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**Иностранный язык в сфере юриспруденции
(английский)**

Учебное пособие

Министерство науки и высшего образования Российской Федерации
Байкальский государственный университет

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Текстовое электронное издание

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Данное учебное пособие предназначено для изучения дисциплины федерального компонента ГОС «Иностранный язык в сфере юриспруденции (английский)». Состоит из четырех тематических разделов, включает рекомендации по выполнению заданий, грамматический справочник и приложения, тематика которых определяется сферой подготовки.

Для студентов бакалавриата, изучающих английский язык в сфере юриспруденции на дневном и заочном отделении, а также дистанционно.

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ВВЕДЕНИЕ

Настоящее учебное пособие предназначено для студентов бакалавриата, осваивающих учебную дисциплину «Иностранный язык в сфере юриспруденции» (форма обучения: очная, очно-заочная). Пособие подготовлено преподавателями кафедры иностранных языков для профессиональных целей Байкальского государственного университета в соответствии с Рабочей программой по дисциплине и ФГОС ВО по направлению подготовки 40.03.01 «Юриспруденция» (квалификация (степень) бакалавр).

Цель данного пособия – обучить студентов активному владению иностранным языком (английским) в сфере профессиональной деятельности юриста, а также сформировать у них способность и готовность к межкультурной коммуникации. Для достижения этой цели необходимо развивать у студентов общекультурные и совершенствовать коммуникативные компетенции (языковую, речевую, социокультурную и учебно-познавательную).

Основной задачей курса «Иностранный язык в сфере юриспруденции» является формирование у студентов иноязычной коммуникативной компетенции как основы профессиональной деятельности на иностранном языке, что предполагает решение следующих конкретных задач: освоение обучаемыми языкового материала, в том числе расширение словарного запаса за счет юридической лексики; совершенствование навыков чтения литературы по специальности на английском языке с целью получения профессионально значимой информации; развитие навыков говорения и аудирования, ориентированное на коммуникацию в профессионально-деловой сфере деятельности будущих юристов, а также навыков работы с профессиональной информацией на иностранном языке, ознакомление со способами ее переработки в различные виды документации по профилю будущей профессии (реферирование, аннотирование, перевод юридической литературы); формирование навыков письма, в первую очередь умения вести деловую и личную переписку, составлять заявления, резюме и т.д.

Дисциплина «Иностранный язык в сфере юриспруденции» является следующей после общеобразовательной дисциплины «Иностранный язык» и представляет собой обязательный компонент профессиональной подготовки бакалавра. Данное учебное пособие нацелено на совершенствование и дальнейшее развитие навыков и умений в чтении, говорении, аудировании и письме, полученных студентами бакалавриата в рамках общеобразовательной дисциплины.

Трудоемкость дисциплины составляет 144 академических часа, включающих 54 аудиторных часа и 90 часов самостоятельной работы для очной формы обучения, 18 аудиторных часов и 126 часов самостоятельной работы для очно-заочной формы обучения.

Учебное пособие состоит из пяти разделов (тем), четыре из которых обязательные и один (раздел 5) дополнительный. Содержание разделов охватывает основные аспекты деятельности юриста в сфере профессиональной коммуникации. Тематика разделов и дидактические единицы учебной деятельности по дисциплине в соответствии с ФГОС ВО унифицированы для всех форм обучения, что обеспечивает единство образовательного пространства.

Каждый раздел включает профессионально направленные аутентичные и адаптированные учебные тексты (для изучающего, ознакомительного, просмотрового и поискового чтения) и лексические упражнения к ним.

Большое внимание уделяется наполнению разделов, содержащих лексические единицы, которые были введены в предыдущих разделах или вводятся в данном разделе, что снимает трудности в активизации новых единиц. Количество упражнений и разнообразие заданий способствуют совершенствованию навыков устной и письменной форм коммуникации.

При работе с языковым материалом основное внимание уделяется обогащению лексического запаса за счет изучения терминологических и сопутствующих лексических единиц функционального характера, наиболее часто применяемых в сфере профессиональной коммуникации.

Учебное пособие содержит разделы *Supplementary texts* и *Additional activities* («Дополнительные тексты» и «Дополнительные задания») по темам и с заданиями для самостоятельной работы (аудиторной, внеаудиторной). Кроме того, кратко представленный обзор необходимых грамматических разделов существенно облегчает изучение новых профессионально ориентированных тем и подготавливает к устной коммуникации на предложенные темы.

UNIT 1. LEGAL PROFESSION



GET READY!

1. What are the main reasons to study law?
2. How can knowing the law help a person in his daily life?
3. What professional careers can studying law lead to?

VOCABULARY

Read the vocabulary list, find the Russian equivalents and learn the words:

1. academic degree
2. bachelor degree
3. Bachelor of Laws (LLB)
4. complete a degree program / attend a degree program
5. Department of National Security / Department of Homeland Security
6. doctoral degree / doctorate
7. full-time
8. graduate
9. higher education
10. national security / homeland security
11. national / homeland security agent
12. law degree
13. law enforcement
14. law school
15. law student
16. legal education
17. Master of Laws (LLM)
18. master's degree / degree of master
19. paralegal
20. part-time
21. practical training
22. tuition fee
23. undergraduate

READING

Scan the text and do some activities.

Legal Profession

1. Universities all over the world offer law courses at undergraduate and graduate (or postgraduate) level. Law degrees have always been one of the most sought-after and widely respected courses to study. The reasons to study law at university lie in the combination of human interest and intellectual stimulation. Some of these reasons are as follows:

2. Knowledge of the law. Law is relevant to everyone, not just those who work within the legal profession. It can be studied as an academic discipline in its own right as well as being the stepping-stone to a law career. Knowing the law can come in handy in your daily life, when buying real estate, dealing with a car accident, creating a will or making any kind of purchase, and you'll typically find that friends and family members will often come to you for unofficial advice about legal or business issues. Law provides the framework within which society operates, regulating almost all aspects of our lives. It is therefore of direct interest to all of us.

3. Vital skills. Law course helps students to develop a number of essential skills which are greatly prized by employers:

- ability to construct clear and reasoned arguments;
- capacity for effective communication, both written and oral;
- ability to find and manage large quantities of information from both printed and electronic sources;
- ability to think clearly and logically in order to analyze and solve problems;
- self-organization and self-management as the ability to work independently;
- capacity for independent thinking and the ability to critically evaluate the law;
- ability to work as part of a team.

4. Intellectual advancement. The study of law requires analytical ability, complex thinking and a sharp memory. Law students should also be prepared to come up against some of the most problematic conflicts and issues in modern society and morality.

5. Few degrees carry the weight, credibility and respect of a law degree. Studying law is an impressive accomplishment that can gain you respect and credibility among your friends and colleagues.

6. Opportunity to help others. Those who know law are in a unique position to help individuals, groups and organizations with their legal problems and further the public good. In this job, your hard work is rewarded not just in money, but also in a feeling of fulfillment with your career.

7. Studying law can lead to myriad opportunities in the legal profession. A certificate program can lead to a career as a paralegal or a legal executive, while a law degree allows you to pursue a career as a practicing lawyer, a notary, a secret service

agent, a police officer, a border patrol agent, an immigration and customs agent, or a law professor.

8. A big part of any law practice is networking and building relationships. Legal professionals meet people from all walks of life. As you work with 10 clients, you'll start to network, which not only expands your business, but also leads to perks in other parts of your life.

9. Law can be a route to financial stability. Once you have qualified with a law degree you can usually enjoy the benefits of a relatively high paying job. Moreover, you aren't limited to working for other people as a legal professional. Once you gain experience in your field, you can open your own business.

10. Lifelong education. As a legal professional, you'll constantly be learning, even if you don't go back to law school for official advanced training. Through working on cases, you'll research past cases, learn about obscure laws and get to know the intricacies of your specialization. The study of law also provides a framework through which to examine and understand different societies and cultures. For instance, you may be able to focus on Islamic law, or on the laws of the European Union. At the same time, a law degree provides a strong academic foundation for further study, such as the pursuit of advanced degrees in business or the arts.

11. Legal studies come into contact with almost every area of human life, touching upon issues relating to business, economics, the environment, human rights, international relations, political life and trade. Thus studying law also allows for professional opportunities outside of the legal field. Law provides a solid foundation for careers in civil service, consulting, law enforcement, commerce, academia, politics and the non-profit sector.

1. Answer the following questions:

1. What does the term 'lifelong education' mean when applied to legal profession?
2. What levels of law degree programs do universities all over the world offer?
3. What professional skills can a law course help students to develop?
4. What other reasons to have legal education can you give in addition to the reasons mentioned in the text?
5. Law careers can be satisfying, challenging jobs, but there are also some disadvantages. Give examples of these negatives.

2. Agree or disagree with the statements according to the text:

1. A certificate program can lead to a career as a practicing lawyer, a secret service agent, or a law professor.
2. A law degree gives you an opportunity to enjoy the benefits of a highpaying job.
3. As a rule universities offer law courses only at graduate level.

4. Every law student by no means has analytical ability, complex thinking and a sharp memory.

5. Legal training is universal in some sense and can be applied in almost every area of people's life.

Vocabulary practice

1. Match English words or phrases with their Russian equivalents.

1. sought-after	a. трамплин, средство для достижения цели
2. lie in	b. структура, основы, основные принципы
3. stepping-stone	c. заключаться в
4. networking	d. дополнительные льготы, привилегии
5. weight	e. сталкиваться с, встретить на своем пути
6. framework	f. интеллектуальное развитие
7. vital	g. авторитетность, репутация
8. law degree	h. профессиональные возможности
9. lifelong education	i. учёная степень выше степени бакалавра
10. lead to	j. самореализация, удовлетворение
11. intellectual advancement	k. содействовать общественным интересам
12. come up against	l. жизненно важный
13. credibility	m. имеющий большой спрос, требуемый
14. further the public good	n. взаимодействуют
15. fulfillment	o. вопросы, касающиеся...
16. perks	p. создание широкой сети профессионального общения, работа сообщества
17. advanced degree	q. учёба в течение всей жизни
18. professional opportunities	r. диплом юриста
19. come into contact with	s. значение, важность
20. issues relating to	t. подготовить к

2. Fill in the missing prepositions in the sentences below. Choose from the following:

into with upon for of for

Legal studies come contact almost every area of human life, touching issues relating to business, economics, the environment, human rights, international relations, political life and trade. Thus studying law also allows professional opportunities outside the legal field. Law provides a solid foundation careers in civil service, consulting, law enforcement, commerce, academia, politics and the non-profit sector.

3. Complete the sentences with the necessary words from the list:

life-long education, credibility, issues relating to, fulfillment, stepping-stone, sought-after perks, law degree, vital, professional opportunities

1. Her job as a lawyer demands a
2. There were no any for career move.
3. They discussed a number of important environment.
4. The Specialist's Programme "National security and Law Enforcement" is one of the most training opportunities.
5. Study at the university is something like because it allows you to make progress or begin to achieve something.
6. offered by the firm include a car and free health insurance.
7. Newspapers were talking of a gap between what he said and what he did.
8. When we talk about we mean the fact of doing or having what is required or necessary.
9. Population ageing raised such issues as income security, social insurance, pension, and social welfare systems to meet the needs of the elderly.
10. The police play a role in our society.

4. Render the following sentences into English, using the phrases from Vocabulary:

1. Сегодня многие университеты предлагают юридическое образование на уровне бакалавриата, специалитета, магистратуры и аспирантуры.
2. Юридическое образование всегда было и остается одним из самых востребованных и престижных.
3. Знание права актуально для всех, не только для тех, кто работает в сфере юриспруденции.
4. Право является, с одной стороны, самостоятельной академической дисциплиной, с другой – ступенькой к карьере юриста.
5. Важная часть любой юридической практики – это построение отношений.
6. Знание права – путь к финансовой стабильности.
7. Иметь диплом юриста означает пользоваться преимуществами хорошо оплачиваемой работы.
8. Профессия юриста требует постоянной учебы, и здесь речь не идет о повышении квалификации.
9. Юридическое образование способствует развитию ряда основных навыков, которые высоко ценятся работодателями. Среди них следует назвать: умение четко аргументировать, способность к эффективному общению, способность находить и обрабатывать большие объемы информации,

способность к независимому мышлению, умение критически оценивать закон, умение работать в команде и другие.

10. Изучение права требует аналитических способностей, комплексного мышления и острой памяти.

11. Студенты-юристы также должны быть готовы столкнуться с рядом конфликтов и проблем в современном обществе и морали.

LISTENING

A. Listen while watching the video about professional duties of lawyers and spheres they work in. Before you watch, learn the words that will help you to comprehend the video.

Lawyer / attorney

Legal issues and disputes

Represent in courts

Legal transactions

Legal rights and obligations

Steer

Complexity of law

Advocate for clients

Present evidence

Make legal arguments

Conduct research

Prepare documents (Lawsuits, wills)

Oversee the work

Paralegal

Prosecutor

File charges against

Accused of violating the law

Practice “up or out”

Specialize in a subject area

Environmental law

Tax

Intellectual property

Face heavy pressure

During trials

Meet deadlines

To pass licensing test (“bar exams”)

To practice law

Felony convictions

Disqualify from

B. Try to answer the following questions based on the information from the video:

1. What are the professional duties of a lawyer?
2. What is another term for a “lawyer”?
3. Is an attorney responsible for informing his / her client about legal rights and obligations?
4. What are the main responsibilities of a lawyer in court?
5. What is the special term for “a lawyer” who files charges against those accused of violating the law?
6. Why a lawyer may be forced to leave a law firm?
7. Do lawyers specialize in any subject areas?
8. What are the disadvantages of a lawyer’s job?
9. How long does it take to become a lawyer?
10. Is anyone with degree in Law can practice law?

Video: Lawyer Career

(<https://www.youtube.com/watch?v=aK2PVtgWlp8>)

SPEAKING

1. Summarize one of the text from “Supplementary texts”.
2. Prepare a short report about one type of legal profession (use internet resource).

UNIT 2. BASIC LEGAL TERMS



GET READY!

1. What are some different jobs in the legal profession?
2. Which legal job would you prefer, and why?

VOCABULARY

1. law – закон, право (уголовное право)
2. legal – юридический, правовой, законный
3. legal action – иск, судебное дело
4. civil / criminal case – гражданское/уголовное дело
5. plaintiff – истец
6. defendant – ответчик
7. complaint – жалоба, претензия, иск
8. court – суд (инстанция)
9. attorney – адвокат (амер.)
10. paralegal – помощник адвоката
11. judge / to judge – судья / судить
12. jury – суд присяжных
13. verdict – вердикт
14. trial – судебное заседание
15. to accuse / accused of – обвинять / обвиняемый в...
16. wrongdoing – проступок, правонарушение
17. guilty / not guilty – виновный / невиновный
18. innocent – невиновный
19. to prove / proof – доказывать / доказательство
20. to speak on behalf of – выступать от имени / представлять

READING

Read the passage and do some exercises.

People in the Legal System. Civil Cases

A civil case begins with the plaintiff. He or she has a complaint about the action of another person or organization. The plaintiff files the complaint with the court.

The person or organization accused of a wrongdoing is the defendant. Both the plaintiff and the defendant usually have attorneys. The attorneys speak on behalf of their client. A paralegal, a person with legal training, may assist the attorney.

In some cases, a jury listens to arguments for and against the defendant. Then they decide on a verdict. Finally, the judge makes a decision to resolve the complaint¹.

1. Match the words (1–7) with the definitions (A – D):

- | | |
|---------------------|------------------|
| 1. ___ verdict | 5. ___ paralegal |
| 2. ___ legal system | 6. ___ plaintiff |
| 3. ___ court | 7. ___ civil |
| 4. ___ complaint | |

- A. the methods of interpreting laws and putting them into effect
- B. a legal conclusion
- C. a written document that states the reason for legal action
- D. the place where people go to conduct legal business
- E. a person who accuses another person of a wrongdoing
- F. an attorney’s assistant with specialized legal training
- G. occurring between citizens

2. Complete the table using information from the text.

<i>Person</i>	<i>Role or Job</i>
1. -----	files a complaint
2. -----	is accused of a crime
3. attorneys	-----
4. paralegal	-----
5. -----	Resolves

3. Decide if the statement are true or false:

1. The plaintiff usually initiates a legal action.
2. The party that initiates the litigation files a complaint with a court.
3. Only defendant has an advocate.
3. Lawyers do all work by themselves.
4. Jury trial never takes place.
5. Jury duties include only deciding on a verdict.

4. Match the English phrases with their Russian equivalents.

1. civil case	a. судить
2. dispute	b. ущерб
3. sue	c. возбуждать иск

¹ Evans V., Dooley J., Smith D. Career paths. Law. Oxford University press, 2013.

4. complaint	d. причинить вред
5. damage	е. гражданское дело
6. party	f. претензия
7. bring the suit	g. доказательства
8. injure	h. иск
9. evidence	i. спор
10. lawsuit	j. сторона (в споре / деле)

5. Read the text and answer the questions.

How can disputes be resolved privately?

Many people decide too quickly to litigate their disputes – to take their disputes to court. When someone injures another person or fails to keep a binding agreement, he usually first tries to settle the matter by direct negotiation. The injured party should discuss the problem with the wrongdoer as calmly as possible. The two of them can often reach a mutually acceptable solution. If there has an automobile accident and the prospective defendant is injured, the insurance company will sometimes send an insurance adjuster to the injured prospective plaintiff. The adjuster tries to learn the facts about the accident and may suggest a mutually acceptable settlement.

In some cases, an independent third party may be called in to act as mediator (also known as a conciliator). The mediator talks to both parties and tries to develop a solution acceptable to both parties.

In other cases, an independent third party known as arbitrator may be brought in by agreement of the parties. Sometimes original agreement between the parties has a provision for arbitration of disputes. The arbitrator's decision, unlike that of a mediator, is binding on both parties. By using negotiation, mediation, or arbitration, the disputing parties may avoid the heavy costs and delays and difficulties of litigation (court trial). Moreover, the court order if necessary.

When no provision has been made for arbitration, and if the parties cannot reach an agreement by any other method, either party may go to court. However, courts generally treat the decision of arbitration as final: the matter cannot be reheard by a trial².

1. What are the ways to solve the dispute privately without litigation?
2. What is the role of mediator (arbitrator) in the resolution of private dispute?

6. Fill in the blank with the words from the box.

<p>Civil sue (3) injured damages wrong injury disputes bringing the suit</p>

² Агабекян И.П. Практический английский для студентов-юристов. Ростов-на-Дону : Феникс, 2003. 416 с.

..... cases are usually between or among private citizens, corporations, governments, government agencies, and other organizations. Most often, the party is asking for money for some that has been done. For example, a tenant may a landlord for failure to fix a leaky roof, or a landlord may a tenant for failure to pay rent People who have been may a person or a company they feel is responsible for the

bringing the suit plaintiff (2) lawsuit party defendant case disputes wrong to prove

The party is called the ; the being sued is called the There may be many plaintiffs or many defendants in the same case, The starts the by filing a paper called a, in which the against the defendant is stated. The next paper filed is usually the answer, in which the defendant what the plaintiff has said in the complaint. The defendant may also feel that there has been a committed by the plaintiff, in which case a counterclaim will be filed along with the answer. It is up to the plaintiff the case against the defendant.

judge jury(2) prove proof plaintiff (2) verdict evidence case jurors
--

In each civil case the tells the the extent to which the must the case. This is called the plaintiff's burden of, a burden that the must meet in order to win. In most civil cases the plaintiffs burden is to prove the case by a preponderance of, that is, that the plaintiff's version of what happened in the is more probably true than not true.

..... verdicts do not need to be unanimous in civil cases. Only ten need to agree upon a if there are 12 jurors: five-must agree if there are six jurors.

7. Choose the appropriate preposition:

1. The defendant owes my client thousand *for / of* dollars.
2. That's based *in / on* a verbal agreement.
3. The plaintiff has nothing *with / in* writing.
4. The jury may decide *on / against* us.
5. Complaint is a written document that states the reason *about / for* legal action.
6. Court is the place where people go *to / for* conduct their business.
7. Paralegal is an attorney's assistant *on / with* specialized legal training.
8. The term *civil* refers to something occurring *with / between* citizens.
9. Legal system defines the methods of interpreting laws and putting them *for / into* effect.
10. A jury listens *for / to* arguments *about / for* and *against / in* the defendant.

8. Fill in the prepositions.

of for (2) with on during to with (2)

1. She accused me lying.
2. The defendant was depressed and therefore not fully responsible her own actions.
3. The convict can file the complaint the Ministry in writing or orally, on record.
4. The Supreme Court decides the matter and publishes its verdict in the Legal Bulletin.
5. Evidence given the trial shall be used in assessing the verdict.
6. In the District Court jury listens a fraud case.
7. The Office is expected to have medical, psychological and social service, as well as employees legal training.
8. Bringing a legal action begins a plaintiff.
9. The court rejected arguments the defendant and held that award should be enforced.
10. In any case the judge makes final decision resolve the complaint.

LISTENING

Listen to the track № 3 (V. Evans Law, p. 5).

1. Answer the questions on the dialogue:

1. What is the conversation mostly about?
2. Is the case about personal injury?
3. What are the people having conversation?
4. Do the talking people know each other?
5. Are they discussing the process or the result of the case?
6. What is the complaint about?
7. Does the plaintiff has any evidence?
8. Has the jury already decided?
9. Why is there the possibility that the jury decides against?
10. When does the complaint seem weak?

2. Match the English equivalents from the dialogue to the Russian ones.

Как обстоят дела по гражданскому делу; не очень хорошо; в чем дело; адвокат ответчика; делает наш иск; а это не так, да?; должен несколько тысяч долларов; в письменном виде; все основывается на устной договоренности; примет решение против нас.

SPEAKING

- 1. Act out the dialogue between two attorneys.**
- 2. Make up your own dialogue between two attorneys, an attorney and a client (plaintiff or defendant), an attorney and a paralegal.**

UNIT 3. COURTS AND JURISDICTION



GET READY!

1. What are some different kinds of courts in your country?
2. What types of cases do the different courts hear?

VOCABULARY

1. to bring a civil action	возбудить гражданский иск
2. claim	иск, претензия
3. to justify	оправдывать, объяснять, подтверждать
4. constitute a wrong	составлять правонарушение
5. summons	судебная повестка, вызов в суд
6. answer	возражение ответчика
7. liability	ответственность
8. to excuse from liability	освободить от ответственности
9. to enforce a private right	осуществить личные права
10. issue	предмет тяжбы
11. issue of law	вопросы права
12. issue of fact	фактическая сторона дела (спорный вопрос, когда одна сторона отрицает факты, приводимые другой стороной)
13. to serve	вручать
14. to deny	отрицать
15. under oath	под присягой
16. default judgement	заочное решение суда в пользу истца (вследствие неявки ответчика)
17. district attorney, circuit attorney	прокурор округа (США)
18. default	неявка в суд
19. out-of-court settlement	внесудебное урегулирование, соглашение
20. pretrial hearing	предварительное разбирательство дела судьей и адвокатами

1. Match terms with their definitions.

1. liability (n)	a. show or prove to be right or reasonable
2. justify (v)	b. an official agreement intended to resolve a dispute or conflict
3. claim (n)	c. the state of being legally responsible for something
4. settlement (n)	d. a solemn promise, often invoking a divine witness, regarding one's future action or behaviour
5. oath (n)	e. state or assert that something is the case, typically without providing evidence or proof.
6. wrong (n)	f. state that one refuses to admit the truth or existence of
7. deny (v)	g. an unjust, dishonest, or immoral act

READING

Read the text and be ready to do some tasks.

What Is a Court?

A court is a tribunal established to administer justice under the law. It may decide civil dispute or criminal cases. A court may award damages or administer punishment for crimes.

Courts vary in authority (or jurisdiction) from justice of the peace and small claims courts to the supreme courts of various states and the Supreme Court of the United States. State courts have power to decide cases involving state and local laws. Federal courts have power to decide cases involving federal law.

There are two different levels of courts: trial courts and appellate courts. A trial court is the first court to hear a dispute. Witnesses testify and present information to prove the alleged facts. A trial court consists not only of a judge but also of lawyers, who are officers of the court, and others who are necessary for the court's operation. Two words *court* and *judge* are often used to mean the same thing. While presiding over a legal action, the judge may be referred to as "The Court" or "Your Honor".

An appellate court sometimes reviews decisions of a trial court when a party claims an error of law was made at the trial level. In most cases, the decision may be appealed to the next higher court, including the state supreme court. The decision of the supreme court of a state may be reviewed by the Supreme Court of the United States.

Unlike trial courts, appellate courts do not hear witnesses or accept new evidence. They examine the transcript – the word-for-word written record of what was said at the trial. They also read appellate briefs (written arguments on the issues submitted by the opposing attorneys). Then the appellate courts listen to oral arguments of the attorney and may question them about the case. Finally, The appellate courts decide whether, as a matter of law, the decision below should be affirmed (upheld),

reversed (overturned), amended (changed), or remanded (sent back to the trial court for corrective action, including possibly a new trial).

1. Answer the questions according to the text.

1. What is a court?
2. What powers do State courts have?
3. What powers have Federal courts?
4. What are the two different levels of courts?
5. What does a trial court consist of?
6. What is the role of witnesses at the trial?
7. What is the role of lawyers at the trial?
8. What is an appellate court?
9. Do appellate courts hear witnesses or accept new evidence?
10. What is a transcript and appellate brief?
11. What is a procedure in appellate courts?
12. What are possible decisions of appellate courts?

2. Read a dialogue, fill in the missing words from the list:

reviewed, decides, state, district, review, discretionary

Client (C): So is my case going to 1)___ court?

Attorney (A): No, that's not going to happen.

C: Why not? It's a dispute with the state.

A: Well, 2)___ courts usually have jurisdiction over smaller cases like yours.

C: I see. What do we do if the district court 3)_____ against us?

A: We ask for the case to be 4)_____ in the Court of Appeals.

C: And they have to 5)_____it, right?

A: Yes. There's no 6)___ review in appeals courts, That's reserved for the Supreme Court.

SPEAKING

Act out the dialogue / Make up a similar dialogue.

WRITING

1. Using the conversation from the dialogue (task 3), complete a lawyer's letter.

Tamsin Greer,

Attorney

Dear Mr. Moisey,

In your response to your question, your case is not going to the _____. It is going to a _____ because _____.

If you do not agree with the decision, the case goes to an _____. They have to review it because _____ .

Yours faithfully,

T. Greer

2. Write a lawyer's letter to a client about forum shopping (choosing the court that is more likely to rule in client's favor). Use the previous letter as an example.

UNIT 4. TYPES OF LAW

Criminal Law



GET READY!

1. Why do people commit crimes?
2. Do you believe that the punishment for a crime can be fair?

READING

Read the text and do the tasks.

The Objective of Criminal Law

The purpose of criminal law is to punish people who commit crimes. The type of punishment depends on the crime. Criminals who commit minor crimes such as trespassing usually receive a light punishment. They often get a fine or are put on a probation.

When criminals offend crimes many times, they get a heavier punishment. They go to jail. Criminals also go to jail when they are dangerous to others. For example, someone who commits assault and battery gets sent to jail.

Capital punishment is the most serious punishment. It is reserved the worst crimes such as murder.

VOCABULARY

1. Match the words to make phrases.

1. punish	a. jail
2. commit	b. fine
3. receive	c. people
4. put on	d. a light punishment
5. go to	e. probation
6. get	f. crime
7. depend on	g. the type of a crime

2. Match the Russian phrases to the English ones.

1. punish somebody	а. получить легкое наказание
2. get a punishment	в. получить условный срок

3. commit a crime	с. совершить нападение и избиение
4. trespassing	d. смертная казнь
5. receive a light punishment	e. получить наказание
6. get a fine	f. получить легкое суровое наказание
7. be put on probation	g. отправить в тюрьму
8. be dangerous to somebody	h. преступник
9. capital punishment	i. наказать кого-либо
10. light/heavy punishment	j. убийца
11. commit assault and battery	к. вторжение
12. offend	l. получить штраф
13. get sent to jail	m. преступление
14. a murder	n. оскорбить
15. a criminal	o. быть опасным для кого-то

3. Find the English equivalents to the phrases in the text:

1. мелкие преступления
2. цель
3. много раз
4. опасный для кого-либо
5. самое серьезное
6. заслуживать
7. например
8. такой как
9. уголовное право
10. кто-то

Understanding the text

4. Define if these statements are TRUE or FALSE:

1. The purpose of criminal law is to punish all people.
2. Punishment depends on the type of the crime.
3. Trespassing is considered a major crime.
4. A fine or probation are heavier punishments.
5. Criminals who offend many times go to jail.
6. Criminals who commit assault or battery go to prison.
7. Capital punishment is the least serious punishment.
8. Murder is the worst crime.

5. Questions for Comprehension:

1. What is the purpose of criminal law?
2. What does the type of punishment depend on?

3. Who usually receives a light punishment?
4. What punishments are light?
5. What criminals get a heavier punishment?
6. When criminals go to jail?
7. What is the most serious punishment?
8. What is the worst crime?

Before you read

1. What is criminal law?
2. What is the major aim of criminal law in human society?

Read the text and do the tasks.

The Nature of Criminal Law

Crime and criminal law are supposed to be **arguable topics** in civil society. Literature, newspapers, and television programs are full of criminal examples, which seem to fascinate and shock people **at the same time**. Issues of criminal law and **criminal policy** often appear in political discussions and **election campaigns**. As citizens demand security from their governments, criminal law **seems to be a suitable tool** to provide it.

Humanity has always wanted societies **dependent on** some **social order** and have developed rules **to protect** its members. So, criminal law can be defined as a **body of rules** by which the state prohibits **certain forms of conduct**. The state **imposes punishment** for acts against **public safety and welfare**.

In modern society, **the realm of criminal law** has been considerably extended. Now it covers a multitude of crimes such as **environmental and economic crimes and tax and traffic offenses**.

Vocabulary Practice

1. Match the words to make phrases.

1. shock	a. security
2. depend on	b. its members
3. appear in	c. public safety
4. demand	d. social order
5. develop	e. a multitude
6. protect	f. people
7. prohibit	g. punishment
8. threaten	h. rules
9. impose	i. public discussions
10. cover	j. certain forms

2. Match the Russian phrases to the English equivalents.

1. arguable topics	a. общественный порядок
2. at the same time	b. экологические преступления
3. criminal policy	c. зависимый от
4. election campaigns	d. определенные формы поведения
5. depend on	e. дорожные нарушения
6. social order	f. избирательные кампании
7. a body of rules	g. сфера уголовного права
8. certain forms of conduct	h. спорные темы
9. public safety and welfare	i. налоговые нарушения
10. impose punishment for	j. в то же время
11. the realm of criminal law	к. наложить наказание
12. environmental crimes	l. экономические преступления
13. economic crimes	м. политика в отношении уголовных преступлений
14. tax offences	п. свод правил
15. traffic offences	о. общественная безопасность и благополучие

3. Find the English equivalents to the following phrases in the text:

1. гражданское общество
2. уголовное право
3. шокировать людей
4. политические дискуссии
5. в современном обществе
6. множество преступлений
7. требовать безопасности
8. телевизионные программы
9. расширяться
10. действия / поступки

Understanding the text

4. Define if these statements from the text are TRUE or FALSE:

1. Criminal law is a simple topic in civil societies.
2. Criminal policy is important for election campaigns.
3. Criminal Law is used to provide public security.
4. Human society doesn't depend on social order.
5. Criminal law is a body of rules to provide public safety.
6. Economic crimes can be referred to criminal law.
7. Tax and traffic offences can be referred to International law.

5. Questions for Comprehension:

1. What examples newspapers full of?
2. Where do criminal issues often appear?
3. What do citizens demand from their governments?
4. What does criminal law provide?
5. What does human society depend on?
6. How is criminal law defined?
7. What does the state impose for criminal acts?
8. What has humanity developed to protect themselves?

Word-builder Practice

6. Define what part of speech each word is, mark the word-building element and give Russian equivalents:

a) for word derivatives

law

lawful

lawfully

lawless

lawlessly

lawlessness

b) for collocations

law-giver

law-officer

the law

break the law

lay down the law

go to law against somebody

have the law on somebody

take the law into one's own hands

law court

law suit

be a law into oneself

law abidance

7. Define what part of speech each word is, mark the word-building element and give Russian equivalents:

a) for word derivatives

crime

criminal

criminally

criminality
 criminology
b) for collocations:
 criminal case
 criminal conviction
 criminal offense
 criminal procedure
 criminal purpose
 criminal sanction
 criminal code
 criminal legislation
 criminal conduct
 criminal conspiracy
 criminal statute
 criminal liability
 criminal act
 war crime

LISTENING

Listen to track 23 of Unit 11 in the textbook and do the tasks.

1. Match the words to make phrases.

1. deserve	a. assault and battery
2. recommend	b. again
3. hurt	c. that
4. be convicted of	d. an innocent person
5. be punished for	e. probation
6. offend	f. jail

2. Answer the questions on the dialogue:

1. Who are talking?
2. What are they talking about?
3. What was the crime?
4. What was the client convicted of?
5. When was he convicted?
6. What is the prosecutor recommending?
7. What is the defense lawyer's opinion about this case?

3. Write the English equivalents of the Russian phrases from the dialogue:

1. давайте поговорим о

2. клиент
3. попасть в тюрьму
4. преступление
5. казаться необоснованным
6. за такое маленькое преступление
7. осудить снова

4. Act out this dialogue (use the example of the dialogue from the listening task).

5. Make up your own dialogue about sentencing between a defense lawyer and a prosecutor.

Civil Law



Before you read

1. Why do people act against each other in everyday life?
2. What do people want when they go to courts on civil cases?

READING

Read the text and do the tasks.

Civil Law Attorney

The medium-sized city law firm is seeking an attorney with civil law experience. Primary responsibility is handling tort cases. Most cases involve clients suing for monetary damages because of personal damages. The attorney assists clients in filing for injunctions when needed. They will also be required to prove liability and establish the negligence of defendants. Our clients generally require compensation for medical costs, loss of earnings and punitive damages.

The attorney may also be involved in other cases, including probate and divorce cases.

Benson and Cutler Law Firm.

Vocabulary Practice

- 1. Match the words to make phrases.**

1. seek	a. monetary damages
2. handle	b. liability
3. sue for	c. compensation
4. fill in	d. an attorney
5. prove	e. injunctions
6. establish	f. tort law
7. require	g. negligence
8. involve in	h. divorce cases
9. include	i. resume
10. send	j. other cases

2. Match the Russian phrases to the English equivalents.

1. a civil law attorney	a. денежное возмещение
2. a law firm	b. установить факт халатности
3. a tort law case	c. требовать компенсацию
4. involve clients	d. деликатное дело
5. monetary damages	e. штрафные издержки
6. assist clients	f. адвокат по гражданским делам
7. prove liability	g. доказать ответственность
8. establish negligence	h. юридическая фирма
9. require compensation	i. помогать клиентам
10. punitive damages	j. привлекать клиентов

3. Find English equivalents to the following phrases in the text:

1. требовать
2. средний размер
3. затраты на лечение
4. потеря заработка
5. подзащитные
6. искать
7. юридическая фирма
8. гражданское дело
9. быть вовлеченным в
10. личные травмы

Understanding the text

4. Define if these statements from the text are TRUE or FALSE:

1. The law firm needs an attorney with criminal law experience.
2. The main responsibility is in tort law cases.
3. Most people want money compensation for personal injuries.

4. The attorney never helps clients in filling the documents.
5. The clients usually require compensation for punitive damages.
6. An attorney is never involved in divorce cases.

5. Questions for Comprehension:

1. What attorney is the law firm seeking for?
2. What is the attorney's main responsibility?
3. What do clients usually sue for?
4. Why do clients for monetary compensation?
5. What do the attorney usually assist clients in?
6. What do clients require compensation for?
7. What cases may the attorney be involved in?

Before you read

1. What is the main function of civil law in human society?
2. What is its main demand?

Read the text and do the tasks.

Civil Law Tradition

The civil law tradition is based on **the influence of** earlier decisions. It depends on two factors.

One factor is **the demand of justice** to treat like cases alike. If one case has been decided **in a particular way**, it is often assumed that it is **unjust** to treat **a subsequent case in a different way**. If the first case was decided correctly, then the second case should be decided similarly because the law is still the same. This would be **a matter of logic** but not so much of justice. Another reason is the rationality of the earlier decision.

The second factor is **the demand of legal certainty**. If an earlier case was decided in a particular way, this may create expectations among legal subjects that future cases will be decided **in the same way**. To give a different decision in a future case not only would be **a violation of** these expectations but also would create uncertainty in the society.

These two factors mean that earlier **judicial decisions** can **have a strong influence on** future judicial decisions. So, case law is not **a source of validity** in the civil law tradition but merely a source of origin. Case law is law because it is accepted as such. It is not **institutional law**.

Vocabulary Practice

1. Match these words to make phrases.

1. base on	a. a strong influence
2. treat	b. a matter of logic
3. be	c. expectations
4. give	d. earlier decisions
5. create	e. a different decision
6. have	f. a case

2. Match the Russian phrases to the English equivalents.

1. the influence of	a. другим способом
2. the demand of justice	b. логическая определенность
3. in a particular way	c. судебные решения
4. in a different way	d. влияние
5. a matter of logic	e. источник
6. legal certainty	f. иметь сильное влияние
7. in the same way	g. требование справедливости
8. judicial decisions	h. вопрос логики
9. have a strong influence on	i. особенным образом
10. a source of validity	j. тем же способом

3. Find English equivalents to the following phrases in the text:

1. более ранние решения
2. похожим образом
3. юридические субъекты
4. создавать
5. будущие решения
6. институциональное право
7. большинство решений
8. источник происхождения
9. решать также
10. подобные случаи

Understanding the text

4. Define if these statements from the text are TRUE or FALSE:

1. Civil law is based on the institutional law.
2. There are two main factors in civil law tradition.
3. All subsequent cases in civil law should be decided in the same way.
4. One factor is the demand of civil unjust.
5. The second factor is the demand of legal uncertainty.
6. Both factors have a strong influence on future decisions.

7. Case law is a source of origin.
8. Case law is an institutional law.

5. Questions for Comprehension:

1. What is civil law based on?
2. How many factors are there in the civil law tradition?
3. What is the principle of the first factor?
4. What is the principle of the second factor?
5. What is a violation of expectations in the civil law tradition?
6. What do earlier judicial decisions influence on?
7. What is the nature of case law?

Word-builder Practice

6. Define what part of speech each word is, mark the word-building element and give Russian equivalents:

a) for word derivatives:

civil
civilian
civilization
civilize
just / unjust
justly
justness
justice
justify
justifiable
justifiably
justification
jury
juror
jurist
juridical
jurisdiction
jurisprudence

b) for collocations:

civil law
civil law attorney
civil law experience
civil law tradition
civil rights
civil duties

civil obedience\disobedience
civil movement
civil service
civil servant

LISTENING

Listen to track 25 of Unit 12 and do the tasks.

1. Match the words to make phrases.

1. have	a. a lawsuit
2. file	b. negligence
3. initiate	c. any experience
4. prove	d. monetary damages
5. establish	e. injunctions
6. be awarded	f. liability

2. Answer the questions on the dialogue:

1. What is the situation of the talk?
2. Who are talking?
3. What kind of experience is needed?
4. What was the candidate's last job?
5. How often was the candidate able to prove liability?
6. Does the candidate have any experience with probation?

3. Write the English equivalents of the Russian phrases from the dialogue:

1. гражданское дело
2. инициировать судебное разбирательство
3. начать
4. присудить денежную компенсацию
5. доказать правоту
6. опыт в чем-либо
7. подать судебное ходатайство

SPEAKING

1. Act out the listening task dialogue between an interviewer and a job candidate.

2. Make up your own dialogue between an attorney and a job candidate for the position of a paralegal.

Administrative Law



Before you read

1. Where in human society do people need administrative law?
2. Why is a specialist in administrative law necessary for business?

READING

Read the text and do the tasks.

Specialist in Administrative Law

Pamela Webster

Are you a business owner confused by all the government regulations out there? Licenses, accreditations, and compliance with the laws... it's enough to make any owner crazy. Luckily, I'm here to help you get past all the bureaucracy. I help business owners resolve their administrative law issues. I have an excellent record for defending businesses facing disciplinary actions. In addition, I know how to negotiate with government agencies to achieve positive results.

Don't jeopardize your business by missing out on the assistance you need! I have the skills to fix many administrative problems that business owners deal with. To learn more, please contact Pamela Webster.

Vocabulary Practice

1. Match the words to make phrases.

1. make	a. administrative issues
2. help	b. administrative problems
3. resolve	c. business
4. have	d. positive results
5. defend	e. business owners
6. face	f. the assistance
7. negotiate with	g. crazy
8. achieve	h. an excellent record
9. miss out on	i. disciplinary actions
10. fix	j. government agencies

2. Match the Russian phrases to the English equivalents.

1. a business owner	a. административные дела
2. government agencies	b. вести переговоры с кем-либо
3. compliance with	c. владелец бизнеса
4. resolve the problems	d. соответствие чему-либо
5. administrative law issues	e. защищать бизнес
6. defend businesses	f. столкнуться с дисциплинарными действиями
7. face disciplinary	g. достичь положительных результатов
8. negotiate with	h. государственные органы
9. achieve positive results	i. узнать больше
10. learn more	j. решить проблемы

3. Find English equivalents to the following phrases in the text:

1. государственные органы
2. лицензия
3. аккредитация
4. свести кого-либо с ума
5. соответствие чему-либо
6. защищать владельцев бизнеса
7. столкнуться с дисциплинарными взысканиями
8. вести переговоры с государственными органами
9. достичь положительных результатов
10. пройти через всю бюрократию

Understanding the text

4. Define if these statements from the text are TRUE or FALSE:

1. A business owner can be confused by government regulations.
2. All licenses and accreditations can make anyone crazy.
3. A specialist in administrative law cannot help with all the bureaucracy.
4. It's impossible to defend businesses facing disciplinary actions.
5. In order to achieve positive results it is necessary to negotiate with government agencies.
6. A few administrative problems can be fixed by a specialist in administrative law.

5. Questions for Comprehension:

1. What are the names for government regulations?
2. What can make a business owner crazy?

3. Who can help a business owner to fox many administrative problems?
4. What does a specialist in administrative law help businesses to resolve?
5. What do business owners usually face?
6. What do specialists in administrative law negotiate about?

Before you read

1. What is the main function of administrative law in human society?
2. What is administrative justice?

Read the text and do the tasks.

The Function of Administrative Justice

The interpretation of administrative law **depends on** the view on its main purpose. In general, **administrative justice** is based on two main aspects.

One aspect **refers to** those individuals who **have access to** the courts in **administrative affairs**. The second aspect means those remedies which can **be obtained by** judicial review of **administrative actions**.

The main question we must answer here is about **the function of** administrative justice. In other words, it must be clear who can challenge administrative action and what can be achieved by doing so. The answer to this question differs substantially between **national legal orders**.

In different fields, **administrative bodies perform public duties** and **exercise certain powers**. Administrative authorities and civil servants are equipped with the power **to raise taxes** or to stop your car if you drive too fast. The administrative authorities are **guided by procedural rules** and substantive requirements that serve **to protect the interests of all parties concerned**. When the administrative authorities **use public powers**, they can interfere with people's private rights and interests. Therefore, there must be legal remedies available to protect human rights and interests **against the administration**.

Vocabulary practice

1. Match the words to make phrases.

1. depend on	a. those individuals
2. refer to	b. judicial review
3. have access to	c. administrative action
4. perform	d. human rights
5. obtain	e. view
6. challenge	f. the courts
7. answer	g. doing
8. achieve by	h. legal orders

9. differ between	i. the main questions
10. protect	j. public duties

2. Match the Russian phrases to the English equivalents.

1. procedural rules	a. против власти
2. administrative justice	b. национальные правовые нормы
3. administrative affairs	с. использовать государственные полномочия
4. against administration	d. повысить налоги
5. administrative actions	e. административная справедливость
6. use public powers	f. все заинтересованные стороны
7. exercise certain powers	g. процессуальные правила
8. national legal orders	h. административные действия
9. all parties concerned	i. осуществлять определенные полномочия
10. raise taxes	j. административные дела

3. Find English equivalents to the following phrases in the text:

1. взгляд на что-либо
2. основной вопрос
3. главная цель
4. базироваться на
5. функция административного права
6. существенно различаться
7. иметь доступ к судам
8. судебный надзор
9. все заинтересованные стороны
10. использовать государственные полномочия

Understanding the text

4. Define if the statements from the text are TRUE or FALSE:

1. There is one main aspect in administrative law.
2. Administrative law interpretation depends on its purpose.
3. The first aspect depends on the type of an individual.
4. The second aspect depends on judicial review of administrative actions.
5. The function of administrative justice is not actually important.
6. Public authorities exercise certain powers.
7. Civil servants can stop your car if you drive too fast.
8. Administrative bodies don't have any power to raise taxes.

9. Administrative authorities can sometimes interfere with people's private interests.

10. There is no any legal remedies against the administration.

5. Questions for Comprehension:

1. What does administrative law depend on?
2. How many aspects does the administrative approach have?
3. What is the point of the first aspect?
4. How can remedies be obtained with the use of the second aspect?
5. What is the main question for administrative justice about?
6. What must be clear in administrative justice?
7. Why do the results of administrative actions differ?
8. What must be clear in administrative cases?
9. Who performs public duties?
10. What are public authorities guided by?

Word-builder Practice

6. Define what part of speech each word is, mark the word-building element and give Russian equivalents:

a) for word derivatives:

- administer
- administrator
- administration
- administrative

b) for collocations:

- administrative affairs
- administrative actions
- administrative bodies
- administrative justice
- administrative issues
- administrative function
- administrative law

LISTENING

Listen to track 27 of Unit 13 and do the tasks.

1. Match the words to make phrases:

1. tell	a. in compliance with
2. shut down	b. a public health license
3. be	c. it
4. have	d. the restaurant

5. help	e. with that
6. follow	f. me
7. need	g. regulations

2. Answer the questions on the dialogue:

1. Who are talking?
2. What is the client's main problem?
3. Who wants to shut the restaurant down?
4. Why does the health inspector want to shut the restaurant down?
5. Is the client required to have a health license?
6. What is the attorney's final decision?

3. Write the English equivalents of the Russian phrases from the dialogue:

1. департамент здравоохранения
2. закрыть ресторан
3. инспектор здравоохранения
4. быть в соответствии с чем-либо
5. соблюдать правила
6. лицензия здравоохранения
7. требовать
8. владелец ресторана
9. как можно скорее
10. оставить ресторан открытым

SPEAKING

1. Act out the dialogue between an attorney and a client.
2. Make up your own dialogue between an attorney and a client that is charged with negligence.

International Law



Before you read

1. What is international law based on?
2. What is the main function of international law?

READING

Read the text and do the tasks.

International law

International law is sometimes called “public international law”. Traditionally, in the human society two kinds of law are distinguished. On the one hand, there is national or domestic law, which deals with legal relations within the territory of a single state and with the organization of that state itself. On the other hand, there is international law that deals with the legal relations between states.

International law is divided into conflict of laws (or private international law as it is sometimes called) and public international law (usually just termed international law). The former deals with those cases, within particular legal systems, in which foreign elements are included. It definitely raises questions of application of foreign law or the role of foreign courts. The latter deals with the cases resolves conflicts between states.

Vocabulary activities

1. Match the words to make phrases.

1. distinguish	a. public and private international law
2. deal with	b. questions
3. divide into	c. two kinds of law
4. raise	d. conflicts
5. resolve	e. legal relations

2. Match the Russian phrases to the English equivalents.

1. in the human society	a. с одной стороны
2. foreign elements	b. единое государство
3. domestic law	c. в человеческом обществе
4. legal relations	d. международное право
5. on the one hand	e. конфликт законов
6. deal with	f. с другой стороны
7. a single state	g. внутреннее право
8. on the other hand	h. иметь дело с
9. conflict of laws	i. правовые отношения
10. international law	j. иностранные элементы

3. Find English equivalents to the following phrases in the text:

1. с одной стороны
2. конфликт интересов
3. правовые отношения

4. частное международное право
5. общее международное право
6. с другой стороны
7. применение иностранного права
8. роль иностранных судов
9. поднять вопрос
10. между государствами

Understanding the text

4. Define if the statements from the text are TRUE or FALSE:

1. International law is very important in human society.
2. Public international law is the only one law for all countries.
3. Countries do not need any domestic law.
4. Every state uses national regulations on its territory.
5. International law is used for legal relations between states.
6. Public international law never resolves conflicts between states.

5. Questions for Comprehension:

1. How many kinds of law in human society?
2. What does domestic law deal with?
3. What does international law deal with?
4. What is the conflict of laws?
5. What are the spheres of application of the two parts of law?

Before you read

1. What are the main topics of international law today?
2. Why are they so important?

READING

Read the text and do the tasks.

The Topics of International Law

International law deals with many topics, which include different aspects of relations between states.

The most traditional topic of international law has been the laws of war and negotiating peace to resolve conflicts between states. Another topic is the Sea Shipping and the use and exploitation of the sea.

The Environmental issues such as global warming, the emission of greenhouse gases, and air and water pollution transcend the domain of national states. They are also regulated by treaties between states.

Economic and Financial relations have become clear over the last few decades. Trade and finance are no longer issues that can be exclusively dealt with at the national level. Law organizations governed by international law are examples of the crucial role of international law in the sphere of economic and financial relations.

Crime and criminals are not confined by national borders. Crimes may have international aspects (e.g. drugs), and criminals may move from one country to another to commit their crimes and to escape arrest.

Human rights are codified now in UN human rights treaties. They were very widely ratified by states so that human rights have indeed become universally accepted.

Vocabulary Practice

1. Match the words to make phrases.

1. deal with	a. treaties
2. include	b. national borders
3. resolve	c. arrest
4. regulate	d. different topics
5. govern by	e. human rights
6. confine by	f. different aspects
7. move from	g. states
8. escape	h. conflicts
9. ratify by	i. international law
10. accept	j. one country to another

2. Match the English phrases to their Russian equivalents.

1. different aspects	a. иметь дело с
2. domain of national states	b. загрязнение воздуха и воды
3. no longer	c. различные аспекты
4. deal with	d. становиться понятным
5. global warming	e. ключевая роль
6. air and water pollution	f. домен национальных государств
7. become clear	g. договоры о правах человека
8. crucial role	h. использование и эксплуатация
9. human rights treaties	i. больше никогда
10. the use and exploitation	j. глобальное потепление

3. Find English equivalents to the following phrases in the text:

1. вести переговоры о мире
2. в течение нескольких последних десятилетий
3. экономические и финансовые отношения
4. глобальное потепление

5. выбросы парниковых газов
6. на национальном уровне
7. критическая роль
8. загрязнения воздуха и воды
9. национальные границы
10. широко ратифицированный

Understanding the text

4. Define if the statements from the text are TRUE or FALSE:

1. International law deals with different aspects of relations between states.
2. The main purpose of international law is to create conflicts between states.
3. One of the international law aspects is the emission of greenhouse gases.
4. Air and water pollution is regulated by international treaties between states.
5. Economic relations have become clear over the last decade.
6. Trade is always dealt with at the national level.
7. Crime and criminals are confined by national borders.
8. Criminals move from one country to another to escape arrest.
9. Human rights treaties were ratified by states.
10. Global warming is not the issue of international law.

5. Questions for Comprehension:

1. What topics does international law deal with?
2. What has the most traditional topic of international law been some time ago?
3. What is international law supposed to resolve?
4. What are the Environment topics for international law?
5. How have Economic and Financial relations changed?
6. What are the examples of the crucial role of international law?
7. What are international aspects of crime?
8. Why do criminals move from one country to another?
9. Where are human rights codified?
10. How are human rights documents accepted by states?

Word-builder Practice

6. Define what part of speech each word is, mark the word-building element and give Russian equivalents:

a) for word derivatives:

international

internationally

internationalism

internationalist

internationalize

b) for collocations:

international law
international agreement
international conference
international movement
international trade

LISTENING

Listen to track of Unit 15 and do the tasks.

1. Match the words to make phrases.

1. assume	a. pollution
2. submit	b. own perspective
3. regard	c. you
4. nominate	d. judges
5. present	e. cases covered
6. elect	f. a case
7. have	g. a judge

2. Answer the questions on the dialogue:

1. Who are talking?
2. What is the point of the government case to the International Court?
3. What kind of pollution is the court case about?
4. What are they discussing about judges?
5. What is the basis of nominating judges?
6. What chance will the judge have?
7. What problem can there be with voting?
8. How long can the court case last?
9. What does the judge want to know as soon as possible?

3. Write the English equivalents of the Russian phrases from the dialogue:

1. подать иск в суд
2. во время заседаний
3. это касается
4. система позволяет
5. спорные дела
6. представить свою точку зрения
7. иметь шанс
8. голосовать

9. выбрать судью

10. законченные дела

SPEAKING

Act out the dialogue from the listening task or make up a similar one.

UNIT 5. LAW ENFORCEMENT

Law Enforcement in the Russian Federation



VOCABULARY

Read the phrases, pay attention to their translation.

Criminal Investigation Department (CID)	управление уголовных расследований
Investigative Committee	Следственный комитет
Traffic Control Department	ГИБДД
Patrol Department (Public Order	управление по охране общественного порядка
municipal (district, regional) police division	городской (районный, областной) отдел полиции
law enforcement agencies	правоохранительные органы
to control crime	бороться с преступностью
to enforce law	применять закон
to be responsible (for public security)	отвечать (за общественную безопасность)
to preserve / to protect order	применять закон охранять порядок
to protect rights / property	защищать права / собственность
to deal (with)	иметь дело (с)
crime / criminal	преступление / преступник
offence / offender	правонарушение / правонарушитель
murder/murderer	убийство / убийца
robbery / robber	грабеж / грабитель
theft / thief	кража / вор
to investigate / investigator	расследовать / следователь
to detect / detective	раскрывать / оперуполномоченный
to search a crime scene	осматривать место преступления
to collect evidence	собирать улики

to interrogate	допрашивать
witness	свидетель
victim	потерпевший
to wear a uniform	носить форму

Vocabulary practice

1. Find Russian equivalents for the English ones:

1) to arrest a thief; 2) to work as an investigator; 3) deputy chief of Criminal Investigation Department; 4) to control the activities of subordinates; 5) car theft; 6) to deal with offences; 7) to make reports; 8) to wear a uniform; 9) to search a crime scene; 10) municipal police division; 11) to make administrative decisions; 12) to deal with robbers; 13) to collect evidence; 14) to give orders and instructions to subordinates; 15) to arrest criminals; 16) Public Order Protection Department; 17) to interrogate witnesses; 18) bank robbery; 19) to enforce laws; 20) to inspect operation of a department; 21) to preserve order; 22) to deal with a victim; 23) to be responsible for public security; 24) to investigate crimes; 25) various law enforcement agencies; 26) to protect rights and property.

a) расследовать преступления; b) осматривать место преступления; c) принимать управленческие решения; d) носить форму; e) составлять отчеты; f) собирать улики; g) ограбление банка; h) городской отдел полиции; i) отвечать за общественную безопасность; j) заместитель начальника уголовного розыска; k) инспектировать деятельность управления; l) кража автомобиля; m) заниматься потерпевшим; n) руководить действиями подчиненных; o) иметь дело с грабителями; p) управление по охране общественного порядка; q) работать следователем; r) давать приказы и инструкции своим подчиненным; s) иметь дело с правонарушениями; t) арестовать преступников; u) допрашивать свидетелей; v) арестовать вора; w) различные правоохранительные органы; x) применять законы; y) охранять порядок; z) защищать права и собственность.

2. Translate the text without a dictionary.

Law enforcement in the modern Russia

The major functions of the Russian law enforcement agencies are: 1) to enforce laws; 2) to preserve order; 3) to protect constitutional rights, life and property of the Russian citizens; 4) to control crime etc. The structure of the Russian law enforcement system is built on a combination of linear and functional principles.



The linear principle consists in the distribution of authorities (распределение полномочий) of the law enforcement agencies at vertical level. In Russia, there are federal, regional and local law enforcement agencies. The federal law enforcement system includes the Ministry of the Interior of the Russian Federation, the General Prosecutor's Office and the Ministry of Justice.

The regional law enforcement agencies comprise the ministries of the Interior of the republics, administration of the interior bodies of other subjects of the Russian Federation, the departments of the interior bodies in railway transport, air and water transport. The local law enforcement agencies include the municipal and territorial law enforcement agencies.

According to the functional principle there are 3 services in the Ministry of the Interior of Russia: police divisions, divisions of justice and internal service. Russian police perform crime control functions on protection of life, health, rights and freedoms of citizens of the Russian Federation. The subsystem of justice includes the Investigative Committee and the divisions subordinated to the Committee that carry out preliminary (предварительное) investigation of crime in territorial law enforcement agencies.

3. Translate the text without a dictionary.

Major law enforcement agencies of Russia



Law enforcement in Russia is the responsibility of various agencies. There is a system of courts, the General Prosecutor's Office and other various law enforcement agencies in the Russian Federation, including the Ministry of Internal Affairs, the Federal Security Service, the Ministry of Justice, the Federal Customs Service, the Ministry of Defense, the Federal Tax Service, the Federal Drug Control Service, the Federal Protective Service of Russia, the Presidential Security Service, the Federal Migration Service etc.

The primary law enforcement agency in Russia is the Russian police. The Interior Ministry of the Russian Federation is a federal body which is responsible for the total control of public security on the territory of Russia and protection of constitutional rights and freedoms of the Russian citizens. Its various departments and services deal with administration of public order protection, economic and traffic safety, corruption control etc.

The Investigative Committee of the Interior Ministry is the main Russian investigative agency. The Russian Federal Security Service is the main domestic

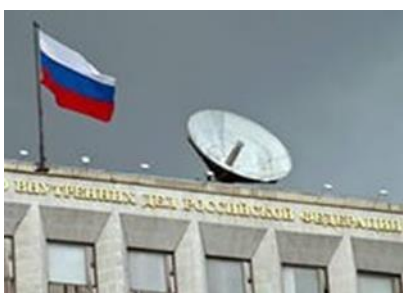
security agency. It is responsible for public safety and terrorism control. The Federal Border Guard Service is a part of the Federal Security Service. It deals with border protection and coast guard. The mission of the Federal Migration Service is to define and control the immigration policy. The Federal Customs Service deals with customs regulation. The Ministry of Defense is responsible for the Russian military police. It provides the police function for all Russian armed forces. The Federal Drug Control Service deals with illegal production, transportation and sale of drugs. The major function of the Federal Protective Service is the protection of the Russian state property and high-ranking government personnel, including the President of Russia. There is also the Presidential Security Service which is concerned with the tasks related to the protection of the President.

4. Translate the words and phrases.

Ministry of Justice	Министерство юстиции
General Prosecutor's Office	Генеральная прокуратура
Federal Customs Service	Федеральная таможенная служба
Ministry of Defense	Министерство обороны
Federal Security Service	Федеральная служба безопасности
Federal Tax Service	Федеральная налоговая служба
Federal Drug Control Service	Федеральная служба по контролю за незаконным оборотом наркотиков

5. Translate the text without a dictionary.

The Interior Ministry of the Russian Federation



The Interior Ministry of the Russian Federation is the strategic administration body. The Minister is subordinate directly to the President of the Russian Federation. The President appoints the Minister of the Interior and Deputy Ministers.

The main task of the Interior Ministry of Russia is the organization of the interregional crime control and coordination of all the law enforcement agencies of the Interior Ministry in the subjects of the Russian Federation.

The Interior Ministry of the Russian Federation is situated in Moscow. The current (действующий) Minister of Internal Affairs is the General of Police Vladimir Kolokol'tsev, who was the Moscow Police Commissioner between 2009 and 2012.

The structure of the Interior Ministry of the Russian Federation has various general departments and administrative services. The administrative services of the Russian Interior Ministry are responsible for police intelligence, organization of

inquiry (дознание), protection of public officials, cooperation with mass media, protection of public order at international and mass sports events, computer crime control etc.

The National Bureau of Interpol is also a part of the Interior Ministry structure. It helps to bring international police forces together to control criminals` activities and to track them down.

6. Translate the text into Russian

Moscow City Police Department



The Moscow Police Department was established in 1722. It is the largest municipal police force in Russia with primary responsibilities in law enforcement and investigation in Moscow. The Moscow Police Department is one of the oldest police departments in Russia. Its headquarters are located at Petrovka, 38 in Tverskoy District, Moscow. The Moscow Police is a part of the Interior Ministry. The Department is also subordinate to the Moscow government. The main responsibilities are internal security, human rights and freedoms, crime control and protection of public order.

The Moscow Police Department is headed by the chief, who is appointed and removed from office by the Presidential decree on the recommendation of the Minister of Internal Affairs.

SPEAKING

1. Act out the dialogues.



DIALOGUE 1

A.: What is the primary law enforcement agency in Russia?

B.: The primary law enforcement agency in Russia is the Russian police.

A.: What are the major functions of the Russian police?

B.: They are crime control and protection of constitutional rights and freedoms of the Russian citizens.

DIALOGUE 2

A.: What types of the local law enforcement agencies are there in the Russian Federation?

B.: The local law enforcement agencies include the municipal and district police departments.

A.: What are the duties of the local law enforcement agencies?

B.: Their duties are to police local areas under their jurisdiction.

DIALOGUE 3

A.: What is the major Russian investigative agency?

B.: The Investigative Committee of the Interior Ministry of the Russian Federation is the main Russian investigative agency.

A.: What is the primary domestic security agency?

B.: The Russian Federal Security Service is the main domestic security agency.

A.: What is its major function?

B.: It is responsible for public safety and terrorism control.

2. Translate the dialogues into English. Act out one of them.



DIALOGUE 1

A.: Какие правоохранительные органы есть в Российской Федерации?

B.: В России есть федеральные, региональные и местные правоохранительные органы.

A.: Какие органы включает федеральная система правоохранительных органов?

B.: Федеральная система правоохранительных органов включает Министерство внутренних дел Российской Федерации, Министерство юстиции и Генеральную прокуратуру.

DIALOGUE 2

A.: Какие главные принципы лежат в основе правоохранительной системы России?

B.: Правоохранительная система России основана на линейном и функциональном принципах.

А.: Каковы главные функции правоохранительных органов России?

В.: Главные функции правоохранительных органов России – применять законы, охранять порядок, защищать конституционные права, жизнь и собственность граждан России, бороться с преступностью.

DIALOGUE 3

А.: Кто руководит правоохранительной системой России?

В.: Министр внутренних дел является главой правоохранительной системы России.

А.: Кто является действующим министром внутренних дел России?

В.: Действующим министром внутренних дел России является Владимир Колокольцев.

Law Enforcement in the USA



VOCABULARY

to have a power	иметь полномочия
to bring a case before the court	представить дело в суд
to initiate a case	возбудить дело
prosecutor	обвинитель (прокурор)
to charge (with)	обвинить (в)
correctional institution	исправительное учреждение
defendant	обвиняемый (подсудимый, ответчик)
to represent defendant in court	представлять подзащитного в суде
judge	судья
trial	судебное разбирательство (процесс)
jury	суд присяжных
to sentence to prison / fine	приговорить к тюремному заключению / штрафу
to violate law	нарушать закон
to commit a crime	совершить преступление
to report a crime	зарегистрировать преступление

to prevent a crime	предотвратить преступление
to apprehend a suspect	задержать подозреваемого
to identify a victim	идентифицировать жертву
to use as an informer	использовать в качестве информатора
juvenile crime	преступление, совершенное несовершеннолетним

READING

Read the texts and do some activities.

1. Read the text 1 and try understand the main idea without a dictionary.

Text 1

Law enforcement system in the USA

In the United States, there are about 40,000 federal, state and local law enforcement agencies. Of these agencies, 200 are state (штат) agencies (state police) and 39,750 are local agencies (city police). For example, New York City has more than 32,000 police officers (the largest police force in the world). In contrast, the small town of Pervis, Missisipi, has a 3-man police operation.

The professional training of law enforcement personnel in the US varies from extensive schooling (up to 16 weeks) at a police or federal academy to no formal training.

The chief law enforcement officer is a prosecutor. There are 2,700 state and federal prosecutors in the USA. A prosecutor has a power to bring a case before the court.

Lawyers protect constitutional rights of a client and represent a defendant in court. A trial usually lasts a few (несколько) days. During a trial a judge or a jury may sentence a defendant to prison or fine.

The major function of correctional institutions is rehabilitation.

2. Find in the text 1. English equivalents to the Russian ones:

1) суд присяжных; 2) судья; 3) суд; 4) судебный процесс (разбирательство); 5) профессиональная подготовка; 6) правоохранительные органы; 7) защищать конституционные права; 8) иметь полномочия; 9) обвиняемый (подсудимый); 10) обвинитель (прокурор); 11) защитник (адвокат); 12) представить дело в суд; 13) представлять обвиняемого в суде; 14) исправительное учреждение; 15) приговорить к тюремному заключению; 16) штраф.

3. Read the text 2 and try to understand its content without a dictionary.

Text 2

Structure of the American police

The federal law enforcement system includes such well-known (хорошо известные) agencies as the FBI, the National Park Service, the Border Patrol (пограничная служба) and others.

The state law enforcement agencies include the state police or traffic patrol, drug control agencies, investigative agencies and others.

County (округ) and municipal police agencies are the largest law enforcement group.

Municipal police departments have their own organizations with different divisions: 1) field operations (patrol, investigation, traffic, youth division), 2) administrative services (community relations, planning), 3) technical services (communications, records), 4) inspectional services (internal affairs, intelligence).

4. Translate the text 3 into Russian without a dictionary.

Text 3

Major functions of police

The major functions of police are: 1) to preserve peace; 2) to enforce laws; 3) to prevent and detect crimes; 4) to protect life and property; 5) to arrest criminals. The most important thing is to arrest a criminal. It is then important to collect the names and addresses of witnesses and get information about the crime.

The next thing to do is to preserve all the evidence for future use and identification. An arrest without witnesses and evidence is of very little value (ценность). When you take a criminal case to a prosecuting officer it must be complete in every detail.

Vocabulary practice

1. Translate the phrases into Russian. Pay attention the way of word-building.

Example: to commit a crime – совершить преступление commission of a crime – совершение преступления

1) to preserve peace – preservation of peace; 2) to prevent a crime – prevention of a crime; 3) to violate law – violation of law; 4) to rehabilitate a criminal – rehabilitation of a criminal; 5) to protect property – protection of property; 6) to prosecute an offender – prosecution of an offender; 7) to collect evidence – collection of evidence; 8) to apprehend a suspect – apprehension of a suspect; 9) to identify a victim – identification of a victim; 10) to initiate an investigation – initiation of an investigation; 11) to regulate traffic – regulation of traffic.

2. Find Russian equivalent for the following English ones:

1) to prevent a robbery; 2) high-rate crime area; 3) to use as an informer; 4) to protect life and property; 5) to deal with a traffic accident; 6) to report a crime; 7) police activity; 8) during patrol duty; 9) to detect a crime; 10) to call for a juvenile officer; 11) to preserve peace; 12) to identify a criminal; 13) to apprehend a suspect; 14) major police functions; 15) to charge a criminal with murder; 16) to initiate an investigation; 17) to have a good reputation in the community; 18) to enforce law; 19) a witness's complaint; 20) to initiate a criminal case.

a) начать расследование; b) задержать подозреваемого; c) во время патрулирования; d) раскрыть преступление; e) иметь дело с дорожно-транспортным происшествием; f) предотвратить ограбление; g) главные функции полиции; h) опознать преступника; i) применять закон; j) защищать жизнь и собственность; k) сохранять порядок; l) вызвать офицера, работающего с несовершеннолетними преступниками; m) район с высоким уровнем преступности; n) использовать в качестве информатора; o) возбудить уголовное дело; p) иметь хорошую репутацию в обществе; q) зарегистрировать преступление; r) заявление свидетеля; s) деятельность полиции; t) обвинить преступника в убийстве.

SPEAKING

1. Translate the dialogue into Russian without a dictionary.

Talking about police activities in the USA

Today we are going to have a round-table talk about police activities in the United States of America. Let me introduce the first Deputy Commissioner of New York City Police Department, Mr. White. Our first question is:

■ What are the major police functions in your country, Mr. White?

Mr. W.: The major functions of police are 1) to enforce the laws, 2) to preserve peace, 3) to prevent and detect crimes, 4) to protect life and property, 5) to arrest criminals.

■ How do the American police enforce the laws?

Mr. W.: They identify and apprehend suspects, collect and preserve the evidence for the future prosecution of the defendant.

■ Do the police search a crime scene?

Mr. W.: In high-rate crime areas, 85 percent of all searches is a search of a suspect, only 15 percent of all search is a search of a home or an automobile.

■ Who usually initiates the investigation of a crime?

Mr. W.: Usually a victim's or a witness's complaint initiates a crime investigation. Sometimes a police officer comes to a crime scene during his patrol duty.

■ Do the police use informers or undercover agents to detect such crimes as racketeering, gambling (азартные игры) and prostitution?

Mr. W.: Yes, they do. For example, a businessman who is a victim of racketeering does not always report this crime to the police.

■ Who is the first to come to the scene of a crime?

Mr. W.: Usually a patrol officer is the first to come to the scene of a crime. There are at least 9 types of patrol in American police: foot, automobile, aircraft, motorcycle, horse, dog, boat, bicycle and television.

■ Who is the next to come to the scene of a crime?

Mr. W.: If a patrol officer deals with a traffic accident, he calls for a traffic investigator. If a patrolman deals with a juvenile crime, he calls for a juvenile officer etc.

■ What do you think of this separation of police duties?

Mr. W.: I think the separation of patrolling and detective functions is the best illustration of police specialization in America.

■ Patrolling is one of the most important activities of American police. And what about preservation of peace?

Mr. W.: Preservation of peace takes much of police time. Traffic regulation and control and auto accident investigation are the third most important activity of the police.

■ Do American policemen have a high reputation in the community?

Mr. W.: Yes, I think, the policemen have a very high reputation in the community.

2. Translate the dialogues into English.



DIALOGUE 1

A.: Вы из США?

B.: Я офицер правоохранительных органов США.

A.: Сколько правоохранительных органов в США?

B.: В США около 40 000 правоохранительных органов.

DIALOGUE 2

A.: Каковы основные функции американской полиции?

B.: Основные функции полиции: применять законы; охранять порядок; предотвращать и раскрывать преступления; защищать жизнь и собственность.

А.: Кто стоит во главе правоохранительных органов? В.: Глава правоохранительных органов США – прокурор.

DIALOGUE 3

А.: Какие органы включает в себя правоохранительная система США?

В.: Правоохранительная система США включает федеральные органы, полицию штата и муниципальную полицию.

А.: Какова главная функция исправительной системы?

В.: Главная функция исправительной системы – реабилитация.

DIALOGUE 4

А.: Я адвокат. Моя задача – представлять подзащитного и защищать его конституционные права в суде.

В.: Что касается меня, то я следователь. У меня есть полномочия возбудить уголовное или гражданское дело.

А.: Вы допрашиваете свидетелей и потерпевших?

В.: Да, я допрашиваю свидетелей, потерпевших и подозреваемых.

DIALOGUE 5

А.: Этот человек был подозреваемым?

В.: Нет, этот человек был членом жюри присяжных.

А.: У него хорошая репутация?

В.: Да, у него хорошая репутация в обществе.

DIALOGUE 6

А.: Ты работал в уголовном розыске?

В.: Да, я отвечал за раскрытие преступлений, совершенных несовершеннолетними.

А.: Какие преступления они совершали?

В.: Они часто совершали кражи и угоняли автомобили.

DIALOGUE 7

А.: Чем ты занимался на работе сегодня?

В.: Я патрулировал улицы и обеспечивал порядок в своем районе.

А.: Ты часто задерживаешь правонарушителей?

В.: Да, но моя главная задача – предотвращать уличные преступления.

DIALOGUE 8

А.: Когда прокурор представил это дело в суд?

В.: На прошлой неделе.

А.: Судья приговорил вашего подзащитного к штрафу?

В.: Нет. Он приговорил его к тюремному заключению.

DIALOGUE 9

А.: Как вы предотвратили это заказное убийство?

В.: Мы использовали информаторов и арестовали убийцу на месте преступления.

А.: Какие приказы вы дали своим подчиненным?

В.: Я дал указание собрать улики и установить личность преступника.

10. Read and translate the dialogues into Russian.



DIALOGUE 1

А.: What departments do the federal police agencies include?

В.: They include the Department of Justice, the Department of Homeland Security, the Border Patrol and other law enforcement agencies.

А.: What is the most well-known federal law enforcement agency?

В.: The most well-known federal law enforcement agency is the Federal Bureau of Investigation.

DIALOGUE 2

А.: What kinds of matters do the federal agencies investigate?

В.: The federal agencies investigate only matters that are within the power of the federal government.

А.: What are the duties of the federal officers?

В.: The federal officers' duties include criminal investigation, police response and patrol, inspections, court operations and others.

DIALOGUE 3

А.: How many state police agencies are there in the USA?

В.: In 2012, there were about 18,000 state and local law enforcement agencies in the USA.

А.: How many police officers do these agencies employ?

B.: They employ more than 1 million persons, including about 765,000 sworn officers.

DIALOGUE 4

A.: Who provides county law enforcement?

B.: County law enforcement is provided by sheriffs' departments and county police.

A.: What are the duties of an American sheriff's department?

B.: Sheriff's department deals with patrol and investigations.

DIALOGUE 5

A.: What do the police entry qualifications require?

B.: The standard entry qualifications require that a potential police recruit must be a United States citizen and have higher education.

A.: Do American police agencies employ recruits with criminal past?

B.: No, they do not. Applicants must have a clean criminal record and high moral characteristics.

DIALOGUE 6

A.: How long is police training of American recruits?

B.: Police training of recruits usually lasts for 6–9 months at a Police Academy.

A.: What rank does a recruit get after entering a Police Academy?

B.: After entering a Police Academy a recruit gets the rank of a police officer.

12. Read and translate the dialogues into English. Act out one of them.



DIALOGUE 1

A.: Какие правоохранительные органы есть в США?

B.: В США есть федеральная полиция, полиция округа, полиция штата и городская полиция.

A.: Какие полномочия имеют федеральные правоохранительные органы?

B.: Федеральная полиция имеет полномочия производить аресты и применять различные законы на федеральном уровне.

DIALOGUE 2

A.: Какие обязанности у полиции штата?

B.: Полиция штата имеет дело с расследованием преступлений и охраной общественного порядка.

A.: Кто назначает начальника городской полиции?

B.: Начальника городской полиции назначает администрация города.

DIALOGUE 3

A.: Куда поступают на службу выпускники (graduates) полицейской академии?

B.: Выпускники полицейской академии обычно поступают на службу в отделы по охране общественного порядка и получают звание офицера полиции.

A.: Когда они обычно получают повышение в звании?

B.: Через три или более года службы офицеры получают звание детектива или их переводят в другие территориальные органы полиции.

DIALOGUE 4

A.: Сколько званий в американской полиции?

B.: В американской полиции 12 званий.

A.: Какое самое низкое звание в американской полиции?

B.: Самое низкое звание – офицер полиции.

A.: Какое высшее звание в американской полиции?

B.: Высшее звание – начальник полиции.

13. Talk about the structure of law enforcement agencies in the USA. Compare it with the Russian one.

Law enforcement in Great Britain



VOCABULARY

1. to appoint to a post	назначить на должность
2. to carry weapons (guns)	носить оружие

3. to guard politicians	охранять политиков
4. to issue a warrant	выдать ордер
5. government	правительство
6. (local) authorities	(местные) органы власти
7. county	графство
8. salary	заработная плата
9. staff	персонал
10. headquarters (office)	штаб-квартира
11. (chief) constable	(главный) констебль
12. to train recruits	обучать новобранцев
13. burglary	квартирная кража
14. fraud	мошенничество
15. Police Act	Закон о полиции
16. to punish / punishment	наказывать / наказание

1. Translate the phrases into Russian:

1) to promote to a senior rank; 2) parking regulations; 3) uniformed police officer; 4) basic training centre; 5) to have powers of arrest; 6) to issue a warrant; 7) to investigate a burglary; 8) to deal with legal matters; 9) to punish an offender; 10) local police station; 11) to pass a qualifying examination; 12) to train recruits; 13) to staff a police department; 14) central government; 15) local authorities; 16) to regulate salaries; 17) territorial police force; 18) headquarters of the Metropolitan Police; 19) specially trained police officers; 20) limited jurisdiction; 21) police staff; 22) administrative matters; 23) to preserve peace; 24) to guard politicians; 25) to carry weapons; 26) to use guns; 27) county police; 28) to appoint to a post; 29) appointment of Chief Constable; 30) powers of a constable; 31) to charge with fraud; 32) Police Act.

READING

1. Read the text and and translate the text without a dictionary.

The Police System in Britain



There is no national police force in the United Kingdom of Great Britain and Northern Ireland. Instead, there are about 160 separate, independent police forces

organized on a local government basis. The central government establishes certain standards of efficiency, regulates salaries, and inspects the local forces.

The county police forces are the basic units. Each county police appoint their own Chief Constable, who must be approved (одобрен) by the Home Secretary. After the Chief Constable comes Assistant Chief Constable, Chief Superintendent, Chief Inspector, Inspector, Sergeant and Constable.

Each police force has its headquarters, in which the Chief Constable, his deputy and his staff work. The senior officers are responsible for one or more aspects of the work, for example, for administrative matters (such as pay, housing and correspondence); for traffic and transport matters; for criminal investigation; for fingerprint and photographic work; for training of detective staff and so on.

Scotland Yard is the name of the central office for the administration and control of the 23 police divisions of the Metropolitan Police. This police force is the largest in the country. The Commissioner is the chief of the Metropolitan Police. He has the Deputy Commissioner, who commands the police force in his absence, and four Assistant Commissioners.

2. Read and translate the text without a dictionary.

Law enforcement agencies of Great Britain



There are four general types of the law enforcement agencies in the United Kingdom. The *territorial police forces* provide most of policing. Most police officers are members of territorial police forces. These officers have all the powers and duties of a constable in one of the three legal systems – England and Wales, Scotland and Northern Ireland. The territorial police constables also have certain powers of arrest in countries other than the one they were attested in. They are: arrest with a warrant, arrest without a warrant for an offence committed in their country, arrest without a warrant for an offence committed in another country, and mutual assistance (взаимная помощь).

The *special police forces* have a specific, non-regional jurisdiction, such as the British Transport Police. These forces are not controlled by the Home Office, but instead by the government department responsible for the area they police.

The *miscellaneous constabularies* (смешанные полицейские силы) have a responsibility to police specific local areas or activities, such as ports and parks.

Officers of these forces have the powers of a constable within their limited jurisdiction. These constabularies are controlled by a local authority, public trusts or even private companies.

In the United Kingdom there are also *non-police law enforcement agencies*, whose officers are not policemen, but they still enforce laws. These agencies have limited powers. In practice, these organizations will generally require the support (нуждаются в поддержке) of police officers from the territorial police forces to execute their arrest/search powers through a joint operation (совместная операция).

3. Read the text and translate it into Russian.

Public Order Protection in Britain



Preservation of public peace is the most important duty of the British police officers. Police departments protect public order by preventing disturbances and ensuring to every citizen the rights guaranteed to him by the constitution. In a practical way, the police officers preserve peace by dealing with thousands little things, such as complaints about children, minor violations of law and order, conflicts between neighbors and so on.

The heart of policing is the work done by police constables who are in constant contact with the public. They patrol the streets on foot, sometimes on bicycles or in cars, give directions or deal with the disturbances. They also work at the local police stations, interrogate witnesses and victims and deal with arrested people. Some specialize, for example, as dog handlers or mounted police.

Every force has its criminal investigation department staffed by specialist detectives. There is also a traffic division which operates road patrol units engaged in enforcing traffic law and helping drivers in difficulties.

4. Answer the questions.

The police system in Briatin

A.: Is there national police in Great Britain?

B.:

A.: How many independent police forces are there in Great Britain?

B.:

- A.: What are the basic police units in Great Britain?
 B.:
 A.: Who is the chief of the county police in Great Britain?
 B.:
 A.: What is the largest police force in Great Britain?
 B.:
 A.: How many police officers are there in Great Britain?
 B.:
 A.: What are the major functions of the British policemen?
 B.:
 A.: Do British police officers carry guns?
 B.:
 A.: How long is the basic course of police officers' training?
 B.:

5. Read the text and translate it with a dictionary if it is necessary.

British police departments

The Uniform Police Department officers operate mostly on patrol. The function of such officers is to be on look-out for any violation of the law or any incident, which requires their attention. In the course of their duties they may have to arrest suspects or people committing offences, deal with traffic accidents and give assistance or information to any member of the community who asks for help. Other duties of the uniform police department constables include investigation of reports of lost property, supervision of witnesses, inspection of places of mass public events and others.

The criminal investigation department is staffed by police officers (usually working in civilian clothes) who, during their service as uniformed constables, showed a special disposition (склонность) for the investigation of crime. As part of the work of criminal detection, these officers make crime reports, collect information connected with crime, do the photographic and fingerprint work and prepare the evidence for taking to forensic science laboratories.

SPEAKING

1. Act out dialogues and translate them into Russian.



DIALOGUE 1

A.: How many police forces are there in Great Britain?

B.: There are 52 police forces in Great Britain: 43 in England and Wales, 8 in Scotland and 1 in Northern Ireland.

A.: What kind of police force is responsible for policing London?

B.: The Metropolitan Police Service and the City of London Police force are responsible for policing London.

DIALOGUE 2

A.: What types of law enforcement agencies are there in Great Britain?

B.: There are four general types of law enforcement agencies in the United Kingdom: 1) territorial police forces; 2) special police forces; 3) miscellaneous constabularies; 4) nonpolice law enforcement agencies.

A.: What are the duties of the miscellaneous constabularies?

B.: Their duty is to police specific local areas, such as ports and parks.

DIALOGUE 3

A.: What kind of bodies do non-police law enforcement organizations include?

B.: These organizations include: 1) bodies with limited executive powers; 2) bodies with investigative powers; 3) bodies with limited police powers. A.: Do these agencies have a power to arrest a criminal?

B.: The non-police law enforcement agencies execute their arrest and search powers only through a joint operation with the territorial police forces.

DIALOGUE 4

A.: What departments do regular police forces have?

B.: All regular police forces have a uniform department and a criminal investigation department.

A.: What are the major functions of a uniform department?

B.: It deals with prevention of crime and protection of life and property.

A.: What are the major functions of a criminal investigation department?

B.: It is responsible for detection of crime and collection of evidence for bringing a case before the court.

DIALOGUE 5

A.: What police forces are responsible for most of policing in the United Kingdom?

B.: Territorial police forces provide most of policing in the United Kingdom.

A.: What powers do the officers of territorial police forces have?

B.: These officers have full powers and duties of a constable in England, Wales, Scotland and Northern Ireland.

DIALOGUE 6

A.: Do the British police officers carry firearms?

B.: Police officers in England, Scotland and Wales do not normally carry firearms.

A.: And what about Northern Ireland?

B.: Because of terrorist violence between 1969 and 1994, the Irish police officers carry firearms for personal protection.

2. Translate the dialogues into English and act out one of them.



DIALOGUE 1

A.: Кто руководит полицейскими силами Великобритании?

B.: Полицейские силы Великобритании возглавляет начальник полиции (главный констебль). Звание главы столичной полиции – комиссар.

A.: Какова главная обязанность начальника полиции?

B.: Главная административная функция начальника полиции – руководить деятельностью полицейских офицеров по охране общественного порядка.

DIALOGUE 2

A.: Какое низшее звание в полиции Великобритании?

B.: Низшее звание полицейской службы Великобритании – констебль.

A.: Как полицейские констебли патрулируют улицы?

B.: Они патрулируют улицы пешком, на велосипедах или на автомобиле.

DIALOGUE 3

A.: Сколько отделов территориальной полиции есть в Англии и Уэльсе?

B.: Англия и Уэльс имеют 43 отдела территориальной полиции.

A.: Какая полиция отвечает за охрану общественного порядка Северной Ирландии?

B.: Североирландская полиция охраняет общественный порядок в Северной Ирландии.

DIALOGUE 4

А.: Какие полномочия имеют полицейские офицеры в Англии и Уэльсе?

В.: Эти полицейские офицеры имеют полномочия останавливать, обыскивать и арестовывать подозреваемых.






А.: Им нужно иметь ордер на арест?

В.: Полицейские офицеры могут арестовать подозреваемого, не имея судебного ордера на арест.

GRAMMAR

ENGLISH VERB TENSES APPENDIXES

Appendix 1. Active Voice

	Simple	Continuous	Perfect	Perfect continuous
Present	V V+s <i>every day</i> <i>always</i> <i>on Mondays</i> Do Does+V? <i>usually</i> <i>sometimes</i> <i>seldom</i> don't doesn't +V <i>rarely</i> <i>never</i> <i>at weekends</i>	am is + Ving are  <i>at the moment</i> <i>now = right now</i> <i>till = still</i> <i>while = as</i>	have + V³ has  <i>just</i> <i>already</i> <i>never</i> <i>ever</i> <i>yet</i> <i>since</i> <i>for</i> <i>so far</i> <i>this month</i> <i>lately</i> <i>recently</i>	have + been Ving has  <i>since</i> <i>for</i> <i>How long ...?</i>
Past	Ved V² <i>yesterday</i> <i>last month</i> Did +V? <i>2 days ago</i> <i>in 1990</i> didn't + V <i>then</i> <i>when I was ...</i> <i>How long ago ...?</i>	was + Ving were <i>while = as</i> <i>when</i> <i>all morning</i> 	had + V³  <i>before</i> <i>after</i> <i>by the time</i> <i>by</i> <i>for</i> <i>since</i> <i>when</i>	had + been Ving <i>for</i> <i>since</i> <i>How long ...?</i> <i>before</i>
Future	shall will + V <i>tomorrow</i> <i>tonight</i> <i>next week</i> <i>in a month</i> <i>in two days</i> am is + going to V are <i>soon</i>	shall will + be Ving <i>this time tomorrow</i> <i>this time next week</i>	shall will + have V³ <i>before</i> <i>by the time</i> <i>until / till</i> <i>by then</i>	shall will + have been Ving <i>by for....</i> <i>by the time for...</i>

Present

- They often **discuss** air and water pollution.
 ? **Do** they often **discuss** air and water pollution?
 ? What **do** they often **discuss**?
 ? Who **discusses** air and water pollution?
 – They **don't discuss** air and water pollution very often.

- They **are discussing** air and water pollution now.
 ? **Are** they **discussing** air and water pollution now?
 ? What **are** they **discussing** now?
 ? Who **are discussing** air and water pollution now?
 – They **aren't discussing** air and water pollution now.

- They **have already discussed** air and water pollution.
 ? **Have** they **already discussed** air and water pollution?
 ? What **have** they **already discussed**?

? Who **has discussed** air and water pollution?
– They **haven't discussed** air and water pollution **yet**.

4. They **have been discussing** air and water pollution for 2 hours.
? **Have they been discussing** air and water pollution for 2 hours?
? What **have they been discussing** for 2 hours?
? Who **has been discussing** air and water pollution for 2 hours?
– They **haven't been discussing** air and water pollution for 2 hours.

Past

1. They **discussed** air and water pollution last week.
? Did they discuss air and water pollution last week?
? What **did** they **discuss** last week?
? Who **discussed** air and water pollution last week?
– They **didn't discuss** air and water pollution last week.

2. They **were discussing** air and water pollution this time last Friday.
? **Were they discussing** air and water pollution this time last Friday?
? What **were they discussing** this time last Friday?
? Who **was discussing** air and water pollution this time last Friday?
– They **weren't discussing** air and water pollution this time last Friday.

3. They **had discussed** air and water pollution before the treaty **was signed**.
? **Had they had discussed** air and water pollution before the treaty **was signed**?
? What **had they discussed** before the treaty **was signed**?
? Who **had discussed** air and water pollution before the treaty **was signed**?
– They **hadn't discussed** air and water pollution before the treaty **was signed**.

4. They **had been discussing** air and water pollution for 2 hours before the treaty **was signed**.
? **Had they been discussing** air and water pollution for 2 hours before the treaty **was signed**?
? What **had they been discussing** for 2 hours before the treaty **was signed**?
? Who **had been discussing** air and water pollution for 2 hours before the treaty **was signed**?
– They **hadn't been discussing** air and water pollution for 2 hours before the treaty **was signed**.

Future

1. They **will discuss** air and water pollution next week.
? **Will they discuss** air and water pollution?

? What **will** they **discuss** next week?

? Who **will discuss** air and water pollution next week?

– They **won't discuss** air and water pollution.

2. They **will be discussing** air and water pollution this time tomorrow.

? **Will they be discussing** air and water pollution this time tomorrow?

? What **will they be discussing** this time tomorrow?

? Who **will be discussing** air and water pollution this time tomorrow?

– They **won't be discussing** air and water pollution.

3. They **will have discussed** air and water pollution by the end of next week.

? **Will they have discussed** air and water pollution by the end of next week?

? What **will they have discussed** by the end of next week?

? Who **will have discussed** air and water pollution by the end of next week?

– They **won't have discussed** air and water pollution by the end of next week.

4. They **will have been discussing** air and water pollution for 2 hours by 5 p.m. tomorrow.

? **Will they have been discussing** air and water pollution for 2 hours by 5 p.m. tomorrow?

? What **will they have been discussing** for 2 hours by 5 p.m. tomorrow?

? Who **will have been discussing** air and water pollution for 2 hours by 5 p.m. tomorrow?

– They **won't have been discussing** air and water pollution for 2 hours by 5 p.m. tomorrow.

Appendix 2. Active and Passive

	<i>Active</i>	<i>Passive</i>
Present simple	People demand safety. She demands safety. How do you understand human rights?	Safety is demanded by people. Safety is demanded by her. How are human rights understood ?
Past simple	Somebody committed the crime. Did he commit the crime? He didn't commit the crime.	The crime was committed by somebody. Was the crime committed by him? The crime wasn't committed by him.

<p>Future simple</p>	<p>They will deal with finance at the national level. Will they deal with the finance at the national level? They won't deal with finance at the international level.</p>	<p>Finance will be dealt with at the national level. Will finance be dealt with at the national level? Finance won't be dealt with at the international level.</p>
<p>Present Continuous</p>	<p>They are discussing global warming now. Are they discussing global warming now? They aren't discussing global warming now.</p>	<p>Global warming is being discussed now. Is global warming being discussed now? Global warming isn't being discussed now.</p>
<p>Past Continuous</p>	<p>They were discussing global warming this time yesterday. Were they discussing global warming this time yesterday? They weren't discussing global warming this time yesterday.</p>	<p>Global warming was being discussed this time yesterday. Was global warming being discussed this time yesterday? Global warming wasn't being discussed yesterday.</p>
<p>Future Continuous</p>	<p>They will be discussing global warming this time tomorrow. Will they be discussing global warming this time tomorrow? They won't be discussing global warming this time tomorrow.</p>	<p>—</p>
<p>Present Perfect</p>	<p>They have already voted for the judge. She has just applied for the position of attorney. Have they already voted for the judge? Has she applied for the position of attorney? They haven't voted for the judge yet. She hasn't applied for the position of attorney.</p>	<p>Has the judge been already voted for? The position of attorney has just been applied for. Has the judge already been voted for? Has the position of attorney been applied for? The judge hasn't been voted for. The position of attorney hasn't been applied for.</p>

Past Perfect	He said that somebody had committed this crime.	He said that the crime had been committed by somebody.
	He said that she hadn't committed the crime.	He said that the crime hadn't been committed by her.

Appendix 3. Modals

Will / can / must / have to etc.

active

passive

Somebody will clean the office tomorrow.	The office will be cleaned tomorrow.
Somebody must clean the office.	The office must be cleaned .
I think they'll invite you to the party.	I think you'll be invited to the party.
They can't repair my watch.	My watch can't be repaired .
You should wash this sweater by hand.	This sweater should be washed by hand.
They are going to build a new airport.	A new airport is going to be built .
Somebody has to wash these clothes.	These clothes have to be washed .
They had to take the injured man to hospital.	The injured man had to be taken to hospital.

1. Administrative bodies **must perform** public duties.
 - ? **Must** administrative bodies **perform** public duties?
 - ? What **must** administrative bodies **perform**?
 - ? Who **must perform** public duties?
 - Administrative bodies **mustn't perform** public duties.

2. Public duties **must be performed** by administrative bodies.
 - ? **Must** public duties **be performed** by administrative bodies?
 - ? What **must be performed** by administrative bodies?
 - ? Who **must** administrative duties **be performed** by?
 - Public duties **must be performed** by administrative bodies.

3. Citizens **can ignore** administrative rules of neighborhood.
 - ? **Can** citizens **ignore** administrative rules of neighborhood?
 - ? What **can't** citizens **ignore**?
 - ? Who **can ignore** administrative rules of neighborhood?
 - Citizens **can't ignore** administrative rules of neighborhood.

4. Administrative rules of neighborhood **can be ignored** by citizens.
 - ? **Can** administrative rules of neighborhood **be ignored** by citizens?

- ? What **can't be ignored** by citizens?
 ? Who **can't** administrative rules of neighborhood **be ignored** by?
 – Administrative rules of neighborhood **can't be ignored** by citizens.
5. Administrative bodies **should exercise** certain powers.
 ? **Should** administrative bodies **exercise** certain powers?
 ? What **should** administrative bodies **exercise**?
 ? Who **should exercise** certain powers?
 – Administrative bodies **shouldn't exercise** certain powers.
6. Certain powers **should be exercised** by administrative bodies.
 ? **Should** certain powers **be exercised** by administrative bodies?
 ? What **should be exercised** by administrative bodies?
 ? Who **should** certain powers **be exercised by**?
 – Certain powers **shouldn't be exercised** by administrative bodies.
7. Citizens **have to follow** administrative rules of neighborhood.
 ? **Do** citizens **have to follow** administrative rules of neighborhood?
 ? What rules **do** citizens **have to follow**?
 ? Who **has to follow** administrative rules of neighborhood?
 – Citizens **don't have to follow** administrative rules of neighborhood.
8. Administrative rules of neighborhood **have to be followed** by citizens.
 ? **Do** administrative rules of neighborhood **have to be followed** by citizens?
 ? What rules **have to be followed** by citizens?
 ? Who **do** administrative rules of neighborhood **have to be followed** by?
 – Administrative rules of neighborhood **don't have to be followed** by citizens.
9. Administrative rules of neighborhood **had to be followed** by citizens.
 ? **Did** administrative rules of neighborhood **have to be followed** by citizens?
 ? What rules **had to be followed** by citizens?
 ? Who **did** administrative rules of neighborhood **have to be followed** by?
 – Administrative rules of neighborhood **didn't have to be followed** by citizens.

Appendix 4. The Infinitive Forms

	<i>Active</i>	<i>Passive</i>
Simple	to take	to be taken <i>e.g.</i> The decision on the case is supposed to be taken by the judge.

	<i>e.g.</i> The judge is supposed to take the decision on the case soon.	
Continuous	to be taking <i>e.g.</i> The judge is supposed to be taking the decision on the case right now.	—
Perfect	to have taken <i>e.g.</i> The judge is supposed to have already taken the decision on the case.	to have been taken <i>e.g.</i> The decision on the case is supposed to have already been taken by the judge.
Perfect Continuous	to have been taking <i>e.g.</i> The judge is supposed to have been taking the decision on the case for almost 2 hours.	—

Appendix 5. The Gerund Forms

	<i>Active</i>	<i>Passive</i>
Simple	making <i>e.g.</i> He admitted making mistakes in the criminal investigation.	being made <i>e.g.</i> He admitted the mistake being made in the criminal investigation.
Perfect	having made <i>e.g.</i> He admitted having made the mistake in the criminal investigation.	having been made <i>e.g.</i> He admitted the mistake having been made in the criminal investigation.

ADDITIONAL ACTIVITIES

1. Read the text and use the words below to complete the gaps.

The story began when a man called Timothy Evans was ... for the murder of his wife and baby. He was ... with the double murder, but a short time later one of the charges was ... and he was ... for the murder of his daughter only. During the ... Evans accused the man whose house he had been living in, John Christie, of the crimes, but no attention was paid to him. The ... found Evans ... and he was ... to death. An ... was turned down and he was ... in 1950.

Some time later, more women's bodies were discovered in Christie's house: two, three, four, five, six. John Christie was the police's chief... and they started a nationwide ... for him. He was soon Alleged ... by Christie while he was in ... cast doubt on the Evans hanging. When he went to ... , Christie ... that he had murdered Mrs Evans, but in private it was said that he ... to that crime. His ... of insanity with regard to other murders was rejected and he was ... of killing his wife.

Soon afterwards there was an ... into the ... of Timothy Evans. The ... decided that justice had been done and Evans had been rightly hanged. It was only in 1966 that another ... was set up. This time it was decided that Evans had probably been ... and he was given a free Better late than never, as they say.

trial	confessed	court	custody	guilty
convicted	enquiry (x 2)	sentenced	jury	execution
arrested	innocent	charged	appeal	dropped
pardon	judges	plea	apprehended	hunt
suspect	tried	executed	statements	denied

2. Do a quiz on some points of English law. Compare these answers with situations in your country. Simply answer the questions *Yes or No*.

1. **Is it a crime** to try and kill yourself?

2. **Is it illegal** to help somebody to **commit suicide**?

3. **Can you be executed** for **murdering** a policeman?

4. If, after a murder, all the **victim's** relatives plead: 'Please don't **prosecute!**'
can

charges against the **suspected culprit** be **dropped**?

5. **If two armed thieves break into** a house, guns in hand, and one of them shoots and kills the house-owner, is his **accomplice guilty of murder**?

6. If I surprise an **intruder** in my lounge at night stealing my millions, have I a **legal right to assault** him with a **weapon**?

7. **If I set a trap** – a fifty-kilo weight just above the front door – for any **burglars** who might try and enter the house, am I **breaking the law**?

8. After a **divorce or legal separation**, can a wife be required to pay **alimony** to her ex-husband?

9. If I promise to marry my girlfriend and then change my mind shortly before the wedding, can she **take me to court**?

10. If you said to your teacher in the middle of his lesson: 'You don't know the first thing about teaching!' could he **bring a civil action** against you?

11. Would I be in danger **of committing an offence** if I put an advertisement for my school in the paper saying: 'Male white teacher required'?

12. If, **as a defendant (or the accused)**, I am not satisfied with the way my **barrister** has **handled my defense**, can I **sue** him?

13. If you were in my house – uninvited – and the ceiling, which had had a large crack in it for some time, caved in and broke your leg, would it be a good idea to **consult your solicitor**?

14. Can a person **suspected of and charged with rape** be allowed **bail**?

3. Write all words and phrases in bold from the sentences above and translate them into Russian.

4. Explain, define or give examples of the offences listed below. Find the Russian equivalents.

blackmail

kidnapping

arson

trespassing

manslaughter

smuggling

forgery

bigamy

baby- or wife-battering

conspiracy

fraud

driving without due care and attention

mugging – robbery with violence

drug peddling

espionage – spying

shoplifting

treason

hijacking

obscenity

bribery and corruption

petty theft

5. Which of the above would or could involve the following?

- | | | |
|----------------------|-------------------------|----------------------|
| 1. counterfeit money | 4. a ransom | 7. state secrets |
| 2. pornography | 5. heroin state secrets | 8. contraband |
| 3. hostages | 6. a traitor | 9. a store detective |

6. Case work.

Read the story of a very irresponsible man called Mr Body. Imagine that he was stopped by the police at each point of the drama. Decide after each sentence what punishment he deserves. Before you start working on the case study some of the sentences. Translate the phrases in bold into Russian.

You might feel the **death penalty** is in order, or **life imprisonment**, even **solitary confinement**.

You could put him **on probation**, give him **community service** or **impose a fine** – anything from £10 to £1,000.

You might consider **corporal punishment** (a short, sharp shock), a shortish **prison sentence** or, of course, you could make that a **suspended sentence**.

You might make him pay **compensation**, or would you like to see him **banned from driving**? No? Well, his **license** could be **endorsed**. Or would you **dismiss the case**, **find him not guilty** of any crime, **acquit** him, find the case **not proved**?

The Story of Mr Body

1. Mr Body drank five pints of beer and five single whiskies in a pub, got into his car and drove away.

2. He did not drive dangerously but **exceeded the speed limit** as he wanted to catch up with a friend who had left his wallet in the pub.

3. As he was driving along, a little girl ran into the road and he **knocked her down**.

4. There was no way he could have stopped, drunk or sober.

5. The little girl suffered only bruises and **superficial injuries**.

6. Mr Body's wife had left him two days before.

7. Six months later, it was clear that the little girl was to suffer from **after-effects of the accident** and would stutter for many years.

8. Mr Body had never previously received any **summons for traffic offences**.

9. The little girl admitted that it was all her **fault**.

10. The passenger in Mr Body's car was killed outright as he went through the windscreen.

Answer the following questions on the case:

1. Which aspects of the law seem unsatisfactory to you?

2. What punishments would you, as a judge, give for the crimes in Practice 1? You may need to specify cases and give particular instances.
3. How have criminals been portrayed in films you have seen recently? Were the criminals portrayed as heroes, idiots or evil individuals?
4. What in detail would happen to you in your country if you were caught:
 - a. **speeding** in your car?
 - b. **in possession of soft drugs?**
 - c. **with a gun in your pocket?**
 - d. **breaking into a house?**

WRITING

1. Write a **judge's summing up** after a trial, reminding the **jury** of the **witnesses' testimony** and advising them on how to **reach their verdict**.
2. You have just read an article supporting corporal punishment with the headline 'short, sharp shock is the only answer for most of today's criminals'.
3. Write a summary of the opposite view where you criticize what was probably in the article.

SUPPLEMENTARY TEXTS

UNIT 1

Legal profession

A lawyer is a person learned in law. A lawyer, also known as an attorney, a counselor, a solicitor, a barrister or an advocate, is an individual licensed by the state to engage in the practice of law and advise clients on legal matters. Lawyers act as both advocates and advisors on behalf of their clients.

The role of the lawyer varies significantly across legal jurisdiction, and therefore can be treated in only the most general terms. Lawyers' role vary greatly, depending upon their practice environment and field of specialization.

In most countries there is only one legal profession. This means that all the lawyers have roughly the same professional education leading to the same legal qualification, and they are permitted to do all the legal work.

In England the system is different. Here the profession is divided into two types of lawyers, called solicitors and barristers. Solicitors and barristers are both qualified lawyers, but they have different legal training; they take different examinations to qualify; and once they have qualified, they usually do different types of legal work.

Many solicitors deal with a range of legal work: preparing cases to be tried in the civil or criminal courts; giving legal advice in the field of business and drawing up contracts; making all the legal arrangements for the buying and selling of land on houses; assisting employees and employers; making wills.

Barristers are mainly "courtroom lawyers" who actually conduct cases in court. Unlike solicitors, they have rights of audience (rights to appear) in any court of the land, and so barristers are those lawyers who appear in the more difficult cases in the higher courts.

Find in the text English equivalents for Russian ones.

Специалист в области права; человек, получивший государственную лицензию; лицензия на ведение юридической практики; выступать от имени клиентов; заниматься всеми видами юридической практики; солиситоры и барристеры; подготовка дел; консультировать по вопросам бизнеса; составление контрактов; составление завещаний; суды гражданской и уголовной юрисдикции; иметь право выступать в суде.

Legal careers

The educational requirements to becoming a lawyer vary greatly from country to country. In some countries, law is taught by a faculty of law, which is a department of a university's general undergraduate college. Law students in those countries pursue

a Bachelor (LLB) or a Master (LLM) of Laws degree. In some countries it is common or even required for students to earn another bachelor's degree at the same time. Besides, it is often followed by a series of advanced examinations, apprenticeships, and additional coursework at special government institutes. In other countries, particularly in the United States, law is primarily taught at law schools. Most law schools are part of universities but a few are independent institutions. Law schools in the United States (and some in Canada and elsewhere) award graduating students a J.D. (Juris Doctor/Doctor of Jurisprudence) as the practitioner's law degree (a professional degree). However, like other professional doctorates, the J.D. is not the exact equivalent of the Doctor of Philosophy (PhD), a university degree of the highest level, since it does not require the submission of a full dissertation based on original research. The methods and quality of legal education vary widely. Some countries require extensive clinical training in the form of apprenticeships or special clinical courses. Many others have only lectures on highly abstract legal doctrines, which force young lawyers to figure out how to actually think and write like a lawyer at their first apprenticeship (or job).

In most common law countries lawyers have many options over the course of their careers. Besides private practice, they can always aspire to becoming a prosecutor, government counsel, corporate in-house counsel, judge, arbitrator, law professor, or politician.

In most civil law countries, lawyers generally structure their legal education around their chosen speciality; the boundaries between different types of lawyers are carefully defined and hard to cross. After one earns a law degree, career mobility may be severely constrained.

Answer the questions:

1. What are the requirements for legal job in your country?
2. Are there any specific requirements in your country to be a prosecutor / a judge?
3. What is your future career? What are its advantages / disadvantages?

UNIT 2

Read the text and answer the question below.

What is the procedure in civil action?

A person injured by the wrongful conduct of another may be able to obtain relief from the court and bring a civil action against the wrongdoer.

A civil action involves two parties. Each of these parties may consist of one or more persons. The party who brings a civil action in order to enforce a private right is the plaintiff. The party against whom the civil action is brought is the defendant.

In state courts, the plaintiff begins a civil action by filing of complaint with the clerk of the court. This step is usually done by the attorney for the plaintiff. The complaint states the plaintiff's claim which allegedly justify the relief demanded.

Next, the defendant must be properly served with a copy of the complaint and with summons. The summons is a court order, obtained by the plaintiff, which directs the defendant to answer the complaint. The defendant normally files an answer (statement in reply). In the answer, the defendant may do any one of the following:

1. Declare that even if the facts alleged in the complaint are true, they do not constitute a wrong for which the defendant has any duty to pay or otherwise act. This is an issue of law which is decided by the judge in hearing.

2. Deny the truth of the facts alleged in the complaint. This raise an issue of fact. The dispute can then proceed to trial.

3. Admit the facts alleged but introduce other facts that excuse the defendant from liability. The dispute can then proceed to trial.

If the defendant does not answer the complaint withing the time allowed (generally not more than 20 days), the plaintiff may win the case by default judgement.

Both parties may engage in discovery procedures. This pretrial procedures are done under court order to obtain facts about the case and to identify the issues in dispute that require decision at the trial. A very frequently used discovery procedure is the deposition. In a deposition, parties and witnesses are questioned under oath by the opposing attorney, and in the presence of a court reporter, who makes a written record of what is said. Depositions and other discovery procedures, such as physical examinations of persons claiming they were injured, help the attorneys learn the facts before the trial. The process greatly assists both attorneys in preparing for the trial and often leads to out-of-court settlements.

At this point, a pretrial hearing may be held by the judge and the attorneys to specify what issues of fact must be decided at the trial. Often, an attempt is made to resolve the differences without trial. If the attorneys cannot compromise and agree on some settlement, either party may ask the court to set a date for trial.

Answer the questions:

1. What are two parties to the civil action?
2. Who files the complaint?
3. What is an answer?
4. What is a deposition?
5. What may the defendant do in an answer to the claim?
6. What are the discovery procedures needed for?
7. What is the role of a court reporter?
8. What is a pretrial hearing?

UNIT 3

The judicial system

In all legal systems there are institutions for creating, modifying, abolishing and applying the law. Usually there take the form of hierarchy of courts. The role of each court and its capacity to make decisions is strictly defined in relation to other courts. There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions (for example, family courts). The other is so that a person who feels his case was not fairly treated in a lower court can appeal to a higher court for reassessment. The decisions of a higher court, for example, are binding upon lower courts.

The Civil Courts

Civil actions take place between two or more individuals in dispute. These dispute can take many forms, for example between neighbours, families, companies, consumers and manufactures. It is the function of the civil courts to adjudicate on these disputes will require different forms of adjudication; some disputes will be more serious and complex than others. These differences are reflected in the court system; the jurisdiction of the courts is limited by the type of case and, with the lower courts, by the amount of the claim.

Lower Courts; County Courts

The lowest court in a civil action is a County Court, of which there is one in every town in England and Wales. The judges are always professionals. They may hear matters such as contract and tort disputes. Tort means a civil wrong including negligence and personal injury claims. The general limit in such cases heard before the county court is 25,000 pounds.

Cases involving larger amounts of money are heard by one of the divisions of the High Court. Judges in the County Courts are circuit judges who rank equally with those who sit in the Crown Court. They are assisted by district judges.

Answer the questions:

1. What are the two reasons for having a variety of courts in England and Wales?
2. What is the lowest court in a civil action?
3. What kind of judges sit in the county courts?

Who gives the judgement?

After the verdict of a jury has been returned the judge, in accordance with the verdict, pronounce (or gives) a judgement. The judgement is the final result of the trial. In a criminal action the judgement is the sentencing of the defendant to jail or prison, or it is the imposition of other punishment, such as fine.

In a civil action, the judgement will normally be for a sum of money if the plaintiff wins. If the defendant wins, the judgement will merely be “judgement for the defendant”. The loser is sometimes required to pay the court costs of the trial, but ordinarily each party pays his or her own attorney’s fees. As a consequence, even the winning defendant may incur losses in money, as well as in time and energy.

Generally a judgement of a lower court is not final in regard to the rights of the parties. Either of the parties may have the case reviewed for errors by a higher court. As was explained earlier, issues of law are decided by the judge, If either party believes the judge did not rule properly on any such issue, an appeal against the judgement (appeal claiming error) may be made to a higher court.

When an appeal is taken, the higher court may find that an important error was made during the trial in the lower court. Examples of errors would include incorrect instructions to the jury, admission of evidence that should have been rejected, or exclusion of evidence that should have been admitted. In such an event, the court may modify or reverse the judgement of the lower court or order a new trial. If there is no error in the record, the reviewing court will affirm the judgement of the lower court.

How is a judgement satisfied?

Ordinarily, when a civil judgement for the plaintiff becomes final, the defendant will pay the amount or perform any other requirements of the judgement. If the defendant does not pay, the plaintiff may obtain a writ (court order) of execution. Execution is the process by which a judgement for money is enforced. The court directs the sheriff, or other officer, to seize and sell specific property of the defendant identified by the plaintiff. The proceeds, after deduction of the costs of seizure and sale, are applied to the payment of the judgement. Certain items, such as essential clothes, household goods, and tools of trade are exempt from execution.

If the defendant has no property over the amount that is exempt, nothing can be obtained by execution. The judgement will remain unsatisfied because the defendant is “judgement proof”. Sometimes the plaintiff or the plaintiff’s attorney will determine this status before any action and will therefore refrain from filing a suit.

Answer the questions:

1. Who gives the judgement?
2. What may the judgement be in a criminal action?
3. What may the judgement be in a civil action?
4. Who pays the court costs of the trial?
5. Is the judgement of a lower court final?
6. What are the examples of possible errors during the trial?
7. Where can the losing party appeal against the judgement?
8. What can be possible decisions of an appeal court?
9. How is the execution made in a civil case?

10. What items are exempt from execution?
11. What is a judgement proof defendant?

How is a criminal case tried?

In a trial, issues of fact are determined by a jury if one is used. The jurors listen to the witnesses and decide who and what to believe. Both the plaintiff and the defendant may voluntarily waive (give up) the right to trial by jury. If they do so, the judge alone listens to the testimony and decide the facts.

Issues of law, however, are always decided by the judge. The judge explains to the jury what rules of law to apply to the facts.

A trial jury is a group of independent citizens (usually 12) selected to determine questions of fact. The method of jury selection can be different.

The procedure in a jury trial is the following. After the jury for a specific case has been selected and sworn, the attorney for each side may give an opening statement. These statements briefly outline what will be proved. The evidence is then presented to the jury, first by the plaintiff and then by the defendant. Evidence includes anything that provides information used to prove or disprove the alleged facts. Evidence may consist of written documents, audio and video records, weapons, photographs, and other objects, but usually it is the testimony of witnesses. Testimony consists of statements made by witnesses in court. A witness is someone who was present during the incident and has personal knowledge of the facts. Sometimes expert witnesses (witnesses who possess better knowledge about a subject in dispute) are called upon to give expert opinions.

A witness is invited to the court by means of a subpoena. A subpoena is a written order by the judge commanding the named person to appear in court at a given time and place to give testimony. Willful failure (unexcused failure) to appear in court is a type of contempt of court and can be punished by the judge, without a trial.

After the presentation of the evidence, the attorney for each side gives closing remarks. During those remarks, each attorney summarizes the case, trying to persuade the judge (and jury if there is one) to favor his side. After consultation with the attorney, the judge then instructs the jury as to the rules of law governing the issues of fact they must decide, and as to the corpus delicti incriminated to the defendant. The jury then retires to the jury room for secret discussion and deliberation in order to reach a verdict. The verdict is the decision of the jury. In a civil case, the verdict will be for either the plaintiff or the defendant. In a criminal case, the verdict will be either for the prosecution or for the defendant.

For conviction of a crime, a unanimous verdict of guilty is usually required. This means that every juror must vote the same way. A jury which cannot reach an agreement is called a hung jury. In this event, the case may be retried by another jury.

In a civil action, a majority or three-fourths in a jury is usually required for a verdict.

Answer the questions:

1. Who decides issues of fact in a trial?
2. Who decides issues of law in a trial?
3. What is a trial jury?
4. What is evidence?
5. What can be used as evidence?
6. Who can be a witness?
7. Who are expert witnesses?
8. What is sent to the witness to participate in a trial?
9. What is a verdict?
10. What can be done if a jury cannot reach an agreement?

UNIT 4**Criminal Substantive Law and Criminal Procedural Law**

The rules of substantive criminal law determine the scope of criminal liability, the conducts to be punished, and the punishment for each. What happens if the criminal law is violated? Convicting an individual for a crime is a serious matter on a man's life in terms of punishment and social consequences. This is why a decision of guilt must be taken only after the most careful assessment.

The function of criminal procedure is not only to convict the guilty but also to distinguish the innocent from the guilty. Procedural rules identify the steps for accurately establishing if criminal law was breached and if an individual, or the accused, can be punished.

Just like its civil counterpart, the criminal process culminates in a decision taken by a judge on the evidence available. However, the interests at stake in a criminal process are of far greater importance than in civil litigations: they include both the dignity, reputation, and often the liberty of a person and also the interest of society in a secure and crime-free community.

Questions for Comprehension:

1. What is the main idea of the text?
2. Why is the criminal law in the human society?
3. What does criminal law determine?
4. Why is the decision of guilt important for an individual?
5. What are the two aspects of criminal law function in the human society?
6. What do procedural rules identify?
7. What does the criminal process culminate in?
8. How does a judge take a decision?
9. Why are the interests in a criminal process of greater importance than in civil litigations?
10. What do those interests include?

The Basic Structure of the Criminal Process

Criminal procedure differs significantly from country to country. In general, the criminal process displays two main stages: the investigation (or pretrial) phase and the trial phase.

The intermediate steps between the investigations and the trial are usually preliminary hearings or committal hearings. The trial phase can be followed by one or more instances of appeal. But the core of criminal proceedings is about the division between investigations and trial.

The investigations in criminal process is aimed at discovering crimes. The police has everywhere the primary role in the investigations. Trial may consist of a single judge, a panel, or a jury who decide whether the accused, or defendant at this stage, is guilty of committing a crime or not. The trial revolves all the facts and law around certain crime. They must answer the following question: is the statement true or false? The decision is taken on the evidence available.

According to modern standards, justice must not only be done, but it must also be seen to be done. The publicity of the trial constitutes a prevention of abuses. It is a form of social control on the criminal process.

Under such circumstances, the trial serves to balance between the state and the individual during the investigations. A proper defense requires that defendants have clear knowledge of the allegations against them and of the evidence on which they are grounded. At trial, the accused can challenge the prosecution with equality of arms.

Questions for Comprehension:

1. What is the main idea of the text?
2. What are the main stages of the criminal process?
3. What are the intermediate steps between the investigations and the trial?
4. What can the trial phase be followed by?
5. What are the investigations in criminal process aimed at?
6. What does the trial revolve?
7. How is the decision taken?
8. How can a prevention of abuses be achieved?
9. What is a form of social control on the criminal process?
10. What are the rights of defendants during the trial?

Basic Principles of Criminal Justice Systems and the Presumption of Innocence

The criminal process is supposed to be continuously dealing with a tension between security of the society as a whole and liberty of the individuals within society. It constantly tries to find a balance between these conflicting interests.

The main goal here is to reduce the crime rate and to provide social safety, on the one hand, and, on the other hand, to minimally restrict the rights of an individual. In real life, it is almost impossible to have both. So, the traditional dilemma is what to consider more preferable: ten guilty persons escape punishment or one innocent suffers? The answer to this question is offered by a general principle of liberal tradition that is embraced by all international covenants. The principle which is explicitly affirmed in Article 6 Section 2 ECHR and largely accepted by all European systems is the presumption of innocence.

Questions for Comprehension:

1. What is the main idea of the text?
2. What is the criminal process supposed to be dealing with?
3. What does it try to find?
4. What are the conflicting interests?
5. What is the main goal of the criminal process?
6. How is it connected with human rights?
7. What is the traditional dilemma for the criminal process?
8. What is the general principle to solve this dilemma?
9. What is the name of this principle and its character?
10. Where is it stated?

The Historical Rise of Civil Law

Civil law, which is also called Romano-Germanic law, is the law of continental Europe, based on an admixture of Roman, Germanic, feudal, commercial, and customary law. European civil law has been adopted in much of Latin America as well as in parts of Asia and Africa and is to be distinguished from the common law of the Anglo-American countries.

In the 5th and 6th centuries CE, western and central Europe were dominated by Germanic peoples, especially those who had overrun the Roman Empire. That's why Germanic customs came to prevail in most regions. In the Middle Ages these customs underwent vigorous growth in an effort to satisfy complex needs of feudalism, the growth of cities, Eastern colonization, increasing trade, and an increasingly refined culture.

Roman law strongly influenced the law of contracts and torts; canon law achieved supremacy in the field of marriage; and combinations of Germanic, feudal, and Roman traditions developed in matters of property and succession, or inheritance. The conceptual formulations in which the norms and principles of the law were expressed, as well as the procedural forms in which justice was administered, were also strongly Roman. The system that thus emerged was called the *jus commune*. In actual practice it varied from place to place, but it was nevertheless a unit that was held together by a common tradition and a common stock of learning. In spite of all local

variety, the civil-law world experienced a sense of unity that corresponded to the strongly felt unity of European civilization.

Civil Law Approach

The position of civil law jurisdiction seems to follow from the principle of the binding force. It is if a party does not perform, it can be forced to do so by a court of law. In European countries the claim for performance is seen as the natural remedy that follows automatically from the fact that a valid contract exists.

However, this main rule cannot always be applied. For instance, it can happen that performance is still possible but would cause the debtor unreasonable effort or expense. That's why the final situation in which a claim cannot be brought is when performance requires specific personal qualities. In this situation, the law states that "the performance consists in the provision of services or work of a personal character or depends on a personal relationship." This means that if one party does not perform the contract terms, the whole situation is seen as the breach of the contract. Under these circumstances, the other party is allowed to bring a claim for damages or termination in case of breach of the contract.

Questions for Comprehension:

1. What is the main idea of the text?
2. What is the main principle of civil law jurisdiction?
3. What happens if one party does not perform?
4. What fact does European civil law jurisdiction follow?
5. What is the natural remedy for performance?
6. When cannot the claim for performance be applied?
7. What does the law state for such situation?
8. What is the breach of the contract?
9. When is the other party allowed to bring a claim for damages?

Modern Developments in Civil Law

In the 21st century, civil-law systems underwent substantial modification as a result of the changing sources of law in modern, bureaucratic, regulatory states. Virtually all modern civil-law systems have increasingly made use of uncodified statutory law in order to regulate broad areas of social and economic life.

Such legislation typically falls outside the scope of the traditional civil codes, even when it touches on questions concerning contract or delict—areas of law that were traditionally governed by the codes. Furthermore, because much of the modern statutory law is administered by regulatory agencies, it lacks the systematically integrated conceptual framework characteristic of the civil-law codes, which were shaped by legal and cultural traditions. Contemporary statutory law tends

to reflect the much-broader role of the state in modern society, even in the areas traditionally considered to be part of “private” law. In addition, both constitutional law and international law have reflected a broadened concern for fundamental rights in ways that also make civil law more public in orientation. The traditional divisions of areas of law within civil codes have become increasingly uncertain as the law addresses new problems, such as consumer protection and sports law, that were not contemplated by the prior legal categories. Public-law concerns have pervaded almost every area of the civil law: equal treatment principles, for example, have completely transformed the previously patriarchal family-law provisions of civil codes everywhere.

These developments have been especially pronounced in countries that are members of the European Union (EU), largely owing to supranational efforts to integrate European markets and to harmonize national laws.

In Europe such changes in civil law, which are likely to continue and even to increase in tandem with global economic activity and the growth of international and supranational legal institutions, cast doubt upon the utility of treating civil law as the defining characteristic of continental European legal systems.

The General Principles of Administrative Law

The range of tasks and competences of the administration law in various areas of society has grown enormously over the past decades. Administrative competences have grown not only in quantity but also in quality: from regulating various policy areas to interfering with the rights of individuals. Therefore, administrative authorities have now greater freedom exercising their powers.

Basically, the general principles of administrative law were developed in European case law. That’s why they are common to most European legal systems are. As for the principles themselves, they are the following: the impartiality principle, the right to be heard, the principle to state reasons, the prohibition of *de’tournement de pouvoir*, the equality principle, the principle of legal certainty, the principle that legitimate expectations raised by the administration should be honored, the proportionality principle.

Besides these principles, there are other principles that can be understood as subcategories for the European and national courts. When these principles are applied to the acts and decisions of the administration in individual cases, the courts try to ensure that some legal limits are imposed on the administration in the exercise of its powers. In any case, the main idea of applying the general principles of administrative law is to protect the rights and interest of individuals against abuse of public power and against an overemphasis on the general interest when public power is used.

Questions for Comprehension:

1. What is the main idea of the text?

2. How has the range of competences of administrative law changed over last decades?
3. What is the prohibition of de'tournement de pouvoir?
4. What is the nature of administrative law in European legislation systems?
5. What are the major general principles?
6. Are there any other principles under administrative jurisdiction?
7. What do the courts try to do applying administrative law?
8. What is the main idea of applying the general principles?
9. Which of these principles do you think the most important?
10. Are they all really objective in human society?

International law before municipal courts

The role of international law and the municipal law system is determined by the fact that they are two autonomous zones. So, the problem of distinguishing between these systems is rather complicated as there have been a number of different approaches to it.

States are, of course, under a general obligation to act in conformity with the rules of international law and will bear responsibility for breaches of it. International treaties may impose requirements of domestic legislation upon states parties. At the same time, binding Security Council resolutions may similarly require that states take particular action within their domestic jurisdictions. There is indeed a clear tendency towards the increasing penetration of international legal rules within domestic systems. They can be coupled with the exercise of an ever-wider jurisdiction with regard to matters having an international dimension by domestic courts. This has led to a blurring of the distinction between the two previously maintained autonomous zones of the two systems.

Summarizing all of the above, there has been a re-evaluation of the role of international legal rules and a greater preparedness by domestic tribunals to analyze the actions of their governments in the light of international law.

Questions for Comprehension:

1. What is the main idea of the text?
2. How are the international and municipal laws determined?
3. What is the problem of distinguishing between them?
4. What is the general obligation for states behavior?
5. What is the main role of Security Council?
6. How are international and domestic law systems interrelated?
7. In what way can they be coupled?
8. What do we know about a blurring between the two systems?
9. Is there a way out of this contradiction?

10. What can the evaluation of governments actions in the light of international law be?

UNIT 5

Read and Translate the text without a dictionary (time limit 15 min).

American law enforcement agencies

Policing in the United States of America is conducted by numerous types of law enforcement agencies at many different levels. The *federal law enforcement officers* have power to enforce various laws at the federal level. The *Department of Justice* is responsible for most law enforcement duties at the federal level. It includes the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Marshals Service, the Federal Bureau of Prisons and others. *The Department of Homeland Security*³ is another branch with numerous federal law enforcement agencies reporting to it, such as: the US Customs and Border Protection, the US Immigration and Customs Enforcement, the Federal Air Marshal Service, the US Secret Service, the Homeland Security Investigations, the Transportation Security Administration etc.

The *American state police* deal with investigations and patrols. In addition, the General Prosecutor's office of each state has its own state bureaus of investigation.

The *county police* exist only in metropolitan counties and have countywide jurisdiction. In some areas, there is a *sheriff's department* which deals with all traditional law enforcement functions, including countywide patrol and investigations.

The *municipal police* range from one-officer agencies (sometimes called the town marshal) to the 40,000 men and women of the New York City Police Department. There are other types of specialist police departments with varying jurisdictions. Most of them are special district police. These agencies can be school district police, airport police, park police, police departments responsible for protecting government property etc.

Ranks of American policemen

Read and translate the text without a dictionary.

Any citizen of the USA at the age of 21–35 years who has no criminal past may become a police officer. There are twelve ranks in American police. Police ranks vary in different states of the USA. Unlike Russia and many other countries, the ranks in

³ Федеральное министерство, созданное в ноябре 2002 г. в рамках переоценки стратегии национальной безопасности в ответ на угрозы международного терроризма, возникшие после событий 11 сентября 2001 г., в целях координации антитеррористических мер, ранее осуществлявшихся различными ведомствами.

American police are not given just for the length of police service. When joining a police force, a person gets a rank of a police officer and about 90 % of American policemen retire on a pension having this lowest police rank.



Another lowest police rank is the rank of a detective. Promotion from a police officer to a detective-investigator is based on investigative experience. To become a detective a police officer needs a labor contract with the approval (одобрение) of the Police Commissioner. To become sergeant, lieutenant and captain a police officer must pass a civil service examination. Only about 5 % of police officers are lucky to pass this examination. To become sergeant, a police officer must have 3–5 years of police experience. Promotion to higher police ranks, such as lieutenant and captain, is made once in 3–5 years of service. But to be promoted to the rank of lieutenant an applicant must have higher education. Promotion to the ranks of deputy inspector, inspector and chief are made with the approval of the Police Commissioner. The highest police rank is Chief of Police. Chief of municipal police is appointed by the city authorities and is usually a civil administrator.

The establishment of the American police system

Read the text and translate it without a dictionary.



The history of police administration in American cities follows closely that of English cities. Prior to 1844 each district of the City of New York (with over 300,000 population) had only two police constables, a small group of men called marshals appointed by the mayor of the city, and the night watch composed of citizens engaged in various trades during the day who patrolled the streets at night. In 1844, the legislature abolished the night watch and provided for the organization of a day and night police. This was put into effect the following year.

The duties of the new police force were not different from those performed by policemen today. They attended fires, preserved the peace, reported to their captains on suspicious and disorderly houses, arrested and prosecuted offenders and protected life and property in general. The chief of police was appointed by the mayor of the city. The term of office was one year.

Other US cities speedily followed New York in establishing regular professional police departments under state control, but this system was abandoned in favor of the system of local control.

According to the text translate the information about establishment of the US law enforcement system without a dictionary.

a. The history of law enforcement in the United States of America can be traced back to the establishment of New York City Sheriff's Office in 1626.

b. While the law enforcement officers worked without a salary on a part-time basis initially, the first full-time, paid law enforcement officers were hired by the City of Boston in 1712.

c. The oldest federal law enforcement agency in the US is the Marshals Service. On September 24, 1789, the first post of federal law enforcement officer – the Marshal, was created by the US Congress. A total of 13 US Marshals were appointed by President George Washington himself.

d. In 1835, the first proper law enforcement agency was established in the state of Texas. It was named the Texas Rangers.

e. In 1865, the US President Abraham Lincoln approved the formation of what is now the US Secret Service.

f. In 1902, fingerprinting was first used by the US law enforcement agencies.

g. In 1974, police started wearing soft body armor to protect themselves against handgun assaults.

h. The first recorded death of an officer in the line of duty came in 1791, and since then as many as 19,000 US law enforcement officers have sacrificed their lives in the line of duty.

Read and translate the text in writing consulting with a dictionary if necessary (time limit – 15 min).

Powers of police officers



When an individual commits a serious crime, a law enforcement officer can handcuff and arrest a person, who will be held in a police station or jail pending a judicial bail determination or an arraignment. In 2010, the FBI estimated that law enforcement agencies made about 13,000 arrests (excluding traffic violations). Of those persons arrested, 74.5 % were male and 69.4 % of all persons were white, 28 % were black, and the remaining 2.6 % were of other races.

The procedural use of strip searches (полный личный досмотр) by law enforcement has raised civil liberties concerns. For example, the New York City Police Department has come under scrutiny for its frequent use of a stop-and-frisk program. Now it takes a court order to strip-search someone.

The Miranda warnings

Translate the text. Consult with a dictionary if it's necessary.



“You have the right to remain silent; anything you say can be used against you” – these are the words of *the Miranda warning* which was created as a result of 1966 United States Supreme Court case, *Miranda vs. Arizona*. It began when Ernesto Miranda was arrested at his home and taken into custody to the police station, where he was identified by a witness as the man who had kidnapped and raped a woman. Police officers took Mr. Miranda into an interrogation room and two hours later emerged with a written confession signed by Mr. Miranda that also stated that the confession was made voluntarily and with full knowledge of his legal rights. The officers, however, failed to advise Mr. Miranda that he had a right to have an attorney present.

The United States Supreme Court ruled that the confession could not be used as an evidence of Mr. Miranda's guilt because he was not fully advised on his legal rights, which included the right to have his attorney present. The Fifth Amendment to the United States Constitution states that no person can be deprived of life, liberty, or property, without due process of law. To ensure that other accused criminals are made aware of their constitutional rights, the Supreme Court ruled that a suspect who is taken into custody and interrogated must receive a warning of the following things: the right to remain silent, the fact that anything he says can be used against him in a court of law, that he has a right of the presence of an attorney, and that if he cannot afford an attorney, one will be appointed for him prior to any questioning if he desires so. The Miranda warning is now applied by law officers throughout the United States as a result of this ruling.

Translate the text without a dictionary.



Police of the American city of Wichita in Kansas charged a white mouse with stealing a heavy bag (мешок) of marijuana from the evidence room where it had been kept. On this occasion, the Police Department held a press conference where the audience was presented a portrait of the suspect. A police spokesman tried to convince (убедить) the journalists that the mouse used the stolen marijuana to make its burrows (нора) more comfortable. But the journalists questioned the official version, on the assumption that the bag of marijuana had been stolen by the one who launched the idea to blame (обвинить) the mouse.

Знаете ли Вы, что для того, чтобы попасть в число нарушителей закона, вовсе не обязательно переходить улицу на красный свет? Во Франции для этого достаточно назвать свою свинью Наполеоном, а в Великобритании – неправильно наклеить почтовую марку с изображением королевы. Рекордсменом по части «тупых» законов (“dumb” laws) являются США. Вы можете в этом убедиться, если прочитаете и переведете на русский язык без помощи словаря следующие примеры:

- if you cut a cactus in the state of Arizona you commit a serious crime which is punished by 25 years of imprisonment;
- in the same state, it is prohibited (запрещено) to smile if you are more than 18 years old and do not have two front teeth;
- in Seattle, Washington, if a woman sits on a man’s knees (колени) in a bus or in a train without a pillow (подушка) between their faces, she can be sentenced to 6 months of imprisonment;
- in Alabama, a man can be arrested for keeping an ice-cream in the back pocket of trousers;
- a kiss longer than 5 minutes is illegal in the territory of Iowa, while in Connecticut, a husband has no right to kiss his wife on Sunday.
- In the U.S. town of Lehigh, the state of Nebraska, it is forbidden to sell holes (дырки) of bagels (бублики).
- In the U.S. state of Arkansas, a husband has the right to beat his wife, but only once a month.

The British Constables

Read and translate the text into Russian without a dictionary.



Constable is the lowest rank in the British police service. In England and Wales, the majority of constables have full powers of arrest and search. The 1996 Police Act outlines the jurisdiction of constables of the British police forces. Such officers have jurisdiction throughout England and Wales and the adjacent (расположенный рядом) United Kingdom waters.

There are many constables who are not members of territorial police forces. Some of them are members of special police forces: the British Transport Police, the Ministry of Defense Police and others.

Generally, constables from the English and Welsh Home Office forces do not have jurisdiction in Scotland or Northern Ireland and vice versa (наоборот). As for police officers of the Metropolitan Police who are responsible for Royalty and VIP protection, they have jurisdiction in any part of the United Kingdom whilst performing those functions.

The British policemen

Read and translate the text without a dictionary.



There are about 60,000 police officers, men and women, in England, Wales and Scotland, excluding London. They all deal with the enforcement of the law, the preservation of life and property, and the prevention of crime.

Usually uniformed police officers do not carry guns, except (за исключением) in the Northern Ireland or in those cases when police officers guard politicians and diplomats or patrol airports. Only specially trained police officers, known as Authorized Firearms officers (офицеры, наделенные полномочиями носить огнестрельное оружие), may use guns when they face an armed criminal or when they protect a person at risk of attack. Most police forces in Britain operate a system of patrol cars which carry guns in a locked box – to provide a speedy response to a firearms incident.

In England and Wales the police have wide powers to stop, to search and to arrest a suspect with or without a warrant issued by a court.

Those British policemen who deal with traffic control and regulation are called traffic wardens (инспекторы дорожного движения). Their job is to make sure that drivers do not violate traffic rules and follow the parking regulations. They wear a special uniform with a yellow hatband (лента на шляпе) and do not carry guns.

Find the English equivalents to the Russian ones.

1. The Commissioner is chief of the (столичная полиция). 2. The chief law enforcement officer of the (полиция графства) is (главный констебль). 3. All police officers (занимаются) the protection of citizens' life, (собственность) and (конституционные права). 4. Usually police officers in Britain (не носят) guns. 5. The British policemen may (использовать оружие) when they face an armed criminal. 6. Each county police (назначает) their own Chief Constable. 7. (Охрана общественного порядка) is the major police (задача) in any country. 8. A police officer in Britain (имеет полномочия) to stop and (осматривать) suspicious people or vehicles. 9. Sometimes police officers must patrol airports and (охранять) diplomats and (политики). 10. The central (правительство) regulates (заработная плата) and inspects (местные органы полиции). 11. (Правоохранительные органы) of the United Kingdom closely cooperate with the (местные органы власти). 12. In England and Wales police have a power to arrest a suspect without a (ордер). 13. The police authority for the Metropolitan Police force is the (министр

внутренних дел). 14. The powers of a police officer in England and Wales are outlined by (Закон о полиции 1984 года). 15. Police managers often deal with (административные дела). 16. Police forces may employ members of (персонал полиции) who perform many functions to assist police officers.

Read the text and translate it into Russian in writing with a dictionary if it is necessary (time limit – 15 min).

Police Training in Great Britain

In England and Wales entry to the police force is open to men and women over the age of 18 and a half. Candidates must be British or Commonwealth citizens. All candidates go through a basic training course lasting several months and spend two years as probationers. Training for probationer constables is a combination of on-the-job training and work at residential training centers. After two years as probationers, they pass the qualifying examination and can apply for promotion to the rank of a sergeant. There is a Police Staff College in Bramshill, which trains senior officers for promotion to chief officer ranks.

Read the text and translate it without a dictionary.

ESSEX POLICE

Essex Police is a territorial police force responsible for policing the county of Essex in the east of England. Its headquarters are all located in Chelmsford. Essex Police was formed in 1840. It is one of the largest non-metropolitan police forces in the United Kingdom, employing approximately 3,600 police officers. The Chief Constable is Stephen Kavanagh since May 2013.

Essex Police include various divisions. The Essex *Crime Division* deals with crime investigation. It is managed by a divisional commander. The role of the *Force Intelligence Bureau* is to help criminal investigation across the county by bringing together local police intelligence from different divisions. It collects information on dangerous sex offenders and analyzes trends and links (связи) between crimes. The *Serious Organized Crime Division* consists of a team of detectives who investigate serious and organized crime inside and outside of the Essex police area, such as burglary, car theft or robbery. The main function of the *Dangerous Offenders Unit* is to deal with potentially dangerous criminals. The *Economic Crime Unit* has two functions. The first is the investigation of serious fraud. The second function is the confiscation of assets (средства, имущество) held by persons charged with drug trafficking offences. The *Hi-Tech Crime Unit* deals with computer crime.

Read the text and translate it without a dictionary.

Traffic police in Great Britain

In Great Britain, there is no national traffic police. Each county has its own traffic police. The major function of the British traffic police is to control and regulate traffic. In Great Britain, a traffic warden also has a power to search a vehicle (транспортное средство) and to apprehend an offender. Traffic police can close off traffic to make way for a special vehicle. But they do not have a power to block off traffic so that a highranking official could drive free of it.

This story can be a good illustration to it: one day Her Majesty the British Queen Elizabeth the Second came late for the military air show because her limousine could not outride the slow-going training vehicle (учебный автомобиль) without breaking traffic rules.

British traffic wardens are very law-abiding (законопослушный) police officers. On the other hand, they never hesitate (колебаться) to fine their colleagues in case of any violations of traffic regulations. Last year London policemen paid £ 326 of fines for illegal parking, speeding and other traffic violations.

СПИСОК РЕКОМЕНДУЕМОЙ ЛИТЕРАТУРЫ

Агабекян, И.П. Практический английский для студентов-юристов / И.П. Агабекян. – Ростов-на-Дону : Феникс, 2003. – 416 с.

Английский для юристов : учеб. для студентов вузов, обучающихся по специальности «Юриспруденция» / А.А. Лебедева, Г.Н. Аксенова, Е.В. Бараник [и др.]. – 2-е изд. – Москва : Юнити-Дана, 2017. – 375 с. // Электронно-библиотечная система IPR BOOKS : [сайт]. — URL: <https://www.iprbookshop.ru/81612.html> (дата обращения: 20.01.2022).

Английский язык. Профессиональная лексика для юриста : учеб. пособие / И.В. Крюковская, Р.В. Хорень, А.В. Савина [и др.]. – Минск : Вышэйшая школа, 2014. – 224 с. // Электронно-библиотечная система IPR BOOKS : [сайт]. — URL: <https://www.iprbookshop.ru/35458.html> (дата обращения: 20.01.2022).

Плужник, И.Л. Legal English = Учебник английского языка для студентов юридических специальностей / И.Л. Плужник. – Екатеринбург : ГИИП Урал. рабочий, 2002. – 245 с.

Попов, Е.Б. Legal English. Specialties and Particulars = Английский язык для юристов. Книга первая: углубленный курс / Е.Б. Попов. – Оренбург : Оренбург. ин-т (фил.) Моск. гос. юрид. ун-та им. О.Е. Кутафина, 2015. – 235 с. // Электронно-библиотечная система IPR BOOKS : [сайт]. – URL: <https://www.iprbookshop.ru/30546.html> (дата обращения: 17.01.2022).

Ткаченко, А.В. Английский язык для юристов : учеб. пособие / А.В. Ткаченко, Е.Б. Гайко. – Москва : Рос. тамож. акад., 2020. – 144 с. // Электронно-библиотечная система IPR BOOKS : [сайт]. — URL: <https://www.iprbookshop.ru/105671.html> (дата обращения: 20.01.2022).

Encyclopedia “Britannica”. – URL: <https://www.britannica.com>.

Evans V. Career Paths. Law / V. Evans. – Express Publishing, UK, 2011. – 117 p.