UNIT V
CRIMINAL LAW

READING AND SPEAKING

Text A  What’s a Crime?

Task: read the text, translate it into Russian.

A crime is an offence against the whole society; it is a wrongful act or omission, serious enough for the wrong-doer to be punished by the rest of the community. Criminal behaviour is seen as sufficiently serious or deviant or immoral for the majority of society to ban it. Of course, what may be outlawed one year may not have been the year before. Public opinion is not set for all time and legislation reflects changing habits and norms. Moreover, new forms of potentially criminal activity arise, and the courts respond to those too. Thus, definitions of what is to be regarded as criminal can change quite radically over years.

Criminal law in the widest sense covers a multitude of activities and sins – from murder, rape, arson, theft and damage of property to the less overtly criminal matters of careless motoring, selling unfit food or serving alcohol to a teenager. The principal areas of Criminal law are offences against persons and offences against property. Offences against persons can be fatal and nonfatal. The former deals with homicide (killing of a human being by a human being) which falls into three categories: murder (premeditated unlawful killing of another), manslaughter, infanticide. The latter covers such crimes as assault and battery, wounding and grievous bodily harm, sexual offences (rape and others), kidnapping.

Offences against property include: theft, robbery, burglary, blackmail, arson, forgery and counterfeiting.

They distinguish a group of the so-called inchoate offences: aiding and abetting, incitement, conspiracy, attempt.

There are offences which effect the secrets of the state or international in character: piracy and hijacking, treason, terrorism.

There are a number of offences concerned with obstructing justice: perjury, assisting offenders, concealing, refusal to assist a police officer, contempt of court.

There are also road traffic offences.

As for the classification of crime the Criminal Law Act 1967 introduced the concept of “arrestable” and “non-arrestable” offences, thus abolishing the old distinction between felonies (serious crimes) and misdemeanours (minor offences).
An arrestable offence is one for which no specific arrest warrant is required; a police officer can arrest without a magistrate’s warrant for a suspected crime carrying a maximum of five year imprisonment or where the penalty is fixed by law as is in the case of murder, treason and piracy with violence.

Otherwise, however, when an offence is a non-arrestable one warrants are issued when the defendant has failed to answer a summons and the magistrates think it essential that he should be present at the hearing. Summons is directed to a constable and orders him to arrest the person named in it and bring him before the court. It must contain particulars of the alleged offence.

Another way of classification is by the manner of trial. Criminal offences may be broadly divided into two main classes: indictable offences, and offences punishable on summary conviction before magistrates (summary offences). Indictable offences are tried by a jury. They therefore may be generally regarded as serious ones and summary cases as less serious or minor.

Two essential concepts in the operation of the Criminal Law are those of actus reus and mens rea.

Actus reus means the “guilty action”, mens rea – ‘guilty mind’. In other words it must be shown that the accused has committed an act or omission which is criminal in nature. Secondly, it must be shown that he intended to commit an offence (though it may not always be a matter of deliberate intention – inattentiveness, recklessness or some other state of mind will suffice to constitute mens rea).

Thus actus reu is, approximately, the physical element of crime, mens rea is the mental element. A conviction cannot be secured unless it is shown that both factors were present.

It is for the prosecution to prove mens rea and actus reus beyond reasonable doubt;¹ the burden of proof² lies upon the Crown.

Notes:
1. beyond reasonable doubt – вне всяких сомнений
2. the burden of proof – бремя доказательства

Word Study
Ex. 1. Read the international words and guess their meaning. Mind the stress.

''public' 'principle' ar'rest
''norms' 'categories' po'lice
''alcohol' 'serious
''teenager' 'physical
''person' 'element
''maximum
''summary
Ex. 2.  *Give nouns derived from the following verbs:*

To ban, to kill, to arrest, to suspect, to offend, to omit, to punish, to legislate, to wound, to aid, to abet, to incite, to assist, to abolish, to convict, to accuse.

Ex. 3.  *Pair the verbs in column A with a suitable phrase in column B:*

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) accuse someone</td>
<td>a) in cold blood</td>
</tr>
<tr>
<td>2) arrest someone</td>
<td>b) into custody</td>
</tr>
<tr>
<td>3) ban</td>
<td>c) a witness</td>
</tr>
<tr>
<td>4) break</td>
<td>d) telephone boxes</td>
</tr>
<tr>
<td>5) charge someone</td>
<td>e) for armed robbery</td>
</tr>
<tr>
<td>6) commit</td>
<td>f) a prison sentence</td>
</tr>
<tr>
<td>7) cross-examine</td>
<td>g) a case</td>
</tr>
<tr>
<td>8) hijack</td>
<td>h) with murder</td>
</tr>
<tr>
<td>9) hold up</td>
<td>i) smoking in public places</td>
</tr>
<tr>
<td>10) murder someone</td>
<td>j) of shoplifting</td>
</tr>
<tr>
<td>11) pinch</td>
<td>k) the alarm</td>
</tr>
<tr>
<td>12) serve</td>
<td>l) a crime</td>
</tr>
<tr>
<td>13) sound</td>
<td>m) some money</td>
</tr>
<tr>
<td>14) take someone</td>
<td>n) a plane</td>
</tr>
<tr>
<td>15) try</td>
<td>o) the law</td>
</tr>
<tr>
<td>16) vandalize</td>
<td>p) a bank</td>
</tr>
</tbody>
</table>

Ex. 4.  *Add nouns to the following adjectives to form noun phrases:*

**Adjectives:** wrongful, criminal, changing, fatal, serious, summary, mental, guilty, principal, international.

**Nouns:** activity, conviction, element, behavior, matter, area, norms, crimes, case, offence, mind, habits, action, omission, act, character.

Ex. 5.  *How many adjectives combined with the word “offence” do you know?*

1) criminal
2) inchoate

Ex. 6.  *Match the offences to the correct definition.*

1) Arson a) is taking a person away by force and keeping him as a prisoner, usually in order to demand money for his safe return.

2) Assault b) is the serious crime of stealing large amounts of money from a bank, a shop or a vehicle, often using force or threats of violence.
3) Blackmail c) is the crime of copying things such as banknotes, letters, official documents, etc. in order to deceive people.
4) Burglary d) is killing a person by accident or negligence.
5) Embezzlement e) is forcing someone to have sex with you.
6) Forger y f) is the crime of deliberately setting fire to a building.
7) Fraud g) is taking control of an aeroplane, train, etc. by force, usually in order to make political demands.
8) Hijacking h) is killing a person deliberately.
9) Kidnapping i) is demanding money or favours from someone by threatening to reveal a secret about him which, if made public, could cause the person embarrassment and harm.
10) Libel j) is deliberately taking goods from a shop without paying for them.
11) Manslaughter k) is stealing money that is placed in your care, often over a period of time.
12) Murder l) is the crime of getting money from someone by tricking or deceiving him.
13) Rape m) is the crime of physically attacking someone.
14) Robbery n) is printing or publishing something which is untrue and damages another person's reputation in some way.
15) Shoplifting o) is the crime of breaking into a house, a flat, etc. in order to steal things.
16) Theft p) is the crime of stealing.

Ex. 7. Match each word in the box to a suitable definition.

<table>
<thead>
<tr>
<th>assassination; bribery and corruption; drug trafficking; hit and run; looting; misconduct; mugging; perjury; pickpocketing; pilfering; slander; smuggling; terrorism; treason; trespassing; vandalism</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. is bad or improper behaviour by a person in a position of authority or trust, such as a doctor, dentist, police officer, etc.</td>
</tr>
<tr>
<td>2. is stealing things from people’s pockets or handbags, usually in crowds or in public places.</td>
</tr>
<tr>
<td>3. is saying something untrue about someone with the intention of damaging his or her reputation.</td>
</tr>
<tr>
<td>4. is deliberately damaging public buildings and other public property, usually just for the fun of it.</td>
</tr>
<tr>
<td>5. is offering money or gifts to someone in a position of authority, e. g. a government official, in order to persuade him to help you in some way.</td>
</tr>
<tr>
<td>6. is the crime of lying in court while giving evidence, when you have promised to tell the truth.</td>
</tr>
<tr>
<td>7. is the crime of taking things or people illegally into or out of the country.</td>
</tr>
</tbody>
</table>
8. is murdering a public figure such as a king, a president, etc.
9. is entering privately owned land or property without the permission of the owner.
10. is attacking someone, usually in a public place, in order to rob him or her.
11. is trading in illegal drugs such as heroin, cannabis, cocaine, LSD, etc.
12. is the crime of betraying your own country by helping its enemies.
13. is stealing small amounts of goods or things of little value, often over a long period of time.
14. is a car accident in which the guilty driver does not stop to help.
15. is the use of violence such as murder and bombing in order to obtain political demands or to influence a government.
16. is stealing from shops, buildings, etc. left unprotected after a violent event or a long period of time.

Ex. 8. Continue the following table with the words from ex. 6, 7. Consult the dictionary when necessary.

<table>
<thead>
<tr>
<th>Crime</th>
<th>Criminal</th>
<th>Criminal Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>murder</td>
<td>murderer</td>
<td>to murder</td>
</tr>
<tr>
<td>slander</td>
<td>slanderer</td>
<td>to slander</td>
</tr>
<tr>
<td>mugging</td>
<td>mugger</td>
<td>to mug</td>
</tr>
<tr>
<td>arson</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>robbery</td>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>

Ex. 9. Fill in the missing crimes in the sentences below. Choose from the words in the previous exercises 6, 7.

1. The chief cashier admitted taking £30,000 of the firm's money during the previous three years and was found guilty of _____.
2. She sued the newspaper for _____ when it printed a story about her in which it claimed she had once been arrested for taking drugs.
3. The supermarket decided to install closed-circuit television in order to combat the problem of ______.
4. This is the sixth fire in the area in the past month. The police suspect ____.
5. He pleaded not guilty of murder but guilty of ____ saying that the gun had gone off and killed his wife by accident.
6. There have been so many cases of ______ in the street recently that the police are advising residents to install alarms and to notify neighbours when they go out.
7. The customs officer found nearly £20,000 worth of cut diamonds hidden in the man’s guitar case. He was arrested and charged with ______.
8. Pop stars and famous people often employ bodyguards for themselves and
members of their families as they are constantly worried about _______.
9. Most people of my generation remember the ____ of President Kennedy in Dallas in November 1963.
10. It looked like a real £20 note but on closer examination you could see that it was a very clever _______.

Ex. 10. Complete the following text with the words from the box.

Ex. 10. Complete the following text with the words from the box.

to avoid to force to surrender;
to escape to threaten to warn

Yesterday, robbers _____ an entry into the National Midland Bank in the High Street soon after closing time. They _____ with guns the staff, and forced the manager to give them $50,000 in cash. The robbers ran out of the bank and _____ in a stolen car, and were last seen going in the direction of the London Road. Police _____ the public that these men are very dangerous, and are unlikely _____ , without a fight. Said Chief Inspector Ralph Smith: “We’re sure that we'll catch them soon. They won’t _____ punishment for it”.

Text Study

Ex. 1. Choose the best alternative to complete the following sentences:

1. A person who commits a criminal offence is called a criminal, or ______.
   a) offender
   b) citizen
   c) witness

2. If you attack another person illegally you will be tried for unlawful _____.
   a) damage
   b) assault
   c) action

3. If you physically hurt or injure the person you attack, you will be tried for unlawful assault causing ______.
   a) wounding
   b) murder
   c) infanticide

4. If the injury you cause in the attack is very serious it is called ______.
   a) manslaughter
   b) grievous bodily harm
   c) battery

5. A police officer can arrest ______ for a suspected crime carrying a maxi-
mum of five year imprisonment.
   a) by chance
   b) with an issued warrant
   c) without a magistrates’ warrant

6. The law can punish criminals in many different ways, but the worst is ____.
   a) fine
   b) life imprisonment
   c) death sentence

7. Young people who committed a crime are tried by a special court called _____.
   a) the Juvenile Court
   b) the High Court
   c) the Crown Court

8. ____ cannot be secured unless actus reus and mens rea were present.
   a) an acquittal
   b) a conviction
   c) a discharge

9. Criminal offences may be broadly divided into … .
   a) effect the secret of the state and road traffic offences
   b) indictable and summary
   c) inchoate and obstructing justice

10. The warrant must contain particulars of …
    a) the fatal offence
    b) the non-arrestable offence
    c) the alleged offence

Ex. 2. Mark the statements which are true.

1. Criminal law covers a multitude of activities and sins.
2. The courts must respond to all forms of criminal activity.
3. The criminal behaviour is not seen as serious or deviant for the majority of society to ban it.
4. The police officer can arrest without a specific warrant for any suspected crime.
5. The defendant has failed to answer a summons and the magistrates decided to bring him before the court.
6. A conviction cannot be secured unless it is shown that actus reus and mens rea were present.
7. The burden of proof lies upon the Jury.
8. The way of classification of offences by the manner of trial is fatal and non-fatal offences.
10. Offences concerned with obstructing justice are: hijacking, treason, terrorism.

**Ex. 3. Complete the sentences from part A by adding the phrases given in part B:**

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) A crime is an offence …</td>
<td>a) … perjury concealing, contempt of court.</td>
</tr>
<tr>
<td>2) The principle areas of Criminal Law are …</td>
<td>b) … when warrants are issued to arrest the defendant.</td>
</tr>
<tr>
<td>3) Offences against property are …</td>
<td>c) … from felonies to misdemeanours.</td>
</tr>
<tr>
<td>4) Fatal offences fall …</td>
<td>d) … by the Criminal Law Act of 1967 introducing the concept of arrestable and non-arrestable offences.</td>
</tr>
<tr>
<td>5) A police officer can arrest a suspect …</td>
<td>e) … guilty action and guilty mind.</td>
</tr>
<tr>
<td>6) In the widest sense Criminal Law covers multitude activities …</td>
<td>f) … two essential concepts in the operation of the Criminal Law.</td>
</tr>
<tr>
<td>7) Actus reus and mens rea are considered to be …</td>
<td>g) … without a magistrates’ warrant.</td>
</tr>
<tr>
<td>8) The prosecution has to prove …</td>
<td>h) … into three categories: murder, manslaughter, infanticide.</td>
</tr>
<tr>
<td>9) The old distinction between felonies and misdemeanours was abolished …</td>
<td>i) … theft, arson, forgery, counterfeiting.</td>
</tr>
<tr>
<td>10) A number of offences concerned with obstructing justice are …</td>
<td>j) … offences against persons and offences against property.</td>
</tr>
<tr>
<td>11) A non-arrestable offence is an offence …</td>
<td>k) … against the whole society.</td>
</tr>
</tbody>
</table>

**Ex. 4. Write down 10 questions you could ask speaking on “Criminal Law”. Begin your questions differently, like these:**

Did …? Are …? Have …?
Who …? Why …? How long …?
In what cases …?
What measures …?
Ex. 5. Put the crimes on the ladder below, starting with the minor and ending with the most serious.

a) 

<table>
<thead>
<tr>
<th>Minor Offences</th>
<th>Theft</th>
<th>Robbery</th>
<th>Most Serious Offences</th>
</tr>
</thead>
</table>

b) Give reasons for the position of each crime. Use as many words and phrases from the text as possible.

Ex. 6. Case study. Discuss each case in class and decide:
1. How would you feel if you were the victim (the defendant) of the crime?
2. If you were the judge, would you give a different sentence?
3. If you were the judge, would you reinvestigate the case to reveal other facts or circumstances?
4. Was justice done?

**Assault**

In 1976 a drunk walked into a supermarket. When the manager asked him to leave, the drunk assaulted him, knocking out a tooth. A policeman who arrived and tried to stop the fight had his jaw broken. The drunk was fined 10 pounds.

**Shop-lifting**

In June 1980 Lady Isabel Barnett, a well-known TV personality was convicted of stealing a tin of tuna fish and a carton of cream, total value 87p, from a small shop. The case was given enormous publicity. She was fined 75 pounds and had to pay 200 pounds towards the cost of the case. A few days later she killed herself.

**Fraud**

This is an example of a civil case rather than a criminal one. A man had taken out an insurance policy of 100,000 pounds on his life. The policy was due to expire at 3 o’clock on a certain day. The man was in serious financial difficulties, and at 2.30 on the expiry day he consulted his solicitor. He then went out and called a taxi. He asked the driver to make a note of the time,
2.50. He then shot himself. Suicide used not to cancel an insurance policy automatically. (It does nowadays). The company refused to pay the man’s life, and the court supported them.

Ex. 7. Read the following newspaper headlines and decide what crime has been committed. Discuss in pairs.

- Pensioner attacked and robbed in broad daylight
- Three injured in bank hold up
- Child run over by drunk driver
- Youth destroy town hall
- Teens beaten up at rock concert
- 28 cars stolen over weekend

Ex. 8. Read the newspaper report and put the jumbled paragraphs in order.

**Rioting in Bracknell Continuous**

- At daybreak on Monday morning, prisoners gathered on the roof and, using a loud hailer, said that wouldn’t surrender until demands for better conditions were not met. These include upgraded facilities and amend to overcrowding, a problem affecting an increasing number of British prisons.
- The trouble began shortly after 8 o’clock when several prisoners locked themselves into the canteen after the evening meal had been served. Within hours, the rioting had spread to other sections of the prison, and by Sunday morning prisoners had completed control over the prison. Prison wardens were forced to retreat to the other section of the prison building and described the situation inside the prison as “complete anarchy.”
- As rioting enters its third day, prison authorities were still refusing to negotiate with prisoners, saying, “While prisoners are still in control of the prison there is no question of any negotiating taking place. We will not be subjected to this kind of blackmail.” Prisoners seem equally determined to start their ground and the situation looks sad to continue until their demands are met.
- Prison staff in Berkshire were on full alert yesterday after riots broke out in Bracknell prison on Saturday night.

**Text B**

**What is Criminology?**

**Task:** read the text and get ready to discuss its main points.

The science of criminology has been known as such for only a little more than a century. “Criminology” aptly described and encompassed the scientific concern with the phenomenon of crime. The term immediately gained ac-
ceptance all over the world and criminology became a subject taught at universities.

The objective of criminology is the development of a body of general and verified principles and of other types of knowledge regarding the process of law, crime, and treatment or prevention.

Classical criminologists thought the problem of crime might be solved through limitations on governmental power, abolition of brutality, and creation of a more equitable system of justice. They argued that the punishment should fit the crime. For over a century this perspective dominated criminology.

Later on, positivist criminologists searched for determinants of crime in biological, psychological, and social factors, they influenced judges to give greater consideration to the offender than to the gravity of the crime when imposing sentences (the current era marks a return to the classical demand that the punishment must correspond to the seriousness of the crime and the guilt of the offender). Among the first researchers to analyze empirical data (facts, statistics, and other observable information) in a search for the causes of crime was Cesare Lombroso (1835-1909) of Italy. His biologically oriented theories had wide influence on American criminology at the turn of the twentieth century. At that time the causes of crime were thought to rest within the individual: criminal behaviour was attributed to feeblemindedness and moral insanity. From then on, psychologists and psychiatrists played an important role in the study of crime and criminals especially after Sigmund Freud developed his well-known theory of human personality. The psychological and biological theories of criminal behaviour share the assumption that such behavior is caused by some underlying physical or mental condition that separates the criminal from the noncriminal. They seek to identify the “kind of person” who becomes a criminal and to find the factors that caused the person to engage in criminal behaviour. These theories yield insight into individual cases, but they do not explain why crime rates vary from one neighborhood to the next, from group to group, within large urban areas, or within groups of individuals.

Biologically based theories popular in the late nineteenth century, fell out of favour in the early part of the twentieth century. The search then moved to cultural and social interpretations. Crime thus was explained not only in terms of the offender but also in terms of social, political, and economic problems. The sociological perspective became popular in the 1920s and has remained the predominant approach of criminological studies. Sociological theories seek the reasons for differences in crime rates in the social environment.

Clearly, criminology is a discipline composed of the accumulated knowledge of many other disciplines. Sociologists, political scientists, legal
scholars, economists, pharmacologists, biologists entered the arena of crimi-
ology.

Ex. 1. Say if these statements are true or false.

1. Criminology as a science dates back to middle ages.
2. Criminology is the body of knowledge regarding crime as an outlawed phenomenon.
3. The object of criminology is the development of knowledge regarding the process of law, crime and treatment or prevention.
4. Among the first researchers to analyze facts, statistics in a search for the causes of crime was Sigmund Freud.
5. Criminology is a discipline composed of the accumulated knowledge of other disciplines.
6. Classical demand is that the punishment must correspond to the seriousness of crime.
7. The psychological and biological theories seek to identify “the kind of person” who becomes a criminal.
8. Sigmund Freud developed his well-known psychological theory of criminal behaviour.

Ex. 2. Here are some answers. What are the questions?

1. The science of criminology has been known as such for only a little more than a century.
2. Criminology is one of the social or behavioral sciences.
3. Crime was explained not only in terms of the offender but also in terms of social, political and economic problems.
4. Sociologists, political scientists, legal scholars, biologists entered the arena of criminology.
5. The objective of criminology is the development of a body of general and verified principles regarding crime, its causes, treatment and prevention.
6. Psychologists and psychiatrists played an important role in the study of crime and criminals.
7. The punishment must correspond to the seriousness of the crime.
8. The positivists searched determinants of crime in biological, psychological and social factors.
9. The sociological perspective has remained the predominant approach of criminological studies.

Ex. 3. Comment on the following chart:

<table>
<thead>
<tr>
<th>Classical</th>
<th>Positivist</th>
</tr>
</thead>
</table>

128
<table>
<thead>
<tr>
<th>criminology</th>
<th>criminology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Free will</td>
<td>Biological determinism</td>
</tr>
<tr>
<td>Cesare Beccaria (1738-1794)</td>
<td>Cesare Lombroso (1835-1909)</td>
</tr>
<tr>
<td>crime – justice – punishment</td>
<td>“born criminal”</td>
</tr>
</tbody>
</table>

**Ex. 4. Explain and expand on the following:**

1. The earliest criminological theories.
2. The development of the biological theories.
3. Views on crime which predominated in the 19th century.
5. All criminals are perverse people.

**Ex. 5. Render the following text into English using topical vocabulary of the present unit:**

**Преступность: врожденное и приобретенное**

Более ста лет назад итальянский врач Чезаре Ломброзо создал галерею «преступных типов».

Он, например, утверждал, что покатый лоб, квадратный подбородок, грубые черты лица, длинные руки и мускулистое телосложение говорят о врожденных (innate) преступных наклонностях (propensities).

Понадобилось много лет, пока теория прирожденного (inborn) преступника потеряла свое влияние. Тем не менее, и в наши дни продолжаются споры о наследовании преступных качеств и о биологических предпосылках (prerequisite) преступного поведения.

Послевоенный экономический рост породил (to cause) у западных лидеров опасное заблуждение (delusion), что с любыми общественными проблемами можно справиться, проводя социальную политику и увеличивая бюджетные отчисления (deduction). Тогда казалось, что давая человеку больше благ, можно изменить его природу. Времена изменились, и стало ясно, что ни либеральные реформы, ни коммунистический диктат не привели к обществу процветания (prosperity).

Исследование, проведенное в Дании показало, что дети преступников, даже если их воспитывать в домах законопослушных (law-abiding) граждан, в большей степени склонны к конфликтам с законом, чем их собственные. Более того, есть все основания считать, что, если один из разделенных близнецов (parted twins) имеет судимость за уголовное преступление, второй рано или поздно тоже станет преступником.
Text C Partakers in a Crime

Task: read the text, focus on its main points.

The common law created a sophisticated system for determining the liability of all persons involved in the commission of a crime. When, where, and how the various parties could be prosecuted, and the use of evidence at trial, depended on the type of participation.

The person who commits the crime is the perpetrator, the principal (though two or more persons may be perpetrators, for example, "group rape" or conspiracy). The person who plays a secondary role, assists the principal, is the accomplice, the accessory.

Principals may be either in the first or in the second degree, while accessories may be either before or after the fact.

A principal in the first degree is the person who actually did the criminal act or was guilty of criminal omission, either with his own hand or through an innocent agent, e.g. a child.

A principal in the second degree is the person who, without actually taking part, is present at the commission of a crime. An accessory before the fact is one who, without being present at its commission, advises or procures it to be done, and does not countermand it before it is done.

An accessory after the fact is one who assists or permits the escape of the criminal.

Thus, accomplices may be charged with procuring an offence, abetting, aiding or counselling. Sometimes aiding and abetting are regarded as meaning much the same thing.

The system has not solved all problems, because the line between committing a crime and aiding in its commission is a fine one. Though principals and accomplices are usually considered equally culpable, in practice judges often impose lighter sentences on accomplices.

Notes:
1. principals in the first or in the second degree – исполнители первой и второй степени (лица, фактически совершающие преступление или оказывающие пособничество в совершении преступления)
2. accessories before or after the fact – соучастники до или после совершения преступления (подстрекатели или укрыватели)
Ex. 1. Fill in the following chart and comment on it.

Partakers in a crime

Ex. 2. Here are the answers to some questions to the text. What are the questions?
The person who commits the crime is the perpetrator. (special)
Principals may be either in the first or in the second degree. (alternative)
A person did the criminal act with his own hand. (special)
An accessory after the fact assists or permits the escape of the criminal. (alternative)
Sometimes aiding and abetting are regarded as meaning much the same thing. (disjunctive)

Text D

Juvenile Delinquency

Task: read the text and list the main causes of juvenile delinquency.

In Britain a minor for most legal purposes is a person under the age of eighteen. Under the Children and Young Persons Act 1969 minors over 14 are presumed to be fully responsible for their actions. Children under the age of 10 are, in the eyes of law, deemed to be incapable of performing a crime.

A young person is judged capable of criminal intentions in the same way as an adult. A great percentage of adult offenders started their careers as criminals between 14 and 21 years of age. About 80% of chronic juvenile offenders later become chronic adult offenders.

In many countries the meaning of juvenile delinquency is so broad that it embraces practically all manifestations of juvenile behaviour. Thus, disobedience, stubbornness, lack of respect, smoking, collecting cigarette butts, hawking and the like are considered as juvenile delinquency. Even in highly civilized countries such as the United States and Sweden complete statistics on juvenile offenders are not available.

Juvenile delinquency is often regarded as a social problem, it is mostly the result of poor living conditions. Therefore, the improvement of these conditions is recommended as a way of preventing juvenile delinquency. Studies
show that juvenile delinquency tends to increase rapidly in cities or countries undergoing economic and social changes.

Psychological factor is also called among factors causing juvenile delinquency. Tension, lack of affection, aggressiveness, frustration and the like often lead to crimes. Thus, satisfaction of emotional needs of minors is of particular importance. The disintegration of the family and the lowering of moral standards are also contributory causes of juvenile delinquency.

Treatment of young offenders embraces all types of methods of social rehabilitation and measures, including disciplinary measures and punishments. There should be a system of individualized treatment. Therefore, punishment may be understood to mean, among other things, fines, restitution, compulsory attendance at particular centres or institutions, detention and deprivation of liberty. The selection of staff in charge of treatment is particularly important in the treatment of juvenile offenders.

Despite the large number of theoretical and empirical studies on male delinquent subcultures, little was known about female delinquent subcultures until recently. Female delinquent subcultures, like their male counterparts, were composed of members who had been frustrated in their efforts to achieve the goals (respectability, marriage, status). They thus had drifted into a subculture that offered them substitute status, albeit outside legitimate society. Drug use and prostitution became all but inevitable among mostly lower-class females.

Ex. 1. Put the following sentences in the logical order.

1. Psychological factor is called among factors causing juvenile delinquency.
2. Juvenile delinquency is often regarded as a social problem.
3. In the eyes of law, children under the age of 10 are incapable of performing a crime.
4. Treatment of juvenile offenders embraces all types of methods and measures, including disciplinary measures and punishment. In many countries the meaning of juvenile delinquency is so broad that it embraces all manifestations.
5. A great percentage of adult offenders started their criminal careers between 14 and 21 years of age.

Ex. 2. Explain and expand on the following:

1. A young person is judged capable of criminal intentions in the same way as an adult.
2. The disintegration of the family is also a contributory cause of juvenile delinquency.
3. The selection of staff in charge of treatment is particularly important in the
treatment of juvenile offenders.

**Text E  Kidnap Suspect for Trial**

**Task:** fill in the following verbal phrases from the box in the right form to complete the sentences.

<table>
<thead>
<tr>
<th>to be accused</th>
<th>to be charged</th>
<th>to stand trial</th>
</tr>
</thead>
<tbody>
<tr>
<td>to be arrested</td>
<td>to handle negotiations</td>
<td></td>
</tr>
</tbody>
</table>

A British businessman who ... ... of being involved in a 1,5 million pounds’ kidnap plot is ... ... in West Germany after a successful extradition¹ action.

   Alan Rees, aged 35, a businessman ... ... with being concerned in the kidnap of a manager of Air Lufthanse.

   He was also accused of ... ... for ransom².

   Mr Rees ... ... when he returned to the United Kingdom and banknotes used for ransom were found in his possession.

   Mr Clive Nicholls, for the defence, said the case was “unsatisfactory and disturbing”.

   *(from "The Times")*

**Notes:**

1. extradition – выдача преступника
2. ransom – выкуп

**Dialogue 1. Stop Rewarding the Criminal**

**Task:** read the dialogue, reproduce it a) abridged, b) in the form of a monologue.

**Ian:** I really do think that everyone is far too soft on crime¹ nowadays.

**Victor:** Soft on crime, I suppose so, but what should we do then?

**Ian:** Well, for a start I think we’ve got to stop rewarding the criminal.

**Victor:** What do you mean, Ian, rewarding the criminal?

**Christine:** Well, Victor, I suppose he means this business of sending kids off on holidays and stuff like that.

**Ian:** Thank you, Christine, exactly... It’s a terrible business in this country, I don’t know where else they would do such a thing.

**Victor:** Yeah, but come on, Ian. Lots of these kids who commit crimes they’ve come from really terrible upbringings and probably come from broken homes and criminal backgrounds themselves...

**Christine:** And so on, we all know the excuses. But they’ve got to be shown the difference between right and wrong.
Victor: But you don’t think that one way of doing this is by taking them away under supervision and letting them sort their problems out more?
Christine: Maybe yes. I can see the logic behind that, but they’ve still got to pay. There should be retribution, you know, punishment as well as rehabilitation.
Ian: Right… And so what would you do, Christine?
Christine: Use corporal punishment.
Victor: What do you mean by beating them?
Christine: Yeah. Like in the old days. A short sharp shock. Give them something to remember.
Ian: But that’s … pretty barbaric, isn’t it? I’d draw the line at that. It’s better to put them in jail. After all they get some … guidance and help.
Victor: Jail makes people worse in my opinion. Universities of crime.
Christine: They need a bit of discipline … . Very often these kids have just been allowed to get away with anything, their parents have no control over them whatsoever.
Ian: So I suppose you’re in favour of capital punishment too then …
Christine: Well, as it happens I’m not.
Ian: Oh, really? Well, I am … in certain circumstances.
Victor: Now that’s barbaric, Ian.
Christine: Mm … don’t get me wrong. I’m against it not because it’s cruel. Frankly, capital punishment is too good for some people.

Notes:
1 to be too soft on crime – быть недостаточно строгим по отношению к преступлениям
2 I’d draw the line at that – на это я уж не согласен

Ex. 1. How is the following expressed in the dialogue?
1. deserved punishment
2. the process of keeping watch over something or somebody
3. a person’s family, experience and education
4. a place where criminals are kept
5. to put in order, put right
6. the reason, whether true or false, given when asking to be forgiven for something
7. being given the opportunity to live an ordinary life again
8. help, advice
9. related to the body

Ex. 2. Study the dialogue and analyse different ways of keeping the conversation going:
• asking direct questions
• expressing one’s point of view on the problem
• repeating part of the other person’s statement
• asking tag questions, etc.

Ex. 3. Translate and activate the following sentences in your speech:
1. Необходимо прекратить поощрять преступника.
2. Многие дети, которые совершают преступления, сами родом из неблагополучных, с уголовным прошлым семей.
3. Мы все знаем причины этих преступлений.
4. Им следует объяснить, что – хорошо, а что – плохо.
5. Не кажется ли тебе, что их следует держать под присмотром и дать им возможность самим разобраться со своими проблемами.
6. Я все равно думаю, что им следует отвечать за свои проступки.
7. Я выступаю за телесное наказание.
8. Мне кажется, что тюрьма делает людей еще хуже.
9. Детям нужна дисциплина, часто родители их не контролируют.
10. Смертная казнь в некоторых обстоятельствах – слишком мягкая мера наказания.

Dialogue 2. Crime Rates in Europe

Task: study the dialogue between a British and an overseas law student.

Alexander: I’ve just looked through current statistical data on crime. They say that every 24 hours the police in Britain record two murders, ten rapes, 50 sexual assaults, 50 assaults causing grievous bodily harm, 113 muggings and other robberies, 2800 burglaries and 1200 car thefts.

Robert: As you see, these figures show a rise in a crime rate. And this is a big disappointment.

Alexander: I’m writing an article now, a kind of comparative crime research. And according to the latest international survey Britain’s
crime rate is lower than the European average and lower than that in Holland, Germany, Canada and Australia.

Robert: However, the public’s understanding of crime is not impressive. A recent survey found that two-thirds of the population believe that 50 per cent of crimes are violent offences against the person. The true figure is 6 per cent.

Alexander: Who usually becomes a victim?

Robert: The elderly, for example, fear crime the most. Especially violent crime. Although they are the least likely to become victims. The most dangerous age of all is under one year old: 28 homicide victims per million babies. Only children 5-15 are safer.

Alexander: And do you know that in the USA 28.8 per cent of the population have been a victim of a crime. And nearly twice as many murders were committed in the City of New York as in England and Wales.

Robert: Well, but nobody in Britain is complacent. A computer study of every person born in a certain month in 1973 revealed that by the age of 30, one in three men had been convicted of a crime. One in 16 had been in prison. One in eight born in 1973 had committed a crime of violence by the age of 20.

Alexander: The figures are terrible.
And they prove the crime increase tendency.

**Robert:** It’s very sad.

**Роберт:** Очень печально.

**Ex. 1. Find English equivalents to the following:**

жестокое преступление, последние статистические данные, кража со взломом, тяжкие телесные повреждения, жертва, убийство, рост преступности, изнасилование, международный обзор, уличное ограбление, быть осужденным за преступление, угон автомобиля, нападение на сексуальной почве.

**Ex. 2. Fill in the blanks with the appropriate word from the box. Mind the difference in stress.**

<table>
<thead>
<tr>
<th>to record – record</th>
<th>to decrease – decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>to conduct – conduct</td>
<td>to import – import</td>
</tr>
<tr>
<td>to increase – increase</td>
<td>to export – export</td>
</tr>
</tbody>
</table>

1. How he died is not _____ .
2. Crime is on the ______ .
3. The UK produces and ____ iron and steel products, machinery and electronics.
4. The population of this country has ____ because people die of starvation.
5. Federal magistrate judges can hold hearings on motions seeking to control lawyers’ ____ of discovery in civil cases.
6. John and Peter both have fine military ______ .
7. The number of serious crimes has ____ in the past few years.
8. The economy of the country is on the rise due to ____ of gas.
9. Anti-smoking campaign has led to the ____ of smokers western countries.
10. Britain ____ coffee, tea, fruit and wine.
11. They are authorized ____ trials in civil cases and in criminal misdemeanor cases.
12. ____ of oil has considerably increased.

**Ex. 3. Sum up the information you have learnt form the dialogue making use of the following:**

current statistical data, to record, assault, mugging, murder, robbery, burglary, crime rate, comparative crime research, according to, survey, violent offence, victim, homicide, to commit a crime, to be convicted of something.
Уголовное право

Уголовное право – отрасль права, представляющая совокупность юридических норм, которые определяют преступность и наказуемость деяний, опасных для данной системы общественных отношений. Система уголовного права базируется на трех основных принципах.

Принцип конституционной законности выражается в том, что никто не может быть привлечен к уголовной ответственности и подвергнут наказанию иначе как за деяния, содержащие состав преступления, предусмотренный уголовным кодексом, а уголовное наказание может быть применено только по приговору суда.

Принцип гуманизма проявляется в том, что наказание не преследует цели причинения физических страданий или унижения. Согласно этому принципу, лица, совершившие преступления, могут быть освобождены от уголовной ответственности и наказания. Применение некоторых видов наказания к несовершеннолетним, беременным женщинам и женщинам, имеющим малолетних детей, не допускается.

Принцип ответственности заключается в своевременном и полном раскрытии каждого преступления. Каждый совершивший преступление должен быть подвергнут справедливому наказанию для его исправления и перевоспитания, а также для предупреждения совершения новых преступлений.

LISTENING COMPREHENSION

Text. Do You Live in a Burglar-Friendly House?

Pre-listening activities

Make sure that you know the following:
- to catch smb’s eyes = to attract smb’s attention
- to keep an eye on = to watch
- to take a good look at = to look attentively at
- to signal nice possessions = to demonstrate smb’s welfare

Listening activities
Read the following summary of the text, then listen to the tape and fill in the gaps.

Once your house has been 1) … it will most likely happen again, unless you make sure your house is not burgled 2) … burglars think that the bigger the house, the richer the 3) … are. 4) … will catch the burglar’s eye. You may complain about nosy 5) … but it’s good to know someone is watching your house while you’re away. You should’t draw attention to new things by leaving empty 6) … by the dustbin. You should be sensible and leave light on in your 7) … when you go out at night. An open 8) … is an invitation to burglars. If you leave 9) … milk bottles on the doorstep, you will give burglars the 10) … light to break in. A good idea is to take photos of your possessions and label valuable items.

After listening activities
Make up a list of your own recommendations how to protect a house (flat) from being burgled.

GRAMMAR SECTION

Grammar to be revised: The Infinitive. The Infinitive Constructions

Ex. 1. Analyse the forms and the functions of the Infinitive. Translate the sentences.

1. To prevent youth crime is perhaps the most important objective of any state.
2. To ensure personal security means to protect the vital interests of a person from external and internal threat related to political and military activity as well as environmental, informational and humanitarian safety.
3. To interpret means to decide if a law follows the Constitution.
4. The appeal process is set up to help make people sure of fair trial as possible.
5. The first officer to arrive at the scene of a crime has two major responsibilities: a) to examine the victim for signs of life, and b) to protect and preserve all physical evidence.
6. If there are no witnesses, the entire case must be proved through physical evidence alone.
7. There is a need to develop a concept of a state policy to prevent juvenile crime.
8. The facts about the crime to be obtained by the investigator can be given by the witnesses.
9. The crime to have been committed a year ago is still being investigated.
10. The witness claimed to have seen the robber at the scene of the crime.
11. Modern crime to be endangering all aspects of human activity is a common and powerful threat for mankind.
12. Although a person under arrest has arrived to refuse to answer questions, the arresting officer may lawfully search the person arrested and find some incriminating evidence.

**Ex. 2. Combine the sentences using the Infinitive.**

*Model 1:* He broke into the house. He wanted to steal the jewellery.

He broke into the house to steal the jewellery.

11. I disclosed these facts. I wanted to guarantee your acquittal.
12. The experts were called to the scene of the crime. They were to lift fingerprints.
13. You will be called to the court. You will give evidence.
14. The criminals broke into the garage. They wanted to steal a car.
15. He shot at the policeman. He wanted to resist the arrest.
16. They destroyed all the documents. They wanted to conceal the embezzlement.

*Model 2:* He is very experienced. He can investigate a murder case.

He is experienced enough to investigate a murder case.

1. The offence is not serious. It will not be tried by jury.
2. The evidence is not convincing. The prosecution can’t accuse you of burglary.
3. The thief was very smart. He escaped the arrest.
4. The distinction between a robbery and a theft is clear. Everybody can understand it.
5. The criminal was quite thin. He could slip between the bars.

**Ex. 3. Transform the sentences according to the model using the Infinitive:**

*Model:* He was the first witness who gave evidence.

He was the first (witness) to give evidence.

1. Jack Black was the only one who pleaded guilty. 2. He was the first man who managed to break out of this prison. 3. She was the first woman who was sentenced to death in the US. 4. He was the last prisoner who remained in custody. 5. Franklin D. Roosevelt was the only President in the USA who was elected four times (the first time in 1933).

**Ex. 4. Analyse and translate the sentences containing the Infinitive Constructions:**

*a) the Objective Infinitive Construction (Complex Object):*
1. We believe society to offer strong resistance to crime and its influence in every sphere of life.
2. Everybody considered them not to be guilty.
3. The witness saw a man enter the house and leave it ten minutes later.
4. The police officer wanted the suspected man to be questioned at once.
5. The investigator expected us to give all the information about that accident.
6. Nobody knew him to have been arrested, but his family.
7. People believe the prevention of crime to be one of the main functions of the police.

b) the Subjective Infinitive Construction (Complex Subject):
1. Crime has turned to become crueler nowadays.
2. The Criminal Investigation Department is considered to be one of the most complicated police services.
3. Crime is seen to be a social illness and a by-product of the social system within the state.
4. Laws are known to be adopted to protect the interests of all the people in the country.
5. The criminal happened to be arrested rather quickly.
6. The defendant’s fingerprints proved to be the only means of identifying the victim.
7. Crime is considered to be a threat to the entire state system, effecting different areas of public life, every person and his security.

c) For-Infinitive Construction:
1. It’s for the police officer to collect the facts and provide sufficient evidence for the criminal to be brought to justice.
2. The investigator’s negative attitude made it impossible for the suspect to have proved his innocence.
3. There is no limit for the fine to be imposed on indictment.
4. The Police and Criminal Evidence Act 1984 provides a general conditional power for the police to arrest a person reasonably suspected of any offence with or without a warrant used by magistrates.
5. Who can explain why it’s possible for some people to commit crimes without having motives?
6. It is only for the jury to decide whether the defendant is guilty or not guilty.
7. It’s for the state to protect the people and society itself from crime.

Ex. 5. Transform the following sentences using:
a) Complex Object:
Model: I heard that the witness gave evidence.
I heard the witness give evidence.

1. We know that alcoholism, drugs, vagrancy and homelessness are the factors leading to crime.
2. The doctor found that the man had been murdered several hours earlier.
3. I suppose that you will be cross-examined.
4. The attorney expects that his client will tell the truth.
5. I still consider that they are not guilty.
6. The police believe that the millionaire’s son was kidnapped.
7. The defence counsel declared that the defendant was not mixed up in the conspiracy.
8. I know that they have been interrogating the suspect for an hour.
9. We think that the case was dismissed for lack of evidence.
10. It is known that the most typical and dangerous corruption-related crimes include bribe-taking and bribe-giving, theft and embezzlement or abuse of power or position.

b) Complex Subject

Model: It is a crime to smoke marijuana in England. It seems...
It seems to be a crime to smoke marijuana in England.

1. Scientists consider that corruption-related crimes are the most disruptive for the entire system of public administration.
Corruption-related crimes are considered to …
2. The suspect need not prove anything.
The suspect is unlikely to …
3. He is suspected of arson.
He seems to …
4. English law has rather a long definition of murder.
English law is known to …
5. The defendant's acts caused the death of the victim.
The defendant's acts happened to …
6. Mr. Brown was found not guilty.
Mr. Brown is said to …
7. The criminal was caught red handed.
The criminal was reported to …
8. The victim has been poisoned.
The victim is believed to …
9. They are cross-examining the suspect.
They are supposed to …
10. The number of violent crimes is increasing. The number of violent crimes appears to ...

c) For – Infinitive Construction

Model: There are juvenile courts. They deal with offenders under seventeen.
It is for juvenile courts to deal with offenders under seventeen.

1. There are coroners’ courts. They investigate violent, sudden or unnatural deaths.
2. It was very dark. The witness could not see the details.
3. The policy of state towards crime must adjust the changes happening in society and in the world. It must react to them effectively.
4. The victim was terrified. He could not defend himself.
5. He is very young. He can't be put on trial.
6. The amount of crime on transport is frightening. It can't be neglected.
7. I am very poor. I can't make bond.
8. The man is honest. He will not steal the money.
9. There are administrative tribunals in the country. They deal with professional standards, disputes between individuals and disputes between individuals and government departments.

Ex. 6. Define the Infinitive Constructions, if any. Translate the sentences.

1. Probation has proved to be the most successful way of dealing with very young offenders. 2. Traditionally, delinquency is considered to mean such offences as truancy, assault, theft, arson or vandalism, etc. 3. The task facing the police in many areas is to stop criminals who murder for no apparent reason. 4. Such crimes are very difficult to solve. 5. At least twenty women are reported to have been found dead near the Seattle river. 6. Police suppose a man known as the "Green River killer" to be their murderer. 7. A man dubbed Jack the Ripper who murdered seven women in London in 1888 was the first to be recognized as a serial killer. 8. Only in recent years have the law-enforcement authority noticed the number of such crimes to be increasing. 9. To reveal common trends experts have interviewed more than 40 persons convicted of multiple-murder cases. 10. Such criminals appear to be looking primarily for female and juvenile victims. 11. Typically, serial killers have a desire to dominate others. 12. If the defendants are caught they are frequently found to be keen on pornography.

Ex. 7. Use the proper form of the Infinitive and translate the sentences.

1. Criminals can (to punish) in many different ways, but the worst one is death penalty.
2. Young people who commit crimes are known (to try) by special courts called Juvenile Courts.
3. He is unlikely (to justify). Everybody suspects him (to steal) money from the bank.
4. The young man was made (to sign) a paper admitting his guilt, but he believes his innocence (to prove) in trial.
5. I know them (to interrogate) the suspect for an hour already.
6. We expected this case (to discuss) by the Magistrates already.
7. He started his legal career not because he wanted (to earn) his living, but he wanted (to know) and (not to forget) for investigating the most serious crimes.
8. The doctor proved the man (to kill) late at night.
9. A passer-by saw a man (to shoot) a policeman, and didn’t let him (to escape) the arrest.
10. He is known (to arrest and charge) with murder.
11. In the eyes of law children under the age of 10 are incapable (to perform) a crime.
12. Residents are known (to advise) to install alarms as there have been so many cases of robbery in the streets of late.

Ex. 8. Translate into English using the Infinitive.

1. Жертва, если она живая и в сознании – первое лицо, которое необходимо подвергнуть допросу. 2. Если лицо, которое необходимо арестовать, подозревается в совершении тяжкого преступления, следователь может применить все необходимые средства, чтобы преодолеть сопротивление и осуществить арест. 3. Следователь редко прибывает на место преступления первым. Обычно первым прибывает полицейский. 4. Многие деяния, которые теперь считаются преступлениями, в древних обществах рассматривались лишь как вред по отношению к частному лицу, за которое мстило это лицо, его семья или друзья. 5. Сообщалось, что Ватикан помог фашистским военным преступникам скрыться после войны. 6. Первое и самое главное правило, которое должен соблюдать следователь – на месте преступления нет ничего незначительного. 7. Известно, что это дело слушалось при закрытых дверях. 8. Свидетель слышал, как обвиняемый угрожал кому-то. 9. Считается, что украденное золото было инвестировано в различные компании. 10. Предполагают, что этот человек был замешан в контрабанде наркотиков. 11. Я считаю его виновным в подлоге. 12. Все ожидали, что он потребует возмещения убытков. 13. Они все оказались соучастниками кражи со взломом. 14. Следователи обязательно доберутся до сути дела.
UNIT VI
POLICE

READING AND SPEAKING

Text A  Policing in the United Kingdom

Task: read the text and translate it into Russian.

During the twentieth century the English police forces have become well-known throughout the world from the great mass of fiction about crime and detection poured out by so many English authors and often translated into many other languages. Any regular reader of English detective stories is familiar with the name of Scotland Yard and its detectives, and also with the figure of the ordinary English policeman sometimes called with his odd helmet the “bobby” after Sir Robert Peel, the founder of the police force. The modern policeman needs a great variety of new professional skills to enable him to deal with new-style crime which affect life in Britain no less than in other countries. All members of the police must have gained a certain level of academic qualifications at school and undergone a period of intensive training.

Most countries have a national police force which is controlled by central Government. Britain has no national police force, instead there is a separate police force headed by Chief Constable for each of 52 areas into which the country is divided.

Like the army, there are a number of ranks: after Chief Constable comes Assistant Chief Constable, Chief Superintendent, Chief Inspector, Inspector, Sergeant and Constable. Women make up about 10 per cent of the police force. The police are helped by a number of Special Constables – members of the public who work for the police voluntarily for a few hours a week. Policemen are to be seen in towns and cities keeping law and order, either walking in the streets (“pounding the beat”) or driving in cars (known as “panda cars” because of their distinctive markings).

Each police force has its own Criminal Investigation Department (CID). Members of CID are detectives and they do not wear uniforms. (The other uniformed people you see in British towns are traffic wardens. Their job is to make sure that drivers obey the parking regulations. They have no other powers – it is the police who are responsible for controlling offences like speeding, careless driving and drunken driving).

There are Regional Crime Squads in England and Wales with experienced detective officers. The object of the Squads is to provide trained flexible mobile groups of crime investigation.
In most countries, the police carry guns. The British police generally do not carry firearms, except in Northern Ireland. Only a few police are regularly armed – those who guard politicians and diplomats or who patrol airports. In certain circumstances specially trained police officers can be armed, but only with the signed permission of a magistrate.

The duties of the police are varied, ranging from assisting at accidents to safeguarding public order and dealing with lost property.

The Royal Commission on the Police listed eight main functions of the contemporary police force: to maintain law and order, to protect persons and their property, to prevent crime, to detect criminals, to decide whether to prosecute, to perform road traffic duties, to befriend the public.

About a quarter of the police strength of the country is in the Metropolitan Police of London which is responsible for the area of 788 square miles (excluding the City of London).

The Home Secretary in England and Wales and the Secretary of State for Scotland and Northern Ireland are concerned with the organization of the police service.

The decision to commence criminal proceedings in England and Wales is, in most cases, made entirely by the police. In practice the police bring about 97% of all criminal cases to court.

Opinion polls show that the majority of the public sympathize with the police.

Notes:
1. Criminal Investigation Department – департамент уголовного расследования
2. Metropolitan Police – столичная полиция
3. Home Secretary – министр внутренних дел
4. Secretary of State for Scotland and Northern Ireland – министр по делам Шотландии и Северной Ирландии

Word Study

Ex. 1. a) Read the following. Mind the stress. State their meaning. Consult the dictionary if necessary.

'fiction' de'tection politicians
'warden' de'tective investors
'patrol fa'miliar qualifications
'diplomat in'tensive under'go
'guard con'temporary
'sergeant pro'tect
'circumstances pre'vent
b) Pronounce correctly the following proper names:
Sir Robert Peel – [sW 'rObqt pl]  
Scotland Yard – ['skOtld'jRd]  
Chief Constable – ['kJf 'kJmlstqbl]  
Criminal Investigation Department – ['krimlnl ln'vestl'gln(d)n dl'pRtmqnt]  
Regional Crime Squads – ['r]Gqn kralm skwØdz]  
The Royal Commission – ['rOI(q)l kq'mIS(q)n]  
The Metropolitan Police of London – ['mætrq'pØlt(q)n pq'ls] Ov 'lAndqn]  
The Home Secretary in England and Wales – [hqum 'sgkrqtrl ln 'lnglnqd xnd wØllz]  
The Secretary of State for Scotland and Northern Ireland – ['sgkrqtrl Ov stqlt fjL 'skOtld'jØ nd 'nLq(q)n 'alqlqnd]  

Ex. 2. Complete the list of derivatives. Use a dictionary if necessary.

<table>
<thead>
<tr>
<th>Verb</th>
<th>noun (agent)</th>
<th>noun (concept)</th>
</tr>
</thead>
<tbody>
<tr>
<td>to keep</td>
<td></td>
<td></td>
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<tr>
<td>to order</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to drive</td>
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<td></td>
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<tr>
<td>to train</td>
<td></td>
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</tr>
<tr>
<td>to investigate</td>
<td>investigator</td>
<td>investigation</td>
</tr>
<tr>
<td>to guard</td>
<td></td>
<td></td>
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<tr>
<td>to maintain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to detect</td>
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</tr>
</tbody>
</table>

Ex. 3. Pair the words in column A with the ones from column B.

A   B
1) detective a) skills
2) odd b) training
3) professional c) stories
4) academic d) regulations
5) intensive e) qualification
6) police f) helmet
7) parking g) authority
8) controlling h) force
9) national i) offences

Ex. 4. How are the following ideas expressed in one word?
1. an official body of men whose duty is to protect people and property, to catch criminals;
2. a policeman whose special job is to find out information that will lead to criminals being caught;
3. the condition in which laws and rules are obeyed by most of the people and the government or the person(s) in charge can keep control;
4. a certain type of clothing which all members of a group wear, esp. in the army or the police;
5. an official who helps to see that certain laws are obeyed;
6. to do what one is asked or ordered to do by someone;
7. the offence of driving faster than the lawful limit;
8. to examine the reason for something, the character of someone;
9. to go at regular times round an area or building to see that there is no trouble, that no one is trying to get in or out unlawfully;
10. to keep safe, esp. by watching for danger;
11. something unpleasant, undesirable that happens unexpectedly or by chance;
12. ownership, with its rights and duties according to the law.

Ex. 5. **Match English phrases and their Russian equivalents.**

1) the police forces  a) носить форму
2) professional skills  b) период интенсивной подготовки
3) to keep law and order  c) профессиональные навыки
4) a certain level of academic qualification  d) соблюдать правила парковки
5) to wear uniforms  e) уполномоченный по поддержанию порядка на дороге
6) traffic wardens  f) полицейские силы
7) to obey the parking regulations  g) обнаруживать преступников
8) to be armed  h) поддерживать правопорядок
9) to guard politicians and diplomats  i) оказывать помощь при дорожно-транспортных происшествиях
10) to patrol the airport  j) быть вооруженным
11) to assist at accidents  k) выполнять обязанности дорожно-патрульной службы
12) to deal with lost property  l) охранять политических деятелей и дипломатов
13) to perform road traffic duties;  m) патрулировать аэропорт
14) to detect criminals  n) иметь дело с пропавшим имуществом

Ex. 6. **Fill in the missing words in the sentences below. Choose from the following:**

abolished  coroner  internment  martial law
alibi  damages  justice  warden
amnesty  injunction  legislation  warrant

1. The _____________ of political prisoners is quite common in some countries. Britain tried it unsuccessfully in Northern Ireland to combat the IRA.
2. The government is thinking of introducing ___________ making it compulsory for every citizen to carry an identity card.
3. A person who looks after prisoners is called a prison officer or a _____________.
4. Since there was something very suspicious about the man’s sudden death, the ___________ was held at the Town Hall.
5. In Britain, capital punishment in the form of death by hanging was ____________ in 1969.
6. The court issued an _________ forbidding the newspaper from publishing any more photographs of the Princess of Wales at a private Health Club.
7. The police have issued a ____________ for her arrest.
8. Trial by jury is an important part of the British system of _____________.
9. The new governor issued a general _____________ to all the rebels.
10. After the unsuccessful attempt to overthrow the government, the whole country was put under ____________ for a month.
11. His _____________ for the night of murder was that he had been at his girlfriend’s, watching TV.
12. He successfully sued the newspaper for libel and was awarded nearly £50,000 in __________.

Ex. 7. Choose the best alternative to complete the following sentences

1. During the twentieth / eighteenth century the English police forces have become well known throughout the world / only in Great Britain.
2. Policemen are to be seen in towns and cities walking in the streets / sitting in the offices.
3. The modern policeman needs ordinary qualification / a great variety of new professional skills.
4. Separate police force is controlled by central government / a committee of local county councillors and magistrates.
5. The Royal Commission on the Police listed eight / ten main functions of the contemporary police force.
6. About a quarter of the police strength of the country is in Scotland Yard / the Metropolitan Police of London.
7. In practice the police help the court much / bring almost all criminal cases to court.
8. Opinion polls show that the majority / the minority of the public sympathize with the police.
9. The decision to commence criminal/civil proceeding in England and Wales is made by the police/the court.
10. The British police generally do not carry firearms/are regularly armed.
11. Members of CID are inspectors/detectives and they wear/do not wear uniforms.
12. Britain has/has no national police force.

Ex. 8. Complete the following text with the words and expressions from the box:

misconduct; opinion polls; justice; sympathy; mob violence; failures; complaints; terrorist offence

Most people have a positive attitude to the police, and _____ _____ have indicated that there is much public _____ with men and women who have to deal with _____ ______. There is a formal system through which _____ of police behaviour may be investigated, but in the late 1990s it was found that these procedures had not prevented some serious _____ in the system of administering ______. Some Irish people had been convicted of a _____ _____ on the basis of confessions which had been improperly extracted from them, and the truth was discovered only after they had spent several years in prison. There were other cases too in which there were grounds for suspecting that the police had persuaded people to confess to crimes which they had not committed. Some other inquiries revealed more cases of _____ by the police.

Text Study

Ex. 1. Choose the best way to complete the sentences.
1. Any regular reader of English detective stories is familiar with the detectives from
   a) Scotland Yard
   b) Criminal Investigation Department
   c) Regional Crime Squads
2. Each separate police force is headed by
   a) Chief Superintendent
   b) Chief Constable
   c) Chief Inspector
3. The object of the Squads is
   a) to patrol airports
   b) to perform road traffic duties
   c) to provide trained flexible mobile groups of crime investigation
4. The duties of the police are controlled by
   a) central government
   b) a committee of local county councillors and magistrates
   c) the Crown Court

5. Only a few policemen are regularly armed
   a) those who guard politicians and diplomats
   b) traffic wardens
   c) detectives

6. The main duties of police are listed by
   a) the Metropolitan Police of London
   b) the Royal Commission on the Police
   c) the Home Secretary

7. Traffic wardens are sure that …
   a) Special Constables patrol airports
   b) drivers obey the parking regulations
   c) detectives wear uniforms

8. Each police force has its own …
   a) Scotland Yard
   b) the Royal Commission
   c) Criminal Investigation Department

9. There are Regional Crime Squads in England and Wales with …
   a) experienced detective officers
   b) traffic wardens
   c) a number of Special Constables

10. There is a separate police force for each of fifty two areas headed by a …
    a) Chief Inspector
    b) Chief Superintendent
    c) Chief Constable

Ex. 2.  *Mark the statements which are true.*

1. The founder of the police force is Theodore Roosevelt.
2. Britain has its national police force.
3. The police are helped by members of public working voluntarily.
4. The police are not responsible for controlling offences like speeding, careless driving.
5. All police forces are armed.
6. The Metropolitan Police of London are responsible for the whole area of Great Britain.
7. In practice the police bring about 97% of all criminal cases to court.
8. A few police are regularly armed – those who investigate serious crimes.
9. All members of the police have no any level of academic qualification.
10. Members of the CID are detectives and they wear uniforms.

Ex. 3. Complete the following sentences by adding the phrases given in part B.

Part A
1. Britain has no national police force …
2. Britain is divided into 52 areas each has …
3. The police are helped by a number of Special Constables …
4. Traffic wardens make sure …
5. The English police force has become well-known ...
6. Any regular reader of English detective stories is familiar with ...
7. All members of the police must ...
8. There are Regional Crimes Squads in England and Wales with ...
9. In certain circumstances specially trained police officers can be ...
10. The decision to commence criminal proceedings in England and Wales is ...
11. The duties of the police are ranging from ...
12. The main functions of the contemporary police force are ...

Part B
a) armed but only with the permission of a magistrate.
b) assisting at accidents to safeguarding public order.
c) experienced detective officers.
d) made entirely by the police.
e) throughout the world from the great mass of fiction about crime.
f) have gained a certain level of academic qualification.
g) the figure of the ordinary policeman sometimes called the “bobby”.
h) to maintain law and order, to prevent crimes, to detect criminals.
i) instead there is a separate police force headed by Chief Constable.
j) a police authority.
k) members of the public who work for the police voluntarily.
l) that drivers obey the parking regulations.

Ex. 4. Case study.
a) Read the following newspaper headlines and decide what forms of terrorism each headlines describes. Choose one of the headlines and talk about it as if you were a witness.

| President Killed at a Peace Conference | Thousands suffocate in attack on Tokyo’s underground |

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b) Read the article then discuss in pairs 1) what the family should have done to prevent the robbery, 2) what effect this incident has had on their lives, 3) what measures they will take in future, 4) what are the functions of the police.

Mr Robinson whose home was burgled last week, was interviewed by our reporter “We were absolutely horrified to find that we had been burgled. They left us without nothing; some valuables weren’t even insured. Fortunately, my wife’s jewellery is in a safe and there was no money in the house but they absolutely ransacked the place. I know that I stupidly left a window open and yes, we should have asked our neighbours to keep an eye on the house while we were away. The children were very upset; they are staying with their grandparents until we sort everything out. We’ll be more vigilant from now on. We’ve to change all our locks and we are going to have a burglar alarm installed. It’s really shocked all our neighbours because this used to be a really safe area. We are going to organize a neighbourhood watch scheme. I think the worst thing is knowing that someone was in our house. It makes us feel really uncomfortable and uneasy. My wife doesn’t want to stay at home on her own any more. It has been a terrible invasion in our privacy.”

Ex. 5. Render the following text into English using the topical vocabulary of the present unit:

В Великобритании существует 52 полицейских подразделения: 43 в Англии и Уэльсе, 8 в Шотландии и 1 в Северной Ирландии. Столичная полиция и Полиция лондонского Сити отвечают за охрану общественно-го порядка в Лондоне. Кроме того, специальное подразделение транспортной полиции патрулирует железнодорожную сеть, а также метро (subway) в Лондоне.

Полицейская служба финансируется центральным правительством и местными властями. Каждое полицейское подразделение имеет своих специальных констеблей-добровольцев, которые работают в полиции в свободное время и помогают кадровым офицерам полиции, причем их работа не оплачивается. Они являются своеобразным связующим звеном (connecting link) между полицией и населением.

Полицейские подразделения Англии и Уэльса подведомственны ор-
Ex. 6. Choose someone to act as the Chief Constable and answer the visitors’ questions.

What is (are) the figure of an ordinary English policeman
What do you mean by a great variety of professional skills
Could you explain to me (how) to keep law and order
Can you tell me about a number of ranks
Who is (was) Britain has no national police force
uniformed people
the police carry guns
the duties of the police are varied
the work of the police in practice

Ex. 7. Speak on the police force in Great Britain.

1. The organization of the police force in Britain: police officer; founder; to divide into 52 areas; police authority; to be seen in towns; national police force; to work voluntarily;

2. Duties and functions of the police force: to keep law and order; to cooperate; to give assistance at accidents; to deal with lost property; to safeguard public order; traffic wardens; to obey the parking regulations; speeding; careless driving.

3. Members of the police: a number of ranks; to carry firearms; to gain a certain level of academic qualifications; a period of intensive training.

Ex. 8. Make up stories starting or ending with the following.

Once I was arrested on suspicion of burglary...
The police had no leads in their hunt for the killer...
... The suspect didn’t have an alibi for the time of the crime.
... The suspect was released on bail.
Text B  Police in the USA

Task: read the text and get ready to discuss its main points.

Contemporary policemen have the same general objectives as did their counterparts of old: to protect life and property and safeguard the individual liberties guaranteed by the Constitution and to prevent crime and disorder and preserve the peace.

Policemen are given certain limited powers to pursue those objectives. Those powers are either derived from or restricted by six sources: the United States Constitution, legislation of the Congress, legislative enactments of the states, local and county ordinances, court decisions and court precedents.

The police mission involves: the prevention of criminality, repression of crime, apprehension of offenders, recovery of property, regulation of noncriminal conduct, performance of miscellaneous services. Thus, the police have three categories of functions: law enforcement, order maintenance, and community service.

The police are seeking to reduce causes of crime, to trace criminal tendencies and individuals motivated to indulge in antisocial behaviour. The certainty of arrest and prosecution has a deterrent effect, it enables society to punish offenders, to lessen the prospect of repetition by causing suspects to be incarcerated, and provides an opportunity for rehabilitation of those convicted.

Police are also involved in the enforcement of traffic and sanitary-code provisions that are only incidentally concerned with criminal behaviour. There are services peripheral to basic police duties and include, for example, the operation of detention facilities, search and rescue operations, licensing, supervising elections, staffing courts with administrative and security personnel, chauffeuring officials.

There are more than 20,000 separate law enforcement agencies in the United States. Most of them are at the local level – county, city, town, and village forces. More than 600,000 full-time law enforcement personnel, including almost 500,000 sworn officers and over 100,000 civilian employees, serve these agencies. American policing differs from that found in most other countries in its diversity of forces and lack of central coordination and command. The idea that federal and state police functions are separate is basic to the system of federalism.

The agency with the broadest range of duties is the Federal Bureau of Investigation (the FBI). It is considered by many to be the finest investigative body in the world. American policemen hold it in high esteem. The FBI is responsible for the investigation of all federal laws and for violations committed on government property. In addition the FBI's jurisdiction includes matters of internal security (espionage, sabotage, treason); bank robbery; kidnapping;
extortion; interstate transportation of stolen autos, aircraft, cattle, or property; interstate transportation or transmission of wagering information¹, gambling devices, fraud against the government; violations of election law; civil rights violation; and assaulting or killing a Federal officer or the President of the United States. The FBI also operates a national crime laboratory for its use and for use by police departments at all levels of government, and publishes the monthly Law Enforcement Bulletin. The FBI collects crime statistics and publishes them in the Uniform Crime Report, and maintains a central fingerprint repository². The Bureau is engaged in the training of local police officers through the National Academy and through school conducted by traveling teams³ of agents. The FBI agents often possess Law degrees or degrees in accounting; however, applicants with baccalaureate degrees and various amounts of police and military experience are occasionally considered for appointment.

Notes:
1. wagering information – секретные сведения
2. central fingerprint repository – центральная дактилоскопическая карточка
3. traveling teams – выездные группы

Ex. 1. Say if these statements are true or false.
1. Contemporary policemen have modern general objectives that are boundless.
2. The police are seeking to reduce causes of crime.
3. There are services peripheral to basic police duties.
4. The FBI is considered to be the finest investigative body in the world.
5. The FBI is only responsible for the investigation of violations committed on government property.
7. The agents of the FBI are ordinary policemen.

Ex. 2. Complete the following sentences.
1. The general objectives of contemporary policemen are ...
2. Six sources limit the powers of the policemen:
3. The police mission involves ...
4. There are services peripheral to basic police duties, they include ...
5. The FBI jurisdiction includes ...
6. The FBI agents often possess Law degrees or ...

Ex. 3. Here are the answers to some questions on the text. What are the questions?
1. Policemen are given certain limited powers to pursue the objectives.
2. The certainty of arrest and prosecution has a deterrent effect.
3. The police are also involved in the enforcement of traffic and sanitary-code provisions.
4. The agency with the broadest range of duties is the Federal Bureau of Investigation.
5. The FBI’s jurisdiction includes matters of internal security.
6. The Bureau is engaged in the training of local police officers through the National Academy.

**Ex. 4. Explain and expand on the following.**
1. The general objectives of old counterparts and contemporary policemen.
2. Restriction to the powers.
3. The police are seeking causes to reduce crime.
4. Peripheral services to basic police duties.
5. The FBI’s responsibilities.
6. The FBI as a national crime laboratory.
7. The FBI agents possess Law degrees.

**Ex. 5. Points for discussion.**
1. The Police mission in the USA.
2. The Federal Bureau of Investigation.
3. Compare the information of Texts A and B (the British and American police):  
   a) name the differences;
   b) name the common features.

**Text C Scotland Yard**

**Task:** scan the text, render its contents in Russian.

The name “Scotland Yard” originates from the plot of land adjoining Whitehall Palace where, in about 14th century, the royalty and nobility of Scotland stayed when visiting the English Court.

Scotland Yard is the headquarters of the Metropolitan Police in London. To most people, its name immediately brings to mind the picture of a detective – cool, collected, efficient, ready to track down any criminal with complete confidence that he will bring him to justice or a helmeted police constable – that familiar figure of the London scene and trusty helper of every traveler from overseas.

Scotland Yard is situated on the Thames Embankment close to the House of Parliament. Its jurisdiction extends over 740 square miles with the exception of the ancient City of London, which possesses its own separate police force.
One of the most successful developments in Scotland Yard’s crime detection and emergency service has been the “999 system”¹. On receipt of a call the 999 Room operator ascertains by electronic device the position of the nearest available police car, which is contacted by radio. Almost instantly, a message is also sent by teleprinter to the police station concerned, so that within seconds of a call for assistance being received, a police car is on its way to the scene and all neighboring police stations have been notified.

Apart from the 999 Room, one of the most interesting places in Scotland Yard is the Map, the Accidents Map² and the Vehicles Recovered Map³.

An old-established section of the Metropolitan Police is the Mounted Branch⁴, with its strength of about 200 horses stabled at strategic points. These horses are particularly suited to ceremonial occasions, for they are accustomed to military bands.

An interesting branch of Scotland Yard is the branch of Police dogs, first used as an experiment in 1938. Now these dogs are an important part of the Force. One dog, for example, can search a warehouse in ten minutes, whereas the same search would take six men an hour.

There is also the River Police, or Thames Division, which has its own crime investigation officers who handle all crimes occurring within its river boundaries.

There are two other departments of Scotland Yard – the Witness Room (known as the Rogues’ Gallery) where a photographic record of known or suspected criminals is kept, and Museum, which contains murder relics, forgery exhibits and coining moulds.

Notes:
1. “999 system” – телефонный номер для вызова полиции, скорой помощи, пожарной команды
2. Accidents Map – карта дорожно-транспортных происшествий
3. the Vehicles Recovered Map – карта восстановления уличного движения
4. Mounted Branch – конная полиция
5. the Rogues’ Gallery – картотека жуликов и мошенников

Ex. 1. Put the following sentences in the logical order.
1. One of the most successful developments in Scotland Yard’s crime detection and emergency service has been the 999 Room.
2. The River Police has its own crime investigation officers.
3. Scotland Yard is the headquarters of the Metropolitan Police in London.
4. There are two other departments of Scotland Yard – the Witness Room and the Museum.
5. To most people the name Scotland Yard brings to mind the picture of a cool detective.
6. The Mounted Branch is suited to ceremonial occasions.

**Ex. 2. Fill in the chart.**

```
Scotland Yard
  ├── Museum
  └── [ ]
      └── [ ]
          └── [ ]
```

**Ex. 3. Quote the text to show that:**
1. Scotland Yard has a complex organization.
2. The duties of each branch are varied.

**Text D**

**Municipal Police**

**Task:** study the information on the municipal police and get ready to discuss its main points.

A municipal police department has basically two types of functions to perform: line functions (operations bureau) and nonline functions (administration and service bureaus). Line functions include patrol duties, investigation, traffic control, and various specialized services (juvenile, vice, domestic dispute). Most officers are assigned to patrol duties. The nonline functions include the staff duties that one finds in most large organizations, public or private, such as planning, research, administration and training, budgeting, purchasing, public relations, inspections. Nonline functions also increasingly include the complex tasks of supporting line functions with high-tech services in communications, identification, laboratory work, and data processing, as well as such routine services as building and grounds maintenance, repair services, supply provisioning, and jail administration.

Police departments are not democratic organizations. They function largely along the lines of a military command structure, with military ranks and insignia. Patrol officers are responsible to their sergeants, sergeants to lieutenants, lieutenants to captains, captains to inspectors, inspectors to their chief or director. The structure of operational units is similar to that of other governmental
departments. A bureau is at the highest level; divisions (such as a criminal investigation division) are at the next lower level; and sections are at the lowest level (the art theft section, for example). The goal of this type of organization is efficient performance. The day-to-day and night-to-night operations of line officers are carried out in shifts or watches, usually of eight consecutive hours but often lasting longer.

Patrol officers are usually the first law enforcement persons on the scene of a crime. They conduct the initial search, block off the crime scene for later investigation, interview victims and witnesses, and make a report of the facts. Small police agencies may have only patrol officers. In larger agencies, the patrol unit constitutes about two-thirds of the officers. The function of this unit is to deter crime by the presence of officers on the street, to check on suspicious activities, to respond to calls for aid, to enforce laws, and to maintain order. The public is more familiar with patrol officers than with officer of other units because they are the ones who walk or cruise the neighborhoods, constantly coming into contact with the resident. For this reason the patrol officer is very important to the relations between the police and the community.

Most detectives are trained in modern techniques of investigation and in the laws of evidence and procedure. They interact with many other individuals or police units, such as the traffic, vice, juvenile, and homicide divisions. And they spend most of their time on rather routine chores involving quite a bit of paperwork. Detectives, however, occupy a more prestigious position in a police department than do patrol officers. They receive better salaries, they have more flexible hours, they do not wear uniforms, and they can act more independently.

After a crime is reported, detectives investigate the facts in order to determine whether a crime has been committed and whether they have enough information to indicate that the case warrants further investigation. This information may come from patrol officers or members of the public. If a full-scale investigation is undertaken, detectives begin the process of reinterviewing witnesses, contacting informants, checking crime files, and so on. Modern detective work sometimes includes sting operations, which are undercover operations in which police pretend to involve themselves in illegal acts to trap a suspect. They may pose as fences in order to capture thieves or as wealthy businesspeople offering money to those suspected of taking bribes.

Metropolitan police departments have specialized units to deal with specific kinds of problems. The traffic unit, for example, is responsible for investigation of accidents, control of traffic, and enforcement of parking and traffic laws. Since police departments have neither the resources to enforce all traffic laws nor the desire to punish all violators, they have a policy of selective enforcement: they target specific problem intersections or highways with high
accident or violation rates for stiffer enforcement. Traffic law enforcement has an important influence on community relations because of the large amount of contact with the public that this task requires.

Most large city departments have a vice squad. It enforces laws against such activities as gambling, drug dealing, and prostitution. This type of work requires undercover agents, informants, and training in the legal procedures that govern their duties, including the law on entrapment, which forbids law enforcement officers to induce others to commit crimes.

Every department also needs administrators to recruit officers, to plan, to run the budget, to keep records, and to teach.

**Ex. 1. Study the following chart and comment on it.**

**Text E.**  
*Private Policing in the USA*

**Task:** read the text and insert suitable words from the box:

<table>
<thead>
<tr>
<th>crime rates</th>
<th>law enforcement</th>
<th>protection,</th>
</tr>
</thead>
<tbody>
<tr>
<td>security systems</td>
<td>retirement</td>
<td>evidence</td>
</tr>
</tbody>
</table>
One name stands out in the history of private policing in the United States: Allan Pinkerton. In 1849 he became Chicago’s first detective. A year later he set himself up as a private detective, and thus started the private detective business in America. During the Civil War he served in the Union army as a major and set up its successful espionage system.

The 1950s and 1960s were years of civil unrest, increasing _____, and the beginning of terrorism. This was fertile ground for the growth of the private security business. Public ________ was not able to keep up with the demand for protection. Voters were unwilling to increase police budgets. Private enterprises, even housing developments, had to provide for their own _________. Today there are nearly twice as many private security personnel as public police officers.

In the past, few skills were needed to do the work. The development of sophisticated __________ requires technical and management skills. Executive protection requires intelligence, agility, training, and often language skills. Contract security agencies have vastly upgraded their recruitment and educational standards.

Yet much remains to be done to bring private security under public control and to improve the relationship between private and public security. The wages offered by private security entice many police officers to take the earliest possible ________ in order to enter the private sector. To the extent that the private sector benefits from the expensive training and experience of public police officers, the public sector loses. All ________ suggests that private policing will continue to grow, but not without problems.

**Dialogue 1. An Interview**

**Task:** read the dialogue, reproduce it  
  a) abridged,  
  b) in the form of a monologue.

**Reporter:** We’ve got information you insist the number of the police be increased. Police are mainly concerned with crimes. Do you mean there are more crimes for the moment?

**Sheriff:** Exactly ’cause of the considerable increase in population. Our officers are engaged in gathering information for offences to be prosecuted in courts, in questioning people suspected of crimes. And our investigation department also deals with civil wrongs. Of course there are several sub-divisions within the department. We are in bad need of more people on personnel.

**R.:** Do people tend to be less law-abiding?

**Sh.:** The population has considerably increased and consequently the number of criminal and civil offences. And we need more people to control the ac-
tions of the public during public demonstrations and assemblies. Besides we
don't have enough street rangers to support law and order.

R.: People believe the mere presence of the police is a factor in deterring wrong-doers from committing offences including traffic-offences. Do you regard the work of the traffic-police satisfactory?

Sh.: Sure. They manage their duties perfectly well. Our traffic police support law and order on the roads, make decisions as to guilt in driving offences, impose fines without the involvement of a court.

R.: Public cannot obtain any information on the investigation of the action against the police officer who overused his powers while questioning suspects. How is the investigation progressing?

Sh.: You must be aware the investigation is supervised by FBI officers. It is unbiased and professional. The information presented to the public on passing the case to the court will be comprehensive for we are interested in people’s trust.

Ex. 1. How is the following expressed in the dialogue?

1. a group of people gathered together for a special purpose
2. rise in amount, numbers
3. an amount of money paid as a punishment
4. to keep watch over something
5. to declare firmly
6. any bad action
7. to prevent from acting
8. fairly large or great in amount or size
9. to obey laws
10. firm belief in the honesty, goodness, justice of someone or something
11. all the people employed by a company
12. a policeman who rides through the country areas to see that the law is kept
13. to establish (an additional payment) officially
14. having knowledge

Ex. 2. Study the dialogue and make a list of reasons why it is necessary to increase the number of the police.

Ex. 3. Translate and activate the following sentences in your speech:

1. Вы настаиваете на том, чтобы увеличить численность полиции.
2. Полицейские заняты сбором информации, допросом подозреваемых.
3. Существует ли тенденция к меньшему законопослушанию среди населения?
4. У нас не хватает патрулей для поддержания правопорядка.
5. Автоинспекция налагает штраф без привлечения суда.
6. Офицер полиции превысил свои полномочия.
7. Как идет следствие?
8. Оно – непредвзятое и профессиональное.
9. Информация будет всеобъемлющей.

Ex. 4. Present the information from the dialogue making use of the following verbs:
to stress, to mention, to reply, to wonder, to interview, to add, to state, to respond, to believe, to confirm, to explain, to agree.

Dialogue 2. Federal Bureau of Investigation

Task: study the dialogue between an American and an overseas police officer.

Foreigner: I wonder what the difference between the Federal Bureau of Investigation (the FBI) and the Central Intelligence Agency (CIA) is.

American: Well… the FBI is the police department in the USA. It is controlled by the central government, and is concerned with crimes in more than one state. While the CIA is the department of the US government. It collects the information about other countries.

F.: I’ve heard that the FBI is the largest investigative agency of the United States federal government. Does it deal with all sort of crimes?

Am.: No, it is responsible for conducting investigations where a federal interest is concerned.

F.: And who does it report the results of its investigation to?

Am.: To the attorney general of the United States and his assistants in

Иностранец: Любопытно, какая разница между Федеральным Бюро Расследований (ФБР) и Центральным Разведывательным Управлением (ЦРУ)?

Американец: Ну… ФБР – это полицейский департамент в США. Он контролируется центральным правительством и занимается преступлениями более, чем в одном штате. В то время как ЦРУ – это департамент правительства США. Оно собирает информацию о других странах.

Ин: Я слышал, что ФБР – самый крупный следственный орган федерального правительства США. Оно расследует всякого рода преступления?

Ам: Нет, оно отвечает за ведение расследований, которые затрагивают федеральные интересы.

Ин: А кому оно докладывает результаты своих расследований?

Ам: Министру юстиции США и его помощникам в Вашингтоне.
Washington. And also to the United States attorneys’ offices in the federal judicial districts.

F.: Does it mean that it is subordinate to the attorney general of the USA?

Am.: Yes. The FBI is a part of the Department of Justice.

F.: How does it coordinate its work?

Am.: As far as I know, the headquarters of the FBI are in Washington. It has field offices in large cities throughout the country. In addition, the FBI maintains liaison posts in several major foreign cities.

F.: It must facilitate the exchange of information with foreign agencies on matters relating to international crime and criminals.

Am.: Oh, yes, that’s true.

F.: And who appoints the head of the FBI?

Am.: You see the head of the FBI was appointed by the attorney general until 1968. But since that time he has been appointed by the president of the USA with the advice and consent of the Senate.

F.: What can you say about the staff of the bureau?

Am.: There are a lot of employees, including between 6,000 and 7,000 special agents who perform the investigative work. The agents are very experienced. The majority of them have 10 years or more of ser-
vice with the FBI. Usually they have either a legal or an accounting education.

более лет. Обычно они имеют юридическое или бухгалтерское образование.

Ex. 1. Find English equivalents to the following:

министерство юстиции, вести расследования, следственный орган, прокурор округа в США, полицейское управление, судебный орган, подчиненный, согласие, периферийное отделение, штаб-квартира, министр юстиции в США.

Ex. 2. Fill in the blanks with the appropriate word from the box:

| trial, verdict, innocent, taken, pleaded, charged, evidence, jury, court, sentenced |

On Monday 24th May, a thief broke into a house in Lapton Street and stole TV, audio and computer equipment worth 20,000 pounds. Two weeks later, Rob Burner, a self-employed electrician who lives a few streets away was arrested by the police and 1_____ into custody. Fingerprints taken at the scene of the crime matched those of Burner, who was 2_____ with burglary. Burner claimed that he was 3_____. He had been at the house in Lapton Street doing some electrical repairs, that is why his fingerprints were there. However, Burner’s neighbours gave 4_____ against him saying that he had offered to sell them TVs, hi-fis and computer equipment in late May. Burner was therefore sent for 5_____ . He appeared in 6_____ last week. He 7_____ not guilty. The 8_____ took two days to reach a 9_____, but eventually found him guilty. Burner was 10_____ to three months in prison.

Ex. 3. Sum up the information you have learnt from the dialogue making use of the following:

police department, to be controlled by, to be concerned with, investigative agency, to be responsible for, to report the results, the attorney general, judicial district, to be subordinate to, headquarters, field office, exchange of information, large staff, majority.

Revision Translation

Task: translate into English.

Милиция

Милиция – правоохранительный орган государства. Милиция – составная часть органов внутренних дел. Важнейшими задачами милиции являются предупре-
ждение преступлений, быстрое их раскрытие, содействие устранению причин преступлений.

Важнейшими функциями милиции являются обеспечение охраны порядка на улицах и транспортных магистралях, в общественных местах, осуществление розыскных действий для обнаружения преступника, а также проведения немедленных следственных действий по установлению следов преступлений. Милиция ведет до- знание в определенной законом компетенции. Органы милиции выполняют розыскные и следственные действия по указанию прокурора или следователя, приводят в исполнение постановления о лицах, уклоняющихся от явки по вызову следственных и судебных органов, о заключении под стражу, охраняют и конвоируют арестованных и задержанных. Милиция осуществляет розыск лиц, скрывающихся от исполнения приговора суда, а также недостающих без вести. Совместно с другими государственными органами и общественными организациями милиция ведет борьбу с пьянством и несовершеннолетними правонарушителями.

Важная область деятельности милиции – контроль за соблюдением паспортного режима, надзор за правилами приобретения, хранения и перевозки огнестрельного оружия и ядовитых веществ.

При стихийных бедствиях органы милиции участвуют в спасении людей, охраняют общественное и личное имущество граждан.

LISTENING COMPREHENSION

News Reports about the Police Keeping Law and Order

Pre-listening activities

Make sure that you know the following:

to come to the conclusion = to realize
to praise = to appreciate
to grab = to catch
Listening activities

I. Listen to the news report and try to understand it.

II. Listen to the news report once more and fill in the gaps:

“Yesterday morning Gregory Briggs appeared in Shellsby Crown Court 1)… of robbery. The judge 2) … him to ten years in prison.

Briggs was 3) … last May as he was trying to rob Lloyds Bank in Shellsby. One 4) …told reporters that Briggs had run into the bank holding a gun and threatened to shoot everyone unless the manager give him all the money in the safe. Fortunately 5) … Gary Thomas, who happened to be in the bank at the time, was able to grab Briggs 6) … before he had a chance to hurt anyone.

As Briggs walked into the courtroom yesterday morning with his lawyer, he 7) … having broken the 8) … and told reporters that he was 9) …. However, after hearing the witnesses and seeing the evidence supplied by the bank’s security cameras, the jury quickly came to the conclusion that Briggs was 10) ….

Last night Police Chief John Brown praised Thomas for his brave arrest of the violent criminal and for preventing what might have turned into a tragedy.”

After listening activities

Summarize the news report about the brave arrest of the violent criminal by Police Chief John Brown.

GRAMMAR SECTION

Grammar to be revised: Participle I and Participle II.

Ex. 1. Analyse and translate the sentences with Participle I and Participle II.

a) 1. A constable must have reasonable suspicion justifying the arrest. 2. Being suspected of a petty larceny Henry Tucker was arrested. 3. A custody officer makes a written record in the presence of the person arrested, informing at that time the person orally of the grounds of his detention. 4. Having nothing more to say the prisoner kept silence. 5. Doubting that the person arrested would appear in court the custody officer decided to detain him. 6. Having decided not to prosecute the young man the police released him without bail. 7. Having no evidence against him we won't be able to charge him. 8. Following the criminal, the police car ran into a truck. 9. Having stopped and searched the man in the circumstances you acted unlawfully. 10. I wouldn't have journalists distorting the facts of the case.
b) 1. The hearing of the cases in the International Court of Justice is under the control of President or Vice-President elected by the Court itself. 2. The Court gives advisory opinions on legal matters referred to it by the General Assembly, the Security Council and other organs authorized by the General Assembly. 3. Tribunals chaired by someone who is legally qualified often consist of lay people. 4. Tribunals normally do not employ staff or spend money themselves, but their expenses are paid by the departments concerned. 5. It takes much longer to have a case heard in the Crown Court than in the Magistrates Court. 6. It is a royal prerogative to pardon a person convicted of a crime or to remit all or a part of a penalty imposed by a court. 7. When heard in public, such cases always attract a lot of public. 8. Appeals, if made, must be made promptly. They soon become time-barred.

Ex. 2. Fill in the blanks with the appropriate Participle I from the box.

searching, lying, fitting, investigating, suspecting, belonging, relating, conveying.

1. To inform a juvenile's parents of his arrest is sometimes a heavy responsibility ... on the custody officer. 2. All the suspects ... to a "similar group" should be paraded separately. 3. The ... officer can request a video identification if a suspect refuses an identification parade. 4. He attacked the policeman ... him to the police station. 5. ... that a young man had stolen a valuable ring from a jeweller a constable arrested him. 6. These documents were not the evidence ... to the offence. 7. ... the man suspected of drug-trafficking a policeman found some heroin on him. 8. Sergeant Brown saw a person ... the description of the burglar, stopped and searched him.

Ex. 3. Fill in the blanks with Participle II from the box.

filed, concerned, decided, unpaid, selected, composed, heard, investigated

1. In Britain the vast majority of judges are... 2. Magistrates ... by special committees in every town and city are also called Justices of the Peace. 3. Cases ... in Magistrates' Courts can be appealed to the Crown Court. 4. Petitions ... to the European Court of Human Rights resulted in some change in practices in a number of areas. 5. A sudden death of a pop star ... by the coroner's court was quite a shock for the city. 6. The Supreme Court is reviewing the case ... in a lower court. 7. The Federal judicial system ... of three tiers is like a pyramid. 8. Supreme Courts ... with legal matters including the legality of government acts have no role in legislation.
Ex. 4. Transform the following sentences so as to use Participle I as an attribute.

Model: You should address the officer who investigates homicides.
You should address the officer investigating homicides.

1. Legal systems usually have codes of conduct for the police which limit the time and the methods they can use to question suspects. 2. Mrs. Littlewood, 29, had her conviction of an assault which caused actual bodily harm to the policeman. 3. The police have found the evidence that proves his involvement in the crime. 4. The police shall arrest the pickets who sit down in the highway. 5. An identification officer who supervises the process and records its details should be present at the parade. 6. The man became violent, produced a weapon and attacked the policeman who was conveying him to the police station. 7. A man who is carrying a big new bag with a price tag on it might have stolen it.

Ex. 5. Join the two sentences into one using Participle II.

Model: The International Court of Justice consists of fifteen judges. They are elected for a nine-year term by the General Assembly.
The International Court of Justice consists of fifteen judges elected by the General Assembly for a nine-year term.

1. The County Courts were to facilitate the recovery of small debts. These courts were established in 1894. 2. The appeal will be heard on Monday. It was permitted direct from the Court of Summary Jurisdiction to King’s Bench. 3. Cases of street collisions, hire – purchase and nuisances are heard by the County Courts. In such cases the claim should not exceed one hundred pounds. 4. Assizes are an integral part of the High Court. They are held three or four times a year at provincial towns. 5. The paintings haven’t been found yet. They were stolen from the museum. 6. The man was knocked down in the street. He claimed damages to the car driver. 7. The International Court of Justice is the principal judicial organ of the UN. It was established by the Charter of the United Nations.

Ex. 6. Answer the questions using Participle I as an adverbial modifier of 1) time, 2) cause(reason), 3) circumstances (manner). Mind the form of the Participle.

Model 1: When did the police find stolen goods? (to conduct a search in the house).
While conducting a search in the house the police found stolen goods.

1. When did a patrolman see a burglar? (to be on duty) 2. When did Smith resist the police? (to arrest unlawfully) 3. When did the constable become still
more suspicious about the man? (to listen to his answers) 4. When do local community and religious leaders check on condition of detention? (to visit the police station without warning) 5. When was the suspect interviewed? (to take to the police station)

**Model 2:** Why was he the most eligible for suspicion? (to have previous convictions for theft from cars)
Having previous convictions for theft from cars he was the most eligible for suspicion.

1. Why did the policeman decide to check on the adjacent street? (to alert by radio of a burglary) 2. Why is he placed in an extremely uncomfortable moral position? (to be a holder of the confidential information) 3. Why didn't he stop and search the man? (not to have reasonable suspicion) 4. Why didn't he identify the man at the parade? (not to see him before) 5. Why wasn't he released on bail? (not to have money to make bond) 6. Why didn't the arrested man understand anything? (to read his rights in the language he didn't know)

**Model 3:** How did he spend the day? (to make a house to house inquiry).
He spent the day making a house to house inquiry.

1. How did the police find a robber? (to use the information of the informant) 2. How did you and your partners spend the last night? (to patrol in the park) 3. How did a drunken man drive his car? (to violate all the traffic rules) 4. How did he get his money? (to import and supply cocaine) 5. How did they conduct the arrest? (to exceed their powers) 6. How did the officer spend the whole day? (to make a written record of his actions)

**Ex. 7. Change the adverbial clause so as to use Participle II as an adverbial modifier.**

**Model:** When he was asked about the accident he said nothing new.

When asked about the accident he said nothing new.

1. When a defendant is found guilty by the magistrates he may appeal to the local Crown Court. 2. If the International Court of Justice is requested it gives an advisory opinion on any legal question. 3. If in Northern Ireland a man is accused of a terrorist – type offence he is tried in non-jury courts to avoid any intimidation of jurors. 4. As the divorce was disputed by one of the parties it was transferred to the Family Division of the High Court. 5. Though foreign lawyers may be employed in Japanese law companies, they are not allowed to work on cases that involve Japanese laws. 6. Any member of the public may witness a court case, although he is not given the right to speak. 7. As the defendant was embarrassed by the question he didn't know what to say.
Ex. 8. Choose the appropriate form of the Participle to complete the sentences.

a) 1. (Obtaining / having obtained) the warrant the Customs officer searched the business records of Mr. Doyle. 2. (Authorizing / having authorized) the detention of a suspect beyond the initial twenty four hours the superintendent took into account all the circumstances of the case. 3. (Being arrested / having been arrested) unlawfully Mrs. Craddock complained the police actions. 4. (Being shown / showing) the suspect on video the witness didn't identify him. 5. (Being / having been) drunk the driver ran down a passer-by. 6. (Suspecting / having suspected) that the man was going to steal something the shop owner called a policeman. 7. (Threatening / being threatened) with a gun I had nothing to do but give my purse to a robber.

b) 1. Philip White seems to be a (promising/promised) lawyer. 2. A crowd of (exciting/ excited) people was waiting for the end of the trial outside the court building. 3. The process of taking an action from a lower court to the highest court may be very time -(consuming/consumed). 4. More serious offences are tried by the Crown Court, (presiding/presided) by a judge (sitting/sat) with a jury. 6. Cases (deciding/decided) by tribunals concern the rights and obligations of private citizens towards one another or towards government departments or other public authority. 7. Your proves sound (unconvincing/unconvinced). 8. (Submitting/submitted) Miss Fisher to cross-examination I wanted to get to the truth. 9. You'll have to study five years to be (qualifying/qualified) as a lawyer.

Ex. 9. Translate the sentences into English using the proper form of the Participle where possible.

1. Вы нарушили закон, не обеспечив присутствие взрослого при допросе несовершеннолетнего. 2. Уведомив третью сторону о том, что Блэкман арестован, вы тем самым предупредили его сообщников. 3. Судя по отпечаткам, преступников было несколько. 4. Честно говоря, я не очень доверяю показаниям этого свидетеля. 5. Сопротивляясь противозаконному аресту, они действовали в рамках закона. 6. Были обнаружены новые улики, оправдывающие его повторный арест. 7. Говоря неправду, вы лишь усугубляете свое положение. 8. Юрисдикция Международного Суда охватывает дела, представленные сторонами, и вопросы, предусмотренные уставом и действующими договорами. 9. Некоторым лицам, связанным с правом, не разрешается быть присяжными. 10. Мне нужны все дела в напечатанном виде, и как можно быстрее. 11. Стали известны некоторые факты, скрытые клиентом от его адвоката. 12. Дело, возбужденное против адвоката, полностью подорвало его репутацию.
UNIT VII
JUDICARY

READING AND SPEAKING

Text A

**The US Court System**

**Task:** read the text and translate it into Russian

Because the United States is a federal rather than a unitary system, there are federal and state courts. The judicial power of government, whether state or federal, is vested in a system in which there are several classes of courts to hear different classes of actions and/or perform different functions in the adjudication of cases. Within a court system each court has some limited and special authority, which may be explained partly on the basis of convenience and efficiency.

The federal judicial system is composed of three tiers. The major trial courts are known as U.S. district courts. There are 94 of them. Each state has at least one, and the district court’s jurisdiction includes more than one. District court cases are heard by a single judge, who must be a resident of the district in which he or she presides. In addition to the district courts, several special courts created by Congress have original jurisdiction over certain types of cases, for example, tax courts, customs courts and courts martial (military tribunals).

Decisions of the district courts may be appealed to the 13 U.S. courts of appeals colloquially known as “circuit courts”. Several states comprise one federal judicial circuit. Judges in these courts usually sit in panels of three.

At the apex of the federal judicial system is the U.S. Supreme Court. The Supreme Court serves as the court of the last resort for all legal cases in the United States of the literally thousands of requests for review filed each year. The Supreme Court chooses about 300 cases to consider on their merits. The Supreme Court sits en banc\(^1\) rather than in smaller panels, and at least six of the nine justices must be present to hear a case. Decisions need not be unanimous, they are based on the will of the majority.

The United States Supreme Court enjoys high level of respect and prestige even though the public is not very knowledgable about its actual working or decisions. Despite this lack of awareness, opinion surveys consistently reveal greater public confidence in the Supreme Court than in Congress or the presidency.

States are free to structure their judicial systems as they choose. Most have chosen a four-tier model. At the lowest level are courts of limited jurisdiction, which hear minor civil and criminal cases, for example, traffic, juvenile and

1. en banc: in full court, a practice allowing all sitting justices to participate in a case, as opposed to a panel of judges.
small claims courts which settle disputes involving small sums of money. They are the “workhorses” of the state judicial system, processing the bulk of the state’s legal cases. The next level consists of state courts of general jurisdiction. These are the major trial courts empowered to hear more serious criminal cases and civil cases in which large sums of money are involved. Most states have a third tier, the intermediate court of appeals, as well as a top level, the state supreme court. Legal custom grants each losing litigant (with notable exception of the prosecution in a criminal case) one appeal. In states without an intermediate appellate court, the state Supreme Court must hear these appeals.

Another detail left to the states’ discretion is the method of selecting judges. While all federal judges are appointed for life terms by the U.S. president with the consent of the Senate, five methods are currently in use selecting judges in the states: partisan election, nonpartisan elections, election by the state legislature, appointment by the governor and the merit system. The last method is the most popular and is sometimes called the "Missouri Plan" after the first state to adopt it. Judicial nomination boards screen applicants of judicial posts and send a list of the three to five best qualified candidates to the governor of the state, who makes the final choice.

Most crimes and violations of private rights, as well as civil law cases, are matters for state court adjudication. The Constitution limits federal court jurisdiction to cases involving the Constitutions, federal law, treaties, admiralty and maritime law, and cases where ambassadors, the federal government, or two or more states are parties. The federal courts have exclusive jurisdiction over bankruptcy, patent and copyright law.

Article VI of the Constitution binds all judges to recognize the Constitution as “the supreme law of the Land”.

Notes:
1. en banc (Lat.) – в полном составе
2. partisan – приверженец политической партии, общественного течения

Word Study

Ex. 1. Read the following words. Mind the stress.

'unitary ju'dicial juris'diction
'judge pre'side adjudi'cation
'martial re'sort nomi'nation
'circuit con'sistently
'survey vio'lation
'actual excl'usive
Ex. 2.Pair the words in column A with those from column B:

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) judicial</td>
<td>a) system</td>
</tr>
<tr>
<td>2) notable</td>
<td>b) jurisdiction</td>
</tr>
<tr>
<td>3) federal</td>
<td>c) circuit</td>
</tr>
<tr>
<td>4) original</td>
<td>d) decisions</td>
</tr>
<tr>
<td>5) unitary</td>
<td>e) judge</td>
</tr>
<tr>
<td>6) actual</td>
<td>f) exception</td>
</tr>
</tbody>
</table>

Ex. 3.Complete the list of derivatives.

<table>
<thead>
<tr>
<th>Verb</th>
<th>Noun (person)</th>
<th>Noun (thing or concept)</th>
<th>Adjective/Participle</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. preside</td>
<td>resident</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. appeal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. know</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. select</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. imprison</td>
<td>prison</td>
<td>imprisonment</td>
<td></td>
</tr>
<tr>
<td>6. recommend</td>
<td>registration</td>
<td>registrar</td>
<td>recommended</td>
</tr>
<tr>
<td>7. register</td>
<td>registration</td>
<td>registrar</td>
<td>registered</td>
</tr>
<tr>
<td>8. approve</td>
<td></td>
<td></td>
<td>approved</td>
</tr>
</tbody>
</table>

Ex. 4. How are the following ideas expressed in one word?

1. the hearing of a civil or criminal case before a court of competent jurisdiction;
2. a person between the age of 10 and 17 who has committed a crime;
3. the power of a court to hear and decide a case or make a certain order;
4. an application for the judicial examination by a higher court of the decision of any inferior court;
5. the system of dividing into regional districts for the purpose of court administration;
6. a binding judgement determined by analysis and adjudication of the factual issues presented, rather than by the existence of a technical or procedural defect that requires one party to prevail;
7. in pleading, the facts giving rise to a right enforceable in the courts, which must show the existence of a right, an injury and damages;
8. the parties actively involved in a lawsuit;
9. the reasonable use of judicial power, i.e., the court's freedom to decide within the bounds of law action;
10. the determination of a controversy and pronouncement of judgement;
11. the traditional body of rules and practices related to business transacted at sea or to navigation, and always has been a body of law separate from every other jurisprudence.

Ex. 5. *Match English and Russian equivalents:*  

1) unitary system a) председательствовать  
2) district court b) быть единодушным (единогласным)  
3) to preside c) таможенные суды  
4) tax courts d) единая система  
5) customs courts e) суды с ограниченной юрисдикцией  
6) court martial f) уполномочить  
7) to be unanimous g) окружной суд  
8) state court adjudication h) разрешение спора судом штата  
9) the courts of limited jurisdiction i) налоговые суды  
10) to empower j) проигравшая сторона в гражданском деле  
11) losing litigant k) трибунал (военный)

Ex. 6. *Give the English equivalents for the following word combinations:*  
частные лица, суды штатов, подать иск, федеральные суды, подпадать под юрисдикцию, разрешить дело в судебном порядке, Верховный суд, судебное разбирательство (тяжба), окружные суды, высшие суды, низшие суды, суд последней инстанции, рассматривать дело, апелляционные суды.

Ex. 7. *Fill in the blanks with the suitable words.*  
The federal courts have three tiers: ______ courts, courts of ______ and the ______ Court. The ______ Court was created by the Constitution; all other ______ courts were created by Congress. Most litigations occur in ______ courts. The structure of ______ courts varies from the state to state; usually there are ______ for less serious cases, ______ for more serious cases, intermediate ______ courts, and courts of last ______. State courts were created by state constitutions.

Ex. 8. *Complete the following text with the words and phrases from the box.*

**Coroner’s Courts**

violence; unnatural deaths; an inquest; examination; natural causes; circumstances; to establish; alone; sudden; suspicious; fatal; to instruct

Coroners investigate _____ and _____ _____ or sudden deaths where the cause is unknown. Deaths may be reported to the local coroner (who is either
medically or legally qualified, or both) by doctors, the police, the registrar, various public authorities or members of the public. If the death is sudden and the cause unknown, the coroner need not hold _____ if, after a post-mortem _____ has been made, he or she is satisfied that the death was due to _____ _____. Where there is reason to believe that the deceased died a violent or unnatural death or died in prison or in other specified _____, the coroner must hold an inquest and it is the duty of the coroner’s court _____ how, when and where the deceased died. A coroner may sit _____, or in certain circumstances, with a jury. In Scotland the local procurator fiscal inquires privately into all _____ and _____ deaths and may report the findings to the Crown Office. In a minority of cases _____ accident inquiry may be held before the sheriff. For certain categories (such as deaths in custody) a fatal accident inquiry is mandatory. In addition, the Lord Advocate has discretion _____ an inquiry in the public interest in cases where the circumstances give rise to public concern.

**Text Study**

**Ex. 1. Complete the following sentences:**

1. The judicial power is represented by a system of courts spread throughout the country and ... .
2. By the Constitution the courts have the power ... .
3. One of the most important duties of the Supreme Court is to decide ... .
4. The United States is divided into 11 separate regions, each of them ... .
5. Almost all persons accused of committing federal crimes ... .
6. Another important special court is the Customs Court, which has exclusive ... .

**Ex. 2. Find out whether the statement is true or false according to the information presented above.**

1. Congress has the authority to create and abolish federal courts as well as to determine the number of judges in the federal judicial system.
2. The federal judges are appointed by Congress for life, in practice, until they die, retire or resign.
3. The Supreme Court consists of a Chief Justice and eight Associate Justices.
4. Most of the cases heard by the Supreme Court are appeals from the lower federal courts.
5. Each state has at least two district courts.
6. Usual claims are for unpaid salary, property taken for public use, contractual obligations, and personal injuries for which the Federal Government is allegedly responsible.
7. Another important special court is the customs court, which has exclusive jurisdiction over cases connected with monetary problems.

**Ex. 3. Choose the best way to complete the following sentences:**

1. District court cases are heard by ...
   a) a single judge  
   b) a judge and a jury  
   c) a magistrate

2. Several special courts have ... over certain types of cases.  
   a) general jurisdiction  
   b) original jurisdiction  
   c) special jurisdiction

3. All the federal judges are appointed ...
   a) for 10 years term  
   b) for 2 years term  
   c) for life terms

4. Most crimes and violations of private life, civil law cases are matters for ...  
   a) state court adjudication  
   b) district court adjudication  
   c) tax court adjudication

5. Courts of limited jurisdiction hear ...
   a) serious civil and criminal cases  
   b) minor civil and criminal cases  
   c) appeals

6. Decisions of the district courts may be appealed ...
   a) to the state court  
   b) to the Supreme Court  
   c) to the 13 US courts of appeal

7. The federal courts have exclusive jurisdiction ...
   a) over traffic, juvenile and small claims  
   b) over bankruptcy, patents and copyright  
   c) over taxation, incomes and large sums of money
Ex. 4. a) Examine the chart.

US Supreme Court Opinions
Approximately 140 signed opinions

<table>
<thead>
<tr>
<th>Original jurisdiction</th>
<th>Requests for review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approximately 10 cases</td>
<td>Approximately 4200 petitions and appeals</td>
</tr>
</tbody>
</table>

From Federal Administration Agencies

US Courts of Appeals 36,000 cases

State Courts of Last Resort 60,000 cases

US District Courts
94 Courts
280,000 cases

State Intermediate Appellate Courts
130,000 cases

State Trial Courts
27,000,000 cases

b) Speak on each stage of the court system using words and phrases from the text.

Ex. 5. Answer the following questions:
1. Who is responsible for making laws in the US?
2. Name the American courts you know in the descending order.
3. How are federal courts organized?
4. Where do the Americans start litigation from?
5. What does the word "to appeal" mean?
6. What is the attitude of an average American to the United States Supreme Court?
7. What methods of selecting judges in the US do you know?
8. What is the basic difference in the jurisdiction of federal and state courts?
Ex. 6. Points for discussion:
1. Analyze the judicial branch of power in the United States.
2. Examine the federal court system.
3. The Supreme Court – the highest court of the country.
4. Describe the structure and functions of Appeal Courts.
5. State the role of the district courts.
6. Examine special courts and their functions.

Text B The British Judicial System

Task: read the text and get ready to discuss it.

The English judicial system is basically pyramidal in organization.

At the top of the pyramid is the House of Lords, the final civil and criminal appellate tribunal for England, Wales and Northern Ireland and the final civil court of appeal for Scotland.¹ The Appellate Committee of the Upper House of Parliament exercises final appellate jurisdiction. The Lord Chancellor is the highest judge in the kingdom. The privilege to sit on the Committee is reserved for members of the House who have held high judicial offices, including ex-Lord Chancellors. Members of the Appellate Committee are generally known as the Law Lords. A minimum of three judges is required, but in practice the normal number is five. The House of Lords hears only a very limited number of cases involving “points of law of general public importance”.

Beneath the House of Lords is the Court of Appeal, the intermediate appellate court, which hears both criminal and civil appeals. Under the Supreme Court Act 1981 there exists a single Court of Appeal with Civil and Criminal Divisions. The Civil Division is presided over by the Master of the Rolls² and the Criminal Division by the Lord Chief Justice.³ About sixteen Lord Justices of Appeal⁴ promoted from the judicial ranks constitute the Court. The appointments are for life, subject to mandatory retirement at age 75. The Court of Appeal normally sits as a bench of three although in controversial cases a bench of five may be convened.

Beneath these appellate courts are two separate systems of trial courts⁵, one for criminal cases, the other for civil cases.

On the civil side are the High Court⁶, a court of general jurisdiction, and the County Courts⁷, which have only limited jurisdiction. On the criminal side are the Crown Court⁸, also a court of general jurisdiction, and the Magistrates’ Courts⁹ having only limited jurisdiction.

The High Court is organized in three divisions – Queen’s Bench¹⁰ (with Lord Chief Justice as the presiding judge), Chancery¹¹ (presided by the Vice-Chancellor) and Family (headed by the President). The Queen’s Bench Divi-
sion deals with a wide range of issues under commercial and contract law and under the law of torts. Among the most important functions of the Chancery Division are matters covering partnerships mortgages, trusts, deeds, minors and the partition of land. The Family Division deals with problems which are fairly self-evident by its very name – all matrimonial matters and disputes and issues relating to the care and adoption of children. Barristers usually specialize within one of the three divisions. There are about 80 High Court judges (puisne judges). They sit in and outside of London and some mainly Queen’s Bench Division justices tour on circuit around the country. The High Court deals with about half a million civil cases a year, however, just 1% of the cases actually reach trial stage; in other words, they are “settled out of court”.

County Courts administer justice in minor civil cases. They exist in most towns of a reasonable size. They have financially limited jurisdiction where the plaintiff’s claim shouldn’t exceed £1,000 in mortgage possessions, £5,000 – in contracts, debts, purchase or sale, £30,000 in equity. Barristers have monopoly as County Court judges but the Lord Chancellor may appoint a solicitor of ten-years' standing to be a Recorder or part-time judge. For the trial itself the normal practice – as in the High Court – is for a single judge to hear a case. Like High Court judges, County judges serve “during good behaviour”, subject to mandatory retirement at age 72. The Lord Chancellor may remove a County Judge for cause.

The Crown Court deals with a wide range of serious criminal cases. The Crown Court is part of a federation of courts known as the Supreme Court. The other courts belonging to the Supreme Court are the Court of Appeal and the High Court of Justice, including the Divisional Courts. The crown court is presided over by a judge, but the decision on guilt or innocence is made by a jury of twelve citizens. Crown court judges are all qualified, professional and experienced lawyers chosen for their competence in the law.

Three different classes of judges sit in the Crown Court: High Court judges who are normally judges of the Queen’s Bench Division presiding over the trials of the most serious offences, circuit judges (barristers of at least ten years’ standing), part-time judges known as Recorders (either a barrister or a solicitor of at least ten years’ standing may be appointed). There are four classes of criminal offences tried by Crown Courts sitting in principal towns throughout England, Wales and Northern Ireland. Class I cases must be tried by a High Court judge – for example, the offences of murder and spying. Class 2 offences will normally be tried by a High Court judge but he may assign the case to a circuit judge or Recorder – for instance, manslaughter, rape, incestuous acts, infanticide and acts which cause very serious bodily harm. Class 3 cases may be tried by any one of the three types of judges listed
above; the offences here will include robbery and serious burglary. Finally, Class 4 offences, such as theft, assault causing bodily harm, driving with alcohol over the prescribed limit, will usually be tried by a circuit judge or a Recorder. Class 4 offences are by and large those triable either way. Some Crown Courts are more “senior” than others, depending upon which class of offences they are able to try.

The Magistrates’ Court is the most junior of all courts; in the main it is the lowest rung in the ladder of criminal proceedings. In England and Wales there are approximately 1000 Magistrates’ Courts which are served by over 25,000 lay magistrates. There are also about 50 stipendiary justices, in London and the metropolitan cities, who are full-time and paid. The lay magistrates, or justices of the peace, although unpaid, they do receive subsistence and traveling allowances. These courts are extremely important on account of their caseload alone: apart from their limited civil jurisdiction over such family matters as the custody and adoption of children and maintenance orders, magistrates handle over 96% of all criminal cases (including motoring offences). A Magistrates’ Court normally consists of three J.P.s (Justices of the Peace). In these courts the J.P.s are advised on points of law by their clerks, who are professional lawyers.

Notes:
1. Scotland and Northern Ireland have their own systems of justice
2. Master of the Rolls – председатель апелляционного суда и хранитель судебных архивов
3. Lord Chief Justice – судья-председатель отделения королевской скамьи Высокого суда правосудия
4. Lord Justices of Appeal – судьи апелляционного суда
5. trial court – суд первой инстанции
6. High Court – Высокий суд
7. County Court – суд графства
8. Crown Court – коронный суд (уголовный суд присяжных)
9. Magistrates’ Court – магистратский суд, мировой суд
10. the Queen’s Bench Division – суд королевской скамьи (отделение Высокого суда правосудия)
11. the Chancery Division – канцлерское отделение Высокого суда правосудия
12. Recorder – рикордер (судья преимущественно с юрисдикцией по уголовным делам
13. Justices of the Peace – мировые судьи
Ex. 1. *Fill in the chart. State the role and jurisdiction of each court.*

**The legal system in England and Wales**

- The House of Lords

Criminal Courts

- High Court
- Magistrates’ Court

Ex. 2. *Mark the statements which are true.*

1. The House of Lords is the final court of appeal for civil and criminal cases in the UK.
2. A jury is always present in Crown Court hearings.
3. The County Court hears cases concerning statute law.
4. All English judges and magistrates are professional lawyers.
5. The Magistrates’ Courts hear certain categories of less important cases.
6. The Magistrates’ Courts can choose to hear cases with or without a jury.

Ex. 3. *Work in pairs and discuss which courts do you think would deal with:*

a) a bank robbery;
b) a divorce case;
c) a burglary committed by a fifteen-year-old;
d) a drowning;
e) a case of driving too fast.

**Text C**

**The Role of the Independent Judiciary**

*Task: read the text and focus on its main points.*

Establishing a separate, distinct judicial branch of government responsible for upholding the constitution as the supreme law of the land is a unique American contribution to political theory.

As an alternative to violence, governments have established judicial systems for the purpose of dispute resolution.

Impartiality is certainly one of the major goals of law courts. Most democratic governments try to maintain their judicial systems’ objectivity by deliberately insulating courts from external influence, either from other governmental sources such as legislative, executive or administrative authorities, or
from private interests attempting to exert economic, social, ethnic, religious or regional pressure on judges.

Judicial independence has the key components: decisional independence, defined as respect for and compliance with the courts decisions, and structural independence, which means freedom from political leaders interference in the selection, promotion, and daily operations of the judicial personnel.

Independent organizations such as Amnesty International and Freedom House confirm that in modern governments a high degree of judicial independence correlates closely with political stability, respect for human rights and the vitality of the democratic institutions.

The motto of the U. S. supreme court, “Equal Justice Under Laws”, embodies the objectives of the judiciary in a democratic society. U.S. courts enjoy a level of influence and respect unequaled anywhere else or at any other time in history, they being a fine example of judicial independence.

American courts adhere to the adversary process. In both civil and criminal cases, the parties through their lawyers are solely responsible for presenting the facts to the court. In civil cases, before trial both parties’ attorneys may conduct discovery – identifying witnesses, gathering relevant information, and learning about the opposing party’s witness and evidence. At trial the lawyers call and question the witnesses. The testimony elicited in court, along with all other items admitted in to evidence by the judge, forms the trial record. Based on this adversarial “party presentation,” the trial court makes determinations of fact, applies the pertinent law, and enters judgment accordingly.

American courts handle almost 100 million legal cases each year. Legal language permeates everyday life, and the "courtroom drama" is a popular literary genre.

Ex. 1. Match the verbs with their appropriate explanations:

1) to be responsible for  a) to bring into use
2) to establish       b) to deal with
3) to be impartial    c) to interrogate
4) to maintain        d) to spread or pass through or into every part of something
5) to influence       e) to be legally or morally accountable for carrying out a duty
6) to exert           f) to agree definitely
7) to handle          g) to set up
8) to confirm         h) to prevent a decline
9) to question        i) to give equal attention to all concerned
10) to permeate       j) to have an effect on
Ex. 2. Complete the sentences:
1. District judicial branch of government as the supreme law of the land . . .
2. . . . one of the major goals of law courts.
3. Most democratic governments try . . .
4. Judicial independence has the key components: . . .
5. . . . being a fine example of judicial independence.
6. In American legal system disputes . . .
7. . . . are defined in legal terms as “causes of action” appropriate for litigation.

Ex. 3. Here are the answers to some questions to the text. What are the questions?
1. Governments establish a judicial branch for the purpose of dispute resolution.
2. Impartiality is one of the major goals of law courts.
3. The motto of the US Supreme Court, "Equal Justice under Laws", embodies the objectives of the judiciary in a democratic society.
4. US courts enjoy a level of influence and respect unequaled at any other time in history.
5. American courts handle almost 100 million legal cases each year.

Ex. 4. Explain and expand on the following:
2. Impartiality as one of the major goals of law courts.
3. Independent organizations "Amnesty International" and “Freedom House”.
4. The motto of the US Supreme Court: "Equal Justice under Laws".
5. Adversarial nature of the American legal system.

Ex. 5. Render the following text into English using the topical vocabulary of the present unit:

Судебная система Шотландии

Судебная система Шотландии существенно отличается от английской и сохраняет значительную самостоятельность. По уголовным делам в качестве высшей и окончательной инстанции выступает расположенный в Эдинбурге Высокий суд юстициариев (the High Court of Justiciary). Он состоит из возглавляющего его лорда – генерального судьи Шотландии (Lord Justice General), лорда – судьи-клерка (Lord Justice Clerk) и лордов-
членов Высокого суда юстициариев. Судья этого суда вместе с 15 при-
сажными слушает по первой инстанции дела о наиболее серьезных пре-
ступлениях, преследуемых по обвинительному акту (такие процессы
проводятся в Эдинбурге, Глазго и других городах Шотландии). В каче-
стве апелляционной инстанции Высокий суд юстициариев в составе трех
или более его членов рассматривает жалобы на приговоры любых шот-
ландских судов.
Постановления Высокого суда юстициариев играют весьма важную
роль в развитии шотландского уголовного права и процесса.
Высшая судебная инстанция по гражданским делам – Сессионный суд
(Court of Session), заседающий в Эдинбурге. Сессионный суд имеет
внешнюю палату и внутреннюю палату. В суде внешней палаты судьи
рассматривают дела по первой инстанции либо единолично, либо с уча-
стием 12 присяжных. В суде внутренней палаты, состоящей из наиболее
опытных и квалифицированных судей, рассматриваются жалобы на ре-
шение суда внешней палаты. Постановления Сессионного суда в отли-
чие от постановлений Высокого суда юстициариев могут быть обжало-
ваны в британскую Палату лордов.

Text D  The European Court of Human Rights
Task: read the text and give your understanding of the underlined parts of the
sentences.
In 1950 several European states, which were united in the Council of Eu-
rope and met in Rome, decided to form a treaty whereby they could guarantee
their citizens and foreigners who resided under their judicial authority certain
rights and freedoms. Later other rights were added, while at the same time an
increasing number of European states joined the European Treaty with a view
to the protection of human rights and basic freedoms. Some of these rights
have to do with protection of life and prevention of torture, and others have to
do with family life as well as freedom of religion, of expression, of opinion,
and of assembly and association. Victims of violations of these human rights
can lodge a complaint against the state with the Secretary-General of the
Council of Europe.
Since the inception of the court, more than 20,000 complaints have been
lodged. How does the court determine which cases to hear? First, an effort is
made toward reconciliation. If that fails and the complaint is recognized as
valid, it is taken before the European Court of Human Rights in Strasbourg.
Only about 5 percent of the complaints ever reach the court. Up till the end
of 1995, the court had passed 554 verdicts. Although the verdict of the court in
the case of a complaint by an individual is binding for the state concerned, the
situation where a complaint is lodged by a state or states is not a simple matter. In such a case, the likelihood is that the state against whom judgement has been passed will choose a course of political expediency rather than comply with the demands of the treaty. While the International Court of Justice at the Hague handles only disputes between states, the European Court pronounces verdicts also in cases of differences between citizens and states.

This court stands open to hear not only complaints of individuals within Europe but also complaints of countries against other countries when it is felt that fundamental human rights have not been respected. The increase in the number of court cases before international courts reflects the longing of citizens and some governments for justice.

Text E

**The International Court of Justice**

**Task:** supply the text with the missing verbs in the correct form.

| to bring; to decide; to compose; to elect; to embrace; to be obliged; to found; to bring |

The International Court of Justice _____ by the Charter of the United Nations is the main judicial organ of the United Nations. All member-states are parties to the Statute of the Court. Every member _____ to comply with the decisions of the Court. The jurisdiction of the Court _____ cases which parties _____ to it and matters especially provided for in the Charter or in treaties in force. The Court gives advisory opinions on legal matters _____ to it by the General Assembly, the Security Council and other organs. Its decisions are final and compulsory between the parties concerned. The court _____ of 15 judges elected for a nine-year term by the General Assembly and the Security Council, each organ voting independently. The judges _____ on the basis of their qualifications, not on the basis of their nationality. No two of the judges may be citizens of the same state. A quorum of 9 judges is enough to constitute the Court. All questions _____ by majority.

**Notes:**

1. Statute of the Court – Устав Суда
2. Security Council – Совет Безопасности

Dialogue 1. Consulting a Lawyer

**Task:** read the dialogue, reproduce it a) abridged, b) in the form of a monologue.

Mrs Black: Can my husband get released from custody if I put up the necessary amount as security?
Lawyer: The court is deciding it. But as Mr Blake is charged with murder under aggravating circumstances he might not be given conditional bail before trial.

Mrs Black: He says his case won’t be heard by the Magistrates’ Court. I’ve got some hope as it is going to be decided by a jury. You see I don't believe my husband is guilty. He couldn’t do it, just couldn’t.

Lawyer: You must know it’ll take much longer to have it heard in the Crown Court. Anyhow, people prefer their cases to be conducted by their fellow-citizens.

Mrs Black: Of course, there’s less room for mistakes if 12 people make a decision. What are you planning to do if my husband is found guilty?

Lawyer: It’s too early to plan anything yet. The case is being investigated. The police haven't collected enough evidence. Some new facts might reveal he's innocent. Of course, if we don’t win I’ll appeal to the High Court for reassessment. I’m sure I’ll be able to show certain reasons for dissatisfaction.

Mrs Black: Thank you, Mr Shaw. I know it’s a very time-consuming and costly procedure, but you must try all ways.

Lawyer: I say, Mrs Black, I'm ready to carry the case through the system of appeal all the way to the House of Lords. But I don’t believe there’ll be necessity of the kind.

Mrs Black: I appreciate your efforts. When are they going to decide whether to release my husband before trial or not?

Lawyer: I must be present in the courtroom in half an hour. As soon as the decision's been made I'll call you or I'll bring your husband home.

Ex. 1. How is the following expressed in the dialogue?
1. words which prove a statement, support a belief, or make a matter more clear
2. money left with a court of law so that a prisoner may be set free until he is tried
3. a group of people chosen to decide questions of fact in a court of law
4. to make a strong request for help, support
5. to be thankful or grateful
6. to examine the reason for smth
7. the act of hearing and judging a person
8. a judgement or opinion
9. expensive
10. imprisonment

Ex. 2. Study the dialogue and find the sentences in which the speakers express:
- agreement
- disagreement
- estimation
- certainty
Ex. 3. Give Russian equivalents to the following:

1. to release from custody
2. to put up money as security
3. to be charged with
4. aggravating circumstances
5. conditional bail
6. to conduct a case
7. to make a decision
8. to collect evidence
9. to reveal
10. reassessment
11. dissatisfaction
12. time-consuming

Ex. 4. Present the information from the dialogue making use of the following verbs:

to wonder, to explain, to stress, to mention, to assure, to inform, to analyse, to inquire, to promise, to believe, to thank.

Dialogue 2. In Court

Task: study the dialogue between a British and an overseas law student.

Peter: I wonder if your court system is very complicated.
Brian: No, I wouldn’t say that. But there are two main courts in Britain: the Magistrates Court and the Crown Court.
Peter: And what’s the difference between them?
Brian: The Magistrates’ Court deals with minor offences such as speeding, shoplifting and others. While the Crown Court is for more serious offences like fraud and murder.

Peter: Have you already been at any trial?
Brian: Yes, and not once. And I find it very useful for a future lawyer.
Peter: I’d like to know the procedure of a trial. What does it start with?

Петр: Любопытно, сложная ли у вас судебная система?
Брайан: Нет, я бы не сказал. Но в Британии – два вида основных судов: Магистратский суд и суд Короны.
Петр: И какая между ними разница?
Брайан: Магистратский суд рассматривает мелкие преступления, такие как: превышение скорости, воровство в магазине и другие. В то время как суд Короны имеет дело с более серьезными преступлениями, типа мошенничества и убийства.
Петр: Ты уже был на каком-либо судебном заседании?
Брайан: Да, и не раз. И я считаю, что это очень полезно для будущего юриста.
Петр: Я бы хотел знать процедуру судебного разбирательства. С чего оно начинается?
Brian: Well, an accused or defendant stands in the dock while the lawyers question witnesses. They stand in the witness box and have to say what they have seen or know about the crime.

Peter: How can one know that they tell the truth?
Brian: They all have to swear an oath “to tell the truth, the whole truth and nothing but the truth.”

Peter: I see. We call it evidence. There must be two lawyers in the courtroom. Am I right?
Brian: Yes, absolutely. One is Counsel for the defence, he speaks for the defendant. The other is Counsel for the prosecution.

Peter: And it’s clear that his task is to prove that the person accused of the crime really committed it. Is it the Judge who decides whether an accused person is guilty or not?
Brian: No, this right is left to the jury, made up of 12 members.

Peter: Do they directly participate in the trial?
Brian: During the trial they sit in silence and listen carefully to all the testimony. Then they are locked away until they can decide whether the person is guilty or not.
**Peter:** And this decision is the verdict, isn’t it?

**Brian:** Yes. You are right.

**Peter:** And what’s the role of the judge?

**Brian:** The judge decides the punishment or sentence as it is called. If the person is innocent, he or she is acquitted. If the person is guilty of a serious crime, he or she can be given several years’ imprisonment. If it is a first offence, the person might be given a fine or put on probation.

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**Ex. 1.** Find English equivalents to the following:

приговор, свидетель, быть виновным, защита, тюремное заключение, присяжные заседатели, обвинитель, штраф, получить условный приговор, судья, обвиняемый, приносить клятву, скамья подсудимых, свидетельские показания, быть оправданным, место для дачи свидетельских показаний.

**Ex. 2.** Complete the following dialogue:

Peter:

**Brian:** The magistrate? He tries cases in the lower court.

**Peter:**

**Brian:** They have to say what they have seen or know.

**Peter:**

**Brian:** No, there are two lawyers.

**Peter:**

**Brian:** Because one speaks for the defendant? And the other for the prosecution.

**Peter:**

**Brian:** Yes, he wears a special gown and wig.

**Peter:**

**Brian:** The information they get during the trial.

**Peter:**

**Brian:** It depends on the case whether it is serious or not.
Ex. 3. Sum up the information you have learnt from the dialogue. Focus your attention on the role of:

- witnesses
- Counsel for the defence
- Counsel for the prosecution
- Jury
- Judge

Revision Translation

Task: translate into English.

**Федеральные суды США**

Суды играют важную роль в жизни американского общества. Итак, есть федеральные суды и суды штатов. Оба типа судов являются результатом того, что определяется Конституцией США как федерализм. Согласно концепции федерализма часть функций передается правительству США, в то время как другие функции являются прерогативой штатов. В функции федеральных судов входит разрешение споров, касающихся федеральной конституции и принимаемых Конгрессом законов, суды штатов создаются штатами, округами или городами, входящими в штат. В большинстве случаев они занимаются проведением в жизнь конституции и законов конкретного штата.

Из всех федеральных судов в США наиболее многочисленными являются окружные суды. Конгресс разделил страну на 94 федеральных судейских округа.

Верховный Суд США, расположенный в Вашингтоне (федеральный округ Колумбия), является наиболее известным федеральным судом.

Конгресс создает окружные и апелляционные суды, устанавливает число судей в каждом федеральном суде (включая Верховный суд) и определяет сферу их компетенции.
LISTENING  COMPREHENSION

Text. The System of Justice in Britain

Pre-listening activities

I. Make sure that you know the following:
   a panel of magistrates = a board of magistrates
   to impose a punishment on smb = to enforce (inflict) a punishment
   to poach = to steal
   to be harsh – to be rough
   to have the conviction quashed = to be pronounced not guilty

II. Before listening discuss the following:
   Which courts do you think would deal with:
     1. a divorce case?
     2. a bank robbery?
     3. violent and unnatural death?
     4. a burglary committed by a fifteen-year old?
     5. a case of driving too fast?

Listening activities

I. As you listen to the tape recording make brief notes to help you answer the following questions.
   1. What is the most common type of law court in England and Wales?
   2. What are basically two kinds of courts in England and Wales?
   3. What’s the difference between the JP’s and “High Court Judges?”
   4. Where may a convicted person appeal to?
   5. What is the highest court in Great Britain?

II. Listen to the tape once more and fill in the gaps:
   1. More than 90% of all cases are dealt with in …
   2. Magistrates, who are known as … are not trained lawyers.
   3. Even serious criminal cases are heard in …
   4. A convicted person may appeal to …
   5. The highest court of all in Britain is …
   6. To reach a verdict there must be …

After listening activities

Discuss:
Which do you think is better: judgment by one trained lawyer or judgment by twelve ordinary people?
GRAMMAR SECTION

Grammar to be revised: The Participle (continued).

The Participle Constructions

Ex. 1. Use the proper form of the Participle. Translate the sentences.

1. Federal courts have judicial power over the cases (to arise) out of the Constitution, laws and treaties of the United States, cases (to deal) with foreign countries and cases (to arise) between states.
2. When (to decide) the case the lawyers could simply search for relevant case law.
3. There are special court systems (to operate) in England and Wales, Northern Ireland and Scotland.
4. Two important links (to unite) the systems of all parts of Great Britain are: a) Parliament of Westminster which is the Supreme authority throughout the United Kingdom; b) The House of Lords which is the final Court of Appeal.
5. A sentence is an order of a court (to impose) a penalty, following the conviction of an (to accuse) person.
6. The (to sentence) power of Magistrates’ courts is generally limited to a fine of £ 2,000 and/or a term of imprisonment of not more than six months on anyone (to charge).
7. A judge is a person (to appoint) in the name of the Crown to hear cases in court and give decisions (to base) on the evidence and arguments (to present) at the trial.
8. Modern crime is a common and powerful threat (to endanger) all aspects of human activity.
9. The process of globalization is also effecting crime, (to extend) it beyond national boundaries.
10. (To hear) the judge’s summing up and his directions on questions of law the jury is to determine the facts and decide whether the defendant is “Guilty” or “Not Guilty”.
11. In Britain all people (to connect) with law by way of occupation are ineligible to jury service.
12. Among the factors (to lead) to crime are weakness in the laws (to govern) market relations and (to fight) against crime.

Ex. 2. Use either Participle I or Participle II instead of the Infinitive in brackets.

1. The case (to present) by Perry Mason was not an easy one. 2. It was rumoured that immediately following Judge Elmer’s order (to bind) the defendant to the Superior Court for trial proceedings against Mason would be instituted. 3. (To find) guilty the defendant filed an appeal thus (to show) his dis-
satisfaction with the decision (to make) by the court. 4. In fighting crimes (to commit) by juveniles education is considered to be one of the main methods. 5. Criminal punishment can only be imposed by institutions and agencies (to empower) by the law, thus (to guarantee) legality. 6. Of the cases (to submit) by various states to the International Court of Justice between 1946 and 1966 six were withdrawn before the decision was rendered. 7. The decision of the International Court has no (to bind) force except between the parties (to concern). 8. The accused (to commit) for trial by the court of people in Nuremberg were the leaders of Nazi Germany who (to plot) for years against the people of Europe in 1939 unleashed the Second World War. 9. In England a (to convict) criminal (to exhaust) by the appellate procedure open to him may appeal only to the Crown.

Ex. 3. Analyse and translate the sentences containing the Participial Constructions.

The Objective Participial Construction (Complex Object)

a) 1. We heard the charge being read out to the defendant.
2. Nobody heard the defendant pleading guilty.
3. The people listened attentively to the evidence being given by the witnesses for the prosecution.
4. Usually federal courts do not hear cases arising out of the laws of individual states.

b) 1. People want the public order always maintained.
2. All the accused want the right to defence not only guaranteed, but always observed.
3. Everybody wants crimes investigated as soon as possible.
4. The jury got the case summarized, both law and facts from the judge.

The Subjective Participial Construction (Complex Subject)

1. The thief was seen being arrested at the scene of the crime.
2. The counsel for the defence was heard trying to show that the accused was not guilty.
3. Freedom of speech is reported being violated in many countries.
4. The majority of requests for hearing that the Supreme Court receives are found rejected.

The Absolute Participial Construction

1. The judicial power of the USA being the third branch of the Federal Government, a system of federal courts has spread throughout the country with the Supreme Court at the head.
2. All the courts are independent, with federal judges being appointed by the
President for life.
3. The Supreme Court cannot be abolished by Congress, it having the authority to create and abolish federal courts, to determine the number of judges in the federal judicial system.
4. The USA has the most complex judicial system in the world, with 51 sets of courts having been established in the country.

Ex. 4. Define the Participial Constructions, if any, and translate the sentences.
1. The Courts of Appeal were established to hear most of the appeals growing out of district court actions.
2. I didn’t hear the evidence being pronounced in support of the defendant’s party.
3. We heard the witnesses for the prosecution being cross-examined at this trial.
4. We saw him being arrested for the violation of traffic rules.
5. He had the sentence repealed some days ago.
6. She had her car crashed in the traffic accident.
7. Many people come to a solicitor to seek legal advice and have their wills made up.
8. The USA has two distinct systems of law, state and federal, with each state having its own judicial system.
9. In Britain the Attorney-General is the Government’s Chief Law officer, with the Solicitor-General being his deputy.
10. If arrested, his guilt will be easily proved.
11. Having declared its independence on July 4, 1776 the United States had 13 original states, each one wanting to be sovereign and control its own affairs.
12. There are 700 Magistrates’ Courts and about 30,000 magistrates in the country, the Magistrates’ Courts being the most common type of law in England and Wales.

Ex. 5. Use Participle II as part of complex object. Work in pairs.

Model: Do you type the papers yourself?
– No, I have the papers typed.
(– No, I have them typed.)

1. Did you present your case yourself?
2. Did the picture collector steal a Picasso himself?
3. Do barristers prepare cases and evidence themselves?
4. Did the convict file an appeal himself?
5. Did she write this legal letter herself?
6. Did your parents make the will themselves?
7. Will he conduct his defence himself?
Ex. 6. Transform the following sentences so as to use

a) Complex Object.

*Model:* A store policeman saw how a man was putting some unpaid goods into his pocket.

A store policeman saw a man putting some unpaid goods into his pocket.

1. We noticed that he was driving a car under the influence of alcohol.
2. The crowd of interested spectators watched how two policemen were effecting the arrest of a criminal.
3. A patrolman heard that somebody was calling for help.
4. Everybody heard that superintendant was giving instructions to the other officers.
5. Though you didn't see how he was stealing goods from the store you had powers to stop and search him in the circumstances.
6. I did not hear how the policeman was reading the suspect his rights.
7. The witnesses saw that you were threatening the victim with a knife.

b) Complex Subject.

*Model:* The inspector saw you crossing the street at the red light.

You were seen crossing the street at the red light.

1. They heard you threatening your wife.
2. Passers-by saw a police officer beating the suspect.
3. They saw him selling drugs in the street.
4. A patrolman heard a woman calling for help.
5. They saw a get-away car moving along the avenue.
6. The Smiths noticed a policeman approaching the house.
7. Two persons saw you getting into the house through the window.

c) Absolute Participial Construction.

*Model:* To become laws bills must be approved by both Houses of Congress and any treaty must first be approved by the Senate.

To become laws bills must be approved by both Houses of Congress, *with any treaty being first approved* by the Senate.

1. After the jury had considered a prisoner guilty the judge pronounced a sentence.
2. As the law is not separated from the judges, they interpret and administer it.
3. As the case is complicated the jury is still discussing the verdict.
4. After the judge had pronounced a sentence the convicted person was taken to prison.
5. As Roman law is one of the greatest systems that has ever existed many countries in Europe and America have used it as a basis in their legal systems.
6. The call to jury services is regarded as an obligation, but barristers, solicitors and police officers must have retired from that work for a minimum of ten years.
7. After all the evidence had been given the judge summarized the case, both law and facts, for the jury.
Ex. 7. Translate the sentences. Express the same idea using the Absolute Participial Construction.
1. As independence of judiciary has been guaranteed judges cannot be removed from the office on account of political considerations.
2. Juries mostly appear in criminal cases in the Crown Courts, but civil cases are heard without a jury.
3. If a verdict is not unanimous and the jury fails to reach agreement, the case will be retried before another jury.
4. Each Court of Appeal in the circuit consists of between 3 and 5 judges and the judge with the service who has reached his 70th birthday is the Chief Judge.
5. The counsel for defence or the defendant have the right to object to jurors without giving reasons and the maximum number of peremptory challenging is reduced to three.
6. If a defendant pleads not to be guilty, a jury of 12 persons must be formed and summoned.
7. If the jury decides the accused not to be guilty, he immediately must be discharged.
8. Crimes are emerging at an alarming rate in spite of the fact that death penalty has been abolished by many countries.
9. When the lower chamber had passed the bill it went to the upper one.
10. When a bill has been signed by the Queen, it becomes an Act of Parliament.
11. The Queen formally appoints the judges on the recommendation of the Lord Chancellor who makes the real selection.
12. As the case is rather complicated the jury is still discussing the verdict.

Ex. 8. Translate into English.
1. Если журналистов не допустят в здание суда, они постараются добиться информацию другими путями.
2. Запуганный сообщниками преступника, свидетель отказался от своих показаний.
3. Я никогда не слышал, чтобы подобные вещи спрашивали в суде.
4. Магистратский суд, занятый в основном уголовными делами, рассматривает и некоторые гражданские дела.
5. Обыскивая дом, полиция неожиданно нашла улики, относящиеся совершенно к другому делу.
6. Полицейский увидел, что несколько человек грабят прохожего.
7. Доставив подозреваемого в полицию, офицер приступил к его допросу.
8. Женщина поблагодарила полицейских, спасших ее детей.
9. Видели, что человек, бежавший по улице, стрелял из пистолета.
10. Принимая во внимание все обстоятельства дела, мы можем отпустить задержанного под залог.
11. Офицер, проводивший расследование, обнаружил много новых фактов.
12. Проводя расследование, офицер допросил множество свидетелей.
Text A  Civil Procedure

Task: read and translate the following text.

The term "procedure" covers all the steps necessary to turn a legal right into a satisfied judgement, it does not merely refer to the trial itself. The proceedings prior to trial take much time and often result in a settlement being reached before any trial takes place. Proceedings after trial may also take time, for example appeals procedure and enforcement of the judgement.

The basic steps involved are as follows:

a. The action is begun by issuing and serving a writ.
b. The defendant acknowledges service.
c. An exchange of pleadings takes place.
d. Preparation is made for the trial, including discovery and inspection of documents.
e. The trial.
f. If there is no appeal the matter is concluded by enforcement of the judgement.

The usual method of commencing an action is to issue a writ. This places matter on official record. A copy of the writ must be served on each defendant either personally or by some other means such as service to his solicitor. Some actions are commenced by a petition rather than a writ, for example a divorce or a company liquidation. If a person on whom a writ is served proposes to enter a defence he must, within 14 days of service of the writ, deliver an acknowledgement. The form of acknowledgement is served by the plaintiff with the writ. After acknowledgement service the defendant has further 14 days for which to file a defence.

The object of pleadings is to define the area of contention between the parties. A pleading must contain a brief statement of the facts relied on, but not the evidence by which they will be proved. If a matter is not included in the pleading it cannot usually be raised at the trial. The first pleading contains the statement of claim made by the plaintiff. The second – the defendant's answer, the defence. If the defendant has a complaint against the plaintiff he may include a counterclaim with his defence. Then comes the reply, the plaintiff's
answer. If either party needs more information he may ask for further and better particulars of specific matters.

If the defendant fails to acknowledge service or if he fails to serve a defence the plaintiff may obtain a default judgement without the necessity of restoring to a trial. If the plaintiff feels that there is no defence to the action he may apply for a summary judgement.

Between the close of pleadings and trial much preparatory work must be done by the parties' solicitors. Documents relevant to the dispute are inspected, such matters as the date and venue of the trial are fixed and the number of expert witnesses that may be called by each side.

The trial starts with the plaintiff's barrister outlining the issues involved and calling the witnesses. The defendant's barrister then outlines his case and calls the evidence for the defence. Next the defendant's barrister and then the plaintiff's barrister will make a closing speech. Finally the judge gives the decision in the form of a reasoned judgement which may be delivered as soon as the case is concluded, or reserved to a later date if the judge wishes to consider the case further.

The final stage is enforcement of the judgement. If the defendant does not pay a judgement debt the latter is recovered from the proceeds of selling the debtor's goods or land.

**Word Study**

**Ex. 1.** Read the following words. Mind the stress. State their meanings. Consult the dictionary if necessary.

<table>
<thead>
<tr>
<th>Verb</th>
<th>noun (agent)</th>
<th>noun (concept)</th>
</tr>
</thead>
<tbody>
<tr>
<td>'prior</td>
<td>en'forcement</td>
<td>, liqui'dation</td>
</tr>
<tr>
<td>'record</td>
<td>ack'nowledge</td>
<td>, infor'mation</td>
</tr>
<tr>
<td>'plaintiff</td>
<td>ex'change</td>
<td>, prepa'ration</td>
</tr>
<tr>
<td>'claim</td>
<td>in'spection</td>
<td></td>
</tr>
<tr>
<td>'relevant</td>
<td>rep'ly</td>
<td>dis'pute</td>
</tr>
</tbody>
</table>

**Ex. 2.** Complete the list of derivatives. Use a dictionary if necessary.

<table>
<thead>
<tr>
<th>Verb</th>
<th>noun (agent)</th>
<th>noun (concept)</th>
</tr>
</thead>
<tbody>
<tr>
<td>to inspect</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to refer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to enforce</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to settle</td>
<td>settlement</td>
<td>settler</td>
</tr>
<tr>
<td>to serve</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to record</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to claim</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Ex. 3. Pair the words in column A with the ones from column B.

A       B
1. summary a) matters
2. necessary b) answer
3. official c) work
4. specific d) judgement
5. brief e) record
6. debtor’s f) steps
7. plaintiff’s g) goods
8. preparatory h) statement

Ex. 4. How are the following ideas expressed in one word?
1. the process by which the orders of a court may be enforced;
2. a legal order issued by the authority and in the name of the state to compel a person to do something;
3. affirmation, admission or declaration recognizing ownership, indicating authenticity, accepting responsibility, or undertaking an obligation to do something, such as to pay a debt;
4. the one who initially brings the suit; he who, in a personal action, seeks a remedy in a court of justice for an injury to his rights;
5. statements, in a logical and legal form, of the facts that constitute plaintiff’s cause of action and defendant’s ground of defence;
6. the first pleading of the plaintiff setting out the facts on which the claim is based;
7. it is not a mere answer or denial of plaintiff’s allegation, but assertion of an independent cause of action in favour of the defendant;
8. in legal practice, a point of fact or law disputed between the parties to the litigation, generally an assertion by one side and denial by the other.

Ex. 5. Match English and Russian equivalents.

1) prior proceedings a) изучение документов;
2) enforcement of the judgement b) заочное решение суда в пользу истца (вследствие неявки ответчика);
3) issuing and serving a writ c) жалоба против истца;
4) acknowledgement service d) доставить расписку;
5) an exchange of pleadings e) принуждение к исполнению решения суда;
6) inspection of documents  f) предшествующие процедуры;
7) an official record  g) предмет судебных прений;
8) to deliver an acknowledgement  h) произносить заключительную речь;
9) the object of pleadings  i) обмен судебными прениями;
10) a complaint against the plaintiff  j) служба уведомления;
11) a default judgement  k) выписывание и доставление повестки;
12) to make a closing speech.  l) официальный протокол;

Ex. 6. Choose the best alternative to complete the following sentences.
1. The proceedings prior to trial take much / little time.
2. Appeals procedure and enforcement of the judgement are proceedings after / before the trial.
3. The usual method of commencing an action / arrest is to issue a writ / warrant.
4. The form of acknowledgment is served by the plaintiff / by the defendant with the writ.
5. A pleading must contain a brief / full statement of the facts relied on.
6. The trial starts / ends with the plaintiff’s barrister / solicitor outlining the issues.
7. Finally the defendant’s barrister and then the plaintiff’s barrister will make a/an opening/closing speech.
8. The judge / foreman presents the verdict.

Ex. 7. Translate into English.
Источниками гражданского процессуального права в Англии являются прежде всего законодательные акты судоустройственного характера, определяющие структуру, компетенцию и некоторые вопросы деятельности судов соответствующих уровней (Закон о Верховном суде 1981 г., Закон о судах графств 1984 г., Закон о судах и юридических услугах 1990 г. и др.). Важную роль в регулировании гражданского судопроизводства играют законы об отправлении правосудия.

Text Study

Ex. 1. Choose the best way to complete the sentences.
1. The usual method to begin an action is …
   a) inspection of documents
   b) to issue a writ
   c) to deliver an acknowledgment
2. After acknowledgment service the defendant has ...
   a) to weight the importance of evidence
   b) special instructions of his solicitor
   c) further 14 days to file a defence

3. A pleading must contain ...
   a) a brief statement of the facts relied on
   b) physical exhibits offered by the lawyers
   c) the opening and closing statements of the judge

4. The first pleading contains ...
   a) the testimony of witnesses
   b) the credibility of witnesses
   c) the statement of claim made by the plaintiff

5. If the plaintiff feels that there is no defence to the action ...
   a) he may make objections to evidence
   b) he may include a counterclaim with the defence
   c) he may apply for a summary judgement

6. Finally the judge gives ...
   a) instructions to the jury on the law
   b) the decision in the form of a reasoned judgement
   c) his opinion of the case

Ex. 2. *Mark the statements which are true.*
1. The term “procedure” refers to the trial itself.
2. Issuing and serving a writ places the matter on official record.
3. The form of acknowledgment is served by the plaintiff with the injunction.
4. A pleading must contain the evidence by which it will be proved.
5. If a matter is not included in the pleadings it cannot usually be raised at the trial.
6. The second pleading contains the statement of claim made by the defendant.
7. If the plaintiff feels that there is no defence to the action he may apply for a summary judgement.
8. The trial starts with the inspection of documents.
9. Finally the plaintiff’s barrister gives the decision in the form of a reasoned judgement.
10. The final stage is enforcement of the judgement.
Ex. 3. Complete the following sentences by adding the phrases given in part B.

Part A
1. The term “procedure” does not ...
2. Proceedings after trial may also take time in the form of ...
3. To issue a writ is ...
4. If a person on whom the writ is served proposes to enter a defence ...
5. The object of pleadings is ...
6. If the matter is not included in the pleadings ...
7. If either party needs more information ...
8. Between the close of pleadings and trial ...
9. The trial starts ...
10. The final stage is ...

Part B
a) much preparatory work must be done by the parties’ solicitors;
b) the usual method of commencing an action;
c) he may ask for further and better particulars of specific matters;
d) he must deliver an acknowledgment;
e) merely refer to trial itself;
f) it cannot be raised at the trial;
g) appeals procedure and enforcement of the judgement;
h) to define the area of contention between the parties;
i) with the plaintiff’s barrister outlining the issues involved and calling witnesses;
j) enforcement of the judgement.

Ex. 4. These are answers. What are the questions?
1. The proceedings prior to trial take much time.
2. Proceedings after trial may also take time.
3. The usual method of commencing an action is to issue a writ.
4. After acknowledgment service the defendant has 14 days for which to file a defence.
5. There are the first and the second pleadings.
6. The plaintiff may obtain a default judgement.
7. The date and venue of the trial are fixed and the number of expert witnesses may be called.
8. The plaintiff’s barrister is outlining the issues involved and calling the witnesses.
9. The debt is recovered from the proceeds of selling the debtor’s goods or land.
**Text B  Criminal Procedure**

**Task:** read the text and get ready to discuss its main points.

When the offence is not serious and the accused is likely to appear when required a summons is issued informing him of the time, date and place of the trial.

If the offence is more serious and there is a possibility that the accused will not appear voluntarily a warrant for his arrest will be issued. A warrant is a written order addressed to the police ordering them to secure the person to whom it refers.

A summary trial is a trial by magistrates without a jury. The Clerk of the Justice will read the charge and ask the accused to plead it. If the accused pleads not guilty or if he remains silent the trial will commence with the prosecutor addressing the court and then calling his evidence. The defence may then address the court and call evidence. Both prosecution and defence witnesses may be cross-examined. The prosecution may then call further evidence to rebut the defence, and the defence may also be given a second opportunity to address the court. Then the prosecution will be given the final right of reply. The magistrates will then make their decision. If they find the accused guilty, they may consider previous convictions or evidence of previous good character before deciding on the sentence. If the court consider that the accused should receive a greater punishment than they have the power to impose the accused may be referred to the Crown Court for sentence.

The accused needn’t appear in court in person but can plead guilty by post in cases where his appearance at court would be a mere formality, if not waste of time and money. In cases of indictable offences first it is necessary to establish whether there is a *prima facie* case against the accused. This is the function of committal proceedings before examining magistrates. If it is decided to commit the accused to the Crown Court for trial the magistrates then have to decide whether to remand him in custody or release him on bail. In making this decision they will consider the nature of the offence and the character of the accused.

Between committal and trial a document called an indictment is prepared. This is a brief statement of the nature of the offence. This is read to the accused at the start of the trial. He then pleads "guilty" or "not guilty". If the plea is "not guilty" a jury must be summoned.

**Notes:**

1. *prima facie* (Lat.) – преимущественно, судя по имеющимся доказательствам
Ex. 1. Say if these statements are true or false.
1. A summons is issued informing the accused of the time, date and place of the trial.
2. A warrant is a written order addressed to the accused.
3. A summary trial is a trial by High Court with a jury.
4. The Clerk will read the statement of claim to the accused.
5. The defence may then inspect the documents.
6. Both prosecution and defence witnesses may be cross-examined.
7. When magistrates make their decisions, they will not consider the accused’s previous convictions.
8. The accused needn’t appear in court in person.
9. Before a summary trial the magistrates have to decide whether to remand the accused in custody or release him on bail.
10. Between committal and trial physical evidence is prepared.

Ex. 2. Complete the following sentences.
1. When the offence is not serious ...
2. If the offence is more serious ...
3. If the accused pleads not guilty ...
4. If the magistrates find the accused guilty ...
5. If the court consider that the accused should receive a greater punishment ...
6. The accused needn’t appear in court in person but ...
7. In cases of indictable offences first it is necessary to establish ...
8. An indictment is read to the accused ...

Ex. 3. At what stage or stages of the criminal procedure is the person involved called:
1. the defendant, 2. the offender, 3. the suspect, 4. the convict, 5. the criminal, 6. the accused.

Ex. 4. The following events are all connected with the criminal procedure. Note that some of the phrases may have the identical meaning.
A. You are charged with an offence.
B. You are sentenced to punishment for an offence.
C. You are suspected of an offence.
D. You are tried for an offence.
E. You are accused of an offence.
F. You are convicted of an offence.
G. You plead guilty or not guilty to an offence.
H. You are arrested for an offence.
Ex. 5. Compile a report on the trial. Use the suggested questions.

What is (are) 1. the offence is not serious;
What do you mean by 2. the offence is more serious;
Could you explain to me 3. the police secure the person to whom it refers;
Can you tell me about 4. a trial by magistrates;
Who is (was) 5. the accused remains silent;
When does (do) 6. witnesses may be cross – examined;
Why does (do, did) 7. to rebut the defence;
8. evidence of previous good character;
9. to establish a prima facie case;
10. the accused remains in custody or is released on bail
11. the procedure is similar to the summary procedure;

Ex. 6. Make your own sentences on the judicial process. Use the following words and word-combinations.

1. court, to appear in court, trial, judge, jury;
2. to give evidence, to testify, testimony;
3. the accused, the defendant;
4. barrister, the defence, the prosecution;
5. to plead guilty / not guilty;
6. to put a witness in the stand, to cross-examine;
7. to try and pick holes in the witness’s evidence;
8. to make a closing speech, to announce the verdict;
9. the jury’s verdict, unanimous / majority verdict;
10. to pass a sentence / set someone free.

Ex. 7. Case study.

Which of the roles could you take in a trial and why?

The judge (J); the jury (j); the accused (A); a witness (w); a police officer (p.o); the clerk (C); the usher (U); the prosecutor (P); the solicitor (S)

a) Match the sentences with the people who could have said to them (put the) corresponding letter next to the words.

– I am charging you with attempted murder.
– How do you plead?
– Call the first witness.
– Members of the jury, how do you find the accused? Guilty or not guilty?
– The verdict of this court is that you are guilty and I therefore sentence you to life imprisonment.
– I want to appeal against my sentence.
– I plead not guilty.
– Be upstanding in Court!
– I call upon the Prosecutor to state the case against the accused.
– I swear by Almighty God that I shall tell the truth, the whole truth, and nothing but the truth.
– Take the witness stand, please, and recite the oath.
– We find this case proved/not proved.
– No further questions, your Honour.
– I wish to call ... to the stand.
– Objection.
– Objection (not) sustained.
– The prosecution rests.

b) Put the phrases in the order they might appear during the trial.

Ex. 8. Case study.
Read the following information and then role-play the trial according to the details given.

a) The accused, a 32-year-old single woman, went to a department store where she allegedly took a bottle of perfume without paying. She is charged with shoplifting.

b) Choose one of the roles below and then look at your role card. It is important that you do not look at anyone else’s card.
   • the judge
   • the defending counsel
   • the prosecuting counsel
   • the accused
   • the store detective
   • the character witness
   • the jury (12 people): it is your job to listen to the evidence and decide whether the accused is guilty or not.

c) The procedure at a trial is as follows:
1. The prosecuting counsel makes a speech saying why the accused is guilty.
2. The defence counsel makes a speech saying why the accused is innocent, or at least why the prosecution cannot prove the accused’s guilt.
3. The prosecuting counsel puts his or her witness(es) in the witness stand and gets them to tell the court what they know.
4. The defending counsel tries to find fault with what the witness(es) has/have said.
5. The procedure is reversed: now the defending counsel puts a witness in the stand.
6. The defending counsel makes a closing speech to the jury saying why they should acquit the accused.
7. The prosecuting attorney makes a speech saying why the jury should find the accused guilty.
8. The jury make their decision.
9. The judge passes a sentence or sets the accused free.

Ex. 9. Render the following text into English, using the topical vocabulary of the present unit:

Уголовный процесс

Источниками уголовно-процессуального права в Англии служат прежде всего законодательные акты, регулирующие одновременно вопросы судоустройства (court system). К их числу относятся законы о Верховном суде 1981 г., о магистратских судах 1980 г., о присяжных 1974 г. (с последующими изменениями), об обжаловании по уголовным делам 1968 г., а также законы об уголовном правосудии 1925 г. и ряда последующих лет, в том числе закон 1988 г. Среди актов, изданных за последнее десятилетие, большое значение имеют Закон о преследовании за преступления 1985 г., Закон об отправлении правосудия (to administer justice) 1985 г. и особенно Закон о полиции и доказательствах по уголовным делам 1984 г. (в нем подробно регламентируется деятельность полиции по расследованию преступлений, в том числе вопросы, связанные с производством обысков и арестов, предварительным заключением обвиняемых, рассмотрением жалоб на действия полицейских при расследовании, а также оценкой некоторых доказательств, в частности полученных с помощью компьютерных устройств). Что касается норм прецедентного права, то и в области уголовного процесса, несмотря на обилие законодательных актов, их роль остается весьма существенной: она состоит и в толковании положений, в общей форме изложенных в отдельных законодательных актах, и в устранении пробелов (gaps) в законодательстве.

Ex. 10. Think of a crime story, involving a crime and the trial and conviction of the offenders. Consult a dictionary to find the words you need for the story and try to use the vocabulary of the present unit. Some situations will help you.
1. You saw the accused put a bottle of perfume into her bag. She then paid for some other goods before walking out into the street. When you stopped her
outside the store she said “I didn’t realize the store had detectives otherwise I would never have done it”.

2. You were shopping in a department store. You bought a number of toilet articles and, without thinking, you put a bottle of perfume into your bag and forgot about it. After leaving the shop you were stopped by the store detective. You said to him: “I didn’t realize that I had put the perfume in my bag. I would never have done it on purpose”.

**Text C**

**Trial by Jury**

**Task:** read the text, focus on the peculiarities of trial by jury.

If Britain had a written constitution, its most predictable clause would provide that no citizen should be liable to lose his or her liberty for longer than a year without at least the opportunity of submitting to trial by jury. The jury system is deeply entrenched, though senior police officers may despair of its propensity for acquitting one in four defendants who contest their charges in Crown Courts.

Jury trial is a unique British institution. It was hit upon by happy accident over seven hundred years ago, to replace trials by the ordeal of fire or water, in which guilt or innocence was decided by ritual tests overseen by parish priests. It was replaced by the procedure which Henry II had instituted to resolve land disputes: a group of worthy citizens from the district was summoned by a judge to decide between rival claimants on the basis of their knowledge of local history and customs.

Jurors all swear solemn oaths to “give true verdict according to the evidence”. The jury has in its verdict the duty of "blending law and fact; a process in which they might follow “the prejudices of their affection or passions”.

Crown court judges today invariably direct their juries, but independence remains the most remarkable feature of the modern jury, and an important safeguard against oppressive prosecutions. It means that an ordinary, everyday sense of mercy is built into criminal justice arrangements.

Recent studies estimate that some 14 per cent of acquittals are sympathy verdicts, where the jury strives to find a reasonable doubt because it believes, with good cause, that the defendant has been the victim of oppressive police behaviour or has in any event suffered enough. The notion that a jury panel is more likely to acquit brings humanity and compassion to the harsh letter of the law.

The other feature which contributes to the esteem in which the modern jury is held is that it is drawn at random from a representative cross-section of society. This is not a historical survival, but a very recent adaptation of the system to satisfy democratic ideals. Before 1972, juries were mainly male, middle-aged, middle-minded and middle-class – because only those who owned
property could serve upon them. Since 1972 the jury has become, truly, the people’s court.

The most common public-order offences, such as obstruction of the highway and the use of threatening or insulting language and the new crimes of disorderly conduct and disobedience to police bans and restrictions on demonstrations, do not carry the right to jury trial.

Although serious crimes must be tried by a jury, and most minor offences must be tried by magistrates, many offences of moderate seriousness fall within the category of offences which may be tried by either system. There has been a steady increase in offences which are triable by magistrates.

**Ex. 1.** *Put the following sentences in a logical order.*

1. Recent studies estimate that some 14 per cent of acquittals are sympathy verdicts.
2. Henry II had introduced the procedure to resolve hard disputes: a group of people to decide on the basis of their knowledge of local history and customs.
3. Since 1972 the jury has become truly, the people’s court.
4. The other feature which contributes to the esteem is that the jury is selected at random.
5. Jury trial was hit upon over seven hundred years ago.
6. Serious crimes must be tried by a jury and most minor offences must be tried by magistrates.
7. The jury has in its verdict the duty of blending law and fact.
8. Many offences of moderate seriousness fall within the category of offences which may be tried by either system.

**Ex. 2.** *Quote the text to show:*

1. The selection of jury.
2. Jury’s duty – “blending law and fact”.
3. The category of offences triable by magistrates.

**Ex. 3.** *Complete the following text with the words and phrases from the box.*

- civil cases; ownership of property; randomly;
- evidence; verdict; unanimous; undertake

Trial by jury is an ancient and important feature of English justice. Although it has declined in _____ _____ (except for libel and fraud), it is the main element of criminal trials in the Crown Court. Jury membership was once linked to the _____ _____, which resulted in male and middle-class dom-
inance. But now most categories of British residents are obliged to _____ jury service when summoned.

Before the start of a criminal trial in the crown court, 12 jurors are chosen from a list of some 30 names _____ selected from local electoral registers. They listen to the _____ at the trial and give their verdict on the facts, after having been isolated in a separate room for their deliberations. In England, Wales and Northern Ireland the _____ may be ‘guilty’ or ‘not guilty’, the latter resulting in acquittal. Until 1967 the verdict had to be _____. But now the judge will accept the majority verdict after the jury has deliberated for more than two hours provided that, in the normal jury of 12 people, there are no more than two dissenters.

Text D  The Plea-bargaining Process

Task: read the text and give your understanding of the underlined parts of the sentences.

Every criminal defendant exercises some power over the way the case is to be conducted. A defendant who pleads guilty admits all the facts alleged in the accusation, he or she admits to being guilty as charged. No trial has to be conducted. A defendant who pleads not guilty denies all the facts and their legal implications and puts the government – the prosecutor – to great expense to prove guilt in an elaborate criminal trial. By the mid-twentieth century it had become common practice in the United States for prosecutors and defense attorneys to discuss the criminal charges against defendants and to agree on a reduced or modified plea that would spare the state the cost of a trial and guarantee the defendant a sentence more lenient than the original charge warranted. At first such plea negotiations were quite clandestine and officially denied. In fact, when accepting a plea, the judge would always inquire whether the plea was freely made, and the defendant always answered yes, when in fact the plea was the result of a bargain in which the defendant and the prosecutor manipulated each other into a deal. Contemporary legislation, federal and state, fully recognizes the plea-bargaining process, and simply requires guarantees that no one be coerced and that all pleas are voluntarily entered, with full awareness of the consequences.

• Nevertheless, the process of plea bargaining invites injustices of many sorts. Defendants who are morally or legally not guilty, for example, may feel inclined to accept a plea bargain in the face of strong evidence. Other defendants may plead guilty to a lesser charge even though the evidence was obtained in violation of constitutional guarantees. In some cases, by “overcharging” (charging murder instead of manslaughter, for example), a prosecutor may in effect coerce a defendant to plead guilty to the lower charge, thus, in
effect, forcing him or her to relinquish the right to a jury trial. The practice of plea bargaining is widespread.

Abolishing plea bargaining would require broad changes in criminal law and procedure, and thus in the entire criminal justice system. Until such reforms are achieved, if ever, the system will continue to rely on the decisions of prosecutors and defense counsels to agree on a plea.

Text E

Evidence

Task: read the text and supply it with the missing terms.

| circumstantial evidence | documentary evidence | hearsay evidence |

Evidence is the means by which the facts in issue are proved. In criminal cases the accused is presumed to be innocent until he is proved to be guilty. In order to prove him guilty the prosecution must prove its case beyond reasonable doubt.

Two types of facts are relevant: facts in issue and other facts from which the facts in issue may be inferred. This is known as ________.

There are three methods of proving the facts: by the evidence of witnesses, by __________, by real evidence.

The general rule is that all witnesses must give evidence on oath. The oath is: “I swear by Almighty God that the evidence which I shall give be the truth, the whole truth, and nothing but the truth!”

There are two basic rules which relate to the testimony of witnesses: firstly evidence should be given orally and in open court (there are some exceptions to this rule, for example provisions enabling evidence to be taken before trial, and in some cases given by affidavit); secondly evidence must be continued to facts which the witness personally perceived (this rule excludes opinions and ________: he cannot give evidence of what he heard another person say).

A person who wishes to rely on the contents of a document as a means of proving a fact must prove that the document is authentic or has been duly executed.

Real evidence refers to the inspection of physical objects (other than documents) by the court. There are three main types of real evidence: material objects, referred to in courts as 'exhibits'; physical appearance of persons in court when it is necessary to assess damages for personal injury; a view, i.e. an inspection outside the court of a relevant place or object.
**Dialogue 1. In the Courtroom**

**Task:** read the dialogue, reproduce it **a)** abridged, **b)** in the form of a monologue.

**Court Clerk:** Stephen Vole, you are charged with murdering Emily French on the 14-th day of October. Now say you, Stephen Vole, are you guilty or not guilty?

**Vole:** Not guilty.

**Court Clerk:** Members of the Jury! The prisoner stands indicted for that he on the 14-th day of October murdered Emily French. To this indictment he has pleaded ‘not guilty’, and it is your charge to say¹, having heard the evidence, whether he be guilty or not.

**Judge:** Members of the Jury, by the oath which you have just taken you swore to try this case on the evidence. You must shut out from your minds² everything, except what will take place in this court. (To the prosecutor). You may proceed for the Prosecution, Mr Myers.

**Myers:** (rising): May it please you, my Lord³. (To the jury): I appear in this case for the Prosecution. And my learned friend Sir Wilfred Robert appears for the Defence. The facts in this case are simple and to a point, not in dispute⁴. You will hear how the prisoner made the acquaintance of Mrs Emily French, how he was treated by her with kindness. On the night of October the 14-th last between 9:30 and 10:00 Mrs French was murdered. It is the case for the Prosecution that the murder was committed by the prisoner Stephen Vole.

**Vole:** That’s not true! I didn’t do it!

**Myers:** Among the witness you will hear police evidence, also the evidence of Mrs French’s housekeeper, and from the medical and laboratory experts, and the evidence of the murdered woman’s solicitor. I will now call Chief Inspector Hearne, Criminal Investigation Department of New Scotland Yard.

**Usher:** Chief Inspector Hearne! Chief Inspector Hearne!

**Hearne:** From the body temperature and other factors we placed the time of death at between 9:30 and 10 p.m. Approximately thirty minutes before the housekeeper returned home and called us. Death was instantaneous, caused by one blow from a heavy blunt instrument.

**Myers:** Were there any signs of struggle?

**Hearne:** No, just one blow.

**Myers:** After establishing the cause and the time of death, what did you then do?

**Hearne:** A search was made. Photographs were taken and the premises were fingerprinted.

**Myers:** What fingerprints did you discover?
Hearne: I found the fingerprints of Mrs French, those of the housekeeper and some of Leonard Vole.

Myers: What made you think a robbery had been committed? Was any of the murdered woman’s property missing?

Hearne: No, sir. Nothing was missing.

Myers: Will you produce a jacket, Inspector? (a jacket found by the police in Vole’s house and is offered as evidence).

Hearne: Yes, sir.

Myers: Where did you find it, Inspector?

Hearne: In the prisoner’s flat and I handed it to our lab to test for bloodstains.

Myers: And did you find any?

Hearne: Yes, though an attempt had been made to wash them out.

Myers: What tests did the laboratory make?

Hearne: First to determine if the stains were made by human blood, then to classify it by group or type.

Myers: And what was the result?

Hearne: The blood on the jacket and the blood of the dead woman is of the same type.

Myers: Thank you, Inspector. No further questions.

(After A. Christie)

Notes:
1. It is your charge to say… – ваша обязанность сказать...
2. Shut out from your minds – выбросить из головы
3. May it please you, my Lord – Если Вам угодно, Ваша Светлость
4. not in dispute – не подлежит обсуждению

Ex. 1. How is the following expressed in the dialogue?

1. happening at once
2. to promise formally
3. to be charged formally with an offence in law
4. a solemn promise
5. reason
6. to answer a charge in court
7. a person who is present when something happens
8. that which is owned, possession
9. words or objects which prove a statement or make a matter more clear
10. a person with special knowledge or training
11. a spot
12. not sharp
13. to remove by washing
14. to find out or make certain
15. to act or behave towards

**Ex. 2. Study the dialogue and analyse different ways of addressing people depending on their social status.**

**Ex. 3. Give Russian equivalents to the following:**
- to stand indicted for, to plead “not guilty”, to hear the evidence, to take an oath, to proceed for the Prosecution, to appear for the Prosecution (Defence), to treat smb, a laboratory expert, approximately, instantaneous, to be caused by smth, a blunt instrument, to establish a cause, to make a search, a fingerprint, to miss smth, to test for smth, to make an attempt.

**Ex. 4. Translate and activate the following sentences in your speech:**
1. Он обвиняется в убийстве. 2. Он не признает себя виновным. 3. Заслушав показания свидетелей, они должны сказать, виновен он или нет. 4. Члены суда присяжных заседателей принимают присягу. 5. Факты этого дела просты и обсуждению не подлежат. 6. Время смерти было определено по температуре тела и другим показателям. 7. Был проведен осмотр, сделаны фотографии и взяты отпечатки пальцев. 8. Это не было ограбление, т. к. никакие вещи убитой не пропали. 9. Пиджак был осмотрен в лаборатории на предмет наличия пятен крови. 10. Что было выявлено в лаборатории? 11. Возможно, что кровь, обнаруженная на пиджаке, принадлежала убитой.

**Dialogue 2. Gathering Evidence**

**Task:** study the dialogue between two law students before the seminar.

**Jason:** Have you prepared for the seminar?

**David:** Not really. I don’t even know what we are going to discuss.

**Jason:** Different ways of gathering evidence.

**David:** I know how important it is for the investigating agency to gather sufficient legally admissible evidence. Without it it is impossible...
to convince the judge or jury that the suspect is guilty.

**Jason:** As far as I know the police employ a variety of powers and procedures.

**David:** What for?

**Jason:** Because this activity potentially involves interference with the freedom of the suspect. And, as you know, at this stage he must be treated as an innocent person.

**David:** And if a close control is needed, then what?

**Jason:** It is decided by legislation or by the courts. One important procedure is a search of the suspect, premises or vehicles, you know.

**David:** I wonder if a search can be carried out without a search warrant.

**Jason:** It is required for a search of private premises. And it is issued by a magistrate or judge, if they are satisfied after hearing evidence on oath that there is a good reason for the evidence to be found.

**David:** Does a search warrant have any time limits?

**Jason:** It may have. And normally it permits only one search.
David: Do you think it is necessary to tell the judge or magistrate of the outcome of the search?
Jason: In most countries – yes.
David: Can any evidence discovered as a result of a search be admitted in the trial?
Jason: No, it can’t be admitted if it doesn’t comply with the procedures laid down by the law.
David: Even if it clearly establishes the guilt of the accused person? And may it prevent the conviction of a person who is plainly guilty?
Jason: Yes. And this rule known as the exclusionary rule is a matter of dispute in many English-speaking countries.
David: Unbelievable!

Ex. 1. Find English equivalents to the following:
ордер на обыск; следственный орган; соответствовать; предотвратить осуждение; достаточное основание; доказательство; улика; убедить; результат; установленная процедура; улика, допустимая в качестве доказательства в суде; вмешательство; доказать вину; откровенно виновен; законодательство; показания под присягой; помещение, дом; правило об исключении из доказательств.

Ex. 2. Ask all possible questions to the following sentences:
1. The identification of the suspect is not the final stage of the process.
2. Most jurisdictions allow a search to be carried out only if there is “reasonable ground for suspecting”.
3. In some cases a person can be stopped in the street and searched.
4. The police officer is to identify himself and state the reasons for the search.
5. Material seized as a result of a search is usually kept by the police for production as exhibits at any trial.
6. The interrogation of suspected persons is an important aspect of the investigation of offences.
7. In the USA any suspect who is being interrogated in custody must be offered the services of a lawyer.
8. A person suspected or accused of a criminal offence is not obliged to answer any question or give evidence.

Ex. 3. Sum up the information you have learnt from the dialogue making use of the following verbs:

to gather, to convince, to employ, to treat, to allow, to issue, to permit, to be satisfied, to suspect, to search, to comply, to admit, to establish, to prevent.

Revision Translation

Task: translate into English.

Доказательства

Доказательства в уголовном и гражданском процессе – фактические данные об обстоятельствах, имеющих значение для правильного разрешения дела.

В уголовном процессе на основании доказательства устанавливается: имело ли место преступление; виновность лица в совершении преступления; мотивы преступления; характер и размеры ущерба, а также причины и условия, способствовавшие совершению преступления.

В гражданском процессе с помощью доказательств выясняется наличие или отсутствие обстоятельств для исковых или иных требований, возражения сторон и определения действительных прав и обязанностей сторон.

Доказательства устанавливают также вспомогательные факты, знание которых необходимо для сбора, проверки, оценки материалов дела.

Сведения, имеющие доказательственное значение, содержатся в показаниях свидетелей, потерпевшего, подозреваемого, обвиняемого, в заключениях экспертов, протоколах следствий.

С учетом вида и характера, доказательства приня-
то делить на личные и вещественные; на прямые и косвенные; на подтверждающие и опровергающие версию.

LISTENING COMPREHENSION

A Story from the Different Points of View

Pre-listening activities
Make sure that you know the following:

- to bash = to strike
- to be slippery = to be unstable
- a police cell = a chamber for keeping an arrested person

Listening activities
I. As you listen to the different evidence of what happened, make brief notes to find five contradictions between the two parties (Bill and the old Lady) of the case.

II. Listen to the tape once more to find any information that Bill mentioned in his evidence but the old Lady didn’t.

After listening activities
Discuss in groups the following questions:

1. Whose evidence of the story do you believe?
2. Were the police right to arrest Bill and Frank?

GRAMMAR SECTION

Grammar to be revised: The Gerund

Ex. 1. Analyse and translate the sentences containing the Gerund.

1. There are some offences where the defendant is given the choice of having his case heard in the Magistrates’ Court or the Crown Court. 2. The process of taking an action from the lower court to the highest court may be very time-consuming and costly. 3. In any legal system there are institutions for creating, modifying, abolishing and applying the law. 4. I have most serious objections to this witness being summoned by the prosecution. 5. You should confine yourself to saying what you saw there. 6. His pleading guilty to all the
offences should be a credit to him. 7. *Her testifying* against her brother surprised everybody. 8. The right of appeal usually depends upon *the appellant being* able to show certain reasons for dissatisfaction. 9. He doesn't feel like *saying* anything about his being an ex-convict. 10. You shouldn't run the risk of *taking up* this case. 11. Such a statement couldn't help *causing* general excitement in the courtroom.

**Ex. 2. Choose the correct form.**

1. The suspect denies *(having taken, having been taken)* part in that robbery.
2. The case needs *(investigating, being investigated)* as soon as possible.
3. *(Denying, having denied)* the facts would worsen the situation for you.
4. I don’t insist on your *(doing, having done)* anything against your will.
5. Everybody is sure of his *(winning, having won)* the case tomorrow.
6. We knew nothing of the jury *(passing, having passed)* the verdict already.
7. They insist on *(telling, being told)* the truth.
8. He denies *(seeing, having seen)* me last week.
9. He can't stand *(involving, being involved)* into somebody's hole and corner affairs.
10. I am suspicious about his not *(offering, having offered)* the pistol in evidence.
11. The prosecutor asked another question for the purpose of *(clarifying, being clarified)* the details.
12. The judicial branch has the responsibility of *(judging, being judged)* the constitutionality of Acts of law.

**Ex. 3. Fill in the spaces with a suitable Gerund form of the verbs in the box.**

[commit, murder, convict, stop, rob, hit, talk to]

Two men escaped from Durham jail this morning. Both men were serving five years for *(1)* an elderly man. The police are looking for a hit-and-run driver who drove off without *(2)* after *(3)* a young woman. The police are interested in *(4)* anyone who saw the accident. It was only natural that he should be suspected of *(5)* Mrs. French. After *(6)* he was taken to prison. He was arrested on the charge of *(7)* a larceny.

**Ex. 4. Insert the appropriate preposition before the Gerund where necessary.**

1. Everybody was sure that for the defence there wasn't any possibility *(winning)* the case. 2. The journalists believe that the lawyer would be charged *(having concealed)* the material evidence. 3. I am not accused *(killing)* anyone to cover my defalcations. 4. He testified *(receiving)* twenty-five dollars
for the purpose ... smuggling Miss Corning out of the building. 5. The defendant claims he had no intention ... injuring Mr. Rogers. 6. For many years the banks denied ... receiving deposits from criminal sources. 7. I think there's nothing to be gained ... putting a defendant on the stand in a preliminary hearing. 8. His serious illness prevented Sir Wilfred ... taking up this case. 9. I insist ... recalling Mr. Tragg for another questioning. 10. The trial ended ... pronouncing the sentence. 11. I see that you persist ... shielding your accomplices. 12. We have no doubt ... your client's being guilty.

**Ex. 5. Transform the sentences so as to use the Gerund according to the models:**

**Model 1:**

Our aim is to get to the truth.  
Getting to the truth is our aim.

1. It is a bailiff's duty to assist in the court. 2. It is important to cross-examine the witness. 3. In some countries it is traditional to pay people who give information about criminals. 4. It is the judge's responsibility to guide the jury on questions of law. 5. It is impossible to avoid service as a juror without a good reason, such as illness. 6. It is the inalienable right of every citizen to have a fair trial.

**Model 2:**

Mr. Brown is a judge. It is a very responsible post.  
Being a judge is a very responsible post.

1. Mr. Fowler is a coroner. It requires a legal training. 2. The judge pronounced the sentence. It took half an hour. 3. The defence counsel browbeat the witness. It made a district attorney furious. 4. The police found the perpetrator. It turned out to be the simplest task. 5. The attorney for the Southern Railroad lost the case. It depressed him greatly.

**Model 3:**

She committed perjury ... (to tell a lie in the court).  
She committed perjury by telling a lie in the court.

1. The accused penetrated into the house ... (to climb through the window). 2. The counsel got the answer he wanted ... (to put the words into the witness's mouth). 3. Sometimes teenagers get into trouble ... (to keep bad company). 4. The defendant expressed his dissatisfaction with the court ruling ... (to file an appeal to the local Crown Court). 5. The criminals made the victim give false evidence ... (to threaten him).
**Model 4:** When did Susan seem excited? (to hear the verdict of non-guilty)

Susan seemed excited on hearing the verdict of non-guilty.

1. When did he leave the country? (to plead guilty to having illegal deals).
2. When did the prosecutor begin to lose his confidence? (to hear the testimony of a surprise witness).
3. When can the experts make a conclusion? (to identify the fingerprints).
4. When should a witness be sworn? (to give evidence in the court).
5. When did the court adjourn? (to be in session for several hours).
6. When did the plaintiff refuse to take the money offered to him? (to consult his attorney).

**Ex. 6. Use the proper form of the Gerund.**

1. He was charged with *(not to take)* the victim to hospital after the accident.
2. He is responsible for the criminals *(not to arrest)* yet.
3. One of the aspects of punishment implies that an offender must be afraid of *(to punish)*.
4. Instead of *(to place)* in jail the accused was released on bail.
5. The main task of police work is the task of *(to protect)* society against crime.
6. The man was accused of *(to violate)* the traffic rules.
7. The problem of *(to obtain)* a warrant for arrest is of growing importance.
8. Agents of FBI are mainly concerned with *(to gather)* and *(to record)* the information in order to present a case for prosecution.
9. *(To arrest)* a person is *(to take)* him to custody for the purpose of *(to charge)* him with a special offence.
10. If evidence was obtained by law enforcement agencies without *(to observe)* the constitutional rights of the accused, the accused may ask the court to prevent the evidence from *(to use)* in his trial.
11. Many famous jurists define a crime as an act of *(to violate)* the law of the state.
12. The problem may be summarized by *(to say)* that a criminal offence is an offence against any private right and punishable by the state.

**Ex. 7. Define the Gerundial Constructions, if any. Translate the sentences.**

**Model:** His having been arrested was unexpected for us.

To, что его арестовали, было неожиданным для нас.

1. I was against your interfering in my affairs.
2. We were satisfied with his having been acquitted.
3. Mr. Smith is proud of his son being an honest man.
4. We were surprised at your having asked such a question.
5. People don’t like being asked questions about their private life.
6. The policeman’s coming late to the scene of the crime made the investigation difficult.
7. Your pleading not guilty doesn’t mean that you are innocent.
8. The offender’s being arrested at the scene of the crime came as a result of the quick police actions.
9. The person’s being fined can be regarded as a just punishment.
10. An arrest is legal if there is no doubt of a person’s committing a crime.
11. According to the law the magistrate conducting a preliminary hearing is obliged to inform the accused of his having the right to legal counsel.
12. One of the main duties of the police is to prevent delinquents from becoming criminals.

**Ex. 8.** Insert either Infinitive or Gerund in the proper form.

1. Before the trial started Perry Mason felt quite sure of (to win, winning) the case but after the first day of hearing he began to lose confidence.
2. Mason is sure (to win, winning) the case: he is a veteran trial lawyer.
3. Do you remember (to see, seeing) the defendant that day?
4. Remember (to put down, putting down) the date of the trial in the protocol.
5. I will never forget (to appear, appearing) for the defence for the first time.
6. He always forgets (to take, taking) his glasses and can't read a single paper.
7. I don't regret (to take up, taking up) the case of this man.
8. I regret (to inform, informing) you that you will remain in custody until you next appear in the court.
9. Some defendants prefer (to have, having) their cases heard in the Crown Court.
10. I prefer (to get, getting) a professional lawyer to represent me in a higher court.

**Ex. 9.** Complete the sentences using the correct form of the Infinitive, the Participle or the Gerund. Define the Constructions with the Verbals, if any.

1. Important measures (strengthen) the criminal justice system have been taken in recent years.
2. Certain special powers are available to assist in (prevent) and (investigate) terrorist crimes.
3. The courts have powers (trace, freeze and confiscate) the proceeds of drug trafficking.
4. Money (launder) is the process by which illegally (obtain) property – from drugs or arms trafficking, terrorist activities or other serious crimes – is given the appearance of (originate) from a legitimate source.
5. The Prevention of Terrorism Act 1989 makes it unlawful (support) special organizations (involve) in terrorism (connect) with the affairs of Northern
Ireland, and enables the Government \textit{(exclude)} from all or part of Britain people who are believed \textit{(involve)} in such terrorism.

6. There are also special powers for the police \textit{(conduct)} security checks at ports and airports.

7. The Home Secretary and the Scottish and Northern Ireland Secretaries, together with police authorities and chief constables are responsible for an effective and efficient police service in Britain \textit{(provide)}.

8. The police serve the public by \textit{(fight)} crime, \textit{(preserve)} public order and \textit{(keep)} in touch with the concerns of the community.

9. If magistrates are content \textit{(deal)} with the case, the accused has the right \textit{(choose)} trial by magistrates or trial by jury in the Crown Court.

10. An \textit{(accuse)} person has the right \textit{(employ)} a legal adviser and may \textit{(grant)} legal aid from public funds.

11. If \textit{(remain)} in custody, he or she may \textit{(visit)} by a legal adviser \textit{(ensure)} a properly \textit{(prepare)} defence.

12. There are no coroners’ courts in Scotland where the fiscal is responsible for \textit{(investigate)} all sudden, suspicious or unexplained deaths.

\textbf{Ex. 10.} \textit{Translate from Russian into English using the Gerund.}

1. Разве вы не бойтесь, что вас привлекут к ответственности за ложь? 2. Хотя это вопрос весьма личного характера, я не могу не задать его вам. 3. Сэр Уилфред возражал против того, чтобы Кристина давала показания против своего мужа. 4. Об этом факте не стоит упоминать. 5. Услышав, что Клайд Гриффитс, которого обвиняли в убийстве, скоро предстанет перед судом, его дядя попросил мистера Мэйсона, известного адвоката, представлять его дело в суде. 6. Несмотря на то, что миссис Воул находилась под присягой, она солгала суду. 7. Какой смысл допрашивать ребенка? Он слишком мал, чтобы давать показания. 8. Адвокат настаивал на том, чтобы обвиняемого осмотрел врач. 9. Достаточно ли у нас доказательств для предъявления обвинения? 10. Истец утверждает, что его избили и ограбили.
UNIT IX
SENTENCING AND PUNISHMENT

READING MATERIAL

Text A     General Aims of Punishment in Britain

Task: read and translate the text.

The main object of Criminal Law is to punish the wrong-doer. The nature of punishment is an important aspect of the Criminal Law. Punishment has as its objects both justice (retribution) and deterrence both of the wrong-doer and other potential criminals.

The punishment should fit the crime. Penalty must be imposed first of all according to the gravity of the crime committed, the personality of an offender, the nature of his guilt and other circumstances relevant to the case in hand. But no form of punishment can ever be totally rational – there will inevitably be a large element of subjective judgement.

The courts now have a wide range of different types of sentences they may pass. They range from the life sentence to community service orders (the death penalty for murder was first abolished for a five-year period in 1965; it was then completely abolished in 1969, although opinion polls seemed to show that over two-thirds of the public were in favour of it).

Offences themselves and therefore the punishments for those offences are graded according to social danger. The heaviest penalties are for premeditated murder, robbery, theft, bribe taking, large scale embezzlement, and grave offences committed by individuals with a past record of serious crimes.

If a person is found guilty of a fairly small offence, and has no previous convictions, he may receive no punishment at all, but be told that if he does wrong again the first offence will be taken into account along with the next.

Apart from imprisonment there is a range of non-custodial sentences that the courts can impose. Suspended sentences can only be applied to an offence which carries a maximum sentence of two years' imprisonment or less. During the period that the sentence stays suspended, the offender is obliged to remain of good behaviour – that is not to commit another offence.

A different form of supervision is the probation order. No sentence is involved in this case, the offender is left at liberty, but is obliged to report regularly to a probation officer, who is a trained professional worker. A probation order will be for a period of between one and three years.
A further variation within non-custodial sentencing is that of Community Service Order. The court may order any offender over the age of 16 to undertake specific, unpaid work that will be of benefit to the community over a period of twelve months for a minimum of 40 hours and a maximum of 240. Any break of the order by the offender will make him liable to fines or other punishments. Of course, the common form of non-custodial punishment is that of monetary deprivation – the fine. The courts may attach a number of conditions to fines for example, the offender may be required to have a regular sum deducted from the weekly or monthly earnings; he or she may be supervised by a probation officer. The offender may also be made the subject of a compensation order for injury or damage suffered by another person as a result of his or her wrong-doing or a restoration order (returning stolen goods or goods bought out of the proceeds of stolen property).

Punishment by the state can only be justified if there are in its objective two key elements, namely the reduction of crime and the promotion of respect for the criminal code.

Contemporary legislators make considerable attempts to base modern forms of punishment on the notions of fairness, proportionality, prevention, individual and general deterrence, education and reform.

Some attention under the English sentencing system is paid towards directing efforts in reform and education towards young offenders in the hope that at least they should be saved from further transgressions. The younger the person is cured of criminal tendencies, the fewer habitual law-breakers will there be in adult life.

**Word Study**

Ex. 1. Read the following words. Mind the stress. State their meaning. Consult the dictionary if necessary.

1) 'object
   'aspect
   'justice
   'guilt
   'subject
   'cure
   'adult
   'regularly
   'totally
   'penalty
   'circumstances

2) resto'ration
   retri'butio
   depri'vation
   super'vesio

3) pre'ventio
   trans'gressio
   com'pletely
   pre'meditated
   em'bezzlement
   con'temporary
Ex. 2. What is the relationship between the verb and noun forms in each section of the table? Give each of the eight sections a suitable heading as in the first example.

<table>
<thead>
<tr>
<th>(1) V + -tion</th>
<th>(2)</th>
<th>(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>convict</td>
<td>conviction</td>
<td>provide</td>
</tr>
<tr>
<td>prohibit</td>
<td>subjection</td>
<td>decide</td>
</tr>
<tr>
<td>inflict</td>
<td>humiliation</td>
<td>conclude</td>
</tr>
<tr>
<td>violate</td>
<td></td>
<td>demand</td>
</tr>
<tr>
<td>execute</td>
<td></td>
<td>control</td>
</tr>
<tr>
<td>legislate</td>
<td></td>
<td>review</td>
</tr>
<tr>
<td>apply</td>
<td></td>
<td>influence</td>
</tr>
<tr>
<td>classify</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ex. 3. Write all the words in the same family employing proper prefixes and suffixes. Translate the derivatives.

<table>
<thead>
<tr>
<th>Word from the text</th>
<th>Related word (with prefixes or suffixes)</th>
<th>Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. punish</td>
<td>punishment, punishable</td>
<td></td>
</tr>
<tr>
<td>2. justice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. crime</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. judge</td>
<td>judge, judgement</td>
<td>судья; решение</td>
</tr>
<tr>
<td>5. restore</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. prison</td>
<td>imprisonment, prisoner</td>
<td></td>
</tr>
<tr>
<td>7. supervise</td>
<td>supervision</td>
<td></td>
</tr>
<tr>
<td>8. deprive</td>
<td>deprivation</td>
<td></td>
</tr>
<tr>
<td>9. require</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. proportion</td>
<td>proportional</td>
<td></td>
</tr>
</tbody>
</table>

Ex. 4. Study the following phrases:

1. to fit the crime – соответствовать совершенному преступлению
2. to be relevant to the case – иметь отношение к делу
3. subjective judgement – субъективное решение суда
4. community service order – наказание работой в сфере коммунальной службы
5. death penalty – наказание смертной казнью
6. to be found guilty – быть признанным виновным
7. a fairly small offence – довольно мелкое преступление
8. to take into account – принять во внимание
9. a range of non-custodial sentences – ряд приговоров без содержания под стражей
10. suspended sentence – условное наказание
11. a form of supervision – форма надзора
12. a probation order – приказ суда о назначении преступнику системы “испытания”
13. to be liable to fine – подлежать наказанию штрафом
14. monetary deprivation – денежный штраф
15. individual and general deterrence – общие и индивидуальные средства устрашения
16. to cure of criminal tendencies – исцелять от уголовных наклонностей
18. habitual criminal – закоренелый преступник

Ex. 5. Using the box, write down all the expressions containing the word “punishment” which you can pick from the text.

Punishment of a wrong-doer, . . . .

Ex. 6. Which word in box A do you think to be most closely connected with words in box B? You must find a match for every word but there is not necessarily only one correct solution!

<table>
<thead>
<tr>
<th>Box A</th>
<th>Box B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) to educate</td>
<td>a) punishment</td>
</tr>
<tr>
<td>2) to impose</td>
<td>b) penalty</td>
</tr>
<tr>
<td>3) to grade</td>
<td>c) young offender</td>
</tr>
<tr>
<td>4) to supervise</td>
<td>d) judgement</td>
</tr>
<tr>
<td>5) to pass</td>
<td>e) sentence</td>
</tr>
<tr>
<td>6) to justify</td>
<td>f) conviction</td>
</tr>
<tr>
<td>7) non-custodial</td>
<td>g) law-breakers</td>
</tr>
<tr>
<td>8) habitual</td>
<td>h) offence</td>
</tr>
<tr>
<td>9) previous</td>
<td>i) deprivation</td>
</tr>
<tr>
<td>10) monetary</td>
<td>j) fine</td>
</tr>
</tbody>
</table>

Ex. 7. Which punishment do you think is generally most suitable for each of the crime?

1. a parking offence 7. assault
2. rape 8. indecency
3. armed robbery 9. murder
4. bribery and corruption 10. kidnapping
5. theft 11. drunken driving
6. arson
Ex. 8.
Part A. Match the criminals and wrongdoers 1-16 to the correct definitions a-p.

1) An accomplice  a) attacks people in the street and steals their money or other possessions
2) An assassin  b) takes goods from shops without paying for them
3) A burglar  c) deliberately damages public property, often because he is bored or enjoys doing it.
4) A charlatan  d) murders someone important, such as a king or a president.
5) A criminal  e) leads others to do wrong or to make trouble.
6) A forger  f) is someone who steals (usually without violence).
7) An impostor  g) helps another person to commit a crime.
8) A juvenile delinquent  h) deceives others by pretending to have special skills or knowledge, especially about medicine.
9) A mugger  i) steals from banks, shops, etc., usually planning them in advance in great detail.
10) A poacher  j) makes copies of money, letters, documents, etc. in order to deceive people.
11) A ringleader  k) betrays his or her country.
12) A robber  l) deceives people by pretending to be someone else.
13) A shoplifter  m) breaks into houses, shops, etc. in order to steal things.
14) A thief  n) is a young person who has broken the law.
15) A traitor  o) catches or shoots animals, fish or birds on private land without permission.
16) A vandal  p) is someone who is guilty of a crime (or several crimes).

Part B. Match each word on the list to a definition.

1) A drug addict/ a junkie  a) is a formal or legal word for someone who is guilty of a crime.
2) An assailant  b) takes things or people illegally into or out of a country.
3) A bigamist  c) deceives others in order to get money from them.
4) A conspirator  d) gives information to the police in return for money.
5) A culprit  e) is unable to stop himself or herself from taking drugs.
6) A hostage  f) hides on board a ship or inside a plane in order to get a free ride.
7) An informer  g) sees a crime being committed.
8) A murderer  h) is the person blamed for a crime or for doing something wrong.
9) An offender  i) is a formal or legal word for someone who attacks another person.
10) A pickpocket  j) is someone who has been attacked or against whom a crime has been committed.
11) A recidivist k) is kept as a prisoner by a person or organization and may be killed if people don't do what the person or organization is demanding.

12) A smuggler l) steals things from people's pockets and handbags in crowded places.

13) A stowaway m) takes part in a secret plan to do something against the law.

14) A swindler n) keeps going back to a life of crime even after being punished, in other words, an incurable criminal.

15) A victim o) marries illegally because he or she is already married to someone else.

16) A witness p) deliberately kills someone.

Ex. 9. Complete the following text with the words and phrases from the box.

wrongdoer; misdeeds; deterrent; retribution; death penalty; corporal punishment; rehabilitate; reform; barbaric; law-abiding; humane

What is the purpose of punishment? One purpose is obviously to rehabilitate the offender, to correct the offender’s moral attitudes and anti-social behaviour and to rehabilitate him or her, which means to assist the offender to return to normal life as a useful member of the community.

Punishment can also be seen as a deterrent because it warns other people of what will happen if they are tempted to break the law and prevent them from doing so. However, the third purpose of punishment lies, perhaps, in society’s desire for retribution, which basically means revenge. In other words, don’t we feel that a wrongdoer should suffer for his misdeeds?

The form of punishment should also be considered. On the one hand, some believe that we should “make the punishment fit the crime”. Those who steal from others should be deprived of their own property to ensure that criminals are left in no doubt that crime doesn’t pay. For those who attack others assault and assault should be used. Murderers should be subject to the principle “an eye for an eye and a tooth for a tooth” and automatically receive the death penalty.

On the other hand, it is said that such views are unreasonable, cruel and barbaric and that we should show a more humane attitude to punishment and try to understand why a person commits a crime and how society has failed to enable him to live a respectable, law-abiding life.

Ex. 10. Fill in the missing verbs in the sentences below. Choose from the following list and make any changes where necessary.

acquit deport prosecute smuggle

assault imprison rob swindle

231
blackmail interrogate trespass threaten
burgle kidnap

1. An armed gang ____________ the Kingsway Road branch of Barclays bank yesterday afternoon and got away with nearly £90,000.
2. The salesman was very persuasive and managed to ________ the elderly couple out of their life savings.
3. Tourists have been advised to avoid going off into the mountains as six people have been ______ in the past month. As yet, no one has been freed.
4. The man was _______ from Britain to Germany where he will face charges of terrorism and murder.
5. The youths were fined £300 for ________ on Government property and deliberately causing damage to expensive machinery
6. She had pleaded not guilty throughout the trial, so it was a relief when the jury finally ________ her.
7. The judge_________ him for ten years for fraud.
8. The prisoner was__________ just hours before he was due to be executed.
9. The robbers __________to shoot anyone who tried to sound the alarm.
10. The politician was being _________ by a man who claimed he had photographs of him accepting bribes.
11. The cleaner was caught_________ towels and glasses from the hotel.
12. He threatened to __________ her for every penny she had if she tried to break her contract.

Text Study
Ex. 1. Mark the statements which are true and give your reasons:

1. Penalty must be imposed according to the circumstances and the personality of the offender.
2. Punishments range from life sentence to community service.
3. All forms of punishment can be totally rational.
4. If a person is found guilty of a fairly small offence, he may receive no punishment.
5. The most common form of non-custodial punishment is “suspended sentence”.
6. Contemporary legislators use unfair, cruel forms of punishment.
7. Any break of the Community Service Order by the offender will make him liable to fines or other punishment.
8. During the period that the sentence stays suspended, the offender can do what he wants.
Ex. 2. Read the parts of the text containing the answers to the following questions:
1. Why is the main object of Criminal Law to punish the wrong-doer?
2. Why should the punishment fit the crime?
3. What types of sentences may the courts pass?
4. When is a person found guilty of a fairly small offence?
5. What is meant under “suspended sentence”?
6. What are the actions of the offender during the probation order?
7. When does a person receive no punishment?
8. What measures are taken by legislators and the English sentencing system towards young offenders?

Ex. 3. Discuss the following points using words and phrases from the text:
1. Which forms of punishment are effective deterrents?
2. Which punishments can help to rehabilitate an offender?
3. What do you think are the main aims of the penal system in your country?

Ex. 4. Put the punishments you know in the order of strictness on the word ladder below, starting with the least serious and ending with the most serious.

Ex. 5. How can you qualify the following wrongs committed? What punishments can you suggest?
1. A person who robbed a shop and wounded the owner with a knife.
2. A person who set fire to his or her flat for the insurance money.
3. A person in the Government who has been spying for a foreign power.
4. A person who took a bar of chocolate from a shop without paying for it.
5. A person who bought a camera with a false cheque.
6. A person who murdered a policeman in cold blood.
7. A person who kidnapped a small child and held him to ransom. (The child was unhurt.)
8. A person who hi-jacked a plane. In the rescue attempt one passenger died of a heart attack.
10. A person who saw a woman being attacked, went to her aid and accidentally killed her attacker.

11. A person who refuses to do military service.

12. A person who stole a car, then crashed into another one, seriously injuring the driver.

13. A football supporter who threw a brick at a referee during a football match. (The brick struck the referee on the leg.)

Ex. 6. Case study.

Business tycoon, George Henderson, aged 45, was found murdered last night in the library of his mansion. Police detectives are questioning the four suspects. Working in pairs, read the information about the victim and the suspects and decide who the murderer could be and what sentence can be applied.

George Henderson (the victim)

The multi-millionaire had been stabbed in the back at about 10 pm. No murder weapon was found. The victim had been watching a documentary on TV Channel 3 when he was killed. His supper tray was found on a table in the library; the food had not been touched!

Roy Smith (the butler)

The butler’s mother is very ill, but his salary is too low to pay for the surgery she needs, even though he had been working for Henderson for twenty years. He was considered by all to be a loyal employee. He claims that at the time of the murder, he was watching a documentary on TV Channel 3.

Charles Henderson (the nephew)

George Henderson’s nephew, Charles, had been warned by his uncle to change his “wild ways” or he would be cut out of the will. He had no keys to the mansion. He was secretly seeing Henderson’s housemaid, Claudine. He says he was at home alone watching a sports programme on TV Channel 3 between 9 and 11 pm.

Claudine Dupont (the maid)

George Henderson's maid for the past two years, Claudine, was believed to be a reliable employee. She says she was washing Henderson’s supper dishes in the mansion's kitchen at the time of the murder.

Charlotte Henderson (the wife)

Henderson and his wife Charlotte had been separated for seven months. She was not living in the mansion at the time of the murder, although she still had a key! The divorce was not yet final when the murder occurred. Charlotte believed she’d probably be awarded very little money in the divorce case. She says she was at the home of Henderson’s lawyer when the murder occurred.
Task: read the text and get ready to discuss its main points.

Until medieval times, the death penalty was a frequently imposed criminal sanction. During the sixteenth century there was a shift in practice in Europe from the death penalty and corporal punishment to imprisonment, which has since become the major sanction for criminal acts. Although capital punishment is currently being fought by a number of organized groups and is abolished or at least restricted in many countries, it is still part of the crime control system of the majority of the world.

International efforts to abolish capital punishment have not been very successful. The chances of bringing about changes are much worse at the international level than at the regional level, where unanimity is easier to achieve.

The more society has felt obliged to provide justification for the death penalty, the more studies have tried to prove or disapprove the deterrent effect of capital punishment. The deterrence theory envisions potential criminals weighing the potential punishment before committing crimes. But murders are more often than not committed out of conflict situations that involve emotions rather than rational calculations. Moreover, the risk of execution is difficult to take into account because potential murderers are more likely to dissociate themselves with the people executed because they regard them as unsuccessful and socially inferior. Current research indicates that the death penalty has no consistent, demonstrable deterrent effect. There is even evidence that executions have the opposite, brutalizing effect, meaning that homicide rates increase slightly several weeks after an execution.

Public opinion is currently calling for the re-establishment or the extension of capital punishment because of rising crime rates, growing violence and ineffectiveness of other forms of punishment. Although state legislatures and politicians must do everything they can to fight crime and achieve more public safety, they must not respond to such emotional demands directly.

Ex. 1. How are the following ideas expressed in the text:
1. to keep in a place or state from which one cannot get out as one wishes;
2. punishment for breaking a law, rule, or agreement in law;
3. a good reason for doing something;
4. to turn aside or prevent from acting (as by fear, threats);
5. lawful killing as a punishment;
6. an act of murder;
7. use of bodily force on others.
Ex. 2. Complete the following sentences:
1. The death penalty, until medieval time …
2. In Europe during the sixteenth century there was a shift …
3. Capital punishment is currently being fought …
4. The chances to abolish capital punishment …
5. Rational calculations are not taken into account …
6. Public opinion is calling for …
7. State legislatures have to fight …

Ex. 3. Which phrase on the right completes the sentence on the left? Do you strongly agree or disagree to any of the statements?
1) The use of capital punishment for murder was abolished… a) … on the grounds that life imprisonment of individual offenders was safeguard against organized groups of criminals.
2) Parliament passed a law to reintroduce capital punishment for the murder of police officers… b) … as part of their penal policy for the severe punishment of offenders.
3) The infliction of capital punishment was restricted to crimes of terrorism… c) … in order to deter criminals from using firearms against members of the forces of law and order.
4) The government passed a resolution to retain capital punishment for serious crimes of violence… d) … because the Parliamentary Commission found that in most offences of this type it was an effective deterrent.

Ex. 4. Answer the following questions:
1. What is the definition to the term “capital punishment”?
2. What is the aim of the capital punishment?
3. For what crimes can this penalty be imposed?
4. How does public opinion assess the deterrent effect of the death penalty?

Ex. 5. Explain and expand on the following:
1. The abolition of death penalty at the international level.
2. Capital punishment and the deterrence theory.
3. Current research and death penalty.
4. Legislatures and politicians on death penalty.

Ex. 6. Render the following text into English using the topical vocabulary of the present unit:
Пришло время отменить смертную казнь. С каждым годом это стано-
вится все более очевидным. Опыт всех стран показывает, что смертная казнь приводит к ожесточению в обществе. В ряде стран смертные приговоры применяются в основном к представителям неимущих слоев населения либо расовых или этнических меньшинств.

В некоторых странах смертная казнь считается мерой, без которой невозможно остановить распространение наркотиков, ликвидировать политический терроризм, экономическую коррупцию или искоренить супружескую неверность (to do away with adultery). Однако нет никаких доказательств, что ее применение способно снизить уровень преступности или политического насилия. Смертную казнь часто используют как средство политических репрессий.

Оправдывая смертную казнь, чаще всего говорят, что она необходима, по крайней мере временно, для блага общества.

Однако имеет ли государство право лишать человека жизни?

Смертная казнь – это преднамеренное и хладнокровное убийство человека государством. Само существование этой меры наказания является нарушением основных прав человека: международное право запрещает жестокие, негуманные или унижающие (humiliating) человека наказания.

Text C

Penal Institutions

Task: read the text and compare prison conditions in Britain with those in your country.

There seems to be some confusion about the purpose of punishment. The fear of punishment, and in particular, of prison, is intended to deter people from committing crimes, but when they have committed their crimes they are not likely to be reformed in prison, where they often have to live in drab and dreary conditions, with too little to occupy them.

Many aspects of life cause discomfort or humiliation to the prisoners and are not served as instruments of punishment. Officers who specialize in negative types of discipline such as brute force, only reinforce the antisocial attitudes of the offenders. Thus prisoners are led to feel cynical about the attempts to help them. Some prisons are almost militaristic institutions with hard physical work, few privileges, little leisure time, early lights out and parades and inspections, poor food and medical care, filth and cruelty.

Sharp shock systems were introduced for young offenders with the intention of being punitive rather than reformative. The government's intention in introducing these tough regimes was to frighten young people.

All the prisons in Britain are under the control of the Home Secretary through the Prison Board. The treatment of prisoners and conditions in prisons
are subject to the scrutiny of the Chief Inspector of Prisons who must report annually to the Home Secretary and Parliament. Several reforms of detention centres have been carried through the Prison Board and have caused great improvements in correctional institutions. Some attempt is made to classify prisoners and give appropriate treatment to each one, to relax the rules regarding access to prisoners. There are opportunities for prisoners to learn trades and to attend classes on many subjects, and prison regimes are not intended to be repressive.

Prisoners may write and receive letters and be visited by relatives and friends, and those in open establishments may make telephone calls. Privileges include a personal radio, books, periodicals and newspapers, and the opportunity to make purchases from the canteen with money earned in prison. Depending on facilities prisoners may be granted the further privileges of dining and recreation in association, and watching television.

Breaches of discipline are dealt with by the prison governor, or by the boards of visitors (visiting committees in Scotland), who have power to order forfeiture of remission. Boards of visitors (and visiting committees) consist of lay people, two of whom must be magistrates.

Ex. 1. Case study.
You are on the parole board of a prison which is so overcrowded that you must release two prisoners. Study the description of five possible candidates for release and make a decision whom to set free.

1 Alan Jones: Guilty of murdering his wife by slowly poisoning her. Described by neighbours as a kind and gentle person. His children love him. His wife had lots of affairs and pushed him to the limit.

2 Janet Green: Found guilty of shoplifting for the tenth time. She is a homeless tramp who likes to spend the winter in prison. It is early December and the weather is very cold.

3 Miranda Morgan: A drug addict guilty of selling heroin to teenagers. Has already tried two unsuccessful drug treatment programmes. Has a two year old child who will have to go into care if she goes to jail.

4 Mick Brown: Guilty of vandalism and football hooliganism. 19 years old and below average intelligence. Aggressive and gets violent when drunk. One previous offence for drunken driving.

5 Cynthia Carter: English teacher guilty of smuggling her two cats into England. This is against quarantine regulations. The customs officers would like an example to be made of her.
**Text D**

**Women in Prison**

**Task:** *identify and discuss the key issues raised in the text.*

Most prisons are male institutions in which male offenders are guarded and receive services by a male staff, although women have begun to enter the staff of the male prison world, first as clerical and professional personnel and more recently as correctional officers. Until the latter part of the nineteenth century there were no separate prisons for women in the United States. The small number of women prisoners were housed in male institutions, though usually in segregated sections. The first prison for women was opened in 1873 in India. During the next century, women convicts were exclusively imprisoned in women’s prisons. These institutions have tended to be smaller, and less threatening in appearance and operation than male prisons (e.g., absence of high walls and guard towers, and less regimentation). Yet, being smaller, they also lack many of the facilities of male institutions.

Currently, the population in women’s prisons resembles that in men’s prisons. The prisoners come predominantly from the uneducated, urban, poor sections of the population. And programs available in women’s prisons tend to emphasize society’s traditional stereotype of “women’s work”: cooking, sewing, cosmetology, and office work, to which more recently computer programming has been added.

A century after the first U.S. prison for women was opened, an effort to use facilities in a cost-effective manner led to the establishment of the first co-correctional institutions in which men and women, segregated at night, participate in joint daytime programs of work, recreation, and meals. Physical contact is limited to handholding. Infraction of the rules leads to transfer of the offenders to separate institutions. For the country as a whole, however, the majority of the women prisoners are serving their time in institutions for women.

There is an additional burden on women in institutions. Over two-thirds of women prisoners are mothers, with an average of two children. Many give birth in prison. The mother-child relationship poses problems to mothers that the correctional system has not resolved. Programs for facilitating mother-child contacts are woefully inadequate. Mothers may keep their newborns only for a few weeks. And children’s visits to prisons are typically limited because of the distance of prisons from the children’s homes and the restrictions placed on visiting hours.
Text E Correctional Institutions in the USA

Task: fill in the text with the appropriate word-combination from the box.

<table>
<thead>
<tr>
<th>treatment of inmates</th>
<th>solitary confinement</th>
</tr>
</thead>
<tbody>
<tr>
<td>primary responsibility</td>
<td>maximum security</td>
</tr>
<tr>
<td>to be concerned</td>
<td></td>
</tr>
</tbody>
</table>

Correctional institutions in the USA are diverse in their physical facilities and in their approach to care and ___________. Prisons, jails, reformatories and training schools are different in the quality of the services they offer.

_____________ of all correctional institutions is custody and control of the inmates. This is prescribed by statute and is an expectation of the general public. It is obvious that any correctional institution that ignores the custody and control concept will not function for long. Hence, institutions have been and will continue __________ with the security they offer.

Most American prisons were built during the nineteenth century with open cells¹, strict discipline and harsh punishments such as ____________. They were built with the idea of making it difficult, if not impossible, for prisoners to escape. Today prisons are rated or range from ____________ to medium and minimum security, differ in the extent and nature of facilities for watching prisoners, the range of activities available to prisoners, and so on.

Note: 1. cell – камера

Dialogue 1. Possible Punishment

Task: read the dialogue, reproduce it a) abridged, b) in the form of a monologue.

Ian: You see I cannot shut out from my mind what is going on in the court. What might the probable punishment be?

Lawyer: For the offences like this a wrong-doer can receive from 3 to 5 years of imprisonment if he has no defence.

Ian: Defence? What do you mean?

Lawyer: A defence is a reason for the court to excuse his act. But here we have neither duress which can be applied to a secondary party nor self-defence.

Ian: But you know he was cheated into it. It wouldn’t be fair if he suffered a penalty like this. It’s far too harsh. I hoped it might be community service or even a fine.

Lawyer: If I prove he was involved by deception it might mitigate the verdict. I mean I have to show the specific circumstances at the time of the wrong. Of course it will lessen the sentence.
Ian: You know he’s never been in trouble before. And I’m sure he’ll never be again. He is not the person to be sent to prison.
Lawyer: The fact that he’s always been law-abiding might prove helpful as I’m going to insist on a suspended sentence.
Ian: Imprisonment in his case will only do harm and not help re-educate and reform him.
Lawyer: Indeed I have all evidence to get the sentence mitigated.

Ex. 1. How is the following expressed in the dialogue?
1. work done for the public
2. to make (bad behaviour) seem less bad or harmless
3. a stopped or put off court decision for a period of time
4. a person of unlawful behaviour
5. punishment for breaking a law, rule
6. unlawful or unfair threats
7. an order given by a judge which fixes a punishment for a criminal found guilty in court
8. an amount of money paid as punishment
9. to act dishonestly
10. cruel, with lack of kindness
11. to lessen the seriousness of a wrong action
12. obeying the law
13. the official decision made by a Jury
14. free from dishonesty or injustice
15. the act or state of deceiving or being deceived

Ex. 2. Study the dialogue and make a list of all possible punishments for the accused person.

Ex. 3. Give Russian equivalents to the following:
1. to shut out from one’s mind; 8. fair;
2. a wrong-doer; 9. harsh;
3. a self-defence 10. community service;
4. to excuse smb. 11. a fine;
5. duress; 12. law-abiding;
6. a secondary party; 13. a suspended sentence.
7. to cheat into;
Ex. 4. Present the information from the dialogue making use of the following verbs:

to excuse smb, to apply, to be cheated into, to suffer a penalty, to hope, to prove, to involve, to lessen, to be sure, to insist, to do harm, to reform.

Dialogue 2. Prisoner’s Life

Task: study the dialogue between a British and an overseas lawyer.

Peter: In most countries prisons are institutions in which every aspect of life is subject to control.

Brian: It’s natural. It is a means of maintaining security, controlling the introduction of weapons, and preventing escapes.

Peter: Can prisoners be visited by their relatives?

Brian: Yes, but the number of visits is limited: one visit every four weeks.

Peter: Has this number ever been changed?

Brian: Yes, it is the prison governor who may increase or limit visits at his discretion.

Peter: And these visits are watched, aren’t they?

Brian: Yes, they take place within the sight of an officer. And in some cases within his hearing.

Peter: I wonder if the conditions for visits vary in different prisons.

Brian: Yes, they do. In some prisons the visitor and the prisoner sit on different sides of a table with a partition between them. In others the
prisoner and the visitor may be allowed to meet in a room without any physical barrier but still in the sight of officers.

Peter: Are conjugal visits allowed in Britain?

Brian: No. But I know in some U.S. states it is permitted for the prisoner’s spouse to come and stay with the prisoner for a period of several days.

Peter: The prison authorities check the correspondence of prisoners, don’t they?

Brian: Sure. And they can write only one letter a week.

Peter: And how can prisoners know what they can do and what not?

Brian: Oh, it’s easy. Generally, prisons are governed by rules, so called a code of conduct. It lists prohibited behaviour. And each prisoner is given this code when he arrives.

Peter: I wonder what the prohibited offences are.

Brian: The most common are mutiny and violence to officers; escaping, or being absent from a place where the prisoner is required to be and others.

Peter: And what happens if the prisoner violates this code?

Brian: There is a number of disciplinary sanctions, which may include forfeiture of privileges, confinement within a punishment cell and others.
Ex. 1. Find English equivalents to the following:

нормы поведения, внесение оружия, потеря привилегий, сохранять безопасность, подлежать контролю, предотвращать побеги, супружеские визиты, мятеж, заключение в камеру для наказания, перегородка, начальник тюрьмы, в поле зрения, по усмотрению.

Ex. 2. Fill in the blanks with the appropriate word from the box:

The number of serious _____ has increased in the past few years. Most of these crimes are _____ for economic and social reasons. What can _____ do to reduce them?

Each country has its own laws that is why the same crime can be _____ in different ways. The first _____ why judges should give stricter sentences is because more and more criminals are no longer afraid of being _____ . They know that _____ are overcrowded and that most of them will be _____ early for good behaviour. Therefore justice should be more _____ and give sentences which will immediately frighten criminals.

The second reason is that in certain countries capital punishment has been _____ . This special sentence could be _____ for very difficult cases. For example, a terrorist responsible for the deaths of _____ people should not be kept alive.

On the other hand lots of crimes are committed because of _____ and ____. _____ cannot be cured by stricter sentences. Some people need to be directly helped in their lives at school, work, and in the family.

To sum up, for shocking crimes capital punishment should be used but carefully. Anyway, justice should be more _____ and precise in order to take care against mistakes.

Ex. 3. Sum up the information you have learnt from the dialogue. Focus your attention on:

- control in prisons
- visits
- correspondence
- prohibited behaviour
- disciplinary sanctions
Revision Translation

**Task:** translate into English.

**Быть или не быть смертной казни?**

В цивилизованном мире исключительное право казнить и помиловать принадлежит государству. Оно назначает палача и строго следит за соблюдением всех норм исполнения приговора. В последнее время под влиянием гуманизма или общественных отношений к чрезвычайным мерам наказания прибегают все реже. К началу 90-х годов XX столетия 35 стран отказались от применения смертной казни. 18 стран отменили смертную казнь за общеуголовные преступления, сохранив ее только для военных преступников. Однако отменить смертную казнь не означает отпускать на волю осужденного. Альтернатива смертной казни – пожизненное заключение. Но крайне мало мест заключения отвечают требованиям содержания заключенных данной категории в нашей стране.

Общество сомневается, что преступник и через 10-15 лет, выйдя из мест заключения, не продолжит начатое, "перевоспитается". Суды не воспитывают, тюрьмы не исправляют. Низкая эффективность нашей исправительной системы – это реальность.

**LISTENING COMPREHENSION**

**Text**

Amnesty International

**Pre-listening activities**

I. *Make sure that you know the following:*

- prisoners of conscience = people imprisoned for their beliefs
- to oppose to = to fight against
- to be redundant = to be unnecessary

II. *Before you listen to the tape, answer the following questions:*

1. Have you ever given money to charity or worked for it?
2. Look at this list of charities and charitable causes. Which do you think are the most and least deserving?
Help the Aged
– National Society for the Prevention of Cruelty to Children
– Royal Society for the Prevention of Cruelty to Animals
– Cancer research
– A group that protests against experiments on animals
– A local child who needs an expensive operation

Listening activities
As you listen to the tape, make brief notes to help you answer the following questions:

a) Which people does Amnesty International help?
b) Why do these people need help?
c) What are Amnesty International’s successes and problems?

After listening activities
Summarize Amnesty International activities.

GRAMMAR SECTION

Grammar to be revised: Subjunctive Mood

Ex. 1. Analyse and translate the sentences used in the Subjunctive Mood.

1. Unreal Condition:
   a) unreal present or future:
   1. If I had the opportunity, I would go to Oxford to study law.
   2. There would be fewer people in prisons if they didn’t violate laws.
   3. If you were offered to buy some drugs, what would you do? Would you call the police?
   4. We would have less delinquency if people married more wisely, if parental and parent-child relations could be more congenial and understanding.
   5. If I found a gun in the street, I would take it to the police.

   b) unreal past:
   1. If you had been sincere with the counsel for the defence, he would have helped you.
   2. If the investigating officer hadn’t found physical evidence, it would have been difficult to investigate that crime.
   3. If his accomplices hadn’t revealed some details, the sentence could have been quite different.
4. Had I not interfered, the problem might have been settled already. Now I feel as if I had done something wrong.
5. If I had locked the car, it wouldn't have been stolen.

c) mixed type:
1. He wouldn’t be in prison now if he hadn’t committed a crime some years ago.
2. If you knew better how to deal with your son's problems he might not have turned into a juvenile offender.
3. The offender wouldn't be kept in prison if he had kept out of trouble for two years.
4. Were you not so absent-minded, you would have discovered some more additional facts to associate the accused with the crime scene.
5. If the thief had left any clues, he would be interrogated now.

d) but for …:
1. But for your explanation he wouldn’t have believed us.
2. Nobody would have recognised him but for this scar on his left cheek.
3. But for our evidence it would have been impossible to win the case.

e) after though, although, however, even though, even if, whenever, whatever, wherever:
1. Even if he hadn’t been arrested, I shouldn’t have believed in his innocence.
2. Whatever she should/might say, I will not change my opinion.
3. Even though I had not heard you in court, I should have known you to be the best counsel in the district.
4. The penalty was severe, however it should be regarded as a just punishment for such an offence.

f) in some phraseological expressions: had better, would rather, would sooner, etc.:
1. You had better trust him in everything.
2. We would rather not suspect him of doing anything unlawful.
3. He would sooner die, than betray his friends.

g) after the noun time:
1. It’s high time that crime had been investigated.
2. It’s time you began to observe laws lest you should be punished.
3. It’s time a system of ecological security should be created.
2. After: 
   a) *It is important that* …, *It is necessary that* …, *It is suggested that*…, *It is recommended that* …, etc.
   
   1. It is necessary that the case-work (*should*) reconcile with an authoritative setting.
   2. It is necessary that in the case of a delinquent child probation (*should*) *be used* as a form of case disposition which allows a child to live at liberty with a suitable person.
   3. It is important that full-time education of 15 hours a week (*should*) *be compulsory* for young offenders.
   4. It is demanded that the police officers (*should*) *not be allowed* to join a trade union or go on strike. However it is essential that all ranks (*should*) have their own stuff associations.

   b) *after the verbs: suggest, demand, propose, insist, order, desire, request, recommend, etc.*
   
   1. I suggest that you (*should*) investigate this crime.
   2. William Penn insisted that the Indians (*should*) *be given* the same treatment as the settlers.
   3. The Supreme Court in its decision on May 17, 1954, demanded that segregation of races in public schools (*should*) *be banned*.
   4. The police officer proposed that the victims (*should*) *be interviewed* at once.

   c) *after lest:*
   
   2. She fears/feared lest she *should be blamed.*
   3. He worried lest his secret *should be discovered.*
   4. The suspect was afraid lest his previous crimes *should come out* to light.
   5. The accused woman kept silence lest she *should begin* to cry.
   6. He dared not approach the window lest he *should be seen* from the street.

3. *In certain clauses:*

   a) *wish/if only:*
   
   1. I wish I knew the truth.
   2. Everybody wished his innocence were/was proved.
   3. We wish you hadn’t told us a lie.
   4. I wish this case would be investigated as soon as possible.
   5. I wish the honorable attorney would mind his own business.
   6. If only court took into account the fact that he pleaded guilty.
   7. If only he were/was justified!
   8. If only I could have helped him then!
b) as if/as though:
1. The witness looked at them as though he had never seen them before.
2. He speaks as if he were/was innocent.
3. You answer the questions as if you didn’t know the truth.
4. He felt uneasy as if he had done something wrong.

Ex. 2. Complete the sentences so as to use Subjunctive Mood in if-clauses and translate them into Russian.

a) 1. If the attorney proved your innocence you ... (to be acquitted)
2. If he were convicted of robbery he ... (to receive a custodial sentence).
3. If there were aggravating circumstances the criminal ... (to be punished by eight years imprisonment).
4. If he menaced you intentionally to get some money it ... (to be considered a blackmail).
5. If you managed to find the necessary documents your lawyer ... (to be able to prove you are not guilty).
6. Even if I were very poor I ... (never to commit something unlawful).
7. If the court came to the conclusion that deprivation of liberty is undesirable it ... (to pass a suspended sentence).
8. If I were you I immediately (to go to the police and to make a confession).
9. If the man hadn't stolen some goods they ... (not to take him to the police station).
10. If the neighbours hadn't called the police I ... (to be killed).
11. If he had committed a manslaughter in the state of affect he ... (to be punished less severely).
12. If the jurors had not been sure of the man's guilt they ... (never pass such a verdict).

b) 1. He would be given a life sentence if he (to be found) guilty of kidnapping.
2. The railway company wouldn't have redeemed the damages if the woman (not to prove) her injuries.
3. You could be free now if you (to demonstrate) an exemplary behaviour.
4. The prisoner could be released if a parole board (to agree) his detention no longer serves its purpose.
5. Punishment would not be effective if the penalty (not to fit) the offence committed.
6. The court wouldn't have imprisoned on Jack Shorty if he (not to be considered) a particularly dangerous recidivist.
7. Miss Smith wouldn't be guilty of an offence if she (to commit) it of dire necessity to defend her life.
8. If he had no reason, he (not to commit) such a crime.
9. The sentence could not be executed if 15 years (to elapse) since the date of the commission of the crime.
10. If the suspect hadn’t committed a fresh crime, the judgement might (not to be executed).
11. If the police (not to stop) the robbers, they (to be) abroad now.
12. If a British citizen (to commit) a murder anywhere in the world, he (to be tried) in a British court.

Ex. 3. Complete the sentences according to the model:

Model: It’s a pity he doesn’t have any money. (he / to make bond).
It’s a pity he doesn’t have any money, otherwise he would make bond.

1. He is a very honest man. (he never / to run to a theft).
2. It’s a pity you have no witnesses. (you / to prove your alibi).
3. Our society needs a detention centre reform. (the centre / to become more reformative than punitive).
4. Luckily enough nobody is injured in the accident, otherwise... (you / to be punished more severely).
5. Lawyers suggest having direct contacts between litigants and barristers. (it / to make legal services costs cheaper).
6. Some people believe that more severe penalties are necessary. They think... (it / to discourage reoffending).
7. We can't charge private firms inexperienced in such matters with caring for difficult young people. (it / to call a storm of protest from the opposition).

Ex. 4. Transform the sentences using Subjunctive Mood as in the model:

Model: The sentence is so severe because of the aggravating circumstances. But for the aggravating circumstances the sentence would not be so severe.

1. The thief broke his leg and was caught by the police. 2. He found some witnesses and managed to prove his alibi. 3. The trial didn't last long because the suspect pleaded guilty to the murder charge. 4. We didn't find any evidence at the scene of the crime because of the fire. 5. The driver couldn't see well in the fog and knocked down an old woman. 6. Kelly was imprisoned for life for his part in bomb attacks. 7. We proved it was Patrick Magee. We found his fingerprints in the room. 8. You participated in the conspiracy, that's why you are considered an accomplice.
Ex. 5.  **Combine the two sentences so as to use Subjunctive Mood.**

*Model:* Probation must provide a realistic approach to the offender as an individual. It is very important. 

It is very important that probation (should) provide a realistic approach to the offender as an individual. 

1. A probation officer must be adequately trained. It is imperative. 
2. The child will live with his relative under the supervision of an agent of the court. It was determined by the court. 
3. All the children had to be taught trades to prevent idleness and crime. Penn insisted on it. 
4. He was released on bail. It was very strange. 
5. The sitting of the court was adjourned. The judge proposed it. 
6. A juvenile under fifteen was sentenced to imprisonment. – But it is impossible! 
7. Custody and control of the inmates is the primary responsibility of all correctional institutions. It is prescribed by the statute.

Ex. 6.  **Use wish-clauses to express regret for something.**

*Model:* The rate of criminality is very high in this country. 

I wish the rate of criminality were not so high in this country. 

1. The juvenile committed a fresh crime during a probation period. 
2. The boy has been keeping a bad company. 
3. The prosecutor didn't ask this important question at the trial. 
4. The jury found the young man guilty. 
5. The Home Office is going to introduce a tough regime for juvenile offenders. 
6. Detention centres do nothing to reduce crime. 
7. Out courts will apply life sentence as an alternative to capital punishment. 
8. She didn't claim any damages after the accident. 
10. The effects of that crime were very devastating for the city. 
11. The police weighed all the evidence and found the accused guilty. 
12. My friend had some problems with the law.

Ex. 7.  **Answer the questions using Subjunctive Mood as in the model.**

*Model:* How did he behave? (nothing extraordinary to happen). 

He behaved as if (as though) nothing extraordinary had happened. 

1. What did the victim look like? (to be frightened by something) 
2. How did you feel? (to lose the case already). 
3. How does the witness answer the questions? (to hesitate about every word). 
4. How did the defendant behave? (to be already acquitted). 
5. How did the counsel for the prosecution speak? (to deal with serial murderers).
Ex. 8. Complete the sentences using the proper form of the verbs in the Subjunctive Mood. Translate the sentences.

1. If the counsel for the defence (to have) more facts, he might (to be able) to prove the innocence of the accused. But he didn’t have any.
2. If the investigating officer (not to find) this witness, it (to be) difficult to investigate the crime.
3. If they (to ban) the sale of alcohol, there (may be) less violence.
4. If he (not to be arrested) if he (not to try) to leave the country.
5. It is natural that the process of investigation (to begin) with examining the scene of the crime.
6. It is essential that different investigation methods (to use) with regard of different crimes.
7. It is necessary that investigation bodies (not to use) any drugs.
8. It is desirable that the investigator (to accompany) by the photographer at the scene of the crime.
9. The law requires that the investigator (to use) only lawful investigation methods.
10. The criminal was very careful and tried not to leave any traces lest the police (to establish) his identity.
11. It’s time people (to realize) that it is no longer possible to settle any disputes by means of force.
12. I wish your evidence (to help) in identifying the criminal.

Ex. 9. Translate into English.

1. Если бы все соблюдали законы, преступность была бы давно ликвидирована. 2. Он выглядел так, будто ему вынесли смертный приговор. 3. Некоторые журналисты освещали процесс так, будто заранее знали, каков будет вердикт. 4. Если бы вы не были так ко всему равнодушны, то смогли бы предупредить преступление и этот человек был бы сейчас жив. 5. Обвиняемый вел себя так, будто не имел ко всему этому никакого отношения. 6. Если бы не среда, в которой он вырос и не ряд неблагоприятных обстоятельств, то кто знает, возможно, он и не стал бы преступником. 7. Необходимо, чтобы при вынесении приговора учитывалась тяжесть преступления. 8. Наказание могло бы быть мягким, если бы он не был ранее судим. 9. Вам могли бы сократить срок наказания, если бы вы вели себя примерно. 10. Необходимо, чтобы в основе пробации было изучение каждого отдельного дела, осуществляемого инспектором, наблюдающим за поведением условно осужденных несовершеннолетних. 11. Противники смертной казни считают, что ее отмена способствовала бы развитию демократии в нашей стране. 12. Если бы преступники содержались в лучших условиях, то тюремное заключение больше бы способствовало их перевоспитанию.
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