have an exclusively criminal jurisdiction. It is staffed by High Court judges (who try the most serious cases), full-time circuit judges and part-time practicing barristers and solicitors called recorders and assistant recorders. A jury of 12 lay persons selected at random determine whether the defendant is found guilty or not guilty. They also act as appeal courts for people convicted of an offence in the magistrates' court. A person found guilty in a magistrates' court can plead against either conviction or sentence, although if he has pleaded guilty in the lower court he may only appeal against sentence. Appeals from the Crown courts go to the Criminal Division of the Court of Appeal, and in some cases from there to the House of Lords.

County Courts. There are about 300 county courts through England- and Wales hearing smaller civil cases staffed by county court judges (who also sit as circuit judges in criminal cases) and district judges for smaller claims.

The High Court of Justice is made up of three Divisions, the Queen's Bench Division, the Chancery Division and the Family Division. The Family Division deals with all jurisdiction in domestic issues. The Chancery Division deals primarily with company work, trusts and estates and intellectual property. Within the Queens Bench Division there is also a specialized Admiralty Court, a Commercial Court and the Divisional Court, which reviews decisions of governmental and other public bodies.

The Court of Appeal is for most cases the court of final appeal. It has 28 lords Justices presided over by the Master of the Rolls. The Criminal Division of the Court of Appeal sits as a specialized section of the Court of Appeal dealing only with criminal matters. The cases are generally heard by a Lord Justice and two judges from the Queen's Bench Division. There is normally only one judgment of this court, although each judge may give a separate judgment. A case which has been dismissed by the Appeal Court can be taken to the House of Lords.

The House of Lords is the highest court in the court hierarchy. It hears a small number of cases a year of particular legal importance. It is staffed by the Lord Chancellor, and ten Lords of Appeal in Ordinary who are members of the Upper House of the legislature. Cases are heard by a panel of at least three Law Lords and usually by a Bench of five. Each Law Lord is entitled to express his own opinion in the form of what is called a speech. When the House of Lords appeals from Scotland there is a convention that at least one Scottish law lord will sit on an appeal.

2.2.2 Find the answers to the following questions in the text above:

1. What jurisdiction does the Crown Court have?
2. How many county courts are there in England?
2. Who determines whether the defendant is guilty or not guilty?
3. When do Crown Courts Act as appeal courts?
4. Where do appeals from the crown courts go to?
5. What cases do the county courts hear?
6. What role does the House of Lords play in the court hierarchy?

Vocabulary practice:

2.2.3 Give the Ukrainian equivalents of the following words and word combinations: to administer justice, to select a jury at random, to find a person guilty, to find the defendant not guilty, to convict a person of an offence, to plead against a conviction, to appeal against a sentence, circuit judge, small claim, to dismiss a case.

2.2.4 Give the English equivalents of the following words and word combinations, make up your sentences with some of them: розглядати справу в суді, укомплектувати штати суддів, штатний суддя, суддя-сумісник, Високий суд, окружний суддя, практикуючий баристер, визнати особу винною у вчиненні злочину, суд магістрату, суд графства, окружний суд, подати апеляцію на вирок, визнати себе виним.

2.2.5 Explain the following in English. Consult a glossary in case you need:

domestic issues, barrister, solicitor, to appeal, pleaded guilty, magistrates' court, to keep in custody, to free on bail, to detain in custody, warrant.

2.2.6 Fill in the gaps with the following word phrases:

to make an arrest, by the police, in custody, ninety six hours, freed on bail

Although it is possible for any private citizen to institute criminal proceedings, in practice prosecutions are usually initiated 1.____. Arrests are usually made by police officers — although in law any citizen is empowered 2.____— with or without a warrant. A person can be detained 3.____without charge for up to 4.____. Once charged a defendant can be 5.____, although if the police consider that he or she might disappear they are entitled to object to bail, and ask that the defendant be kept in custody. The decision however, is left to the magistrate. If a person is freed on bail, securities must be given, either by the accused or by someone acting for him or her.

Speaking

2.3 Imagine that you are a lecturer in a law school. Prepare your presentation on the Court System of the UK and get ready to give a lecture to your students

Writing

2.4 Write a letter to your pen friend who studies in a law school in England asking him about some peculiarities of judiciary in the UK

2.5 Answer the questions:

1. What branch exercises judiciary in the USA?
2. What form of government has the USA?
3. What do you know about the court system of America?
4. What is the highest court in the USA?

2.5.1 Match the following English words and expressions with their Ukrainian equivalents:

1) executive branch	a) окружний суд
2) to enforce the laws	b) впроваджувати закони в дію
3) circuit court	c) забезпечувати правосуддя
4) legislative branch	d) звільняти з посади
5) to resolve disputes	e) на розсуд
6) to ensure justice	f) голосувати
7) to remove from office	g) законодавча гілка влади
8) at discretion	h) права та свободи
9) to vote	i) вирішувати спори
10) rights and liberties	j) виконавча гілка влади

2.5.2 Read the following text to understand what information is new for you

THE USA COURT SYSTEM

Being the federal republic, the USA has both a federal and a state court system. The federal court system is responsible for interpreting and applying the laws created by the federal government under the authority of the US Constitution. Article III of the US Constitution requires the establishment of a Supreme Court and permits the US Congress to create other federal courts, and place limitations on their jurisdiction.

The Supreme Court is the highest judicial body, the court of last resort and leads the federal judiciary. It meets in Washington, D.C. It is mainly an appellate court and hears only federal appeals which it has chosen. Most of the cases involve the interpretation of the Constitution. It also has the «power of judicial review», i.e. the right to declare laws and actions of the federal, state, and local governments unconstitutional. Besides, the Court has limited original jurisdiction in cases involving foreign diplomats and in those, in which a state is a party. In practice, the only original jurisdiction cases heard by the Court are disputes between two or more states. It consists of the Chief Justice and eight Associate Justices, who serve «during

good behaviour», that is while they obey the law. Cases are decided by majority vote of the Justices.

The federal Courts of Appeals (or circuit courts) are the intermediate appellate courts, and must hear all appeals from the district courts within their federal judicial circuits, and in some cases from other designated federal courts and administrative agencies. Now there are thirteen judicial circuits with one court of appeals. They review decisions of trial courts for errors of law and their decisions are binding precedents. An appeal is almost always heard by a panel of three judges who are selected from the available judges but in some cases all judges decide an appeal.

The District Courts are the federal trial courts. They hear both civil and criminal cases, and often decide claims based on state law. There are 94 federal judicial districts with at least one district court for each state, the District of Columbia and Puerto Rico. There is a US bankruptcy court as a unit of the district court.

Besides, some federal courts of special jurisdiction, such as the Tax Court, the Court of International Trade, Courts of Federal Claims and others administer justice in the country.

All federal judges are appointed for life by the President with the approval of the Senate. Each state has an independent system of courts operating under the constitution and laws of the state. The names and jurisdiction of the courts differ from state to state but as a rule they have general jurisdiction. The highest court is the state supreme court, which hears appeals of legal disputes. In most states the lowest courts are the magistrates' courts or police courts.

2.5.3 Answer the following questions:

1. What are the tasks of the federal court system?
2. What types of courts were created according to the US Constitution?
3. What body created other federal courts?
4. What types of cases does the US Supreme Court hear?
5. What do the federal Courts of Appeals do?
6. What is the jurisdiction of the federal District Courts?
7. What is the highest court in the USA?

Vocabulary practice

2.5.4 Choose the meaning of the following words in the meaning used in the text 2.5.2

1. state

- a) the physical or mental condition that someone or something is in;
- b) a country considered as a political organization;
- c) one of the areas with limited law-making powers that together make up a country controlled by a central government.

2. justice

- a) the system by which people are judged in courts of law and criminals are punished;
- b) the fair treatment of people;
- c) a judge in a law court.

3. case

- a) a question or problem that will be dealt with by a law court;
- b) a special box used as a container for holding or protecting something;
- c) all the reasons that one side in a legal argument can give against the other side.

4. precedent

- a) an official action or decision that can be used to give support to later actions or decisions;
- b) something of the same type that has happened or existed before;
- c) the way that things have always been done.

2.5.5 What nouns can be used with the following adjectives:

judicial, appellate, federal, original, highest, civil, criminal, fair, unconstitutional, domestic, illegal.

2.5.6 Work in pairs. Practise active vocabulary below and then translate the abstract into Ukrainian

Vocabulary 4

municipal courts	муніципальні суди	municipal law	муніципальний закон
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Іноземна мова за професійним спрямуванням

county courts	окружні суди	state law	закон штату
traffic cases	справи, пов'язані з дорожньо-транспортними пригодами	penalty	покарання
minor injury	незначна травма	fine	штраф
minor damage	незначні збитки	term of not more than one year	ув'язнення на термін не більше одного року
minor civil case	найменш серйозне правопорушення	local jail	місцева в'язниця
collection	стягнення (штрафу тощо)	workhouse	трудова колонія
not exceed	не перевищувати	preliminary hearings	попередні слухання
dispute	спір	small claims division	відділ дрібних позовів
landlord	домовласник	hear claims for money	розглядати фінансові претензії
tenant	квартиронаймач	informal procedure	неформальні умови
misdemeanor	місдімінор, адміністративне правопорушення	court costs	судові витрати

Municipal and County Courts are the most important of the lower trial courts in Ohio. For example, they handle traffic cases, cases involving minor injuries and damage, minor criminal cases, minor civil cases, and collection cases. The jurisdiction of municipal courts and county courts is similar, although there are some important differences. Municipal courts have jurisdiction in civil cases not exceeding \$ 10,000, while county courts have jurisdiction in cases not exceeding \$ 500. Both courts are authorized to hear certain special types of lawsuits, such as disputes between landlords and tenants. Both courts can try misdemeanor cases. Both courts can hold preliminary hearings in felony cases.

Writing

2.6 Write your summary to the text in 2.5.2

Speaking

2.7 Work in small groups and compare the court system of Ukraine, the UK and the USA

Grammar focus: Sequence of Tenses

2.8 Choose the correct option

1. I knew he as a Prosecutor.
a) works b) is working c) worked
2. The solicitor said that his case difficult.
a) was b) is c) had been
3. He asked me what types of legal profession in the UK I
a) knew b) knows c) know
4. The judge said that the suspected man ... guilty.
a) had been found b) is found c) has been found
5. He said that he a barrister the next week.
a) had hire b) will hire c) would hire
6. He said that he the suspect the next week.
a) had interrogate b) will interrogate c) would interrogate
7. He wondered if the policeman ... already.... the suspect.
a) had interrogated b) is interrogate c) has interrogated
8. He wondered if the judge ... already.... the sentence.
a) had passed b) is passing c) has passed
9. She asked him who the responsibility of writing police report.
a) has b) had c) is having
10. He said that Nick to become a police officer.
a) was going b) is going c) has been going

Module 6. Administrative Justice

Unit 1. Administrative Law

1.1 Answer the following questions:

1. What sphere of law does administrative law belong to?
2. What is the main task of administrative law?
3. What offenses can be called administrative ones?
4. What administrative bodies do you know?

1.1.2 Match the following English words and expressions with their Ukrainian equivalents:

1) rulemaking	a) винесення судового рішення
2) adjudication	b) Урядові установи
3) regulatory agenda	c) оподаткування
4) taxation	d) нормотворчість
5) government agencies	e) судовий перегляд
6) judicial review	f) суттєвий для оцінки
7) vital in appreciating	g) регулятивна програма
8) common law	h) впроваджувати
9) to implement	i) політика
10) policy	j) звичаєве право

1.1.3 Read the text to understand what information is of primary importance or new for you

ADMINISTRATIVE LAW

Administrative law is the body of law that governs the activities of administrative agencies of government. Government agency action can include rulemaking, adjudication, or the enforcement of a specific regulatory agenda.

Rulemaking is an agency process for formulating, amending, or repealing a rule. A rule in turn is the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy.

Adjudication is an agency process for the formulation of an order. An order in turn is the whole or part of a final disposition of an agency in a matter other than rule making but including licensing.

Administrative law is considered a branch of public law. As a body of law, administrative law deals with the decision-making of administrative units of government (e.g., tribunals, boards or commissions) that are part of a national regulatory scheme in such areas as police law, international trade, manufacturing, the environment, taxation, broadcasting, immigration and transport.

Administrative law expanded greatly during the twentieth century, as legislative bodies world-wide created more government agencies to regulate the increasingly complex social, economic and political spheres of human interaction.

While administrative decision-making bodies are often controlled by larger governmental units, their decisions could be reviewed by a court of general jurisdiction under some principle of judicial review based upon due process (United States) or fundamental justice (Canada).

Judicial review of administrative decision, it must be noted, is different from an appeal. When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas in appeal the correctness of the decision itself will be under question. This difference is vital in appreciating administrative law in common law countries.

1.1.4 Answer the following questions using the information from the text:

1. What can government agency action include?
2. What does administrative law deal with?
3. When did administrative law expand greatly? Why?
4. Why could the decisions of administrative decision-making bodies be reviewed by a court of general jurisdiction?
5. How does judicial review of administrative decision differ from an appeal?

1.1.5 Complete the following sentences according to the information from the text:

1. A rule is the whole or a part of an agency statement of general or particular applicability and
2. While administrative decision-making bodies are often controlled by larger governmental units,...
3. When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas ...

Vocabulary practice

1.2 Explain the following in English: administrative law, rulemaking, a rule, adjudication, an order, review of administrative decision, administrative unit

1.2.1 The verbs below can be used to form nouns. Find in the text the words which have similar meanings. Pay special attention to the stress

Example: *To govern (verb) – government (noun)*

To act, to enforce, to state, to adjudicate, to formulate, to broadcast, to immigrate, to decide, to review.

1.2.2 Give the English equivalents for the following word combinations and make up your own sentences with them:

Адміністративне право, урядова установа, регулятивна програма, винесення судового рішення, оподаткування, нормотворчість, судовий перегляд, формулювати норму, здійснювати, виконавча влада, державне управління.

1.2.3 Render into English:

Адміністративне право — одна з галузей публічного права, яка регулює суспільні відносини, що виникають у сфері організації, а також діяльності органів публічної адміністрації, спрямованої на забезпечення та захист прав і свобод громадян. Адміністративне право має декілька кодифікованих законів: Кодекс України про адміністративні правопорушення, Кодекс адміністративного судочинства України, Митний Кодекс України. Джерелами адміністративного права є постанови Верховної Ради України, Укази Президента України, акти Кабінету Міністрів України, накази міністерств та інших центральних органів виконавчої влади, розпорядження голів місцевих державних адміністрацій, рішення органів місцевого самоврядування, накази керівників державних підприємств, установ, організацій.

Speaking

1.3 Imagine that you are a lecturer in a law school. Prepare your presentation on Administrative law and get ready to give a lecture to your students

Grammar focus: Gerund, Participle

1.4 Point out sentences with Gerund in the text 1.1.3

1.4.1 Substitute the verbs in brackets with gerund

1. Many of the independent agencies operate as miniature versions of the tripartite federal government, with the authority to "legislate" through (to make

rules), "adjudicate" through administrative (to hear) and to "execute" administrative goals through agency enforcement personnel.

2. A State or Federal Administrative Procedure Act prescribes procedures only for formal (to adjudicate).

3. Formal rulemaking, which is (to make rules) for which the organic statute requires that rules be "made on the record after agency opportunity for (to hear)," and for which the APA prescribes particular procedures.

1.4.2 Rewrite the following sentences as in the example paying attention to Participle I:

A. Example: *The men who work in the Procurator's Office are my colleagues.*
– *The men working in the Procurator's Office are my colleagues.*

1. The man who steals from pockets is a pickpocket. 2. The lawyer who is announcing the sentence is a judge. 3. The criminal who was escaping from Winston prison was rather dangerous. 4. The burglar who broke into their house at night was not alone, somebody helped him. 5. The unknown man who is following us looks like a criminal. 6. The plaintiff is a party which brings an action to win compensation.

B. Example: *When she heard the strange noise, she turned around.* – *Hearing the strange noise she turned around.*

1. When an aggrieved party starts criminal proceedings it usually sues for compensation. 2. When he questioned the witness he thought about his own family. 3. When they recognized his voice on the cassette, they became suspicious. 4. When they pass a law they always think if it violates the Constitution. 5. When I realized what had happened, I called the police.

C. Example: *I read the article about notary of the USA and made notes.* – *I read the article about notary of the USA making notes.*

1. The inspector looked at me and smiled. 2. The victim spoke and trembled. 3. The suspect spoke about his youth and showed old pictures with blood on them. 4. He turned over the pages of the criminal case and looked at the photos. 5. The man ran about and shouted.

1.4.3 Make up sentences using Participle II according to the model

Model: *To present to the lawyers/ to be not sufficient/ documents.*

The documents presented to the lawyers were not sufficient.

1. To charge with shoplifting/ to listen to the person/ they.
2. To accuse of kidnapping/ may be cross-examined/ Mr.Simpson.
3. Martha Black/ to convict by the court/ to be imprisoned.
4. To be going to appeal the court decision/ William/ to sentence to 5 years.
5. The offender/ to bring before a court/ to release on bail.

1.4.4 Translate the following sentences into English using Participle:

1. Кожен заарештований чи затриманий повинен бути поінформований щодо причини його арешту чи затримання. 2. Кожен затриманий має право оскаржити в суді своє затримання. 3. Родичі заарештованої чи затриманої особи повинні бути поінформовані негайно про арешт. 4. Затримана чи арештована особа повинна бути звільнена відразу, якщо не було відповідного рішення суду.

Unit 2. Administrative Offenses and Responsibility

2.1 Answer the following questions:

1. What do administrative violations mean?
2. What is the task of administrative judiciary?
3. What powers does administrative judiciary have?

2.1.1 Match the following English words and expressions with their Ukrainian equivalents:

1) forfeiture of licenses	a) розрізняти
2) to be vested with	b) законність
3) validity	c) мати право
4) contested cases	d) позбавлення ліцензії
5) to issue	e) спірні справи
6) to distinguish	f) підлягати
7) incur	g) видавати
8) adjudication	h) судові рішення
9) penalties	i) порушення
10) violation	j) покарання

2.1.2 Read the text to understand what information is of primary importance or new for you

ADMINISTRATIVE JUSTICE

Administrative Justice, or, more commonly, administrative adjudication, is exercised by an administrative agency of judicial powers delegated to the agency by a legislative body. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability.

Agencies typically possess both legislative and judicial powers in their area of authority. The legislative power gives the agency the authority to issue regulations, and the judicial power gives the agency the authority to adjudicate contested cases within its area of jurisdiction.

Administrative courts are not ordinarily engaged in determining the rights and duties of individuals as against other individuals. Rather, they typically deal with individuals in relation to government. It is this function that chiefly distinguishes administrative tribunals from civil courts. In contrast to the criminal courts, administrative tribunals are typically empowered to assess various penalties, such as forfeiture of licenses for the violation of a statutory or administrative regulation. Some administrative agencies, however, are not vested with adjudicative powers and must proceed through the regular courts for civil or criminal punishment of violations. Another fundamental difference between administrative tribunals and courts is the nature of subject matter jurisdiction.

The subject matter of an agency's administrative regulation and adjudication is normally a single economic activity, a set of closely related economic activities, or specific benefits conferred by government.

2.1.3 Answer the following questions :

1. What powers do administrative agencies possess?
2. What does administrative proceeding mean?
3. What do administrative courts deal with?

2.1.4 Complete the following sentences according to the information from the text:

1. Agencies typically possess ...
2. The legislative power gives the agency the authority to ...
3. Administrative courts typically deal with ...
4. Some administrative agencies are not vested with ...
5. Fundamental difference between administrative tribunals and courts is...

2.2 Answer the following questions :

1. What is administrative offense?
2. What document provides legal provision regarding administrative offenses and administrative responsibility in Ukraine?

2.2.1 Read and translate the articles of the Code of Ukraine

Chapter 2. Administrative offense and administrative responsibility

Article 9. Concept of administrative offense

Administrative offense (offense) action or failure to act for which the law provides the administrative responsibility is recognized encroaching on public order, property, the rights and freedoms of citizens, on established procedure of management illegal, guilty (intentional or careless).

The administrative responsibility for the offenses provided by this Code comes if these violations in character do not involve according to the law of criminal liability.

Article 10. Making of administrative offense is intentional

The administrative offense is recognized committed intentionally if person who made it, realized illegal nature of the action or failure to act, provided its harmful effects and wished them or consciously allowed approach of these effects.

Article 11. Making of administrative offense on imprudence

The administrative offense is recognized committed on imprudence when person which made it expected possibility of approach of harmful effects of the

action or failure to act, but thoughtlessly expected their prevention or did not expect possibility of approach of such effects though it shall and could provide them.

Article 24. Types of administrative punishments

For making of administrative offenses such administrative punishments can be applied:

- 1) prevention;
- 2) penalty;
- 3) paid withdrawal of subject which became the tool of making or direct object of administrative offense;
- 4) confiscation: subject which became the tool of making or direct object of administrative offense; the money received owing to making of administrative offense;
- 5) deprivation of the special right granted to this citizen (the rights of control of vehicles, the hunting rights).

Deprivation of the right to hold certain positions or to be engaged in certain activities;

- 5-1) social jobs;
- 6) corrective works;
- 6-1) socially useful works;
- 7) administrative detention;
- 8) arrest with content on guardroom.

Article 25. Main and additional administrative punishments

Paid withdrawal, confiscation of objects and deprivation of the right of control of vehicles can be applied as the main, and additional administrative punishments; deprivation of the right to hold certain positions or to be engaged in certain activities - only as additional, other administrative punishments specified in Article part one 24 of this Code can be applied only as the main.

Article 26. Prevention

The prevention as measure of administrative punishment is taken out in writing. In the cases provided by the law the prevention is fixed by other established method.

Article 27. Penalty

The penalty is cash collection which is imposed on citizens, official and legal entities for administrative offenses in the cases and the size established by this Code and other laws of Ukraine.

(from <https://cis-legislation.com/document.fwx?rgn=8653>)

Vocabulary practice

2.3 Give the definitions for the following terms and expressions :

administrative justice, administrative agency, administrative courts, administrative offenses, administrative tribunals, administrative proceeding, administrative detention, administrative punishment.

2.3.1 Think about possible word combinations with the following words:

agency, legislative, regulations, courts, government, tribunals, penalties, powers, punishment, jurisdiction.

2.3.2 Give the English equivalents for the following word combinations.

Make up your own sentences with some of them: адміністративне правосуддя, адміністративні органи, судова влада, законодавча влада, адміністративні норми, адміністративні правопорушення, бездіяльність, протиправна дія, матеріальна або моральна шкода, адміністративний делікт, попередження, адміністративна відповідальність.

2.3.3 Render into English:

Адміністративне правопорушення - протиправна умисна або необережна дія чи бездіяльність, яка посягає на державний або громадський порядок, власність, права і свободи громадян, на встановлений порядок управління і за яку законодавством передбачено адміністративну відповідальність.

Адміністративним деліктом визнається протиправна, умисна або необережна дія чи бездіяльність, яка скоєна особою, наділеною владними повноваженнями (державним службовцем), унаслідок якої було заподіяно матеріальну або моральну шкоду особі (фізичній, юридичній) або суспільству.

Особливістю профілактики та попередження вчинення адміністративних деліктів у громадянському суспільстві є публічність органів державної влади, яка виражається, перш за все, у доступності для населення інформації щодо діяльності органів державної влади, а також можливості для громадян і громадських організацій впливати на їх діяльність.

Speaking

2.4 Imagine that you are at the exam applying for the post of a police officer and the members of the exam commission ask you to tell them about administrative offenses and administrative responsibility in Ukraine

Grammar focus: Infinitive

2.5 Find the Infinitives and translate the sentences into Ukrainian:

1. I would like to study the Code of Ukraine about Administrative Offenses and Administrative Responsibilities. 2. I expect him to be always fair in presenting evidences. 3. Their duty is to detain criminals. 4. He has just finished his speech to read the text on criminal law. 5. We asked to be given convincing evidence.

2.5.1 Fill in the gaps with the participle *to* where necessary:

1. Have you ever heard him ... break the law? 2. She seems ... know a great deal about administrative law in the USA. 3. Let him ...help you with the presentation about methods of crime identifications. 4. Have you enough information ...sue for compensation. 5. He would rather die than ... betray his country.

2.5.2 Translate into English using Infinitive and Infinitive Complexes:

1. Ви чули, щоб він коли-небудь був притягнутий до адміністративної відповідальності? 2. Він почув як поліцейський допитував свідка. 3. Вони раді, що їх визнали невинними. 4. Здається, його оштрафували, тому що він був у стані сп'яніння за кермом. 5. Він вимагав, щоб йому надали поговорити з адвокатом. 6. Бачили, як він грабував банк. 7. Повідомили, що вбивцю знайшли. 8. Припускають, що він не сам скоїв злочин. 9. Чули, що терористи захопили літак вчора. 10. Відомо, що цей слідчий розслідує справу про вбивство зараз.

Module 7. Criminal Justice

Unit 1. Criminal Law. Crimes and Criminals

1.1 Read and comment on the quotation by Edmund Burke

“Bad laws are the worst sort of tyranny”

Edmund Burke, British statesman

1.2 Answer the questions:

1. What is the main task of criminal law?
2. How do criminal and civil law cases differ in the way they are initiated?

1.2.1 Match the following English words and expressions with their Ukrainian equivalents:

1. to be tempted to	a) типовий злочин
2. to threaten with punishment	b) забороняти
3. conduct	c) на відміну від
4. archetypal crimes	d) намагатись розв'язати правові спори
5. disturbance of the public peace and order	e) призвести до шкідливих наслідків
6. to forbid	f) бути схильним до чогось
7. lead to harmful results	g) бути ув'язненим
8. unlike	h) загрожувати покаранням
9. to seek to resolve legal disputes	i) поведінка
10. to be incarcerated	j) порушення суспільного миру й порядку

1.2.2 Make up your sentences with words and expressions from 1.2.1

1.2.3 Read the following text to understand what information is new for you and do the tasks below

CRIMINAL LAW

Criminal law is the body of law that deals with crime and the legal punishment of criminal offenses. It seeks to protect the public from harm by inflicting punishment upon those who have already done harm and by threatening with punishment those who are tempted to do harm. The harm that criminal law aims to prevent varies. It may be physical harm, death, or bodily injury to human beings; the loss of or damage to property; disturbance of the public peace and order; or injury to the public health. Criminal law also often tries to avoid harm by forbidding conduct that may lead to harmful results.

Criminal punishment, depending on the offense and jurisdiction, may include execution, loss of liberty, government supervision (parole or probation), or fines. There are some archetypal crimes, like murder, but the illegal acts are not wholly the same between different criminal codes, and even within a particular code lines may be blurred, as civil law violations sometimes give rise also to criminal consequences. Criminal law typically is enforced by the government, unlike the civil law, which may be enforced by private parties.

Criminal law involves prosecution by the government of a person for an act that has been classified as a crime. Civil cases, on the other hand, involve individuals and organizations seeking to resolve legal disputes. In a criminal case, the state, through a prosecutor, initiates the suit, while in a civil case the victim brings the suit.

1.2.4 Answer the following questions using the information from the text

1. What does the term “criminal law” denote?
2. What way does criminal law seek to protect the public from harm?
3. What can criminal punishment include?
4. Are illegal acts the same in different criminal codes?
5. What is criminal law / civil law usually enforced by?
6. Who initiates the suit in the civil case / criminal case?

1.2.5 Match the two parts of the sentences (numbers and letters)

- 1) Criminal law often tries to
- 2) Criminal law typically is enforced
- 3) Civil law may be enforced

- 4) Criminal law involves
- 5) Civil cases involve
- 6) In a criminal case,
- 7) In a civil case
- 8) Persons convicted of a crime
- 9) Persons found liable in a civil case

- A. by the government.
- B. the victim brings the suit.
- C. prosecution by the government of a person for an act classified as a crime.
- D. may only have to give up property or pay money, but are not incarcerated.
- E. may be incarcerated, fined, or both.
- F. avoid harm by forbidding conduct that may lead to harmful results.
- G. individuals and organizations seeking to resolve legal disputes.
- H. the state initiates the suit
- I. by private parties.

Vocabulary focus

1.2.6 Give the English equivalents for the following word combinations and make up your sentences with some of them:

кримінальний кодекс, злочин, правопорушення, покарання, призначати покарання, загрожуючи покаранням, запобігати злочину, тілесні ушкодження, забороняти, втрата свободи, нагляд, умовне покарання, типові злочини, призвести до шкідливих наслідків, бути схильним до чогось, бути ув'язненим, порушення громадського порядку.

1.2.7 Find synonyms for the following words and word combinations: criminal offense, civil offence, damage, penalty, prohibited, human being, disagreement, to be imprisoned, responsible, criminal code, control, to be found guilty, to appeal, to release, convicted, legal action.

1.2.8 Arrange the letters in the following legal terms; then match these terms with their definitions:

1. IMCRE	a. the crime of killing another person deliberately and not in self-defense
2. EIOCUTEXN	b. the early release of a prisoner, conditioned on good behavior and regular reporting to the authorities for a set period of time
3. FEIN	c. an action prohibited by law
4. MDREUR	d. case brought to a law court
5. APLERO	e. somebody who is hurt or killed
6. OPTIRBNAO	f. a sum of money that somebody is ordered to pay for breaking a law or rule
7. UTIS	g. lawyers trying to prove somebody's guilt
8. SECOIUTPRON	h. the supervision of the behavior of a young or first-time criminal offender by a probation officer
9. CTIMVI	i. the killing of somebody as part of a legal or extralegal process

1.2.9 Choose the word that best completes the sentence

1) *Criminal / Civil* law is the branch of law that defines crimes, treats of their nature, and provides for their *probation / punishment*.

2) A *Criminal Code / Execution* is a compilation of government laws that outline a nation's laws regarding criminal offenses, and the maximum and minimum punishments that courts can *suit / impose* upon offenders when such crimes are committed (for example: vandalism, retail theft, theft of property etc.).

3) A *tort / crime* is a civil wrong committed against an individual; a *tort/ crime*, on the other hand, is regarded as an offense committed against the public, even though only one individual may have been wronged.

4) It'll be some weeks before your *offence / case* comes to trial.

5) A *penalty / supervision* is a legal or official punishment for committing a crime or other offense, e.g. a fine or imprisonment.

1.3 Answer the following questions

1. What action can be considered as a crime?
2. What is the main difference between a tort and a crime?
3. What crimes are the gravest from the point of view of the Ukrainian law?

1.3.1 Match the following English words and expressions with their Ukrainian equivalents:

1. mens rea	a) бездіяльність
2. actus reus	b) на відміну від
3. injurious to society	c) намір
4. as distinguished	d) злочинний намір
5. be accomplished by	e) злочинна дія
6. omission	f) шкідливий для суспільства
7. intent	g) супроводжуватися (чимось)

1.3.2 Read the following text to understand what information is new for you and do the tasks below

CRIME IN ENGLISH LAW

In English legal tradition crime is defined as an act or omission that violates the law and is punishable by the state. Crimes are considered injurious to society or the community, as distinguished from torts and breach of contract.

As defined by law, a crime includes both the act, or actus reus, and the intent to commit the act, or mens rea.

Actus reus is Latin for "guilty act" and is the physical element of committing a crime. It may be accomplished by an action, by threat of action, or exceptionally, by an omission to act. For example, a parent's failure to give food to a young child also may provide the actus reus for a crime.

Where the actus reus is a failure to act, there must be a duty. A duty can arise through contract, a voluntary undertaking, a blood relation with whom one lives, and occasionally through one's official position.

Mens rea is another Latin phrase, meaning "guilty mind." A guilty mind means an intention to commit some wrongful act. Intention under criminal law is separated from a person's motive. If Mr. Hood robs a rich Mr. Nottingham because his motive is to give the money to poor Mrs. Marion, his "good intentions" do not change his criminal intention to commit robbery.

Unless the act of which a defendant is accused is defined by statute as a crime, no indictment or conviction for the commission of such an act can be legally sustained.

1.3.3 Answer the following questions using the information from the text

1. What is a crime?
2. What does a crime include?
3. What is actus reus / mens rea?
4. Give an example of actus reus / mens rea.

1.3.4 Complete the sentences using the information from the text

1. Crimes are considered injurious to ...
2. Actus reus may be accomplished by ...
3. Where the actus reus is a failure to act...
4. A guilty mind means ...
5. Unless the act of which a defendant is accused is expressly defined by statute as a crime...

Vocabulary focus

1.3.5 Choose the words which best complete the text below

- | | | |
|-------------|---------------|-------------|
| 1) a. acts | b thoughts | c. words |
| 2) a. law | b. indictment | c. crime |
| 3) a guilty | b. motive | c. innocent |
| 4) a. crime | b. intent | c. wrongful |
| 5) a. Actus | b. Mens | c. Reus |

The criminal law generally prohibits undesirable 1)_____. Thus, proof of a 2)_____ requires proof of some act. Scholars label this the

requirement of an actus reus or 3)_____ act. Some crimes require no more, and they are known as strict liability offenses. Nevertheless, because of the potentially severe consequences of criminal conviction, judges at common law also sought proof of an 4)_____ to do some bad thing, the 5)_____ rea or guilty mind. As to crimes of which both actus reus and mens rea are requirements, judges have concluded that the elements must be present at precisely the same moment and it is not enough that they occurred sequentially at different times.

1.3.6 In the sentences below complete the de-voweled legal terms with the missed letters

1. A "crime" is any act or __m__ ss__ __n in violation of a public l__w forbidding or commanding it.
2. Though there are some common law cr__m__s, most crimes in the United States are established by local, state, and federal governments.
3. American cr__m__n__l laws vary significantly from state to state.
4. In the USA there is a Model P__n__l Code which serves as a good starting place to gain an understanding of the basic structure of criminal l__ __b__l__t__.
5. Crimes include both f__l__n__ __s (more serious __ff__ns__s like murder or rape) and misdemeanors (less serious offenses like petty th__ft or jaywalking).
6. Felonies are usually crimes punishable by imprisonment of a year or more, while m__sd__m__ __n__rs are crimes punishable by less than a year.
7. No act is a crime if it has not been previously established as such either by st__t__t__ or c__mm__n law.

1.3.7 Match words on the left with the appropriate definition on the right

- | | |
|------------------|---|
| 1) an arsonist | a) attacks and robs people, often in the street |
| 2) a shop-lifter | b) sets fire to property illegally |
| 3) a mugger | c) is anyone who breaks the law |
| 4) an offender | d) breaks into houses or other buildings to steal |
| 5) a vandal | e) steals from shops while acting as an ordinary customer |
| 6) a burglar | f) kills someone |
| 7) a murderer | g) deliberately causes damage to property |
| 8) a kidnapper | h) steals things from people's pockets in crowded places |

- | | |
|---------------------|--|
| 9) a pickpocket | i) gets secret information from another country |
| 10) an accomplice | j) buys and sells drugs illegally |
| 11) a drug dealer | k) takes away people by force and demands money for their return |
| 12) a spy | l) helps a criminal in a criminal act |
| 13) a terrorist | m) uses violence for political reasons |
| 14) an assassin | n) causes damage or disturbance in public places |
| 15) a hooligan | o) hides on a ship or plane to get a free journey |
| 16) a stowaway | p) takes control of a plane by force and makes the pilot change course |
| 17) a thief | q) murders for political reasons or a reward |
| 18) a hijacker | r) is someone who steals |
| 19) a forger | s) makes counterfeit (false) money or signatures |
| 20) a robber | t) is a member of a criminal group |
| 21) a smuggler | u) steals money, etc. by force from people or places |
| 22) a traitor | v) marries illegally, being married already |
| 23) a gangster | w) is a soldier who runs away from the army |
| 24) a deserter | x) brings goods into a country illegally without paying tax |
| 25) a bigamist | y) illegally carries drugs into another country |
| 26) a drug smuggler | z) betrays his or her country to another state |

1.3.8 Give the English equivalents for the following word combinations and make up your sentences with some of them: контрабандист, вбивця, терорист, правопорушник, грабіжник, підпалювач, фальшивомонетник, насилля, підробити підпис, вбити за винагороду, найманий вбивця, кишеньковий злодій, скоїти злочин, суб'єкт злочину, бездіяльність, суспільно небезпечна поведінка.

1.3.9 Render into English:

Злочини в кримінальному праві підлягають класифікації в залежності від ступеня вини, мети, покарання, яке може бути за нього призначено, стадії скоєння злочину тощо. Відповідно до ч.1 ст. 11 КК України, злочином є суспільно небезпечне винне діяння (дія чи бездіяльність), вчинене суб'єктом

злочину. Під дією розуміється активна, свідома та суспільно небезпечна поведінка, а під бездіяльністю — невчинення винною особою певних дій, які вона мала вчинити за даних обставин.

Speaking

1.4 Discuss the following questions in small groups

1. What is the difference between criminal and civil law?
2. What does the term "eluding a police officer" mean?
3. In which of the following circumstances can a police officer arrest a person?
 - a) a police officer personally observes a crime
 - b) a police officer has a reasonable belief, based on facts and circumstances, that a person has committed or is about to commit a crime
 - c) a police officer suspects but is not sure that a person has committed or is about to commit a crime
 - d) a police officer receives a report of an armed robbery that has just occurred at a liquor store, then sees a man who matches the suspect's exact description running down the street near the store
 - e) an arrest warrant has been issued
 - f) a police officer has a reasonable belief, based on facts and circumstances, that a person has committed or is about to commit a crime, but he hasn't obtained a valid warrant to arrest this person.

Writing

1.5 Write a short report on the main differences between a crime and a tort including the following points: the parties, the outcomes, the procedure, the standard of proof

Grammar focus: Conditional Sentences. Type 0, I and II

1.6 Open the brackets using the appropriate forms of the verbs

1. If she (to require) legal advice in the future she will have to go to a legal adviser.
2. If you (to approach) a barrister directly you will be sent to a solicitor.
3. If he passes the examination set by the Council of legal Education he (to become) a barrister.
4. If he (to have) money he (hire) a good barrister. But he doesn't have enough money.
5. If the case (to hear) in a higher court the solicitor will brief a

barrister on the client's behalf. 6. When you (to become) a solicitor you (to deal) with such matters as litigation, convincing of property, general business advice. 7. If you (to approach) a barrister directly you (to be sent) to a solicitor. 8. If he (to pass) the examination set by the Council of legal Education he (to become) a barrister. 9. If a person (to be arrested) he (to need) a defense lawyer. 10. If you (to recognize) the criminal, tell the police officer immediately. 11. If the accused (to be found) innocent, he is released.

Unit 2. Crime Investigation

2.1 Answer the following questions:

1. What is meant by investigation?
2. What is the main task of forensic science?
3. What methods of forensic science do you know?

2.2 Match the following English words and expressions with their Ukrainian equivalents:

1. Subdivision	a) свідчення свідків
2. DNA profiling	b) аналіз ДНК
3. crime lab	c) аналіз за допомогою мікроскопа
4. testimonial	d) криміналістична
5. evidence	e) лабораторія
6. microscopic examination	f) підрозділ, сфера
7. court appearance	g) виступ в суді

2.2.1 Read the text to understand what information on crime investigation is new for you

CRIME INVESTIGATION: FORENSIC SCIENCE

Forensic science and scientific expertise serves the administration of justice by providing scientific support in the investigation of crime and providing evidence to the courts.

When a crime is reported to the police, patrol officers are usually the first to arrive at the scene. They perform the initial investigation; fill out the forms, such as the complaint; interview witnesses; make an arrest if there is a suspect. If a crime requires expert investigation, detectives are called in. The detective's first task usually is to examine the facts in order to determine whether a crime has actually been committed and whether further investigation is required. If a full investigation is initiated, detectives collect evidence, interview witnesses and victims, contact informants. After an arrest is made, investigative work is extremely important to the outcome of a court case. Case preparation includes reviewing and evaluating all evidence and reports on the case; re-interviewing witnesses and assisting in their preparation for court appearances; and preparing the final report.

Legal detectives and investigators in common-law countries have a wide variety of techniques available in conducting investigations. However, the majority of cases are solved by the interrogation of suspects and the interviewing witnesses, which takes time. Besides interrogations, detectives may rely on a network of informants they have processed over the years. Informants often have connections with persons a detective would not be able to approach formally. The best way is to obtain a confession from the suspect, usually this can be done in exchange for entering plea bargain for a lesser sentence. Evidence collection and preservation can also help in identifying a potential suspect.

Criminalistics as a subdivision of forensic science is the application of various sciences to answer questions relating to examination and comparison of different types of evidence in criminal investigations. Typically, evidence is examined in a crime lab.

A Crime Laboratory (Crime Lab), is a scientific laboratory where scientists examine evidence from a criminal case. A typical crime lab has two sets of personnel. These are the investigators who go to crime scenes and collect evidence and process the scene. The second type of personnel in a crime lab is the people who run experiments on the evidence once it is brought to the lab.

Each type of evidence has a specific value in an investigation. Evidence used to resolve an issue can be split into 2 areas. The testimonial evidence refers to any witnessed records of an incident. The physical evidence is any material item that is on the crime scene. How will evidence collected at a scene do for the investigation:

- May prove that a crime has been committed.

- Establish any key elements of a crime.
- Link a suspect with a scene or a victim.
- Establish the identity of a victim or suspect.
- Confirm verbal witness testimony.
- Release the innocent.

Among the identification methods there are fingerprinting, DNA profiling and microscopic examination.

2.2. 2 Answer the following questions using the information from the text

1. What is the principle objective of forensic science and scientific expertise?
2. What does an initial investigation include?
3. What may detectives rely on?
4. What is a crime laboratory?
5. What are two types of evidence? What is physical evidence?
6. In what way does evidence help in an investigation?

2.2.3 Complete the following sentences

1. Forensic science serves...
2. Majority of criminal cases are solved by...
3. When a detective has a suspect in mind the next step is...
4. Evidence from a criminal case is usually examined in...
5. In a crime laboratory staff there are investigators who... and...
6. Evidence collected at a scene of a crime helps to...

Vocabulary focus

2.3 Match the following legal terms with their definitions:

1. confession	a) the judgement of a criminal court stating what punishment is to be given to a person
2. testimony	b) questioning witnesses
3. sentence	c) witness's statement under oath
4. interrogation	d) objects, statements, documents which help to show how a crime happened
5. evidence	e) declaration (of one's guilt)

2.3.1 Give the English equivalents for the following word combinations and make up your own sentences with some of them:

затримати, арештувати, допит свідків, скоїти злочин, підтвердити свідчення, звільнити невинного, встановити ідентичність, місце злочину, представити речові докази, перевірити докази, підозрюваний, визнати виним, звинуватити в, оголосити вирок, ув'язнити, звільнити

2.3.2 Insert one of the following words into the text:

*instinct, competent, search, intelligence,
field-criminalist, witnesses, fingerprints, evidence*

Investigation means a 1.____ That's why the duty of an investigator is to search for the truth, for the offender, for 2.____ who help to reconstruct the event and will present evidence of it in court.

The duties of the investigator together with the 3.____ are to find, to collect and to protect evidence, such as 4.____, footprints, and other traces of the criminal act.

Every good investigator should be intelligent, 5.____, patient, tactful, composed, and persistent, but he should be firm if it is necessary. He must also possess special investigative aptitudes and professional 6.____ The quick and accurate solution of crime depends largely on the personal efforts. It also depends on his education, his 7.____ and his decision-making judgments.

Speaking

2.4 Work in small groups and discuss what the necessary aspects are to be considered in the investigation of a crime. Use key words: *scene, evidence, witness, informant, to rely on, to collect, to arrest, to question, to search, fingerprints*

2.4.1 A crime was reported last night. Look at the list of the objects and in pairs decide how these objects are related to the incident reported. Objects: *frame, CD, purse with cash, golden bracelet.* What do you think could have happened? Use modal verbs in the meaning of assumption

Writing

2.4.2 To obtain testimonial evidence an investigator has to deal with different types of people. Write a report characterizing types of witnesses and explaining why it is difficult/ easy/ necessary/ important to interrogate each type of witnesses. Here are some psychological types of witnesses indicated in scientific literature: 1) *honest and cooperative witness*; 2) *silent, know-nothing, or uninterested witness*; 3) *hostile and deceitful witness*; 4) *timid or bashful witness*; 5) *talkative or boastful witness*; 6) *“under the influence” witness*.

Grammar focus: Conditional Sentences

2.5 Open the brackets using the appropriate form of the verb. Pay attention to conditional sentences of Type III

1. If he (to have) a university degree in law he would have been provided exemption from certain examinations while he was applying for a job. 2. If he had passed the Law Society examination he (to qualify) as a solicitor. 3. If I (see) the robbery yesterday I (to call) the police. 4. If the criminal (to leave) his fingerprints on the scene of the crime last night he (not to be found). 5. If he (not to commit) that crime last week he (not to be arrested). 6. She has lost the case yesterday. But if she (to go) to a defense lawyer she would have not lost it.

2.5.1 Translate into English using conditionals

1. Якби я був прокурором, я б відправив його до в'язниці. 2. Якщо ми дізнаємось щось про цей злочин, ми зателефонуємо слідчому. 3. Якщо суд присяжних визнає її винною, суддя винесе вирок. 4. Вона говорить правду. Якби я був присяжним, я б визнав її невинною. 5. Коли вона зайде до зали суду, вступні промови вже було проголошено. 6. Якби вона не залишила відбитків пальців, її б не знайшли і не заарештували. 7. Якщо обвинуваченого визнають невинним, його звільняють. 8. Якби він не їхав на такій високій швидкості, поліцейський патруль не зупинив би його і не оштрафував.

Module 8. Trial and Punishment

Unit 1. Court Trial

1.1 Answer the following questions:

1. Have ever been at court trial? What case was it?
2. What people can take part in a court trial?
3. Why is it important to behave properly in a courtroom?

1.2 Match the following English words and expressions with their Ukrainian equivalents:

1. opening statements	a) заперечення
2. selection of the jury	b) докази
3. to testify	c) підсумовувати
4. physical exhibits	d) судовий пристав
5. bailiff	e) речові докази
6. to summarize	f) свідчення
7. evidence	g) добір присяжних
8. objection	h) вступні промови
9. to be impartial	i) бути неупередженим
10. to disregard	j) не брати до уваги

1.2.1 Read the following text to understand what information is of primary importance or new for you:

What Happens During the Trial

Events in a trial usually happen in a particular order, though the order may be changed by the judge. The usual order of events is set out below.

Step 1. Selection of the Jury.

Step 2. Opening Statements. The lawyers for each side will discuss their views of the case that you are to hear and will also present a general picture of what they intend to prove about the case. What the lawyers say in their opening statements is not evidence and, therefore, does not help prove their cases.

Step 3. Presentation of Evidence. All parties are entitled to present evidence. The testimony of witnesses who testify at trial is evidence. Evidence may also take the form of physical exhibits, such as a gun or a photograph. On occasion, the written testimony of people not able to attend the trial may also be evidence in the cases you will hear.

Many things you will see and hear during the trial are not evidence. For example, what the lawyers say in their opening and closing statements is not evidence. Physical exhibits offered by the lawyers, but not admitted by the judge, are also to be disregarded, as is testimony that the judge orders stricken off the record.

Many times during the trial the lawyers may make objections to evidence presented by the other side or to questions asked by the other lawyer. Lawyers are allowed to object to these things when they consider them improper under the laws of evidence. It is up to the judge to decide whether each objection was valid or invalid, and whether, therefore, the evidence can be admitted or the question allowed. If the objection was valid, the judge will sustain the objection. If the objection was not valid, the judge will overrule the objection. These rulings do not reflect the judge's opinion of the case or whether the judge favours or does not favour the evidence or the question to which there has been an objection.

It is your duty as a juror to decide the weight or importance of evidence or testimony allowed by the judge. You are also the sole judge of the credibility of witnesses, that is, of whether their testimony is believable. In considering credibility, you may take in account the witnesses' opportunity and ability to observe the events about which they are testifying, their memory and manner while testifying, the reasonableness of their testimony when considered in the light of all the other evidence in the case, their possible bias or prejudice, and any other factors that bear on the believability of the testimony or on the importance to be given that testimony.

Step 4. The Instructions. Following presentation of all the evidence, the judge instructs the jury on the laws that are to guide the jury in their deliberations on a verdict. A copy of the instructions will be sent to the jury room for the use of jurors during their deliberations. All documents or physical objects that have been received into evidence will also be sent to the jury room.

Step 5. Closing Arguments. The lawyers in the closing arguments summarize the case from their point of view. They may discuss the evidence that has been presented or comment on the credibility of witnesses. The lawyers may also discuss

any of the judge's instructions that they feel are of special importance to their case. These arguments are not evidence.

Step 6. Jury Deliberation. The jury retires to the jury room to conduct the deliberations on the verdict in the case they have just heard. The jury first elects a foreman who will see to it that discussion is conducted in a sensible and orderly fashion, that all issues are fully and fairly discussed, and that every juror is given a fair chance to participate.

When a verdict has been reached, the foreman signs it and informs the bailiff. The jury returns to the courtroom, where the foreman presents the verdict. The judge then discharges the jury from the case.

1.2.2 Decide if the statements are true or false according to the text.

Correct the false ones:

1. Potential jurors are interviewed only by defense attorney.
2. In opening statements a judge summarizes the problems of the case to the jury.
3. The written testimony of people who are not able to attend the trial may be taken as evidence.
4. Closing arguments are not evidence.
5. The jury decides whether each objection was valid or invalid.
6. If the objection was not valid, the judge will sustain the objection.
7. In closing arguments the prosecutor and the defense lawyer summarize the case from their point of view.
8. The jury and the prosecutor retires to the jury room to conduct the deliberations on the verdict.
9. A judge selects a foreman.
10. The bailiff controls if every juror is given a fair chance to participate in deliberation.
11. When a verdict has been reached, the foreman informs the defense attorney.
12. A foreman presents a verdict in the court room.

1.2.3 Answer the following questions according to the text:

1. What is the purpose of interviewing the prospective jurors?

2. What is the purpose of open statements?
3. Who are entitled to present evidence?
4. In what case can written testimony be considered as evidence?
5. Who instructs the jury on the laws?
6. Why does jury go to the jury room?
7. What is the task of a foreman?

Vocabulary practice:

1.2.4 Find in the text the English equivalents of the following words and word combinations: присягати, відповісти на всі питання правдиво, особистий інтерес у справі, підсумовувати, базуватися виключно на фактах, мати право подавати докази, показання свідків, речові докази, заперечувати, впливати, відповідальний за вирішення справи, обвинувачення, проводити обговорення вердикту, інформувати судового розпорядника.

1.2.5 Find the odd word out:

1. Defendant – convict – accused – prosecutor;
2. Defendant – defence counsel – prosecutor – judge – law;
3. Evidence – witness – experts – not guilty;
4. Indictment – verdict – sentence – arrest.

1.2.6 Fill in the blanks using the correct word there are two extra ones you do not need to use: *lies / protocols / addressing / All rise/ put your hands up/ do not move*

There are a large number of 1._____when appearing in court. For example, when the clerk says 2_____ everyone stands up. After being sworn in, a person is then under oath. If a person 3_____under oath, he or she risks being charged with perjury. There are also rules for 4_____the judge.

1.2.7 Choose the word that is closest in the meaning to the underlined part:

1. When the judge arrived, the clerk said, ‘Everyone, stand up!’
A. approach the bench B. All rise C. “Your Honor.”

1. The prosecutor stood in the area in front of the bench to give his argument
A. bench B. protocol C. well

2. It is important for people to know the proper rules and traditions for attending court
A. oaths B. protocols C. records

3. When Miss Ashley was on the witness stand she was made to promise to tell the truth
A. off the record B. sworn in C. interrupted

4. The attorney was annoyed when the witness stopped her from talking by asking a question
A. approached the bench B. addressed C. interrupted

2.2.8 Render into English

A. Судовий розгляд — це змагальність, в якій кожна із сторін намагається переконати суд присяжних, що правда на її боці. Суддя в цієї змагальності є арбітром. Коли будь-яка із сторін вважає, що опоненти порушують правила, вона може апелювати до судді про винесення відповідного рішення. Повноваження судді на втручання в процес обмежені. Він може втрутитися, щоб дати пораду з питання права або внести ясність у незрозуміле питання. Після того як обвинувачення та захист зроблять свої висновки у справі, суддя підбиває підсумки. В них він коротко викладає суть справи і пояснює присяжним правові питання. Потім присяжні розглядають вердикт. Якщо обвинуваченого визнають винним, міру покарання визначає та оголошує суддя.

B. Судовий етикет - це сукупність правил поведінки суб'єктів судового процесу, регулюючих взаємини між судом і особами, що беруть участь в справі. Головуючому надано право видалити порушника порядку із залу судового засідання, а в деяких випадках може штрафувати. Під час проголошення вироку всі присутні в залі судового засідання, не виключаючи складу суду, вислуховують вирок стоячи.

Speaking

2.3 Imagine that you are a teacher of a law college tell your students about steps and procedures of criminal court trial as you were a teacher of a law college

2.4 Role playing. Work in groups. Study the case of a stolen car, write a scenario of a court trial and be ready to dramatize it

A case of a stolen car

A girl of about 20 years old has been charged with the crime of driving or taking a car belonging to someone else, without the permission of the owner. The evidence showed that a Lexus was stolen on the night of February 8th. The next day Miss Lee was arrested driving the stolen car. Her fingerprints were on the shaved master keys (keys used to steal a car). Miss Lee claimed that she noticed a very smart car and decided to come up nearer to have a look. The man was in the car and she asked him how fast the car was, he offered her to get in and check herself. They drove a little and then he told her that the car was stolen from Martinez Car Sales shop and that she could have it. Then, Rick, as he named himself, stopped the car, jumped out of the car and ran away. Yana Lee decided it would be a wise idea to return the car. So, she headed to return the Lexus to its owner - Martinez Car Sales shop. Heading over to downtown Miss Lee was stopped by an officer, who noticed the stolen Lexus. The officer arrested Miss Lee and charged her with the crime.

Grammar Focus: Construction “I wish”

2.5 Open the brackets using “I wish”

1. She wishes (to be) a wonderful advocate. 2. He wishes (not to rob) last week. 3. I wish I (to know) Patent Law of the USA. 4. He wishes he (not to drink) alcoholic drinks before going to the party yesterday. 5. He wishes (not to break) the American Law. 6. They wished they (not to see) that horrible scene. 7. The unfortunate student wished he (not to forget) to study the court system of the USA. 8. He wishes he (to appeal) that case last winter. 9. I wish I (to consult) a defense lawyer yesterday. 10. He is a tractor driver. He wishes he (to be) a defense lawyer.

Unit 2. Punishment

2.1 Answer the following questions:

1. What types of punishment do you know?
2. Which of them can be implemented in Ukraine?
3. What punishment do you consider to be the least/most severe?

2.2 Match the following English words and expressions with their Ukrainian equivalents:

1. fine	a) правопорушення, проступок
2. corporal punishment	b) штраф
3. confinement in jail	c) покарання
4. substitute	d) заміщувати
5. punishment	e) страта
6. revenge-based	f) тілесне покарання
7. misdemeanour	g) заснований на помсті
8. execution	h) ув'язнення

2.2.1 Read the text to understand what information is new for you

Types of Punishment

Criminal punishment is a penalty imposed by the government on individuals who violate criminal law. People who commit crimes may be punished in a variety of ways. Offenders may be subject to fines or other monetary assessments, the infliction of physical pain (corporal punishment), or confinement in jail or prison for a period of time (incarceration). In general, societies punish individuals to achieve revenge against wrongdoers and to prevent further crime—both by the person punished and by others contemplating criminal behaviour. Some modern forms of criminal punishment reflect a philosophy of correction, rather than (or in addition to) one of penalty. Correctional programs attempt to teach offenders how to substitute lawful types of behaviour for unlawful actions.

Throughout history and in many different parts of the world, societies have devised a wide assortment of punishment methods. In ancient times, societies widely

accepted the law of equal retaliation (known as *lex talionis*), a form of corporal punishment that demanded “an eye for an eye.” If one person’s criminal actions injured another person, authorities would similarly maim the criminal. Certain countries throughout the world still practice corporal punishment. For instance, in some Islamic nations officials exact revenge-based corporal punishments against criminals such as amputation of a thief’s hand. Monetary compensation is another historic punishment method. In England during the early Middle Ages payments of “blood money” were required as compensation for death, personal injury, and theft.

Although some societies still use ancient forms of harsh physical punishment, punishments have also evolved along with civilization and become less cruel. Contemporary criminal punishment also seeks to correct unlawful behaviour, rather than simply punish wrongdoers.

Certain punishments require offenders to provide compensation for the damage caused by their crimes. There are three chief types of compensation: fines, restitution, and community service.

A fine is a monetary penalty imposed on an offender and paid to the court. However, fines have not been widely used as criminal punishment because most criminals do not have the money to pay them. Moreover, fining criminals may actually encourage them to commit more crimes in order to pay the fines.

The term restitution refers to the practice of requiring offenders to financially compensate crime victims for the damage the offenders caused. This damage may include psychological, physical, or financial harm to the victim. In most cases, crime victims must initiate the process of obtaining restitution from the offender. Judges may impose restitution in conjunction with other forms of punishment, such as probation (supervised release to the community) or incarceration.

Alternatively, restitution may be included as a condition of an offender’s parole program. Prisoners who receive parole obtain an early release from incarceration and remain free, provided they meet certain conditions.

Offenders sentenced to community service perform services for the state or community rather than directly compensating the crime victim or victims. Some of the money saved by the government as a result of community service work may be diverted to a fund to compensate crime victims.

The most serious or repeat offenders are incarcerated. Criminals may be incarcerated in jails or in prisons. Jails typically house persons convicted of

misdemeanours (less serious crimes), as well as individuals awaiting trial. Prisons are state or federally operated facilities that house individuals convicted of more serious crimes, known as felonies.

The most extreme form of punishment is death. Execution of an offender is known as capital punishment. Like corporal punishment, capital punishment has been abolished in Ukraine.

2.2.2 Read the statements and decide if they are true or false

1. Criminal punishment is imposed by the individuals who violate criminal law.
2. A fine is a kind of a monetary assessment.
3. Confinement in jail or prison for a period of time is called incarceration.
4. The only reason to punish offenders is to achieve revenge against wrongdoers.
5. At present societies widely accept the law of equal retaliation.
6. No societies use the forms of harsh physical punishment nowadays.
7. Community service is one of the three types of compensation for the damage caused by their crimes.
8. Fines are often used as criminal punishment.
9. Restitution may be included as a condition of an offender's parole program.
10. The most serious or repeat offenders are incarcerated.
11. Criminals may be incarcerated in courts or police office.
12. Both corporal and capital punishments have been abolished in Ukraine.

Vocabulary focus

2.2.3 Match the parts of the sentences

A. Corporal punishment	1) supervised release to the community
B. Incarceration	2) less serious crimes
C. Lex talionis	3) a monetary penalty imposed on an offender and paid to the court
D. Fine	4) the practice of requiring offenders to financially compensate crime victims for the damage the offenders caused
E. Restitution	5) the infliction of physical pain
F. Probation	6) performing services for the state or community
G. Parole	7) execution of an offender

H. Community service	8) confinement in jail or prison for a period of time
I. Capital punishment	9) obtaining an early release from incarceration while remaining free, provided an offender meets certain conditions
J. Felonies	10) more serious crimes
K. Misdemeanours	11) the law of equal retaliation, a form of corporal punishment that demanded “an eye for an eye”

2.2.4 Match the words with their definitions and with the crimes committed

traffic ticket	remain in one's home for a certain period of time	assault
license suspension	spend the rest of one's life in prison with no chance of going back into society	a young offender who is waiting to go to court
fine	driving rights are removed for a certain period of time	speeding, parking
house arrest	leaves marks on driving record/involves paying a fine	hunting out of season
community service	pay money as punishment for minor/petty crime	a youth that steals a car for the first time
jail time	do volunteer work such as teaching children about crime or cleaning up garbage	homicide
life in prison	spend a certain amount of months or years locked away from society	drunk driving

2.2.5 Complete the text with the following words:

criminal/ punished/ rehabilitate/ revenge/ wrongdoing/ impose/ crime

Goals of Criminal Punishment

Кафедра іноземних мов професійного спрямування

The major driving force underlying all punishment is 1) _____, also referred to as retribution. The word retribution derives from a Latin word meaning “to pay back.” In retaliation for 2) _____, societies seek to punish individuals who violate the rules. Criminal punishment is also intended as a deterrent to future criminality. Offenders who are 3) _____ may be deterred from future wrongdoing because they fear additional punishment. Others who contemplate 4) _____ may also be deterred from 5) _____ behaviour. Societies also 6) _____ punishments in order to incapacitate dangerous or unlawful individuals by restricting their liberty and to 7) _____ these wrongdoers and correct their behaviour.

2.2.6 Give the English equivalents for the following word combinations and make up your sentences with some of them:

накладати покарання; порушувати закон; скоїти злочин; тілесне покарання; запобігти злочину; правомірна поведінка; неправомірні дії; грошова компенсація; суворе фізичне покарання; громадські роботи; штрафування злочинців; для того щоб сплатити штраф; компенсувати шкоду жертвам злочину; страта злочинця, смертна кара.

2.2.7 Render into English:

Коли до засудженого застосовується покарання, то обов’язковою складовою є кара. Кара засудженого становить зміст покарання – позбавлення або обмеження прав і свобод особи, засудженої за вчинення злочину.

Щодо самої кари, то важливо, щоб вона відповідала принципіві справедливості. Тобто винний повинен зрозуміти, що він відплачує за вчинені ним протиправні дії і відплачує справедливо, відповідно до шкоди, яку він своїми діями завдав суспільству. Обмеження прав та свобод засудженого повинно бути належно обґрунтованим.

Speaking

2.3 Prepare your presentation on

A. Types of punishment in different countries

B. Penal institutions in different countries

Writing

2.4 Write your essays on the following:

- A. Can crimes be prevented?
- B. Capital punishment: Pros and Cons

Grammar focus: Revision

2.5 Open the brackets using the verbs in correct form of active or passive

1. He (to imprison) for killing his wife. 2. This inspector (to work) in prison.
2. The traffic police (to punish) him for driving too fast. 3. He (to fine) for having parked not in a proper place for parking. 4. A prisoner (to release) from a prison yesterday. 5. The prosecutor (to supervise) prisoners every month. 6. The car (to stop) by the traffic police while I was crossing the street. 7. A drug dealer (to sell) drugs when a police caught him. 8. The famous criminal (to arrest) already.

2.5.1 Translate the following sentences into English using modal verbs or their equivalents:

1. Кожен заарештований чи затриманий повинен бути поінформований щодо причини його арешту чи затримання.
2. Кожен затриманий має право оскаржити в суді своє затримання.
3. Родичі заарештованої чи затриманої особи повинні бути поінформовані негайно про його чи її арешт.
4. Затримана чи арештована особа повинна бути звільнена відразу, якщо не було відповідного рішення суду.

2.5.2 Translate into English paying attention to sequence of tenses

1. Він запитав, чому його оштрафували.
2. Вона сказала, що не знає свідка.
3. Слідчий сказав, що знайшов речові докази вбивства.
4. Поліцейський наказав не рухатись.
5. Поліцейський наказав злочинцю підняти руки вгору.
6. Слідчий проінформував, що підозрюваний пограбував банк.
7. Поліцейський запитав, коли було викрадено автомобіль.
8. Суддя оголосив, що підсудного визнали невинним.
9. Слідчий запитав, коли було пограбовано банк.
10. Він запитав, який банк було пограбовано.
11. Вона запитала, чи знайшли злочинця.

2.5.3 Open the brackets using the infinitive or the ing-form of the verb in correct form. Translate the sentences into Ukrainian

1. I've never heard him (to start) legal proceedings. 2. They want him (to plead guilty) in committing a grave crime. 3. The most offence (to involve) criminal law are those against the state. 4. They'll look forward to (to charge) him for the second time. 5. The offence turned out (to be) committed while sleepwalking, and this act can't be qualified as a crime. 6. She seems (to investigate) the case for two weeks. 7. The criminal is sad (to catch) by the police. 8. He is known (to be) a good defence lawyer. 9. She is belived (to be innocent). 10. He is said (to rob) the bank two years ago.

2.5.4 Translate into English using Infinitive and Infinitive Complexes:

1. Здається, вона скоїла цей злочин. 2. Вони щасливі, що їх визнали невинними. 3. Здається, його оштрафували, тому що він був у стані сп'яніння за кермом. 4. Говорять, що він пограбував банк. 5. Слідчий щасливий, що знайшов речові докази. 6. Відомо, що вона чудовий адвокат. 7. Оголосили, що терористів вже спіймали. 8. Бачили, як він грабував магазин. 9. Припускають, що він не сам скоїв злочин. 10. Відомо, що цей слідчий розслідує цю справу зараз.

2.5.5 Translate into English using Conditionals or “I wish”:

1. Якщо суд присяжних визнає особу винною, суддя винесе вирок. 2. Якби я був присяжним, я б визнав її невинною. 3. Якби вона не скоїла злочин, її б не заарештували. 4. Шкода, що ти не розповів поліцейському всю правду. 5. Я б хотів, щоб він погодився піти до поліцейського відділку та написати заяву. 6. Якби він не влаштував бійку на футбольному майданчику, поліція не заарештувала б його вчора. 7. На твоєму місці, я б розповів все слідчому. 8. Якщо свідок впізнає підозрюваного, його заарештують.

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