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Учебник английского языка для студентов-юристов.
Учебное пособие для студентов юридического факультета: В 2 ч. Ч.2.

Настоящее пособие представляет собой тематически организованный учебно-методический комплекс по проблемам, представляющим интерес для студентов-правоведов: профессия юриста, история государства и права, конституционное право. Каждый тематический раздел состоит из аутентичных (ам. и брит.) монологических и диалогических текстов с заданиями для разных видов чтения и аудирования, грамматического блока, разработки по домашнему чтению, текстов для дополнительного чтения. Цель пособия — обучить студентов чтению, реферированию, пониманию на слух текстов по специальности и ведению дискуссии. Предназначено для студентов первого курса юридического факультета.
UNIT V
CRIMINAL LAW

READING MATERIAL

Text A.  “What's a crime?”

Task: read the text, translate it into Russian.

A crime is an offence against the whole of 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 deal 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 years' imprisonment or more or where the penalty is fixed by law as is the case of murder, treason and piracy with violence.

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

Acts reus means the 'guilty action', mens reus – '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 reus is, approximately, the physical element of the crime, mens rea 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,\textsuperscript{1} the burden of proof\textsuperscript{2} 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' 'serious
'person' 'element
'maximum' 'element
'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 B with a suitable phrase in column A:*

<table>
<thead>
<tr>
<th>B</th>
<th>A</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.

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

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

criminal

. . . . . offence against . . .

inchoate

**Ex. 6.** *Match the crimes and offences with the correct definition.*

1. Arson a) is taking a person away by force and keeping them prisoner, usually in order to demand money for their 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. Forgery 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 them 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 them.

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 a word with a proper definition.

1. Assassination a) is bad or improper behaviour by a person in a position of authority or trust, such as a doctor, dentist, police officer, etc.

2. Bribery and corruption b) is stealing things from people's pockets or handbags, usually in crowds or in public places.

3. Drug trafficking c) is saying something untrue about someone with the intention of damaging his or her reputation.

4. Hit and run d) is deliberately damaging public buildings and other public property, usually just for the fun of it.
5. Looting e) is offering money or gifts to someone in a position of authority, e.g. a government official, in order to persuade them to help you in some way.

6. Misconduct f) is the crime of lying in court while giving evidence, when you have promised to tell the truth.

7. Mugging g) is the crime of taking things or people illegally into or out of a country.

8. Perjury h) is murdering a public figure such as a king, a president, etc.

9. Pickpocketing i) is entering privately owned land or property without the permission of the owner.

10. Pilfering j) is attacking someone, usually in a public place, in order to rob him or her.

11. Slander k) is trading in illegal drugs such as heroin, cannabis, cocaine, LSD, etc.

12. Smuggling l) is the crime of betraying your own country by helping its enemies.

13. Terrorism m) is stealing small amounts of goods or things of little value, often over a long period of time.

14. Treason n) is a car accident in which the guilty driver does not stop to help.

15. Trespassing o) is the use of violence such as murder and bombing in order to obtain political demands or to influence a government.

16. Vandalism p) is stealing from shops, buildings, etc. left unprotected after a violent event or a long period of time.

Ex. 8. Fill in the missing crimes and offences in the sentences below. Choose from the words in the previous two exercises.

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 to murder but guilty to ______ 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. 9. 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) wrong-doer
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 maximum 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 the ______.
   a) juvenile    b) the High Court    c) the Crown Court

Ex. 10. Complete the sentences from part A by adding the phrases given in part B:

A
B
1. A crime is an offence … …by the Criminal Law Act of 1967
2. The principle areas of Criminal Law are …
3. Offences against property are …
4. Fatal and non-fatal offences fall …
5. A police officer can arrest a suspect …
6. Two main classes of criminal offences may be …
7. Actus reus and mens rea are considered to be …
8. The prosecution has to prove …
9. The old distinction between felonies and misdemeanours were abolished …

introducing the concept of arrestable and not arrestable offences.
… guilty action and guilty mind.
… two essential concepts in the operation of the Criminal Law.
… indictable offences and summary offences.
… without a magistrate’s warrant.
… into three categories: murder, manslaughter, infanticide.
… theft, arson, forgery, counterfeiting.
… offences against persons and offences against property.
… against the whole society.

Text B.

Discussion

Ex. 1. 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 a 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.

Ex. 2. Write down 10 questions you could ask speaking about “Criminal Law”. Begin your questions differently, like this:

Did …? Are …? Have …?
Who …? Why …? How long …?
In what cases …?
What measures …?
Ex. 3. *Put the crimes from the text in order you think best on the ladder below, starting with the minor and ending with the most serious.*

a)

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**most serious offences**
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```
robbery
```
```
theft
```
```
minor offences
```

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

Ex. 4. *Fill in the chart.*

```
<table>
<thead>
<tr>
<th>CRIME</th>
<th>English Criminal Law</th>
<th>Your Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Type of offences</td>
<td>1. murder</td>
<td>1. murder</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>2.</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>3.</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>4.</td>
</tr>
<tr>
<td>B. Basic characteristic of the crime</td>
<td>1. premeditated unlawful killing of another person</td>
<td>1.</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>2.</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>3.</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>4.</td>
</tr>
<tr>
<td>C. Public opinion</td>
<td>1. serious and unlawful crime</td>
<td>1.</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>2.</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>3.</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>4.</td>
</tr>
</tbody>
</table>
```

Text B. *“Partakers in a Crime”*

**Task:** *fill in the chart below*

The person who commits the crime is the perpetrator, the principle (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.

Principles may be either in the first or in the second degree¹, while accessories may be either before or after the fact².
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.

Notes:
1. principals in the first or in the second degree
2. accessories before or after the fact

Ex. 1. Fill in the following chart and comment on it.

Ex. 2. Here are the answers to some questions on 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. (general)
Sometimes aiding and abetting are regarded as meaning much the same thing. (disjunctive)
Text C. “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.

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. The length of treatment should be determined since offenders appear to react more favourably when they have an idea of the length of the treatment in advance.

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

1. In the eyes of law, children under the age of 10 are incapable of performing a crime.
2. A great percentage of adult offenders started their criminals between 14 and 21 years of age.
3. In many countries the meaning of juvenile delinquency is so broad that it embraces all manifestations.

4. Juvenile delinquency is often regarded as a social problem.

5. Psychological factor is called among factors causing juvenile delinquency.

6. Treatment of juvenile offenders embraces all types of methods and measures, including disciplinary measures and punishment.

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.

Ex. 3. What problems can be discussed with the help of the following groups of words:

1. perpetrator, group rape, conspiracy, to play a secondary role, to assist, the first degree, the second degree, the accessory before or after the fact;
2. to do criminal act, actually, to be guilty of criminal omission, through an innocent agent, to be present at the commission of a crime;
3. to advise, to procure, an accessory, to countermand, to assist, to permit the escape of the criminal.

Text D. “Society should compare drunken driver with man armed with a gun”

Task: discuss in groups the problem raised in the article.

The Royal Society for the Prevention of Accidents launched its campaign with the message that a drunken driver should be compared with a man armed with a gun. The society was critical of magistrates, who seemed reluctant to view drunken drivers as potential killers similar to armed criminals, who attract much heavier sentences.

The maximum fine for drinking and driving is now 2,000 pounds. The Society is urging magistrates to make greater use of their sentencing powers to bring home to drivers the seriousness of the offence. "Part of the problem is that the public does not understand alcohol, its risks and affects, particularly when it takes to the road. Two of three drivers killed at night have a blood alcohol content above the legal limit. Anyone 'lacing' another person's drink may be found guilty of aiding and abetting a charge of drunk-driving".
"Only when the community at large regards the drunken driver in the same may as an armed man will we see any improvements in attitudes to drink-driving".

**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 extradition\(^1\) 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 ransom\(^2\).

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

**REVISION TRANSLATION**

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 конституциональной 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.

the whole complex

legality

corpus delicti
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 или 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.

Уголовное право как система юридических норм делится на общую и особенную части. В особенной части формулируются общие положения уголовной ответственности, определяется понятие преступления. Общая часть включает нормы, определяющие формы и виды вины, обстоятельства, исключающие уголовную ответственность (невменяемость, необходимая оборона), порядок и условия уголовной ответственности за приготовление к преступлению, покушение на преступление, за соучастие. Особое место в общей части занимают характеристика целей и видов наказания, правила их назначения.

В особенной части даются определения конкретных преступлений и соответствующих им наказаний. Так, предусмотрена ответственность за государственные преступления, преступления против собственности, здоровья, жизни, а также за хозяйственные, должностные и воинские преступления и за многие другие.

Изучая практику применения уголовного закона, наука уголовного права комментирует и разъясняет его положения, дает рекомендации правоприменительным органам.

**Dialogue 1 “What is Missing?”**

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

**P.:** Good evening, sir. I've come to investigate the burglary that you phoned about. Now can you tell me what you know about it?
A.: Well, for a start, this isn't my house. I'm just staying here for six months while my parents are working in Japan. So, apart from a few obvious things, like radio, the TV, the stereo, the records and some paintings, I don't really know what else has gone. All the drawers have been emptied. God knows what my parents kept in them, or what they'll say when they know!

P.: Yes, that will be a bit of a problem for you. Now...

A.: I mean, it's not as if it was my fault. All the doors were locked, and the windows properly closed. I even left the hall light on to give the impression that someone was in, but I'm sure my father will think I'm responsible.

P.: You'll just have to break the news to him gently, sir. Now, how exactly did you discover the burglary?

A.: I went out at 8, as I do every Thursday, to go to my Italian class at the Institute in Roland Street. Afterwards I went to the Black Lion for a drink, and I got back here just after half past 10.

P.: How can you be sure of the time?

A.: 'Cos I stayed in the pub until closing time, and it's only a two-minute walk from here.

P.: I see. And what did you find when you got back here?

A.: All this mess you can see around you. I just walked in through the front door, and I found this. And it's the same upstairs – everything smashed, drawers emptied and thrown about. It's like an earthquake!

P.: And do you know how the burglars got in?

A.: Yes, the lock on the kitchen door has been forced.

P.: And have you spoken to the neighbours? Perhaps they saw or heard something?

A.: No, I haven't. But Mr. Jones, on that side, is stone deaf and sits glued to the telly all evenings, and the Richards, on the other side, are away.

P.: Well, how soon could you let us know what exactly has been stolen?

A.: Well, I'll get in touch with my parents and then call you.

Useful vocabulary: burglary, apart from, to empty, to be one's fault, properly, to give the impression, to break some news to smb, to discover, to be sure of (about) smth, a mess, to force a lock on the door, to be stone deaf, straight away, to contact smb.

Ex. 1. Translate into English making use of it in your further retelling:

1. Я пришел расследовать кражу со взломом. 2. Я здесь живу полгода. 3. Я не знаю, что еще унесли. 4. Вам придется обрушить на него эту новость помягче. 5. Я вернулся сюда сразу после половины десятого. 6. Я пробыл там до закрытия. 7. Я вошел через парадный вход. 8. Замок кухонной двери взломан. 9. Мистер Джонс просиживает все вечера, как приклеенный, у телевизора. 10. Буду признателен, если вы свяжетесь с ними.
Ex. 2. Retell the dialogue in the form of a monologue using the following verbs: to greet, to wonder, to reply, to explain, to add, (not) to know, to ask, to suppose, to mean, to advise, to respond, to compare.

Dialogue 2 “Problem with the Article”

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

F.: I've just looked through the current statistical data on crime.

Br.: They show a steady crime rate increase, don't they? The fact is recorded by government.

F.: It isn't as simple as that. You see I'm writing an article for the 'Res Nova' – a kind of comparative crime research and ...

Br.: Are you? And how are you getting on with it?

F.: Terribly! I've been slaving at it every evening for weeks!

Br.: Are there any general trends for different countries?

F.: Sure. The number of crimes committed in different countries seem to be increasing rapidly. But it's not clear whether people are breaking the law more, being caught more or report, other people's crimes more.

Br.: Well, I know computer theft is on increase. And people tend to steal more cars.

F.: That's a trend for industrialized rich countries. In developing countries a greater number of murders, assaults and other grave crimes are committed.

Br.: I see you're working too hard. Why
not go out for a change?  
**F.**: Not a bad idea I regard.  
**Ин.**: Думаю, это неплохая идея.

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

последние статистические данные, постоянный рост преступности; это официально признается правительством; не так все просто; И как идут дела?; общие тенденции; кажется, что количество преступлений растет; число компьютерных краж; почему бы не пойти куда-нибудь?

**Ex. 2.** Put questions to the italicized words:

1. Different governments continually review their ideas **of what should be or shouldn't be considered crime**. (1)
2. The concept of **defence** should not be confused with that of **mitigation**. (2)
3. **In deciding if the defendant's act caused death, the court must be sure that the act was a substantial cause of the result.** (2)
4. A person can be considered guilty of crime **after the state proves he committed it**. (1)

**Ex. 3.** Sum up the information you have learned. Use the following words and word combinations:

current statistical data, crime increase, to record, to be as simple as that, to slave at smth, a general trend, rapidly, to break law, to report crime, to tend, computer theft, to commit a crime, to go out.

**Ex. 4.**

a) continuous — **continuously**
   proper — **properly**
   particular — **particularly**
   comprehensive — **comprehensively**
   legal — **legally**
   formal — **formally**

b)  
1. Continuous efforts both on the part of government and citizens are required. If efforts are made persistently and ... there might be changes for the best.
2. Proper background and hard work are the first necessary steps in setting up one's own legal practice. I mean if you work hard and ... you will achieve something in life.
3. Some progress has been made in particular industries. And it is ... important to make use of the experience they have.
4. Comprehensive laws are difficult to make, but each area of people's activities must be codified as ... as possible.

5. In each case a legal action can be taken against the individual who breached the regulations. I mean if you act ... you might have a chance to win.

6. In a formal situation we are expected to act ... .

LISTENING COMPREHENSION

Text "Ma"Barker"

Part A Pre-listening activities

I. Make sure that you know the following word phrases:

- to protest innocence – to affirm strongly being not guilty
- to raise bail – to pay a sum of money demanded by a law court as security
- to hit the big time – to prosper
- hideout – the place where one hides to escape justice

Part B Listening activities

I. As you listen to the tape, make brief notes to help you answer the following questions:

1. Who were the members of "Ma Barker's gang?"
2. What crimes did they commit?
3. How were they captured?

II. Listen to the tape recording once more and complete the sentences:

1. "Ma Barker's gang was mostly composed of ...
2. "Ma" would appear in the court and protest ...
3. When Arthur Barker was captured, "Ma's" hideout ...
4. The FBI's g-men surrounded the house and called on ...
5. The FBI used tear gas but ...

Part C After listening activities

I. Listen to the song "Ma Barker" (Boney M). Does the text of the song correspond to the story you have just heard?

"Ma Barker" (tapescript)

"Ma" Barker's gang was mostly composed of her own four sons, and she led them to criminal fame. She was never arrested, but her sons often were. Ma would appear in
court and protest their innocence or raise bail. By the time the gang was cleared up by the FBI it had been responsible for the deaths of four policemen, a civilian and one of their own number who talked too much. The Barkers hit the big time when they started kidnapping rich men for ransom, but this increased the pressure by police and the FBI on the gang and its members had to split up. When Arthur Barker was captured, Ma's hideout in Florida was revealed. The FBI's G-men surrounded the house and called on Ma Barker and her son Fred to surrender. "To hell with all of you", she replied and opened fire. The FBI used tear gas, but the gunfight continued until both Ma Barker and her son were dead.

**Dialogue "Harry's interview"**

**Part A**

**Pre-listening activities**

I. Make sure that you know the following words and phrases

- to serve a sentence for smth = to do a sentence for smth
- to hang round = to spend one’s time doing nothing
- to keep on doing = to continue to do smth
- a nipper – a young guy

II. Before listening answer the questions:

1. Do you think imprisonment is the right method to help a criminal go straight? Prove your opinion.
2. What crimes should be punished by imprisonment?
3. What qualities can a person get rid of in prison?

**Part B**

**Listening activities**

1. Listen to the interview and explain some of Harry's words.

   1. ... we used to hang round there all day ...
   2. ... I ended up in Borstal ...
   3. ... for beating up old ladies ...
   4. ... the worst thing is being shut up all the time ...
   5. ... I can't stand setting up ...
   6. ... burglary mostly ...
   7. ... I've admitted doing a lot of things ...
   8. ... spending half of my life behind bars ...
   9. ... That's a bit of a problem!
   10. ... employing someone with a record like mine.
2. Listen again and comment on the meanings of these words.

a) a "nipper" is
   1. a pickpocket
   2. a shop-lifter
   3. a young guy

b) "juke box" is
   1. a box of chewing gum
   2. a record player in a bar
   3. the radio

c) "Woolworth's" is
   1. a railway station
   2. a department store
   3. a police station

d) "Borstal" is
   1. a special centre for young
   2. a famous theatre
   3. sea resort

Part C

After listening activities

1. Work in pairs and discuss the following points
   1. Do you think Harry will really go straight? Prove your opinion.
   2. If you were in prison what wouldn't you be able to get used to?

2. Imagine you are a newspaper reporter. Write a short article for your newspaper about Harry.

Harry's interview (tapescript)

In tonight's edition of Reflections we are going to look at the problems of long-term-prisoners. We took our cameras into several prisons, and our first interview is with a man we shall call him Harry. He spoke to us about his career in crime.

Chloe: Harry, you're serving a five year sentence for robbery with violence.

Harry: That's right.

Chloe: Perhaps you could begin by telling us about your early life.

Harry: Yeah. Well, I grew up in South London. I was on my own a lot; see, my mother used to work down the fish market, and my dad - well, he ran off when I was just a nipper.

Chloe: Did you have any friend?

Harry: Oh, yeah. All the kids from our street used to meet up at the coffee bar. There was one at the end of the road. We didn't have much money, so we used to hang round there all day. We never used to go to the cinema, or dancing, or anything like that. We couldn't afford it.

Chloe: What did you use to do there?

Harry: Oh, we just sat around listening to the juke box. Nothing special.
**Chloe:** When did you start getting into trouble?

**Harry:** I suppose I was fourteen, something like that. My friends used to go, shoplifting at Woollies ... Woolworth's, and one day we were caught. I ended up in Borstal.

**Chloe:** You mean, they sent you to Borstal for ... for shop-lifting?

**Harry:** Well, yeah. After the fourth time ... and for beating-up old ladies.

**Chloe:** You used to beat-up old ladies.

**Harry:** Well, only when I was trying to rob them.

**Chloe:** You beat them up and then robbed them?

**Harry:** Yeah. I used to do that.

**Chloe:** Perhaps you'd tell me about your life in prison.

**Harry:** I suppose the worst thing is being shut up all the time. Yeah, and I can't stand getting up at 5.30, either. I just can't get used to that, even though I've been here more than three years. You see, before I came here I liked staying in bed all morning. I was on night work, you see.

**Chloe:** Night work?

**Harry:** Mmm. Burglary, mostly. Hah-ha. I caught you there. I can't get used to going to bed at eight, either.

**Chloe:** Harry, if you don't mind me saying so, a lot of viewers will think of you as an enemy of society.

**Harry:** Well, that's fair enough. But I've admitted doing a lot of things. I've spent a lot of time thinking. I could keep on stealing things, but I'd end up spending half my life behind bars. I'm going straight this time, don't you worry.

**Chloe:** What do you intend doing when you get out?

**Harry:** I'm very fond of working on motor-bikes. I've been studying while. I've been inside, and I'm hoping to qualify as a mechanic.

**Chloe:** Do you think you'll be able to get a job?

**Harry:** That's a bit of a problem. People are scared of employing someone with a record like mine, you know, for fear they begin stealing again.

**Chloe:** How will you get round that?

**Harry:** I'm planning on working for my brother. He's got a motor-bike shop.

**Chloe:** So, you plan to work for your brother?

**Harry:** That's right. I tell you, I won't be back. I'm not going to risk wasting another five years.

**Chloe:** Well, I wish you luck, Harry.

**Harry:** Thanks.
GRAMMAR SECTION

Grammar to be revised: the Infinitive, Infinitive Constructions

Ex. 1. Combine the sentences using the infinitive.

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

1. I disclosed these facts. I wanted to guarantee your acquittal.
2. The experts were called to the scene of the crime. They were to lift fingerprints.
3. You will be called to the court. You will give evidence.
4. The criminals had stolen a get-away car. They didn't want to be captured.
5. He shot at the policeman. He wanted to resist the arrest.
6. They destroyed all the documents. They wanted to conceal the embezzlement.

Ex. 2. Combine the following parts of the sentences into one sentence.

Model 1: 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 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.

Model 2: It was very dark. The witness could not see the details.
It was too dark for the witness to see details.

1. The victim was terrified. He could not defend himself.
2. He is very young. He can't be put on trial.
3. The amount of crime on transport is frightening. It can't be neglected.
4. I am very poor. I can't make bond.
5. The man is honest. He will not steal the money.

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 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.

Ex. 4. Transform the following sentences into sentences with complex object:

Model: I heard that the witness gave evidence.
I heard the witness give evidence.

1. The doctor found that the man had been murdered several hours earlier. 2. I suppose that you will be cross-examined. 3. The attorney expects that his client will tell the truth. 4. I still consider that they are not guilty. 5. The police believe that the millionaire’s son was kidnapped. 6. The defense council declared that the defendant was not mixed up in the conspiracy. 7. I know that they have been interrogating the suspect for an hour. 8. Newspapers report that the case was dismissed for lack of evidence. 9. I heard how the Magistrates were discussing my case.

Ex. 5. Turn the following sentences into sentences with 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. The suspect need not prove anything.
   The suspect is unlikely to...
2. He is suspected of arson.
   He seems to...
3. English law has rather a long definition of murder.
   English law is known to...
4. The defendant's acts caused the death of the victim.
   The defendant's acts happened to...
5. Mr. Brown was found not guilty.
   Mr. Brown is said to...
6. The criminal was caught red handed.
   The criminal was reported to...
7. The victim has been poisoned.
   The victim is believed to...
8. They are cross-examining the suspect.
   They are supposed to...
9. The number of violent crimes is increasing.
   The number of violent crimes appears to...
Ex. 6. *Translate the sentences into Russian paying attention to the infinitives:*

**On the Trial of America's "Serial Killers"**

1. The task facing the police in many areas is to stop criminals who murder for no apparent reason. 2. Such crimes are very difficult to solve. 3. At least twenty women are reported to have been found dead near a Seattle river. 4. Police suppose a man known only as the "Green River killer" to be their murderer. 5. A man dubbed Jack the Ripper who murdered seven women in London in 1888 was the first to be recognized as a serial killer. 6. Only in recent years have the law-enforcement authority noticed the number of such crimes to be increasing. 7. To reveal common trends experts have interviewed more than 40 persons convicted in multiple-murder cases. 8. Such criminals appear to be looking primarily for female and juvenile victims. 9. Typically, serial killers have a desire to dominate others. 10. If the defendants are caught they are frequently found to be keen on pornography. 11. Some serial criminals are discovered to have set fires and tortured animals as youth. 12. Despite mental aberrations that cause them to kill, they look normal and are not easy to identify.

Ex. 7. *Translate into English using the infinitive.*

1. Жертва, если она жива 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 украшенное 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.
Robert put out his hand and picked up the receiver. 'Is that Mr Blair?' a woman's voice asked — a contralto voice that would normally be a confident one, he felt, but now sounded breathless or hurried. 'Oh, I am so glad to have caught you. I was afraid you would have gone for the day. Mr Blair, you don't know me. My name is Sharpe, Marion Sharpe. I live with my mother at The Franchise — the house out on the Larborough road, you know.'

'Yes, I know it,' Blair said. He knew Marion Sharpe by sight, as he knew everyone in Milford and the district: a tall, lean, dark woman of forty or so; much given to bright silk kerchiefs which accentuated her gipsy swarthiness. She drove a battered old car, from which she shopped in the mornings while her white-haired old mother sat in the back, upright and delicate and incongruous and somehow silently protesting. An uncomfortable old person.

'You don't know me,' the voice went on, 'but I have seen you in Milford and you look a kind person, and I need a lawyer. I mean, I need one now, this minute. The only lawyer we ever have business with is in London — a London firm, I mean — and they are not actually ours. We just inherited them with a legacy. But now I am in trouble and I need legal backing, and I remembered you and thought that you would —'

'If it is your car —' Robert began. 'In trouble' in Milford meant one of two things: an affiliation order or an offence against the traffic laws. Since the case involved Marion Sharpe, it would be the latter; but it made no difference, because in neither case was Blair, Hayward, and Bennet likely to be interested. He would pass her on to Carley, the bright lad at the other end of the street, who revelled in court cases and was popularly credited with the capacity to bail the Devil out of hell. 'If it is your car —'

'Car?' she said vaguely; as if in her present world it was difficult to remember what a car was. 'Oh, I see. No. Oh no, it isn't anything like that. It is something more serious. It's Scotland Yard.'

'Scotland Yard!'

As a good citizen Robert Blair was on comfortable terms with the local police, and there his connexion with crime ended. The nearest he had ever come to Scotland Yard was to play golf with the local Inspector.

'I haven't murdered anyone, if that is what you are thinking,' the voice said hastily.
'The point is: are you *supposed* to have murdered anyone?" Whatever she was supposed to have done, this was clearly a case for Carley. He must edge her off on to Carley. 

'No; it isn't murder at all. I'm supposed to have kidnapped someone. Or abducted them, or something. I can't explain over the telephone. And, anyhow, I need someone now, at once, and —'

'But, you know, I don't think it is me you need at all,' Robert said. 'I know practically nothing about criminal law. My firm is not equipped to deal with a case of that sort. The man you need —'

I don't want a criminal lawyer; I want a friend. Someone who will stand by me and see that I am not put-on\(^4\). I mean, tell me what I need not answer if I don't want to, and that sort of thing. You don't need a training in crime for that, do you?'

'No; but you would be much better served by a firm who were used to police cases. A firm that —'

'What you are trying to tell me is that this is not "your cup of tea". That's it, isn't it?'

'No, of course not,' Robert said hastily. 'I quite honestly feel that you would be wiser —'

'You know what I feel like?' she broke in. 'I feel like someone drowning in a river because she can't drag herself up the bank, and instead of giving me a hand out you point out that the other bank is much better to crawl out on'.

There was a moment's silence.

'But on the contrary,' Robert said, 'I can provide you with an expert puller-out-of-rivers; a great improvement on my amateur self, I assure you. Benjamin Carley knows more about defending accused persons than anyone between here and —'

'What! That awful little man with the striped suits?' Her deep voice ran up and cracked, and there was another momentary silence. 'I am sorry. You see when I rang you up just now it was because I was in trouble and wanted the advice of someone of my own sort. Mr Blair, do please come. I need you *now*. There are people from Scotland Yard here in the house. And if you feel that it isn't something you want to be mixed up in, you could always pass it on to someone else afterwards, couldn't you? But there may be nothing after all, to be mixed up in. If you would just come out here and "watch my interests", or whatever you call it, for an hour, it may all pass over. I'm sure there is a mistake somewhere. Couldn't you please do that for me?'

On the whole Robert Blair thought that he could. He was too good-natured to refuse any reasonable appeal — and she had given him a loophole if things grew difficult. And he did not, after all, now he came to think of it, want to throw her to Ben Carley. If you had done something you wanted to get away with, Carley was no doubt God's gift to you; but if you were bewildered and in trouble and innocent, perhaps Carley's brash personality was not likely to be a very present help.
What possible kind of trouble could 'kidnapping' be, he wondered as he walked round to the garage in Sin Lane for his car? *Was* there such an offence in English law? And whom could she possibly be interested in kidnapping? A child? Some child with 'expectations'? In spite of the large house out on the Larborough road they gave the impression of having very little money. Detention 'with intent to deprive parent, guardian, etc., of its possession.' He wished he could remember more of his *Harris and Wilshere*[^5]. He could not remember off-hand[^6] whether that was a felony, with penal servitude in the offing[^7], or a mere misdemeanour. 'Abduction and Detention' had not sullied the Blair, Hayward, and Bonnet files since December 1798.

Ah, well; they would no doubt be open to reason now that they had been startled by the irruption of Scotland Yard into their plans. He was a little startled by Scotland Yard himself. Was the child so important that it was a matter for Headquarters. The place was as irrelevant, as isolated as a child's toy dropped by the wayside. It had been occupied as long as Robert could remember by an old man, presumably the same old man; but since The Franchise people had always shopped at Ham Green, the village on the Larborough side of them, they had never been seen in Milford. And then Marion Sharpe and her mother had begun to be part of the morning shopping scene in Milford, and it was understood that they had inherited The Franchise when the old man died.

How long had they been there, Robert wondered. Three years? Four years?

That they had not entered Milford socially was nothing to reckon by. They might not have sought social contacts. And had an odd air of being self-sufficient. He had seen the daughter once or twice on the golf course, playing (presumably as a guest) with Dr Borthwick. She drove a long ball like a man and used her thin brown wrists like a professional. And that was all Robert knew about her.

As he brought the car to a stop in front of the tall iron gate, he found that two other cars were already there.

There were three people in the police car: the driver and, in the back, a middle-aged woman and what seemed to be either a child or a young girl. The driver regarded him with that mild, absent-minded, all-observing police eye, and then withdrew his gaze; but the faces in the back he could not see.

Before he could ring the bell the door was opened — not by a maid but by Marion Sharpe.

'The Law is in here,'[^8] she said, pushing open a door and ushering him into a drawing-room. Robert would have liked to talk to her alone for a moment, to orientate himself; but it was too late now to suggest that. This was evidently the way she wanted it.

Sitting on the edge of a bead-work[^9] chair was Hallam, looking sheepish. And by the window, ease, was Scotland Yard in the person of a youngish spare man in a well-tailored suit.

As they got up, Hallam and Robert nodded to each other.
'You know Inspector Hallam, then?' Marion Sharpe said. 'And this is Detective-Inspector Grant from Headquarters.'

Robert noticed the 'Headquarters', and wondered. Had she already at some time had dealings with the police or was it that she just didn't like the slightly sensational sound of 'the Yard'?

Grant shook hands, and said: 'I'm glad you've come, Mr Blair. Not only for Miss Sharpe's sake but for my own.'

'Yours?'
'I couldn't very well proceed until Miss Sharpe had some kind of support; friendly support if not legal, but if legal so much the better.'
'I see. And what are you charging her with?'
'We are not charging her with anything —' Grant began, but Marion interrupted him.
'I'm supposed to have kidnapped and beaten up someone, beaten her black and blue.'

'Perhaps I had better do the explaining,' Grant said mildly.

'Just before Easter,' he began, in succinct police-fashion, 'a girl called Elisabeth Kane, who lived with her guardians near Aylesbury, went to spend a short holiday with a married aunt in Mainshill. At the end of a week her guardians — a Mr and Mrs Wynn — had a postcard from her saying that she was enjoying herself very much and was staying on. They took this to mean staying on for the duration of her school holiday, which would mean another three weeks. When she didn't turn up on the day before she was supposed to go back to school, they took it for granted that she was merely playing truant\(^{10}\) and wrote to her aunt to send her back. The aunt, instead of going to the nearest call-box or telegraph office, broke it\(^{11}\) to the Wynns in a letter that her niece had left a fortnight previously. The exchange of letters had taken the best part of another week, so that by the time the guardians went to the police about it the girl had been missing for three weeks. The police took all the usual measures, but before they could really get going the girl turned up. She was in a state of complete exhaustion.'

'How old is a girl?'

'Fifteen – nearly sixteen. He waited a moment to see if Robert had further questions, and then went on. (As one counsel to another, thought Robert appreciatively.) She said she had been kidnapped in a car, but that was all the information anyone got from her for two days. She lapsed into a semiconscious condition. When she recovered, about forty-eight hours later, the guardians began to get her story from her.

She said that while she was waiting for her return coach at the cross-roads in Mainshill a car pulled up at the kerb\(^ {12}\) with two women in it. The younger woman, who was driving, asked her if she was waiting for a bus and if they could give her a lift. The girl said that she was waiting for the London coach, and they told her that it had already gone by. They were very sympathetic and suggested that they should give her a lift to a
place whose name she did not catch, where she could get a different coach to London in half an hour's time. She accepted this gratefully and got in beside the elder woman in the back of the car. They drove her home which the girl later recognized as the Franchise and kept her in the attic there for three weeks, treating her with cruelty and making her do the job of a servant. She hardly managed to escape.'

'THERE was a short silence.

'And this is the girl who is sitting in a car outside the gates of The Franchise at this moment?' said Robert.

'Yes.'

'I take it you have reasons for bringing her here.'

'Yes. When the girl had recovered sufficiently she was induced to tell her story to the police. It was taken down in shorthand as she told it, and she read the typed version and signed it. In that statement there were two things that helped the police to recognize the Franchise by her description.'

Finishing his introduction, Grant said, 'When the girl saw the wall and the gate today she was sure that this was the place. I had first to explain matters to Miss Sharpe and find out if she was willing to be confronted with the girl. She very rightly suggested that some legal witness should be present.

Do you wonder that I wanted help in a hurry?' Marion Sharpe said, turning to Robert. 'Can you imagine a more nightmare piece of nonsense?'

'The girl's story is certainly the oddest mixture of the factual and the absurd. I know that domestic help is scarce,' Robert said; 'but would anyone hope to enlist a servant by forcibly detaining her, to say nothing of beating and starving her?'

'No normal person, of course,' Grant agreed, keeping his eye steadily fixed on Robert's so that it had no tendency to slide over to Marion Sharpe. But believe me, in my first twelve months in the force I had come across a dozen things much more incredible. There is no end to the extravagances of human conduct.'

'I agree; but the extravagance is just as likely to be in the girl's conduct. After all, the extravagance begins with her. She is the one who has been missing for - ' He paused in question. 'A month,' Grant supplied.

'For a month; while there is no suggestion that the household at The Franchise has varied at all from its routine. Would it not be possible for Miss Sharpe to provide an alibi for the day in question?'

'No,' Marion Sharpe said. 'The day, according to the Inspector, is the 28th of March. That is a long time ago, and our days here vary very little, if at all. It would be quite impossible for us to remember what we were doing on March the 28th — and most unlikely that anyone would remember for us'

'Your maid?' Robert suggested. 'Servants have ways of marking their domestic life that are often surprising.'
'We have no maid,' she said. 'We find it difficult to keep one: The Franchise is so isolated.'

The moment threatened to become awkward and Robert hastened to break it.

Notes:

1. much given to bright silk kerchiefs — любившая носить яркие шелковые косынки
2. ... who revelled in court cases — ... которому судебный процесс доставлял истинное наслаждение
3. ... and was popularly credited with the capacity ... — ... и был общеизвестен как человек способный
4. ... and see that I am not put-on — ... и следил, чтобы не были ущемлены мои права и интересы
5. Harris and Wilshere — учебник Гарриса и Вилшера
6. ... could not remember off-hand — ... не сразу вспомнил
7. ... with penal servitude in the offing — ... с последующими исправительными работами
8. The Law is in here — представители закона [находятся] здесь
9. a bead-work — (эд) ювелирной работы
10. was merely playing truant — просто прогуливалась [занятия в школе]
11. broke it — (эд) сообщила
12. pulled up at the kerb — остановилась у края тротуара

Proper names

Robert Blair [bΛlε:ri:Ã] — Роберт Блайр;
Marion Sharpe [me:Ãri:An ˈAi:p] — Мария Шарп;
Benjamin Carley ['kΛ:lri] — Бенджамина Карлей;
Dr. Borthwick — доктор Босвик;
Police Inspector Hallam ['hΛm] — инспектор полиции Галлам;
Detective-Inspector Grant — инспектор по расследованию; происшествий и преступлений Грант;
Elizabet (Betty) Kane — Элизабет (Бэтти) Кейн;
Mr and Mrs Wynn — Мистер и миссис Вин;
‘Blair, Haywood and Bennet’ — ‘Блайр, Хэйвуд и Беннет’ (название нотариальной конторы)
**Geographical Names**

The Franchise [ˈfraːntəɪz]  
Ham Green

Milford  
Aylesbury [ˈeɪlzberi]

Sin Lane  
Mainshill [ˈmeinsˌhil]

Larborough [ˈlɔːbərəʊ]

**Words and Word Combinations**

1. bail, v (out)  
   - брать на поруки

2. kidnap, v  
   - похищать (детей)

3. abduct, v  
   - похищать, увозить

4. provide, v (with)  
   - обеспечивать

5. detention, n  
   - задержание, содержание под стражей

6. deprive, v (of)  
   - лишать (чего-либо)

7. guardian, n  
   - опекун

8. exhaustion, n  
   - истощение, изнурение

9. confront, v  
   - противостоять, делать очную ставку

10. to watch smb’s interest  
    - следить, чтобы были соблюдены чьи-либо интересы

11. to have dealing with the police  
    - иметь дело с полицией

12. to have legal support  
    - иметь поддержку юридического лица

13. to take for granted  
    - принимать за должное

14. to detain forcibly  
    - насиливо удерживать

**Task 1.** *Think of a proper definition.*

1. a guardian is a person who  
   a) a person is extremely tired

2. misdemeanour is a kind of crime that  
   b) high crime, punishable by death or by imprisonment

3. exhaustion is a state of body and mind when  
   c) is not too dangerous, that one which borders on administrative offence

4. an offence is  
   d) legal support

5. “to defend” means  
   e) to dispossess

6. “detention” has two meanings:  
   f) that smb is charged by or taken responsibility of

7. the word felony” denotes  
   g) imprisonment and keeping in custody before a trial
8. “legal backing” is the same as h) a kind of law breaking
9. mentioning the word “bail”, one realizes i) “to accuse”
10. “to charge” is synonymous with j) to secure from danger, to protect
11. in legal terminology the word “abduct” can be regarded as k) impulse, shock or impression; or collision or contact
12. the verb “to deprive” can be explained as l) takes care of and has the custody of an orphan, a custodian
13. the adjective “incongruous” bears the meaning of m) unsuitable, contrary, absurd, unfit, grotesque, inappropriate
14. the noun “impact” is viewed as n) being forcibly taken away, or kidnapped or carried off
15. When we pronounce the word “to reckon” we understand it as o) enumerate, number, count; guess, consider or estimate
16. Using the verb “to enlist”, one wants to express the idea of p) smth rear, infrequent; smth which is deficient, not plentiful
17. Whey we say “scarce” we presuppose q) enrolling oneself, engaging; pledging one’s assistance or registering

Task 2. a) Choose of a suitable word to express the true ideas of the text
1. Marion Sharpe used to wear bright kerchiefs which emphasized/underlined/stressed her dark complexion which made her look like a gipsy.
2. Old Mrs Sharpe gave an impression of an unpleasant/uneasy/uncomplete person.
3. The only lawyer the Sharps were connected/dealt/communicated with was in London.
4. By her words, Marion Sharpe was in need of judicial surmise/suppression/support.
5. Robert Blair was in good/appropriate/friendly relations with the local police.
6. In Blair’s words, Marion Sharpe could be much better worked for/taken care of/looked after by a firm who got accustomed to/dealt with/took charge of police cases.
7. Robert Blair was too good-humoured/good-bred/kind-hearted to say “No” to people who applied to him with well-founded petitions.

b) say how the same ideas are expressed by the author.

Task 3. Choose the appropriated idea
1. Marion Sharpe wanted Robert Blair to be her
   – legal supporter;
   – friendly adviser;
   – criminal lawyer.
2. Having agreed to help the Sharpes, Robert Blair was thinking on:
   – what fee he would receive;
   – how he would meet the representatives of the Scotland Yard and the police;
   – whether there was such an offence as “kidnapping” in the English law.

3. Having taken the decision – half against his will – to watch M. Sharpe’s interests, R. Blair was intended to:
   – talk to her confidentially;
   – invite representatives of the police and Scotland Yard;
   – to see her mother first.

4. Before E.Kane’s guardians applied to the police, the girl had been missing for:
   – a fortnight;
   – three weeks;
   – a month.

5. Betty Kane’s guardians realized the girl had been playing
   – tricks;
   – truant;
   – cards.

6. Before the police could start their investigations about the missing girl, she turned up [being] in:
   – elevated spirits;
   – a semi-conscious condition;
   – complete exhaustion.

7. Inspector Grant dwelt on the matter in:
   – an eloquent counsel’s manner;
   – a succinct-police fashion;
   – a detective story-teller way.

8. When the girl returned home after her supposed departure from her aunt’s, she was:
   – happy and gay;
   – eagerly answering all the police questions;
   – beaten black and blue.

**Task 4. Combine the two parts of the sentences to convey the true ideas of the text**

1. Miss Sharpe would like to have rather friendly than legal support
   a) defending accused persons

2. At first R.Blair was determined to pass Marion Sharpe to Carley
   b) to orient himself before meeting with the representatives of the law
3. B.Carley was an expert on c) the theory of criminal law and find out the reasons of the Sharpes’ possible crime

4. B.Carley was not the person d) as he was not concerned with criminal law

5. The Sharpes didn’t enter the Milford society because e) because she didn’t feel herself guilty, but wanted somebody to watch her interests while dealing with the representatives of the law

6. On the way to the Franchise Robert Blair attempted to recollect smth from f) a gathering in a court

7. R.Blair, having arrived at the Franchise first wanted to have a tete-a-tete conversation with Marion Sharpe g) to be backed at in a case like M.Sharpe’s

8. The company that gathered in the Sharpes’ sitting-room looked like h) they might have not sought social contacts

9. E.Kane showed that the masters of the Franchise had keen keeping her in the attic i) it was a mixture of the factual and the absurd, to what Grant objected

10. Having listened to the “kidnapped” girl’s story, R.Blair concluded that j) for three weeks and had been cruel to her

Task 5. Paraphrase the following sentences:

1. But it made no difference, because in neither case was Blair, Hayward, and Bennet likely to be interested.

2. As a good citizen, Robert Blair was on comfortable terms with the local police.

3. The point is: are you supposed to have murdered anyone?

4. My firm is not equipped to deal with a case of that sort.

5. You would be much better served by a firm who were used to police cases.

6. What you are trying to tell me is that it is not “your cup of tea”.

7. Whom could she possibly be interested in kidnapping? Some child with “expectations”?

8. “Abduction and Detention” had not sullied the Blair, Hayward, and Bonnet files since December 1798.

9. That they had not entered Milford socially was nothing to reckon by.

10. They had an odd air of being self-sufficient.

11. Can you imagine a more nightmare piece of nonsense?
Task 6. Give your interpretation of the following sentences:

1. We just inherited them [the law firm] with a legacy.
2. ... an affiliation order or an offence against the traffic laws.
3. ... to bail the Devil out of hell.
4. He must edge her off on to Carley.
5. I can provide you with an expert puller-out-of-rivers; a great improvement on my amateur self.
6. ... an advice of someone of my sort. And you looked my sort.
7. If you were bewildered and in trouble and innocent, perhaps Carley's brash personality was not likely to be a very present help.
8. ... they would no doubt be open to reason now that they had been startled by the irruption of Scotland Yard into their plans.
9. I couldn't very well proceed until Miss Sharpe had some kind of support; ... if legal, so much the better.
10. ... would anyone hope to enlist a servant by forcibly detaining her?
11. There’s no end to the extravagances of human conduct.

Task 7. Answer the questions, expressing your personal attitude to the events. Use the following language functions:

- In my opinion / To my mind / From my point of view / If my memory doesn’t fail;
- As far as I understand / remember(from the text) / can judge / my experience goes;
- If I’m not mistaken / can say so / on the right way;
- I think / consider / reckon / guess / stick to the opinion(that);
- I doubt to say / I’m not quite sure / I’m in two minds.

1. What crime could Miss Marion and her Mother be charged with?
2. Why did, in your opinion, Robert Blair agree to “watch Miss Sharpe’s interests”? What was his firm equipped to deal with?
3. What do you think, why did Miss Sharpe choose Robert Blair to defend her interests? How did she herself explain it?
4. How are Miss Sharpe and her Mother characterized by the author? Could they, in your opinion, commit a crime they were suspected of? What were they accused by the girl of?
5. Whom did Robert Blair see in Miss Sharpe’s house when he arrived there on her insistent request? What did he want to do before meeting the people whose cars he had seen in the yard?
6. What was the manner in which Inspector Grant presented the plaintiff’s story, which could be a case against the Sharpe? How did Robert Blair accept that manner?

7. What was Blair’s reaction to the statement the girl had made to the police? What did Inspector Grant remark when he heard Robert’s assessment of the girl’s story? Whose opinion do you share? Why?

**Task 8. Working in pairs, prove the following statements. Use the following speech patterns:**

I can’t agree, but (still) ... / Quite possible ...
Quite / really / sure / absolutely so;
(Yes), really / sure / no doubt [of it] / (Yes), of course / naturally ...
It can’t be denied; It can be easily proved ...

1. Miss Sharpe didn’t feel herself guilty.
2. The more Robert Blair tried to analyze the motives of the supposed crime, the more he began to get convinced in the absence of these motives [and maybe of the crime itself]
3. The Sharps were not accepted by the Milford society.
4. The charge Miss Sharpe and her Mother could be possibly accused of, was very serious, and Robert Blair was going to take their side.
5. The girl considered herself victim of the crime committed by the two horrible women.
6. The girl’s story was a mixture of the factual and the absurd.

**Task 9. Give the English version of the following:**

Суть дела, по которому в гостиной Мисс Шарп оказались представители Скотланд-Ярда и полиции, можно было изложить в следующем: Шарпов подозревали в похищении несовершеннолетней Элизабет Кэйн, насильственном содержании ее в качестве прислуги и жестоком обращении с ней. Живя на окраине небольшого городка и имея у местных жителей репутацию людей странных, отчужденных и будучи к тому же новичками в здешних местах, Шарпы (мать и дочь) вполне могли совершить преступление, обвинение в котором им предъявляла якобы потерпевшая молодая особа немногим меньше 16 лет. Роберт Блайр, представитель фирмы “Блайр, Хэйвард и Беннет”, согласившийся поначалу быть неофициальным адвокатом Марин Шарп, считает своим моральным долгом доказать абсолютную невиновность двух порядочных женщин, оказавшихся жертвой гнусной лжи и клеветы малолетней любительницы приключений.

Ставший событием в жизни крохотного Милфорда пресловутый cause celebre (фр. — нашумевший судебный процесс), круто изменил жизнь его главных участников.

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Task 10. Give a brief summary proceeded by your commentaries. Organize an exchange of opinions in your group on the problem “The nature of crime and criminals”

Crime begins in egoism, inordinate vanity. A normal girl, even an emotional adolescent, might be heart-broken that her adopted brother no longer considered her the most important thing in his life; but she would work it out in sobs or being difficult, or deciding that she was going to renounce the world and go into a convent, or have a dozen other methods that the adolescent uses in the process of adjustment. But with an egoism like Betty Kane’s there is no adjustment. She expects the world to adjust itself to her. The criminal always does, by the way. There was never a criminal who didn’t consider himself ill-done by.

...Even the Bishop of Larborough would find some difficulty in thinking up a case for her. Betty Kane had everything that he recommends for the cure of the criminal: love, freedom to develop her talents, education, security. It’s quite a poser for his lordship when you come to consider it, because he doesn’t believe in heredity. He thinks that criminals are made and therefore can be unmade. “Bad blood” is just an old superstition in the Bishop’s estimation.

Task 11. Roleplay the following situations:

Situation 1.

You’re Betty Kane’s guardians. You’ve just found out your step-daughter was to be back home from her aunt’s a fortnight previously.

(to happen [smth wrong], to be at a loss [what to do]; to lose one’s way, to get into trouble, to meet with an accident; to be forcibly kept, to commit suicide, to be murdered/ (not) to lose one’s head; to try to keep quiet; to play truant, to enjoy oneself with one’s friends and acquaintances // to get down; (not) to be in panic; to clarify the matter, to apply to police.)

Situation 2.

You’re Betty Kane’s guardians who’ve just come to the police station. You’re talking to the two police officers trying to give as more detailed answers to their questions as possible.

(to come down, to guarantee professional help, to be on the safeguard of the law// to reveal all types of civil and criminal cases; to apply to Scotland Yard; in case of emergency // a full/ detailed description of smb: age, appearance, habits /companies // to identify by; to contact with; to start investigations, to (under)take all the usual measures.)
Situation 3.

■ Take the parts of Marion Sharpe, Robert Blair, Inspector Hallam, Detective-Inspector Grant and reproduce the conversation in the Sharpe’s drawing room. Think of its possible continuation involving old Mrs. Sharpe, Betty Kane and Mrs. Wynn.

(to introduce oneself / smb to smb; stick to the point; the state of affairs; to have nothing to do with; criminal law / case(s); to be charged with; to abduct / kidnap / detain forcibly // to have dealings with the police; to watch smb’s interests, to have legal backing / support // misdemeanour; felony; penal servitude // to turn up / a state of complete exhaustion; beaten black and blue; to be in panic; recover sufficiently // to be induced to tell the story to police; a return coach; to pull up at the kerb/ to give smb a lift // to threaten smb; to manage to escape // to be shocked; a nightmare piece of nonsense; to prove true/ a warrant to arrest)

Situation 4.

■ You’re local newspaper(s) reporters. Give summaries of your reports on the eve of a possible court on “an unheard in these places crime; characterizing the participants involved.

(a sensational affair; recorded crimes; certain types of crime; detention and abduction; a degree of criminality // affiliation order or an offence against the traffic laws; unusual crimes; kidnap and forcibly detain; beat and starve; an odd air of being self-sufficient // domestic help; to enlist a servant; to keep in the attic; not to enter socially; Scotland Yard; guardians //to be accused of; to watch one’s interests; to bring to trial; to be confronted with; to investigate the case; an account of one’s sufferings; a mixture of the factual and the absurd; the extravagances of human conduct)

Situation 5.

■ You’re the jurors who’re going to pronounce your unanimous verdict you’ve reached out without having listened to the counsel for the defence.

It’s incredible / To an incredible degree! // Just think! / Just imagine! / Just fancy!// It’s impossible / not likely / not probable / unheard // It’s [quite] out of the question;
It’s for the first time in my life / practice when ...
I’ve never before come across such kind of a case in which ...
It’s been a complete shock to me to learn ...
I hope I’ll never be dealing with anything like that for the rest of my life
I’ve got no words to express my feelings / emotions
Some prompts for “the foreman” to your choice

~ Your Lordship, we’ve heard all the evidence we required;
~ Your Lordship, we consider we haven’t heard enough evidence;
~ Your Lordship, we can’t pronounce the verdict just now, we are not unanimous;
~ Your Lordship, the jury wish to retire;
~ Your Lordship, the jury can’t arrive at any decisions as yet; we need to retire;
~ Your Lordship, the jury would like you to know;
~ Let me consult the jury, My Lord;
~ subject to your Lordship’s correction, ...;
~ We don’t think it necessary to hear another witness // a witness/counsel for the
defence/prosecution;
~ We’ve heard enough to arrive at a true/unanimous/just verdict;
~ We’ve heard enough to listen to any other evidence;
~ We’ve heard enough to clarify the subject.

(to try to fool a jury; an intention to blackmail; to conceal true motives; to listen
to the summing-up of the judge; to retire to consult about the verdict; to victimize smb;
to define the criminal; to measure one’s crime; a valuable piece of evidence; to give
false evidence; to confess frankly; to convince; to condemn; to sentence; a false
accusation; a punishment to fit the crime; a punishment that can hardly be measured by;
to have confidence in one’s judgement; (not) need ability; an application for bail; the
manner to put evidence before the court; (in) capable of insane conduct, a very
circumstantial story)

Task 12. Writing

■ Give your assessment of the events described in the text.

ADDITIONAL READING

Text “Crime in Britain”

The next twenty-four hours will see police in Britain record two murders, ten
rapes, 50 sexual assaults, 50 assaults causing grievous bodily harm, 113 muggings and
other robberies, 2,800 burglaries, and 1,200 car thefts. Yet these figures – part of an
annual total of about five million recorded crimes – represent only the top of an iceberg.
And that is not all. Each of the three quarters of this year for which figures have already
been published showed a rise of about 14 per cent on the same period 12 months before.
This is a big disappointment for policymakers, because in the last two years the recorded
crime rate actually fell.
The public's understanding of crime is not impressive, however. 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 is 6 per cent. Some wonder, perhaps, that a government committee claimed fear of crime to 'be as great a problem as crime itself.'

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 with 28 homicide victims per million babies. People of 70 are far less likely to be murder victims than any adult group, with only eight victims per million. Only children aged 5-15 are safer.)

According to an international survey published last year, Britain's crime rate is lower than the European average and lower than that of Holland, Germany, Canada and Australia. About 18 per cent of Britons were victims of crime last year. In Canada 28 per cent had experienced a crime, in Holland 26 per cent and in Germany 22 per cent. At the other end of the scale Switzerland (15.6 per cent) and Finland (15.9 per cent) had low overall victim rates. But safest of all was Northern Ireland: there only 15 per cent of the population experienced a crime.

The US appeared to live up to its reputation for lawlessness overall with 28.8 per cent of the population having been a victim of a crime. American's murder rate makes ours seem infinitesimal. Nearly twice as many murders (1,051) were committed in the city of New York in the first six months of last year as in England and Wales (627).

But nobody in Britain is complacent. A computer study of every person born in a certain month in 1953 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 1953 who had been convicted of an offence had committed a crime of violence by the age of 20. For those born in 1963, this proportion had risen to once in five.

Text

"Forms of Crime"

White-collar crime. One type of crime that has been of particular interest to sociologists is white-collar crime – crime committed by persons of affluence, often in the course of their business activities. Most common in white-collar crimes are corporate crime, embezzlement, corruption, bribery, tax fraud or stock manipulation, misrepresentation in advertising, restraint of trade, and infringements of patents. Fraud and theft in the retail industry increases the cost of many items by at least 15 per cent. The cost of public instruction is increased between 10 and 50 percent by libety, kickbacks, and payoffs resulting in overcharges to taxpayers of more than $2 billion annually. Insurance crimes are common. In fact, the biggest theft in American history was not the robbery of a bank or an armored car, but the $1 billion Equity Funding fraud masterminded by executives of a Los Angeles-based insurance conglomerate in the late 1970s.
The American criminal justice system is not equipped to deal with white-collar crime. Unlike a robbery, a stock or insurance fraud is complex and difficult to unravel. Local law enforcement officials commonly lack the skills and resources necessary to tackle crimes outside the sphere of street crime. Federal agencies will handle only the more serious white-collar crimes. And the handful of white-collar criminals who are prosecuted and convicted are given a slap on the wrist. Street criminals who steal $100 may find their way to prison, while the dishonest executive who embezzles $1 million may receive a suspended sentence and a relatively small fine. Federal statistics indicate that embezzlers at banks steal nine times more than bank robbers. Yet whereas only 17 percent of the embezzlers go to jail, 91 percent of bank robbers end in jail.

Organized Crime. Organized crime refers to large-scale organizations that provide illegal goods and services in public demand. The President's Commission on Organized Crime estimated that it reaped about $100 billion in the United States in 1986. Organized crime is likely to arise when the state criminalizes certain activities – prostitution, drugs, pornography, gambling, and loan sharking – that large numbers of citizens desire and are willing to pay for. Since Organized crimes have largely been conducted by a syndicate variously termed the Mafia or the Cosa Nostra. So much has been written about this group that it is difficult to separate myth from fact. However, it seems to be a loose network or confederation of regional syndicates coordinated by a "commission" composed of the heads of the most powerful crime "families". The Mafia operates a vast system of political corruption and employs violence and intimidation against its victims, rivals, and "renegades". Having piled up enormous profits from drug dealing and gambling, the Mafia has diversified into entertainment, labour unions, construction, trucking, vending machines, toxic waste disposal, banking, stock fraud, and insurance.

The media often depict organized crime as an Italian monopoly. However, Irish and Jewish crime figures have long cooperated with the Mafia. In New York and Philadelphia, black groups and the Mafia run gambling and narcotics operations. In San Francisco, Chinese gangs shake down merchants and are involved in gambling, robberies, and prostitution; the self-proclaimed Israeli Mafia extorts money in Los Angeles; and Colombian and Cuban drug rings have flooded Florida with their products.

Text

"Measuring Crime"

Statistics on crime are among the most unsatisfactory of all social data. Official crime records – such as the FBI's annual Uniform Crime Reports based on incidents filed with more than 15,000 enforcement agencies – suffer from numerous limitations. For one thing, a large proportion of the crimes that are committed go undetected; others are detected but not reported; and still others are reported but not officially recorded when police officers and politicians manipulate their reports to show low crime rates for political purposes. For another, perceptions of crime vary from community to
community; what is viewed as a serious crime by a citizen of a small town may be shrugged off by a city resident as an unpleasant bit of everyday life.

When the *Uniform Crime Reports* are compared with victim-based measures of crime (based on survey samples of American households in which individuals are asked if they or any members of their household had been victims of crime during the previous year), the rates of various crimes in the United States are substantially higher. A National Crime Survey based on 1983 data showed that only 35 per cent of crimes were made known to the police. Among offenses against the person, reported crimes of violence ranged from a 41 per cent rate for simple assault to a high of 58 percent for aggravated assault. Reporting rates for offenses against property ranged from 25 percent of the household larcenies to 6 percent of car thefts.

Self-report-based measures of crime — anonymous questionnaires that ask people which offenses they have committed — also reveal much higher rates than those found in official crime statistics. For instance, studies of juvenile crime show that a good may youngsters of all social classes break some criminal laws, that the amount of unreported crime is enormous, and that convicted offenders are unrepresentative of persons violating the criminal law.

**Text**

**“Civil and criminal law contrasted”**

The difference between civil law and criminal law turns on the difference between two different objects which the law seeks to pursue redress or punishment. The object of civil law is the redress of wrongs by compelling compensation. The person who has suffered gets a definite benefit from the law, or at least he avoids a loss. On the other hand, in the case of crimes, the main object of the law is to punish the wrongdoer; to give him and others a strong inducement not to commit the same or similar crimes, to reform him if possible, and perhaps to satisfy the public sense that wrongdoing ought to meet with retribution. But this punishment is not directly or mainly beneficial to the person injured. In all cases of crime the law treats the wrongdoing as not merely an injury to an individual, but as a matter of public concern. An individual suffering civil injury need not sue the wrongdoer, and may contract not to sue him. Where a crime has been committed, the person injured cannot prevent proceeding being taken to secure punishment, and an agreement not to prosecute is a criminal offence. Criminal proceedings are taken in the name of the King as representing the State, every citizen has a right to set the law in motion whether he has been injured or not, and public officers exist to set the law in motion where necessary. The King can pardon the vast majority of crimes after and even before conviction; but the King cannot pardon a civil wrong done to a private person, so as to deprive him of his remedy. So, again, the King can, through the Attorney-General, stop a criminal prosecution, but he cannot stop a civil action.
Text  “Bank Robberies Increased Nearly 10 Percent in 1996”

In February, Los Angeles police killed two bank robbers in body armor after a rolling gunfight, injured 16 officers and civilians. Last month, a bank robbery confrontation in Detroit left four people dead. Also in March, two robbers wielding assault rifles stormed into a St. Louis-area bank and fatally shot a guard, firing numerous rounds in a crowded lobby.

At a time when most violent crime across the country is declining, the number of bank robberies last year rose by nearly 10 percent, suggesting that the recent spate of violent, highly publicized bank heists may reflect a shift in an important crime pattern.

After years of steady decline, the number of bank robberies nationally grew as FBI statistics show. The increase was especially dramatic in parts of the Washington region, with the number of such robberies doubling in the last two years. D.C. police and FBI agents set up stake-outs at 20 banks in the heart of the city, teach a class on how to handle such robberies.

But law enforcement official and industry analysts remain somewhat baffled by the recent increase, unclear whether the traditional reasons for such heists – drug habits, gambling debts and unemployment – can explain the upturn.

"I'm not certain we have the answer yet," said Stephen R. Wiley, chief of the FBI's violent crime and major offenders section. He noted that the bureau has developed a national database for tracking common patterns in bank robberies.

"There are people that specialize in bank robbery. We've been going after repeat offenders. ... In some areas it has become trendy to do bank robberies."

About 50 percent of bank robbery suspects are narcotics users. In several instances, authorities have arrested criminals who have robbed more than 20 banks.

Still, some law enforcement experts say, the growth in bank robberies should be a blunt reminder for Americans not to become too comfortable with dramatic decreases in crime.

Text  “German Prosecutors Expected to Charge VW Executive Lopez”

FRANKFURT — Prosecutors are expected to file criminal charges within weeks against a senior executive at Volkswagen AG, Jose Ignacio Lopez de Arriortua, relating to allegations of industrial spying against General Motors Corp., according to lawyers for Mr. Lopez, who left VW for GM in 1993.

Such an indictment against Mr. Lopez would cap a series of legal and public-relations setbacks for the German automaker in its three-year legal feud with GM, a dispute involving some of the world's most powerful captains of industry and one that has inflamed emotions on both sides of the Atlantic.

The indictment would be likely to escalate the GM-VW battle, raising the likelihood that similar cases simultaneously would be heard in courtrooms in Germany.
and in Detroit, where GM in March filed a civil suit against Mr. Lopez and other top VW managers.

It could be as long as two years before the Detroit case even went to trial. Documents and depositions must be translated, and dozens of witnesses must coordinate travel schedules.

GM's Detroit complaint at times reads like a detective novel. The prospect of a long-running legal affair creates public relations complications. The negative image damages the company's reputation.
UNIT VI

READER MATERIAL

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 and with the other problems which affect life in Britain no less than other countries. 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).

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 a Chief Constable for each of 52 areas into which the country is divided. Each has a police authority – a committee of local county councillors and magistrates.

All members of the police must have gained a certain level of academic qualifications at school and undergone a period of intensive training. Like the army, there are a number of ranks: after the 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.

Each police force has its own Criminal Investigation Department1 (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 and to protect persons and their property, to prevent crime, to detect criminals, to decide whether to prosecute, to perform road traffic duties, to be friend the public.

About a quarter of the police strength of the country is in the Metropolitan Police\(^2\) of London which is responsible for the area of 788 square miles (excluding the city of London).

The Home Secretary\(^3\) in England and Wales and the Secretary of State for Scotland and Northern Ireland\(^4\) 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                  | poli'ticians                 |
| 'warden'   | de'tective                  | investi'gation               |
| 'patrol'   | fa'miliar                   | qualifi'cations              |
| 'diplomat' | in'tensive                  | under'go                     |
| 'guard'    | con'temporary               |                             |
| 'sergeant' | pro'tect                    |                             |
| 'circumstances' | pre'vent               |                             |

(b) *Pronounce correctly the following proper names:*

Sir Robert Peel; Criminal Investigation Department
Scotland Yard; Regional Crime Squads
Chief Constable; The Royal Commission
The Metropolitan Police of London;
The Home Secretary in England and Wales;
The Secretary of State for Scotland and Northern Ireland.

**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>investigator</td>
<td>investigation</td>
</tr>
<tr>
<td>to order</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to drive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to train</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to investigate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to guard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to maintain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to detect</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>B</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>detective</td>
<td>skills</td>
</tr>
<tr>
<td>odd</td>
<td>training</td>
</tr>
<tr>
<td>professional</td>
<td>stories</td>
</tr>
<tr>
<td>academic</td>
<td>regulations</td>
</tr>
<tr>
<td>intensive</td>
<td>qualification</td>
</tr>
<tr>
<td>police</td>
<td>helmet</td>
</tr>
<tr>
<td>parking</td>
<td>authority</td>
</tr>
<tr>
<td>controlling</td>
<td>force</td>
</tr>
<tr>
<td>national</td>
<td>offences</td>
</tr>
</tbody>
</table>

**Ex. 4.** *Decide which verbs you would use with the noun phrases you have identified in ex. 3.*

to be familiar with; to have; to form; to obey; to gain; to deal with; to call, to be responsible for; to undergo.

**Ex. 5.** *How are the following ideas expressed in the text.*

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;


1. to be familiar with          a) приобретать определенный уровень теоретической подготовки
2. the police force            b) носить форму
3. professional skills         c) пройти период интенсивной подготовки
4. to keep law and order       d) профессиональные навыки
5. to gain a certain level to academic qualification       e) быть знакомым с
6. to undergo a period of intensive training f) соблюдать правила парковки
7. to wear uniforms            g) уполномоченный по поддержанию порядка на дороге
8. traffic wardens             h) полицейские силы
9. to obey the parking regulations i) обнаруживать преступников
10. to be regularly armed      j) поддерживать правопорядок
11. to guard politicians and diplomats k) оказывать помощь при дорожно-транспортных происшествиях
12. to patrol airport          l) быть постоянно вооруженным
13. to assist at accidents     m) выполнять обязанности дорожно-патрульной службы
14. to deal with lost property n) охранять политических деятелей и дипломатов
15. to perform road traffic duties; o) патрулировать аэропорт
16. to detect criminals        p) иметь дело с пропавшим имуществом
Fill in the missing words in the sentences below. Choose from the following:

abolished, coroner, inquest, loot, alibi, custody, internment, martial law, amnesty, damages, judicial, on parole, bail, euthanasia, justice, statement, clues, illicit, law-abiding, warder, conviction, 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 ____________.

13) The judge refused to grant him ____________, as it was feared that he would try to leave the country before his trial came up.

14) Before the police took him away, the thief told his wife where he had hidden the ____________.

15) They were prosecuted for dealing in ____________ substances.

16) The doctor was found guilty of ____________ when he turned off the life-support system of a patient who was terminally ill with cancer.
17) The police took down the man’s ____________, read it back to him, then asked him to sign it.
18) Detectives still haven’t found any ____________ as to the whereabouts of the two missing 13-year-old schoolchildren.
19) The robbers were taken to the police station and held in ____________ until their trial.
20) She couldn’t possibly have done it. She’s the most honest, ____________ citizen I’ve ever met.
21) This was his seventh ____________ for stealing cars.
22) Not all countries have the same political or ____________ systems.
23) He was released ____________ to go to his mother’s funeral.

Ex. 8. 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 don’t help the court much / bring almost all criminal cases to court.
8. Opinion polls show that majority / minority of the public sympathies with the police.

Ex. 9. Complete the following sentences by adding the phrases given in part B.

Part A.
1. The English police force have become well-know ...
2. Any regular reader of English detective stories is familiar with ...
3. All members of the police must ...
4. There are Regional Crimes Squads in England and Wales with ...
5. In certain circumstances specially trained police officers can be ...
6. The decision to commence criminal proceedings in England and Wales is ...
7. The duties of the police are ranging from ...
8. 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.

**Discussion**

**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
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 is responsible for the whole area of Great Britain.
7. In practice the police bring about 97% of all criminal cases to court.

Ex. 3. *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 to keep law and order
Can you tell me about there are a number of ranks
Who is (was) Britain has no national police force
uniformed people are traffic wardens
the police carry guns
the duties of the police are varied
the work of the police in practice

Ex. 4. *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 guard politicians; certain circumstances; to
   gain a certain level of academic qualifications; a period of intensive training.

Ex. 5. *Read the words in the box, make sure you understand them and predict the events.*

Armored police, to seal off the scene, jewellery; display case,
to chase, head injuries; forensic teams.
Ex. 6. *Fill in the chart.*

<table>
<thead>
<tr>
<th>Type of crime</th>
<th>What happened</th>
<th>What are the police doing?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ex. 7. *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 country 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.

The police is 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 is also involved with 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.

The FBI, the Federal Bureau of Investigation, 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 information\(^1\), 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 levers 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 repository\(^2\). The Bureau engage in the training of local police officers through the National Academy and through school conducted by traveling teams\(^3\) of agents. 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 картотека
3. traveling teams – выездные группы

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

1. Contemporary policemen have modern general objectives as did their counterparts.
2. The police is 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 USA.
5. The FBI is only responsible for the investigation for violations committed on government property.
7. The agents of FBI are ordinary policemen.

**Ex. 2.** *Complete the following sentences*

1. The general objectives of contemporary policemen and their counterparts of old 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 also operates a national crime laboratory for ...
7. 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 arrest and prosecution has a deterrent effect.
3. Police is also involved with the enforcement of traffic and sanitary-code provisions.
4. American policemen hold it in high esteem.
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. Restrictive bodies of powers.
3. The police is seeking to reduce causes of crime.
4. Peripheral services to basic police duties.
5. The FBI’s responsibilities.
6. The FBI as a national crime laboratory.
7. 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:
   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 Map\(^2\) and the Vehicles Recovered Map\(^3\).

An old-established section of the Metropolitan Police is the Mounted Branch\(^4\), 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.**  
*“Inspector Bangs and the Stolen Necklace”*

**Task:** read the text and say what prompted the inspector who the robber was.

It was late in the evening when the telephone rang. Police Inspector Bangs heard an excited voice: "Police? Come here at once. I have been robbed. The thieves took a necklace which Mrs Littlewood bought from me. She will call for it tomorrow. I'm finished, finished."

"Street and number of house?" the dry voice of Inspr. Bangs interrupted. He thought it was just another jewel robbery. He called PC\(^1\) Smith, and together they went to the jewellery shop.

A quick inspection showed that the thieves had entered the office from the store's front window.

"They were probably in a hurry", said Mr.Hopkins, the jeweller. "They broke the glass so violently that splinters of it are all over the room".

It was true. The glass was everywhere. On the table, on  the floor, in the drawers of the forced safe\(^2\), and even in the aquarium with the small fish.

"I hope nothing was moved before we came?" asked the Inspector.

"Of course, not, Inspector", Hopkins answered quickly. "I am a jeweller, so I have some experience with robbers".

"Sorry, but you are not experienced enough", said Inspr. Bangs slowly.
"You've made a mistake, Mr Hopkins, and I must arrest you, sir".

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Notes:
1. PC – Police Constable
2. forced safe – вскрытый сейф

Text E. “Criminal English”

a) a number of expressions originally used by criminals have become very common in standard English, try to understand them (answers are given below in the wrong order).

Fred has been sent down for 10 years for armed robbery. He has done his time and now he's a free man. Now, when Fred's out of prison, he's determined to go straight. Unfortunately, his girl-friend Mary was done for pinching a gold bracelet from a shop. She came clean as soon as the police caught her.

- to admit committing the crime
- to send to prison
- to prosecute
- to finish a prison sentence
- to steal
- to stop breaking the Law

b) fill in this story about a bank robbery with the correct words from the list below given in brackets.

Yesterday, robbers ... the National Midland Bank in the High Street soon after closing time. They ... the staff, and forced the manager ... $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 have warned 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 ... it".

(avoid punishment for; forced an entry into; to surrender; to give them; escaped; threatened with guns)
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 дознание 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 пропавших без вести. На милицию возложены приведение в исполнение приговоров о ссылке и выселке, об условном осуждении к лишению свободы. 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.

В составе милиции имеются специальные отделы: уголовный розыск, отделы борьбы с хищениями собственности, охраны общественного порядка, автомобильная инспекция. При отделении милиции функционирует инспекция по делам несовершеннолетних.

**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 actions 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.

Useful vocabulary: to be concerned with, exactly, considerable, to be engaged in, to be in bad need of, on personnel, to tend, law-abiding, consequently, to support law and order, to deter smb. from, a traffic (driving) offence, involvement, to overuse one's powers, to be aware, to supervise, unbiased, comprehensive.

Ex. 1. Do the translation making further use of it in your retelling:

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. 2. Retell the dialogue in the form of a monologue using the following verbs: To interview, to say, to wonder, to explain, to reply, to respond, to add, to confirm, to object, to agree, to regard.
Dialogue 2 “Supervision and Control”

**Task:** study a dialogue between a British and an overseas police officer:

**F:** Our police are strictly controlled by our authorities and on the part of the executive as well. Do you have any particular supervision body?

**Ин:** Наша полиция строго контролируется нашим руководством и со стороны исполнительной власти. Есть ли у вас специальный орган надзора?

**Br.:** You’ll make sure before long we aren’t suffering from lack and insufficiency of control and supervision. The Police Complaints Authority was set up in 1984 for this very purpose.

**А.:** Скоро вы убедитесь, что мы не страдаем от нехватки и недостаточности контроля и надзора. Именно с этой целью была учреждена Инспекция по жалобам на полицию в 1984 году.

**F.:** Do they investigate the cases of police misconduct and abuses?

**Ин.:** Они расследуют проступки и злоупотребления среди полицейских?

**Br.:** Not exactly. They supervise the investigation. And no police officer or former police officer can be appointed to the Authority.

**А.:** Не совсем так. Они надзирают за расследованием. И ни один полицейский, даже бывший, не может быть назначен в Инспекцию.

**F.:** Anyhow, I don’t think it’s easy to take a legal action against a police officer or to gather evidence.

**Ин.:** Однако, я полагаю, что нелегко возбудить правовой иск против офицера полиции или собрать свидетельства.

**Br.:** You mean we can interfere? Of course we can. But our authorities prefer to have an independent, honest police force. And the punishment might be harsh as well.

**А.:** Вы хотите сказать, что мы можем вмешаться? Конечно, можем. Но наше руководство предпочитает иметь независимую честную полицию. Да и наказание может быть серьезным.

**F.:** Do you remember any court case against a police officer?

**Ин.:** Вы не помните какое-нибудь дело против офицера полиции?

**Br.:** There’s one at the moment. A private legal action has been taken against a police officer in the tort of false imprisonment. You can be present at the trial one of these days if you like.

**А.:** На данный момент имеется одно такое дело. Был возбужден частный правовой иск против полицейского по деликту о неправомерном задержании. Вы на днях можете поприсутствовать на судебном разбирательстве, если хотите.

**F.:** Thank you.

**Ин.:** Спасибо.

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

Со стороны исполнительной власти, орган надзора, скоро вы убедитесь, именно с этой целью, была учреждена, проступки и злоупотребления, нелегко возбудить
правовой иск против, на данный момент имеется одно такое дело, по деликту о неправомерном задержании.

Ex. 2. **Sum up the information you have learned. Use the following words and word combinations:**

To be strictly controlled, on the part of, to make sure, to be set up, misconduct, an abuse, to appoint, to take a legal action, to gather evidence, honest, harsh, one of these days.

Ex. 3. **Insert the derivatives from the box:**

| conduct – misconduct; understanding – misunderstanding |
| treatment – mistreatment; informing – misinforming |
| reading — misreading |

1. Legal systems usually have codes of conduct for the police. Any cases of police … are investigated under supervision of special bodies. 2. We appreciate understanding between our companies and realize any … might harm our business. 3. There is a special code regulating treatment of the suspect during the investigation. Courts do not admit evidence received by … of the person questioned by the police. 4. The parliament gave careful attention to the first reading of the bill. They are aware that … might result in serious misunderstanding of the document. 5. Timely informing of the events helps to control the situation and … in its turn gives rise to gossip and tension in society.

LISTENING COMPREHENSION

**Text**

"Caution"

**Part A**

**Pre-listening activities**

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

- caution = warning (care)
- to accord with = to correspond with
- to mention = to say smth about (to refer to)
- failure = unsuccessful attempt
- to encourage smb to do smth = to back smb
- to be fair = to be just (honest)
- to charge = to blame

II. *Before listening answer the questions:*

a) Could you formulate the caution?

b) How does the caution sound in Britain?
Part B  

**Listening activities**

I. After you listen to the tape recording make brief notes to help you answer the following questions:

   a) What are the words of the caution?
   b) Why were the words of the caution changed?
   c) Why are some British angry about the change of the caution?

II. Listen to the tape recording once more and fill in the gaps:

   a) In 1994 the British government decided that ... contained in the caution made things too easy for criminals.
   b) The words of the caution have had to be changed to ...
   c) Civil liberties groups in Britain say that many arrested people find ... and that ...
      to defend themselves immediately against charges about which they do not yet know the details.
   d) The British are afraid that ...
   e) For a long time the police formed what is technically known as ..., which must be read to an arrested person in order to ...

Part C  

**After listening activities**

I. Summarize the information about the caution, you've come to know.

"Caution" (tapescript)

You do not have to say anything unless you wish to do so, but what you say may be given in evidence. These words are well-known to almost everybody in Britain. They have been heard in thousands of police dramas on television. For a long time they formed what is technically known as the caution, which must be read out to an arrested person in order to make the arrest legal. But, in 1994, the British government decided that the 'right to silence' contained in the caution made things too easy for criminals. The right meant that the refusal of an arrested person to answer police questions could not be used as part of the evidence against him or her. Now, however, it can.

To accord with the new law, the words of the caution have had to be changed. The new formula is: 'You do not have to say anything. But if you do not mention now something which you later use in your defence, the court may decide that your failure to mention now strengthens the case against you. A record will be made of anything you say and it may be given in evidence if you are brought to trial'.

Civil liberties groups in Britain are angry about this change. They say that many arrested people find it too difficult to understand and that it is not fair to encourage people to defend themselves immediately against charges about which they do not yet know the details. They are also afraid that it encourages false confession.
Part A

Pre-listening activities:

I. Make sure that you know the following words and word phrases:
   - police constable - ordinary policeman (P.C.)
   - pavement - side of street, used by people on foot

II. Before listening answer the questions:
   a) Can a policeman appear as a witness at the trial?
   b) Can a policeman cross-examine an accused?

Part B

Listening activities

I. As you listen to the tape, make brief notes to help you answer the following questions:
   a) What happened on the night of November when Mr Wilkins (P.C.) was on duty?
   b) Did the accused run away when he heard the policeman coming?
   c) Why couldn't he hear the policeman?

II. Listen to the tape recording once more and complete the sentences:
   a) The High Street is usually ...
   b) The accused was climbing ...
   c) Heavy boots make ...
   d) Rubber tyres ...

Part C

After listening activities

I. Act out the dialogue between the barrister for the defence and P.C. Wilkins.

“Cross-Examination” (tapescript)

Barrister (for the defence): You were on duty on the night of November the tenth?
P.C. Wilkins: Yes.
Barrister: Where were you at 2.30 a.m.?
P.C. Wilkins: I was in the High Street.
B.: The High Street is usually quiet at 2.30 a.m., I suppose?
P.C. Wilkins: Yes.
Barrister: On the night of November the tenth, at 2.30 a.m., did you see anyone in the High Street?
P.C. Wilkins: Yes, I did.
Barrister: Can you tell the Court whom you saw?
P.C. Wilkins: I saw the prisoner.
Barrister: Were was the prisoner when you saw him?
P.C. Wilkins: He was outside the post office.
Barrister: Could you see what he was doing?
P.C. Wilkins: He was climbing out of a broken window of the post office.
Barrister: How far from the post office were you when you saw the accused?
P.C. Wilkins: About 50 yards.
Barrister: You said it was 2.30 a.m. How could you see what the man was doing at that distance?
P.C. Wilkins: It was a moonlight night. There was a full moon.
Barrister: Did the prisoner run away when he heard you coming?
P.C. Wilkins: He didn't hear me coming.
Barrister: He didn't hear you coming? Police constables wear very heavy boots, don't they?
P.C. Wilkins: Yes, they do.
Barrister: Were you wearing heavy boots on that occasion?
P.C. Wilkins: I was.
Barrister: The High Street has stone pavements, I believe
P.C. Wilkins: Yes.
Barrister: Heavy boots make quite a lot of noise on stone pavements?
P.C. Wilkins: Yes, they do.
Barrister: But the accused did not run away. Do you really believe that he didn't hear you coming?
P.C. Wilkins: He didn't hear me coming. I caught him just as he had climbed out of the window.
Barrister: Do you expect the jury to believe that you could not be heard and that there was no time for the accused to run away?
P.C. Wilkins: I was on a bicycle at that time. Rubber tyres do not make a noise.

GRAMMAR SECTION

Grammar to be revised: Participle I

Ex. 1. Fill in the blanks with the appropriate participles I from the box.

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.

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

Ex. 2. 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 has 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 bad with a price tag on it might have stolen it.

Ex. 3. 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 a 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 spend the day making a house to house inquiry.


**Ex. 4.** *Transform the following sentences into the sentences with complex objects with Participle I.*

**Model:** A store policeman saw how a man put 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 drink. 2. The crowd of interested spectators watched how two policemen effected the arrest of a criminal. 3. A patrolman heard that somebody was calling for help. 4. Everybody heard that superintendent gave instructions to the other officers. 5. Though you didn't see how he stole goods from the store you had powers to stop and search him in the circumstances. 6. I did not hear how the policeman read the suspect his rights. 7. The witnesses saw that you threatened the victim with a knife.

**Ex. 5.** *Say what the police will not allow to do.*

**Model:** You/to park on a double yellow line.

– The police won't have you parking on a double yellow line.

1. A drunk man / to run a car. 2. A hooligan / to break the peace of his neighbours. 3. The protestors / to obstruct the highway. 4. The man / to mistreat his family. 5. The boys / to play football in the street. 6. You / to violate the traffic rules. 7. A dangerous person / to cause physical injury to others. 8. You / to commit an offence against public decency.
**Ex. 6.** *Transform the following sentences into the sentences with Complex subjects.*

*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.

**Ex. 7.** *Choose the appropriate form of participle I.*

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 steel something the shop owner called a policeman. 7. (Threatening / being threatend) with a gun I had nothing to do but give my purse to a robber.

**Ex. 8.** *Translate into Russian*

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.

**Ex. 9.** *Translate the sentences into English using Participle I 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.

**HOMEREADING SECTION**

**TEXT**

“Commissioner’s Report”

(from the annual report of Paul Gordon, Commissioner of the Metropolitan Police\(^1\), for 1994/95)

The previous year's achievements are considerable. We are meeting the needs of the public in a way that I believe is unprecedented. Our priorities are genuinely those of the people who live and work in the Metropolitan Police District, and we are determined to tackle them effectively. As a result, many households and businesses have been spared the misery of being burgled or robbed and we are solving more crimes than ever before. Much of this has been due to our approach of targeting known offenders and putting them under constant fear of being caught.

I remain optimistic that the reduction in crime can be sustained although it will require considerable effort from everyone who can exert influence. I am very encouraged by the steps being taken by manufacturers and businesses to ensure that crime prevention is a key consideration in all of their activities. The reduction in car crime is a prime example of what can be achieved through careful product design. Counter Action\(^2\), aimed at combating commercial robbery, has achieved similar success in relation to shops and business premises.

There are many ways in which our partnership with other agencies and the public can produce lasting success and I welcome the willingness of others to share both the problem and the solution. Not surprisingly, partnership will remain the key feature of our policing style and the approach we take in tackling our priorities.
I am also encouraged by the possibility of further changes in the criminal justice system. Justice must involve a search for the truth but at present there remain too many technical opportunities that allow for its evasion. Pre-trial reviews and the disclosure of the defence case should help to clarify and resolve issues of contention in a way that ensures fairness to all concerned.

Our response to calls for assistance and the needs of victims has also been of a consistently high quality. The Police Charter standards we set ourselves, and attained, are very challenging and it is quite right that this should be the case. I am mindful that when there is an emergency, or when unexpected tragedy strikes, people demand the assurance of a fast and professional service. Our willingness and ability to meet their needs continue to be reflected in the high degree of confidence and trust in which we are held.

In contrast to the successes we have achieved, the recent death of Phillip Walters has been a salutary reminder of the dangers faced everyday by unarmed police officers. Many others have been badly injured as they carried out their responsibility to uphold the law and protect people in the London area. A majority of police officers do not wish to carry guns. I am, however, determined that they should have the very best possible protection. They deserve no less. However, it is important that the limitations and capabilities of equipment are clearly understood. That is why, for example, a thorough evaluation of protective vests has recently been undertaken.

Safety must be a priority. Therefore, over the next year there will be an increase in the number of armed response vehicles patrolling the capital, we will be well underway with the personal issue to operational officers of vests giving substantial protection against bullets and knives, and we will be piloting the use of a CS incapacitant spray. I will also be emphasising the need for the severest possible sentences to be imposed upon those who assault police officers and those who carry weapons.

The public should be justifiably proud of their police officers. In spite of the uncertainty and anxiety created by the restructuring of the Metropolitan Police Service and changes in pay and conditions, officers have shown a dedication and bravery that should never be taken for granted. Now that the restructuring process is complete, I am confident that the result will be a greater focus on, and support for, operational policing.

At the end of the year two senior colleagues retired after devoting many years to leading and improving the Metropolitan Police Service. Sir John Smith served with the MPS on three occasions during his career, his last appointments were as Assistant Commissioner Specialist Operations, then as Deputy Commissioner and during the last year he was also President of the Association of Chief Police Officers. Bob Hunt retired as Assistant Commissioner Territorial Operations after thirty-nine years unbroken service with the MPS. His final responsibility was to manage the process of restructuring the MPS.
We remain committed to seeking constant improvement in every aspect of policing, and ensuring that the public's trust and reliance upon us are not misplaced. It is not a responsibility that we take lightly and I am pleased that our performance has been a testament to that fact. Over the next year I look forward to discussing with the newly formed Metropolitan Police Committee ways in which we can continue to improve our performance and deliver the high quality of service that is rightly expected of us.

**Notes:**

1. Metropolitan Police — столичная (лondonская) полиция;
2. Counter Action (counteraction) — встречный иск;
3. Police Charter — полицейский устав;
4. will be piloting — будем вводить;
5. CS (abbr) = Civil Service — государственная гражданская служба;
6. Metropolitan Police Service (MPS) — полицейская служба Лондона;
7. Assistant Commissioner Specialist Operations — помощник комиссара (полиции) по проведению специальных операций;
8. Deputy Commissioner — заместитель комиссара полиции;
9. Association of Chief Police Officers — ассоциация высших полицейских чинов;
10. Assistant Commissioner Territorial Operations — помощник комиссара (полиции) по территориальным операциям;

**Words and Word Combinations**

1. priority, n — порядок очередности
2. sustain, v — поддерживать (на определенном уровне)
3. combat, v — бороться с
4. premise, n — констатирующая часть искового заявления
5. evasion, n — уклонение (от)
6. evaluation, n — определение качества
7. assault, v — нападать на
8. justifiably, adv — не без оснований (по праву)
9. testament, n — завещание
10. appointment, n — назначение (на должность)
11. to exert influence — оказывать влияние
12. to deliver the high quality of service — обеспечить высокое качество службы (в полиции)
13. to be determined to do smth — иметь намерение сделать что-либо
14. to meet the needs (of) ... — удовлетворять потребности (кого-либо)
15. to tackle (one’s) problems / priorities — заниматься (чьими-либо) проблемами / решать проблемы в порядке очередности
16. to solve the crime — раскрыть преступление
17. to target an offender — поймать преступника
18. to clarify and resolve issues of contention — выяснить и (раз)решить спорные вопросы
19. to uphold law — поддерживать правопорядок
20. to impose a sentence (upon smb) — вынести приговор (кому-либо)
21. the reduction in crime — снижение роста преступности
22. to take (smth) for granted — принимать за должное, считать само собой разумеющимся
23. unbroken service — непрерывная служба
24. disclosure of the (defence) case — раскрытие дела (по защите)
25. deliver the high quality of service — обеспечить высокое качество (несения) службы

**Task 1.** Pair the suitable left and right parts to complete the list of the definitions

1. “premise” is thought of as a) urgency, (pressing) necessity, extremity, turn of events;
2. “genuine” is the same as b) “support”;
3. “to be determined” means c) to make decision; to come to a conclusion, to make up one’s mind;
4. “to tackle” is synonymous with d) fight, oppose, resist, battle with;
5. “emergency” is viewed as e) trust, faith, belief, reliance;
6. “confidence” can be regarded as f) set forth at the beginning, or as a preface, data, testimony;
7. “priority” is an equivalent to g) “assault”;
8. when we hear the word “sustain”, we realize h) precedence, pre-existence, antedence;
9. “evasion” is understood as i) equity, fairness, honesty, lawfulness;
10. “defence” is opposite to j) defensive, right, fit, proper;
11. “justice” is smth that is k) pure, uncorrupted, true real, right, proper honest;
12. “combat” can be viewed as l) shift, excuse, escape; or avoiding; getting away;
13. under “justifiable” one understands smb’s last will;
14. “to impose” bears the meaning of to prescribe, oppose, appoint, charge, tax, obtrude;
15. the word “testament” can be interpreted as “attach, seize” or “attempt, try, undertake”

**Task 2. Choose a suitable word to express the true ideas of the sentences**

1. The way the local police satisfy the interests of the people can be called a) unheard; b) unimportant; c) unexampled.
2. The police are determined to a) think over; b) solve; c) decide the problems they face effectively.
3. The shortage of crime can be maintained, but it a) demands; b) detains; c) depends on considerable effort.
4. The Commissioner of the Metropolitan Police is sure that it is possible a) to support; b) restrict; c) obtain the reduction in crime.
5. The Metropolitan Police have always responded to the calls for a) help; b) participation; c) cooperation with high quality.
6. The Chief of the Metropolitan Police Committee is sure that partnership will remain the a) unimportant; b) main; c) secondary feature of the guideline of the local police.
7. The manner in which the Metropolitan Police a) thinks over; b) copes with; c) solves their priorities is d) unheard; e) unbelievable; f) unique.
8. The Commissioner is a) encountered; b) intrusted; c) inspired by the opportunity of further d) additions; e) changes; f) connections in the criminal justice system.

**Task 3. Combine the two parts of the sentences to convey the true ideas of the text.**

1. The priorities of the Metropolitan Police are a) considerable effort from everyone who can exert influence
   those of
2. The Police forces of the British capital b) share both the problem and the solution
3. The Commissioner of the Metropolitan Police c) help to clarify and resolve issues of contention extremely fairly
   is sure that the reduction in crime will demand
d) tackle all the problems they are
e) a considerably high quality concerned with effectively
4. The Commissioner welcomes the partnership and willingness of other agencies and public to
5. Pre-trial reviews and the disclosure of the defence case should
6. The response of the London police to calls for assistance and the needs of victims have always been of

7. In contrast to the success achieved,

8. Paul Gordon is sure that severest possible sentences should be imposed upon

9. In spite of the problems created by the restructuring of the Metropolitan Police Service,

10. The head of the London Police looks forward to

Task 4. Find the sentences in the text that can be answers to the following questions.

1. Are there any results in the work of the Metropolitan Police Service in 1994/95?
2. What are the priorities of the MPS?
3. How did the London police manage to spare many households and businesses of the misery of being burgled or robbed?
4. What does the reduction in crime require, according to Sir Paul Gordon?
5. What is the Commissioner encouraged by?
6. What kind of service do people, living in the Metropolitan District, demand?
7. What are the problems the Metropolitan Police faces on the background of its success?
8. What crucial changes are there in store for the MPS?

Task 5. Say whether the followings ideas are true or false. Argue them with your partner. Use the suggested colloquial phrases.

I see your point, but ... //I see what you mean, but ... //To a certain extent, yes, but ... //There’s a lot in what you say, but ... //Yes, may be/perhaps/probably ... but //Agreed, but ...

That’s one way of looking at it, but ... //Yes, but on the other hand, ... //Yes, but we shouldn’t forget ... //Yes, but don’t you think ... //That’s all very well, but ... //I agree in principal, but ... //I take your point, but ...

Personally, I wouldn’t go so far as (to say) that... //In spite of what you say, I think (perhaps)... //I see things rather differently myself //I can’t say that I share your view //I’m not entirely /at all/ ... convinced by ...
1. The Metropolitan Police deals with the problems of the population of England, and it welcomes the desire of everyone who wishes to participate in tackling these problems.

2. In spite of considerable efforts of the London police, they fail to reduce crime even though the key consideration of the activities has become crime prevention.

3. The guideline of the Metropolitan Police Committee and its prior concern has always been first that of the personnel, and then that of the security of the inhabitants of London.

4. Londoners have but a few grounds to be proud of their police forces because of their being at a loss how to behave during the period of restructuring the Metropolitan Police Service.

5. On the whole, Paul Gordon is satisfied with the state of affairs in the Metropolitan Police District, and he doesn’t look forward to undertaking any measures to alter either its structure or its methods of working.

6. Though Sir Paul Gordon seems to be proud of the results of the work of the London Police forces in 1994/95, the key mood of the Commissioner’s report is that of frustration.

7. As any other profession, that of a policeman has its own pros and cons.

Task 6. Respond to the following statements. Use the following colloquial phrases to make your responses natural and convincing.

No wonder
It’s only/but/quite natural
It’s (not) a surprise for me to hear that
I reckon/think/suppose it’s unbelievable /a good idea/nonsense/a nice sensation
It seems curious/unexpected/strange/unbelievable
Really? It(that) sounds optimistic/pessimistic/suspicious/as if you’re (not) sure/want to persuade (me) /assure/contradict
That’s your opinion, is it?
You can’t be serious! / You must be joking! / You can’t mean this!

1. The Commissioner of the Metropolitan Police thinks the achievements of the police forces of the capital in 1994/95 considerable.

2. In the year under review many citizens and enterprises were spared the misery of being burgled and robbed.

3. There’re many ways in which the London police partnership with other agencies and the public can produce lasting success.

4. Paul Gordon states that, in case of emergency, people demand the assurance of a fast and professional service.
5. Police officers should have the best possible protection, and safety must be a priority.
6. The severest possible sentences should be imposed upon those who assault police officers.
7. The Metropolitan Commissioner is sure that after the restructuring process is complete, great emphasis will be on the operational policing.
8. Improving the criminal justice system has always been in the focus of attention of the chief of the London Police.

Task 7. a) Dwell on the meaning of the following word combinations
to meet the needs of the public; to spare the misery of; to tackle the problem; under constant fear of ...; to exert influence; a key consideration; a prime example; lasting success; a search for truth; pre-trial reviews; issues of contention; a salutary reminder; incapacitant spray.

b) Say how you understand the following sentences
1. Our priorities are ... those of the people who live and work in the Metropolitan Police District.
2. Much of this has been due to our approach of targeting known offenders.
3. Counter Action, aimed at combating commercial robbery, has achieved similar success in relation to shops and business premises.
4. Justice must involve a search for the truth but at present there remain too many technical opportunities that allow for its evasion.
5. The Police Charter standards we set ourselves, and attained, are very challenging and it is quite right that this should be the case.
6. However, it is important that the limitations and capabilities of equipment are clearly understood.
7. Now that the restructuring process is complete, I’m confident that the result will be a greater focus on, and support for, operational policing.
8. We remain committed to seeking constant improvement in every aspect of policing ...
9. His final responsibility was to manage the process of restructuring the MPS.
10. ..... our performance has been a testament to that fact.

Task 8. Imagine you’re to write your own, absolutely personal, Police Charter. From the suggested choose the points you will include and think of your own ones.

* A Police officer should always
  – держать преступников в состоянии страха быть пойманным;
  – помогать раскрывать преступления;
– исполнить полицейский устав;
– решать все проблемы эффективно;
– обеспечивать высокое качество несения службы;
– быстро обезвредить/выследить и поймать правонарушителей;
– принимать участие в досудебном рассмотрении дела;
– поддерживать правопорядок;
– выполнять обязанности/нести службу с честью и достоинством;
– постоянно пытаться улучшать работу.

* A Police officer must never
– забывать об опасностях, с которыми он ежедневно сталкивается;
– носить (при себе) оружие при исполнении служебных обязанностей;
– нарушать полицейский устав;
– забывать о бронежилетах;
– влиять на рассмотрение дела (как до суда, так и на суде);
– уклоняться от выполнения своих прямых обязанностей;
– поколебать доверие, оказываемое полиции населением;
– привлекать население к раскрытию преступлений.

Task 9. Enlarging the following statements, organize a kind of a discussion on the text.

1. The Metropolitan Police work effectively.
   (to tackle the priorities; to solve crimes; reduction in crime; crime prevention; careful product design; counter action; to combat commercial robbery; pre-trial reviews; disclosure of the defence case; to resolve issues of contention)

2. The partnership with other agencies and public has been one of the leading factors in the activity of the Metropolitan Police.
   (to be aimed at; to produce lasting success; to share the problem/solution; to be a key feature in approach to ...; to ensure fairness to ...)

3. The safety of the personnel is the guideline of the Metropolitan Police and the main concern of their leader.
   (to undertake measures; to have the very best protection; to carry out the responsibility to uphold the law; limitations and capabilities of equipment; an increase in the number of armed response vehicles; to give substantial protection against ...; to pilot the use of ...; to be imposed (upon); to emphasize the need for ...)

4. The work of a policeman has always been dangerous.
   (unarmed police officers; to assault police officers; to be badly injured, to uphold the law and protect people; have the best possible protection; limitations and
capabilities of equipment; evaluation of protective vests; an increase in the number of armed response vehicles, the use of a CS incapacitant spray)

5. The Metropolitan Police, as well as all the Londoners, can be justifiably proud of their police officers.
   (to stand on the safeguard of the interests of the public and to meet their needs; to reveal/show dedication and bravery; to deserve respect/admiration; to devote ones’ lives and careers to improving the Metropolitan Police Service)

Task 10. Roleplay the following situations.

Situation 1
You’re the group of the law faculty graduates who are going to serve in the Police Forces. Today you’ve got the chance to have a talk to the Police Commissioner.

“Students”
I’d love to learn ...
I’m curious to know ...
I wish I knew ...
I want to find out /clarify ...
I’d be glad to hear ...
I’ve [got] no idea ...
Would you kindly tell (us) /I’d be glad to hear ...
I want to know / I’m curious to learn

“Commissioner”
I think/suppose/believe ...
Let me explain/think
Well, it/that depends (on) ...
As far as I remember /am concerned/informed
It’s difficult to say
I’d prefer not to say anything about it
Can’t say, really
No comment, (I’m afraid)
I’m afraid, I can’t comment on that at the moment
It’s difficult to give an opinion right now

Situation 2
You’re an applicant for the joint British-Russian program on exchanging specialists engaged in defending law and order. You’re discussing the problems you face.
(a reduction in crime; combating commercial robbery; to serve with the MPS; cases of assaulting police officers; capabilities of equipment; restructuring process; to seek constant improvement; considerable achievements; unprecedented quality of service)

Situation 3
You’re the author of defective bestsellers. You have been invited by the MPS authorities to be present at the briefing of senior police officers.
(personal responsibility, to carry out one’s duties (effectively), to share both the problem and the solution; to participate in operations; to carry guns (and protective vests); to stand on the safeguard of the law; to meet the needs of the public)

**Task 11.** *Give a digest of the Metropolitan Police Commissioner’s annual report for 1994/1995. Reflect the following:*

- the problems the MPS officers face every day and the way they are solved;
- the main trends of the work of the MPS;
- the main achievements and the drawbacks of the MPS;
- the key consideration and concern of the “safeguards of law and security”

**ADDITIONAL READING**

**Text:** "Police"

There is a great deal of public sympathy for the police. It is felt that they are doing an increasingly difficult job under difficult circumstances. The assumption that their role is to serve the public rather than to be agents of the government persists. Police officers often still address members of the public as 'sir' or 'madam'. Senior officers think it is important for the police to establish a relationship with local people, and the phrase 'community policing' is now fashionable. Some police have even started to patrol on foot again. Generally speaking, the relationship between police and public in Britain compares quite favourably with that in some other European countries. British police still do not carry guns in the course of normal duty (although all police stations have a store of weapons).

The police are not, of course, above the law. When they arrest somebody on suspicion of having committed a crime, they have to follow certain procedures. For example, unless they obtain special permission, they are not allowed to detain a person for more than twenty-four hours without formally charging that person with having committed a crime. Even after they have charged somebody, they need permission to remand that person in custody (i.e. to keep him or her in prison) until the case is heard in court. In 1994 public concern about criminals 'getting away with it' led the government to make one very controversial change in the law.

The fear of crime seems to have increased a lot. This has gone together with a lack of confidence in the ability of the police to catch criminals. In the early 1990s private security firms were one of the fastest-growing businesses in the country. Another response to the perceived situation has been the growth of Neighbourhood Watch schemes. They attempt to educate people in crime prevention and to encourage the people of a particular neighbourhood to look out for anything suspicious. In 1994 the government was even considering helping members of these schemes to organize patrols.
Policeman: Erm ... you left an informal report with Sergeant Dawkins there's just a couple of things I'd like to check on. Erm ... could you describe the girl to me in a bit more detail, please?

Witness: Er .. yes she was erm ... darkish ... erm I should think she was between twenty-five and thirty (Mm) roundabout. And ... erm ... she had shortish hair ... er ... I think she had a fringe ... bit untidy.

Policeman: Did you notice the clothing at all?

Witness: Er ... she had a white collar ... erm ... open-necked shirt I think ... erm ... or blouse and ... er ... what looked like ... er ... a velvet jacket but I can't remember the colour (I see) ... erm ... I think it was a green or a brown but it was some dark colour.

Policeman: OK well let's go on to the ... erm ... man now that you saw ... erm ... if you could just describe him to me because there wasn't much on the report that you left with the sergeant.

Witness: Yes ... erm ... well he was ... I noticed he was wearing a funny kind of woollen jacket ... mm) ... erm ...

Policeman: A bulky sort of jacket was it? Thick knit or ...?

Witness: ...er ... well yes. I ... not really very bulky. It looked as if it was knitted and it had a sort of woollen collar and I think ... erm ... he was wearing an open-necked shirt too ... (Yes) ... erm he was ... erm ... younger than her ... er ... I think ... (Yes) ... erm ... I think he was about ... well I ... I should think he was in his early twenties.

Policeman: And she looked older?

Witness: She looked a bit older, to me. (I see) Erm ... he had his hair brushed back.

Policeman: Yes. Anything about the shirt that you noticed ... was it just a plain white shirt or was it ... ?

Witness: I think it was striped but I can't be perfectly sure, (Mm) but I do remember his hair was ... erm ... sort of wavy and ... erm ... brushed back and shortish.

Policeman: OK. well that's fine. Thanks very much. If you ... erm ... leave your phone number with the desk sergeant maybe we'll contact you in the near future.
UNIT VII
The judiciary

READING MATERIAL

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 federal judicial system is composed of three tiers. There 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 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 knowledgeable about its actual working or decisions. Despite this lack of awareness, opinion surveys consistently reveal greater public confidence in the Supreme Court than in the 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 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.

<table>
<thead>
<tr>
<th>word</th>
<th>stress</th>
</tr>
</thead>
<tbody>
<tr>
<td>unitary</td>
<td>jū'diš'ial</td>
</tr>
<tr>
<td>judge</td>
<td>pre'side</td>
</tr>
<tr>
<td>martial</td>
<td>re'sort</td>
</tr>
<tr>
<td>circuit</td>
<td>con'sistently</td>
</tr>
<tr>
<td>survey</td>
<td>viol'lation</td>
</tr>
<tr>
<td>actual</td>
<td>exc'lu'sive</td>
</tr>
</tbody>
</table>

**Ex. 2.** Pair the words in column B with those from column A:

<table>
<thead>
<tr>
<th>B</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) judicial</td>
<td>1. system</td>
</tr>
<tr>
<td>b) notable</td>
<td>2. jurisdiction</td>
</tr>
<tr>
<td>c) federal</td>
<td>3. circuit</td>
</tr>
<tr>
<td>d) original</td>
<td>4. decisions</td>
</tr>
<tr>
<td>e) unitary</td>
<td>5. judge</td>
</tr>
<tr>
<td>f) actual</td>
<td>6. exception</td>
</tr>
</tbody>
</table>
Ex. 3. Decide which of the verbs you would use with the noun phrases you have identified in ex. 2.

1. to know; 2. to grant; 3. to form; 4. to comprise; 5. to appoint; 6. to have.

Ex. 4. 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>imprisoned</td>
</tr>
<tr>
<td>2. appeal</td>
<td></td>
<td></td>
<td>recommended</td>
</tr>
<tr>
<td>3. know</td>
<td></td>
<td>registration</td>
<td>registered</td>
</tr>
<tr>
<td>4. select</td>
<td>prison</td>
<td></td>
<td>approved</td>
</tr>
<tr>
<td>5. imprison</td>
<td></td>
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<td></td>
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<tr>
<td>6. recommend</td>
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<td></td>
<td></td>
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<tr>
<td>7. recommend</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. register</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. approve</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ex. 5. Add nouns to the following adjectives to form noun phrases:

- unitary
- special
- certain
- federal
- legal
- unanimous
- high
- lowest

Ex. 6. How are the following ideas expressed in the text:

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. 7. *Match English and Russian equivalents:*

1. a unitary system  
2. district court  
3. to preside  
4. tax courts  
5. customs courts  
6. court martial  
7. at the apex  
8. to be unanimous  
9. lack of awareness  
10. to choose a four-tier model  
11. state court adjudication  
12. the courts of limited jurisdiction  
13. to empower  
14. each loosing litigant

a) председательствовать  
b) быть единодушным (единогласным)  
c) таможенные суды  
d) выбирать четырехъярусную модель  
e) единая система  
f) суды с ограниченной юрисдикцией  
g) уполномочивать  
h) окружной суд  
i) разрешение спора судом штата  
j) на вершине  
k) налоговые суды  
l) каждая проигравшая сторона в гражданском деле  
m) трибунал (военный)  
n) неосведомленность

Ex. 8. *Give the English equivalents for the following word combinations:*

частные лица, суды штатов, подать иск, федеральные суды, попадать 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. 9. *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. 10. Fill in the blanks with the words from the text:
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.

Discussion

Ex. 1. Complete the following sentences:
1. The judicial power is represented by a system of courts spread throughout the country and ...
2. By 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 in the text.

1. The 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 the Congress for life, in practice, until they die, retire or resign.
3. The Supreme Court consists of a Chief Justice and nine 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.** 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. 4. a) Examine the chart.

<table>
<thead>
<tr>
<th>US Supreme Court Opinions</th>
<th>Requests for review</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Approximately 140 signed opinions)</td>
<td>(Approximately 4200 petitions and appeals)</td>
</tr>
<tr>
<td>Original jurisdiction (Approximately 10 cases)</td>
<td></td>
</tr>
</tbody>
</table>

From Federal Administration Agencies

- US Courts of Appeals (36,000 cases)
- US District Courts (94 Courts) (280,000 cases)
- State Courts of Last Resort (60,000 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. 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 Role of the Independent Judiciary”

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

The American legal system is adversarial in nature. Unlike many Eastern systems where disputes have traditionally been submitted to arbitration in the interest of social harmony, Western systems such as Great Britain, Canada, Australia and the United States have embraced the adversarial judicial process. As a result, lawyers and judges play a much greater role in society and many grievances are defined in legal terms as "causes of action" appropriate for litigation. 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 use
2. to establish b) to deal with
3. to be impartial c) to offer for consideration
4. to maintain d) to spread or pass through or into every part of something
5. to influence e) to be the cause of
6. to exert f) to express
7. to handle g) to set up
8. to embody h) to keep in existence
9. to submit 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 on 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. Give microcontexts from the text to the following groups of derivatives:

1) to establish – establishment – establishing

2) to be impartial – impartiality
   to attempt – attempt – attempting
   to interfere – interference

3) to submit – submission
   to define – definition – defined
   to permeate – permeation

Ex. 5. Explain and expand on the following:

1. Establishing a separate judicial branch of government.
2. Impartiality as one of the major goals of law courts.
3. Independent organization "Amnesty International and Freedom".
4. The motto of the US Supreme Court: "Equal Justice under Laws".
5. Adversarial nature of the American legal system.
**Text C. “The English Judicial System”**

**Task:** read the text and complete the chart below.

The English judicial system is basically pyramidal in organization. At the top of the pyramid is the House of Lords, the final appellate tribunal. Beneath it is the Court of Appeal, the intermediate appellate court, which hears both criminal and civil appeals.

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

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

The High Court justices, County Court judges and judges of the Crown Court are all barristers while the magistrates are laymen. In the largest cities, there are full-time stipendiary magistrates, who must have legal training.

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.

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. There are not enough judges to supply the needs of the crown courts. The gap is filled by senior barristers.

**Notes:**

1. trial court – суд первой инстанции
2. High Court – Высокий суд
3. County Court – суд графства
4. Crown Court – коронный суд (уголовный суд присяжных)
5. Magistrates’ Court – магистратский суд, мировой суд
6. 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. Answer the following questions:

1. Who is responsible for making laws in Britain?
2. What is the difference between criminal and civil law courts in the United Kingdom?
3. What is the most common type of law courts in England and Wales?
4. What are the names of other three types of British courts?

Ex. 3. 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 at 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. 4. 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 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 Europe 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.

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 Court¹. 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 Council² 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.
Что такое суд?

Суд является учреждением, созданным правительством для урегулирования и решения споров юридическим путем. Споры возникают и направляются для разбирательства в суд, когда люди не могут сами прийти к соглашению.

Суды устанавливают истину, т.е. выясняют, что же на самом деле произошло и какое решение следует принять. Они устанавливают, совершил ли человек преступление, и как он должен быть наказан. 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 правительствству 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 судебных 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.
 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 Robart 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.

*(After A. Christie)*

**Notes:**

1. It is your charge to say… – ваша обязанность сказать ...
2. Shut out from your minds – отгородиться от, выбросить из головы
3. May it please you, my Lord – Если Вам угодно, Ваша Светлость
4. not in dispute – не подлежит обсуждению
Useful vocabulary: to stand indicted for, to plead ‘not guilty’, an oath, to take an oath, to swear, to try a case, to proceed, to make acquaintance of smb., to appear for the Prosecution (Defence), to treat smb., a laboratory expert, approximately, instantaneous.

Ex. 1. Do the translation making further use of it in your retelling:
1. Вас обвиняют в убийстве. 2. Заключенный предстал перед судом по обвинению в убийстве. 3. Вы только что приняли присягу. 4. Мой ученый друг выступает в качестве Защиты. 5. К нему отнеслись с добротой. 6. Убийство было совершено между 9:30 и 10 вечера. 8. Смерть была мгновенной.

Ex. 2. Retell the dialogue in the form of a monologue using the following words:
to announce, to state, to declare, to address, to mention, to remind, to point out, to invite, to explain, to tell, to refer, to add, to object, to give evidence.

Dialogue 2 “Differences in Procedure”

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

F: I see different names are used for the party bringing a criminal action and a civil action.

Br: That’s right. We have the prosecution in a criminal proceeding and the plaintiff for a civil case consequently. But in both kinds of action the other party is defendant.

F: From this I can suggest differences in proceeding. Does your system actually make a clear distinction between criminal and civil procedures?

Br: Sure. The victim of the crime pursues his claim for compensation in a civil, not criminal action.

F: Unlike yours, our court can order damages alongside a verdict for a crime. Does the British criminal court decide as to what penalty the criminal must suffer?

Ин: Я вижу, что для стороны, возбуждающей уголовный и гражданский иски, используются разные названия

А: Да, верно. Для уголовного процесса это – обвинение, а в гражданском деле, соответственно, это будет истец. Но в обоих видах исков другая сторона – обвиняемый (подзащитный).

Ин: Из всего этого я могу предположить процессуальные отличия. Ваша судебная система действительно проводит четкое различие между уголовной и гражданской процедурами?

А: Конечно. Жертва уголовного преступления подает иск о компенсации по гражданскому, а не уголовному делу.

Ин: В отличие от ваших, наши суды могут вынести решение о компенсации ущерба одновременно с приговором за преступление. Решает ли Британский уголовный суд, какое наказание должен понести преступник?
Br: Sometimes he may have to pay legal costs of the prosecution. Why? You seem to be interested in all particulars of our court system!

F: You shouldn’t be surprised. It’s my line. And besides it’s interesting, too. Are there any distinctions to be compared?

Br: Sure. The standards of proof are higher in a criminal action than in a civil action.

F: Of course, that’s sensible. The loser in a criminal action risks not only financial penalties but being sent to prison.

Br: Yes, for a crime the standard must be “beyond reasonable doubt’ while for a tort it’s ‘on the balance of probabilities’.

A: Иногда ему возможно придется оплатить судебные издержки обвинения. Да! Вы, кажется, интересуетесь всеми подробностями нашего судопроизводства!

Ип: Не надо удивляться. Это моя специализация. И кроме того, это интересно. Существуют ли какие-нибудь сравнительные отличия?

A: Конечно. Стандарт доказательства в уголовном иске выше, чем в гражданском

Ип: Это, конечно, разумно. Проигравший уголовный процесс рискует не только денежным наказанием, но и заключением в тюрьму.

A: Да, для уголовного преступления стандарт должен быть “выше всяческих сомнений”, в то время как в деликте это – “на грани вероятности”.

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

Сторона возбуждающая гражданский иск; в уголовном процессе; в обоих видах иска; проводит различие; иск о компенсации; понести наказание; оплатить правовые издержки; вы, кажется, интересуетесь; это моя специализация; разумный; выше всяческих сомнений; на грани вероятного.

**Ex. 2.** Sum up the information you have learned. Use the following words and word combinations:

probable – probability, capable – capability, possible – possibility, advisable – advisability, able – ability, predictable – predictability.

1. The ______ decision to start a civil action might force adequate steps in response. Anyhow the ______ of this is under consideration. 2. They don’t think the man is capable of another effort. He rather lacks ______ of the kind. 3. We are seeking another possible way out. Any ______ in these circumstances might prove to be helpful. 4. Your company might soon realize placing another order with our firm is advisable. On our part we clearly see the ______ of further relations. 5. Are they able to expand their business relations? Our discussion strongly depends upon their ______ to do it. 6. Being
predictable by nature, predictable in each step or opinion he didn’t seem attractive or even interesting. This _______ of his is one of the reasons his family dissolved.

LISTENING COMPREHENSION

Text  
"The system of justice in Britain"

Part A  
Pre-listening activities

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

Part B  
Listening activities

I. As you listen to the tape recording make brief notes to help you answer the following questions
   a) What is the most common type of law court in England and Wales?
   b) What are basically two kinds of courts in England and Wales?
   c) In what do the JP's differ from "High Court Judges"
   d) Where may a convicted person appeal to?
   e) What is the highest court in Great Britain?

II. Listen to the tape once more and fill in the gaps:
   a) More than of all cases are ...
   b) Magistrates, who are known as ... are not trained lawyers.
   c) Even serious criminal cases are heard to ...
   d) A convicted person may appeal to ...
   e) The highest court of all in Britain is ...

Part C  
After listening activities

I. Work in pairs:
   a) Which do you think is better: judgement by one trained lawyer or judgement by twelve ordinary people?

"The system of justice in Britain" (tapescript)

There are basically two kinds of court. More than 90% of all cases are dealt with in magistrates' courts. Every town has one of these. In them, a panel of magistrates
usually three passes judgement. In cases where they have decided somebody is guilty of a crime, they can also impose a punishment. This can be imprisonment for up to a year, or it can be a fine, although if it a person's 'first offence' and the crime is not serious, they often impose no punishment at all.

Magistrates' court are another example of the importance of amateurism in British public life. Magistrates, who are also known as Justices of the Peace (JPs), are not trained lawyers. They are just ordinary people of good reputation who have been appointed to the job by a local committee. They do not get a salary or a fee for their work though they get paid expenses. Inevitably, they tend to come from the wealthier sections of society and, in times past, their prejudices were very obvious. They were especially harsh, for instance, on people something who had to poach in order to put food on their families' tables. In modern times, however, some care is taken to make sure that JPs are recruited from as broad a section of society as possible.

Even serious criminal cases are first heard in a magistrate's court. However, in these cases, the JPs only need to decide that there is *prima faci* case against the accused (in other words, that it is possible that he or she may be guilty). They then refer the case to a higher court. In most cases this will be a crown court, where a professional lawyer acts as the judge and the decision regarding guilt or innocence is taken by a jury. In order for a verdict to be reached, there must be an agreement among at least ten of them. If this does not happen, the judge has to declare a mistrial and the case must start all over again with a different jury. A convicted person may appeal to the Court of Criminal Appeal (generally known just as the Appeal Court) in London either to have the conviction quashed (i.e. the jury's previous verdict is overruled and they are pronounced 'not guilty') or to have the sentence (i.e. punishment) reduced. The highest court of all in Britain is the House of Lords.

**Dialogue “In court”**

**Part A**

*Pre-listening activities*

I. *Before listening make sure you know the following words:*

  wig – парик

**Part B**

*Listening activities*

I. *As you listen to the tape, make brief notes to help you answer the following questions:*

  a) What was the case heard an trial?
  b) What was the man wearing when he went into the bank?
  c) What evidence did the witness give about the woman suspect of the robbery?
  d) How did the witness guess that the woman was wearing a wig?
II. Listen to the tape recording once more and complete the phrases:
   a) I saw him when ...
   b) I don't remember everything, but I remember ...
   c) She was wearing ...
   d) Yes, they're ...

Part C After listening activities

I. Discuss the problem of Mugging and Kidnapping in our country and abroad.

II. Illustrate these problems using the information you've listened to.

“In Court” (tapescript)

A few months ago, there was a bank robbery in Stanford. The police arrested a man and a woman. They're in court now. A woman saw the robbery. She's standing in the witness box. The judge and twelve members of the jury are listening to her. A lawyer is asking her some questions.

Lawyer: Now, Miss Dexter. You saw the bank robbery, didn't you?
Miss Dexter: Yes, I did.
Lawyer: You saw a man, didn't you?
Miss D.: That's right. I saw him when he went into the bank and when he came out.
Lawyer: Now, look around the court can you see that man?
Miss D.: Yes, he's the man I saw.
Lawyer: He wasn't alone when he went into the bank, was he?
Miss D.: No, he was with a woman.
Lawyer: Now, look around the court again ... can you see that woman?
Miss D.: Yes, there. She's the woman I saw.
Lawyer: I see, Miss Dexter. Now look at the man and woman again. This is very important. are you absolutely sure about them?
Miss D.: Absolutely sure. They're the people I saw.
Lawyer: Now, Miss Dexter. What was the man wearing when he went into the bank.
Miss D.: I don't remember everything ... but I remember his hat and his bag.
Lawyer: Look at the hat on the table. In that the hat?
Miss D.: Yes, that's the hat he was wearing.
Lawyer: ... and the bag?
Miss D.: Yes, what's the bag he was carrying.
Lawyer: Do you remember anything about the woman?
Miss D.: Yes. She was wearing a blonde wig and black platform shoes.
Lawyer: How do you know it was a wig, Miss Dexter?
Miss D.: Because it fell off when she was running to the car.
Lawyer: Look at the wig on the table. Is that the wig?
Miss D.: Yes, that's the wig she was wearing.
Lawyer: ... and the shoes ... look at the shoes.
Miss D.: Yes, they're the shoes she was wearing.
Lawyer: Thank you, Miss Dexter.

GRAMMAR SECTION

Grammar to be revised: Participle II.

Ex. 1. Translate from English into Russian paying attention to Participle II.

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 Participle II from the box.

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. Federal Courts ... with legal matters including the legality of government acts have no role in legislation.

filed, concerned, decided, unpaid, selected, created, heard, investigated
**Ex. 3.** 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. 4.** Use Participle II as part of complex object.

**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?

**Ex. 5.** 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. 6. Complete the sentences by choosing either Participle I or Participle II.**

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/sitted) 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 (inconvincing/inconvinced.). 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. 7. Insert either Participle I or Participle II instead of the infinitives 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 proceeding against Mason would be instituted. 3. (To find) guilty the defendant filed an appeal thus (to show) his dissatisfaction 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) to 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) the appellate procedure open to him may appeal only to the Crown.

**Ex. 8. Translate into English using Participle II.**

1. Юрисдикция Международного Суда охватывает дела, представленные сторонами, и вопросы, предусмотренные уставом и действующими договорами. 2. Некоторым лицам, связанным с правом, не разрешается быть присяжными. 3. Мне нужны все дела в напечатанном виде, и как можно быстрее. 4. Стали известны некоторые факты, скрытые клиентом от его адвоката. 5. Дело, возбужденное против адвоката, полностью подорвало его репутацию. 6. Если журналистов не допустят в здание суда, они постараются добыть информацию
другими путями. 7. Запуганный сообщниками преступника, свидетель отказался от своих показаний. 8. Я никогда не слышал, чтобы подобные вещи спрашивали в суде. 9. Магистратский суд, занятый в основном уголовными делами, рассматривает и некоторые гражданские дела.

**HOMEREADING SECTION**

**Text**

"The System of Justice"

from "Britain" by James O'Driscoll (Oxford University Press, 95/96)

"The one place where a man ought to get a square deal is in a court room"

(Harper Lee, "To kill a Mockingbird")

The system of justice in England and Wales, in both civil and criminal cases, is (as it is in North America) an adversarial system. In criminal cases, there is no such thing as an examining magistrate who tries to discover the real truth about what happened. In formal terms it is not the business of any court to find out 'the truth'. Its job is simply to decide 'yes' or 'no' to a particular proposition (in criminal cases, that a certain person is guilty of a certain crime) after it has heard arguments and evidence from both sides (in criminal cases these sides are known as the defence and the prosecution).

There are basically two kinds of court. More than 90% of all cases are dealt with in magistrates' courts. Every town has one of these. In them, a panel of magistrates (usually three) passes judgement. In cases where they have decided somebody is guilty of a crime, they can also impose a punishment. This can be imprisonment for up to a year, or it can be a fine, although if it is a person's 'first offence' and the crime is not serious, they often impose no punishment at all.

Magistrates' courts are another example of the importance of amateurism in British public life. Magistrates, who are also known as Justices of the Peace (JPs), are not trained lawyers. They are just ordinary people of good reputation who have been appointed to the job by a local committee. They do not get a salary or a fee for their work (though they get paid expenses). Inevitably, they tend to come from the wealthier sections of society and, in times past, their prejudices were very obvious. They were especially harsh, for instance, on people found guilty of poaching (hunting animals on private land), even though these people sometimes had to poach in order to put food on their families' tables. In modern times, however, some care is taken to make sure that JPs are recruited from as broad a section of society as possible.

Even serious criminal cases are first heard in a magistrate's court. However, in these cases, the JPs only need to decide that there is a prima facie case against the accused (in other words, that it is possible that he or she may be guilty). They then refer
the case to a higher court. In most cases this will be a crown court, where a professional lawyer acts as the judge and the decision regarding guilt or innocence is taken by a jury. Juries consist of twelve people selected at random from the list of voters. They do not get paid for their services and are obliged to perform this duty. In order for a verdict to be reached, there must be agreement among at least ten of them. If this does not happen, the judge has to declare a mistrial and the case must start all over again with a different jury.

A convicted person may appeal to the Court of Criminal Appeal\(^4\) (generally known just as the Appeal Court) in London either to have the conviction quashed (i.e. the jury's previous verdict is overruled and they are pronounced 'not guilty') or to have the sentence (i.e. punishment) reduced. The highest court of all in Britain is the House of Lords.

The duty of the judge during a trial is to act as the referee while the prosecution and defence put their cases and question witnesses, and to decide what evidence is admissible and what is not (what can or can't be taken into account by the jury). It is also, of course, the judge’s job to impose a punishment (known as ‘pronouncing sentence’) on those found guilty of crimes.

**Notes:**

1. a square deal – честная сделка
2. They were especially hash on people ... – особенно суровым нападениям подвергались люди...
3. prima facie case – наличие достаточно серьезных доказательств для возбуждения дела
4. The Court of Criminal Appeal (the Appeal Court) – апелляционный суд

***

As Jennifer was making her way out of the Criminal Courts building on her way to lunch, she passed the open door of a deserted courtroom. She could not resist stepping inside the room for a moment.

There were fifteen rows of spectators' benches on each side of the rear area. Facing the judge's bench were two long tables, the one on the left marked *Plaintiff* and the one on the right marked *Defendant*. The jury box contained two rows of eight chairs each. "It's an ordinary courtroom, Jennifer thought, plain– even ugly – but it's the heart of a freedom. This room and all the courtrooms like it represented the difference between civilization and savagery. The right to a trial by a jury of one's peers was what lay at the heart of every free nation.

"If the American courts were ever stripped of their power, Jennifer thought, if citizens were ever denied the right to a trial by jury, then America would cease to exist as a free nation." She was a part of the system now and, standing there, Jennifer was filled with an overwhelming feeling of pride. She would do everything she could to honour it, to preserve it.
Night court depressed Jennifer. It was filed with a human tide that ceaselessly surged in and out, washed up on the shores of justice.

There were more than hundred and fifty cases heard each night. There were Puerto Ricans and Mexicans and Jews and Irish and Greeks and Italians, and they were accused of rape and theft and possession of guns or dope or assault or prostitution. And they all had one thing in common. They were poor. They were poor and defeated and lost. They were the dregs, the misfits whom the affluent society had passed by. A large proposition of them came from Central Harlem, and because there was no more room in the prison system, all but the most serious offenders were dismissed or fined. They returned home to St. Nicholas Avenue and Morningside and Manhattan Avenues, where in three and one-half square miles there lived two hundred and thirty-three thousand Blacks, eight thousand Puerto Ricans, and an estimated one million rats.

– Did you bring the suit?
– My lawyer sued the utility company whose truck hit me, and we lost the case. We appealed and lost the appeal. Jennifer said, "If the appellate court turned you down, I'm afraid there's nothing that can be done."

Jennifer spent the evening going over the transcripts of Connie Garrett's lawsuit. To Jennifer's surprise, Melvin Hutcherson had told the truth: He had done a good job. He had named both the city and the Nationwide Motors Corporation as co-defendants, and had demanded a trial by jury. The jury had exonerated both defendants.

Jennifer turned to the charges against the truck company. Three eyewitnesses had testified that truck driver had tried to stop the truck to avoid hitting the victim, but that he had been unable to brake in time, and the truck had gone into an unavoidable spin and had hit her. The verdict in favour of the defendant had been upheld by the Appellate Division and the case had been closed.

(from "The Rage of Angels" by S. Sheldon)

... There is one way in this country in which all men are created equal – there is one human institution that makes a pauper the equal of a Rockefeller, the stupid man the equal of an Einstein, and the ignorant man be the equal of any college president. That institution, gentlemen, is a court. It can be the Supreme Court of the United States or the humblest J.P. court in the land, or this honourable court which you serve. Our courts have their faults, as does any human institution, but in this country our courts are the great levellers, and in our courts all men are created equal.

"I'm no idealist to believe firmly in the integrity of our Courts and in the jury system – that is no better than each man of you sitting before me on this jury. A court is
only as sound as its jury, and the jury is only as sound as the men who make it up ..."

(from "To kill a Mocking-bird" by H.Lee)

**Words and Word Combinations**

1. examining magistrate – следователь
2. to deal with a case (in court) – вести процесс (в суде)
3. a panel of magistrates – группа судей
4. to pass judgement – выносить решение (приговор)
5. to refer a case to a higher court – направлять (передавать) дело в суд высшей инстанции
6. to declare a mistrial – объявлять судебное разбирательство неправильным
7. to overrule the verdict – считать вердикт недействительным

**Task 1. Match a proper definition**

1. "justice" is regarded as

2. the word "case" denotes

3. the word "court" comprises the idea of

4. when we say "judgement" we mean

5. "imprisonment" is synonymous with

6. when we hear the word "impose" we realize that

7. under "mistrial" one understands

8. it is common knowledge that "verdict" is

9. to "impose a punishment" is the same as

10. "convicted" is viewed as

   a) the decision of the court, that is the decision of the jury.
   b) sentence, adjudication, arbitration or condemnation
   c) the same as suit, action, cause, process, and trial
   d) equity, fairness, fair play, lawfulness
   e) a condemned person: a criminal, a felon or an offender
   f) justice and punishment
   g) commitment, restraint, durance, incarceration
   h) smth is being either prescribed, or appointed, or set
   i) such a trial in which the jurous were not unanimous in their decision
   j) to "pass a judgement" or to "pronounce a case"
Task 2. Match the suitable left and right parts to convey the true ideas of the text

1. In criminal cases
   a) a punishment can or cannot be imposed – regarding the degree of criminality

2. It is not the business of any court
   b) to act as a referee

3. In cases when smb is guilty of a crime
   c) a professional lawyer acts as the judge and the decision is taken by a jury

4. In magistrates' courts the accused are judged by
   d) there must be agreement among not less than ten from the twelve JPs

5. From a magistrate court most cases are referred to a Crown court where
   e) there is no such thing as an examining magistrate

6. In order for a verdict to be reached at a magistrate's court
   f) tries to discover the real truth about what happened

7. The duty of a judge during a trial is
   g) to find out "the truth", to put it in formal terms

8. An examining magistrates is smb who
   h) magistrates, or Justices of the Peace (JPs), who are not trained lawyers but just ordinary people of good reputation

9. A convicted person may appeal to the Appeal Court or
   i) the Judge’s job

10. To pronounce sentence on those found guilty of crimes is
    j) to have the conviction quashed

Task 3. Paraphrase the following sentences

1. In a magistrate court a panel of magistrates (usually three) passes judgement.
2. In cases where they have decided somebody’s guilty of a crime they can also impose a punishment.
3. They were especially harsh, for instance, on people found guilty of poaching.
4. Juries consist of twelve people selected at random from the list of voters.
5. In order for a verdict to be reached, there must be twelve members of the jury.

Task 4. Dwell on the ideas the following sentences convey

1. The system of justice in England and Wales ... is an adversarial system.
2. The job of any court is to decide "yes" or "no" to a particular proposition after it has heard arguments and evidence from both sides.
3. Magistrates’ courts are another example of the importance of amateurism in British public life.
4. JPs do not get a salary or a fee for their work (though they get paid expenses).
5. In a crown court, if an agreement among the jury (at least ten of them) is not reached, the judge has to declare a mistrial [and the case must start all over again with a different jury].
6. The duty of the judge during a trial is to act as the referee [while the prosecution and the defence put their cases ...]

**Task 5. Give developed answers to the following questions**

1. What kind of system can the system of justice in England and Wales be referred to?
2. What is the idea of any court?
3. What are the most common types at courts?
4. What are the magistrates, who have another title, that of Justices of Peace? What section(s) of society are they normally recruited from nowadays? Whom are they appointed by?
5. When is a case referred from a magistrate court to a higher one? How is this higher court called?
6. What is the highest court in Britain?
7. What cases are deal with in the court of Criminal Appeal?
8. What are the three main figures at any court in England and Wales? What are their functions?

**Task 6. Working in pairs, argue the following statements**

1. In spite of the existing hierarchy of courts in England and Wales, the basic ones are magistrates' and crown courts.
2. Any case, on the wish of the appellant, can be referred to a crown court from a magistrates’ one.
3. Criminal cases are not heard in a magistrates' court.
4. In a crown court a verdict is pronounced by a professional lawyer acting as a judge, because there is no jury in a crown court.
5. This is a clerk of a court who pronounces sentence.

**Task 7. Working in groups, prove the following statements**

1. England and Wales have an adversarial system of justice.
2. Magistrates' courts can serve as an example of amateurism in British public life.
3. The judge during a court trial acts as a referee.
4. A person convicted of a crime, can try to find truth in some other courts, in case he isn't satisfied with the decision of a crown court.
5. The punishment imposed on the offender by a judge at the end of a court trial varies and a guilty person can be set free without any punishment at all.

**Task 8. Using the ideas of the given below extracts, organize group discussions of the following:**

"Hearing in court is something that lies on the top of the iceberg called legal proceedings"
~ there's a great army of servants of the law watching Justice to be observed;
~ the inseparable part of any court is its integrity
~ court appeals, lawsuits and all other sorts of pertitions help to restore Justice;
~ it's a hard job to prepare a case;
~ night courts and prison court are specific both in their procedure, and in their verdict

**Task 9. Roleplaying**

**Situation ①.**
- You're a British Professor who’s delivering a lecture to the American students. Dwell on the system of justice in England and Wales as compared with that in North America. Answer the questions of the listeners.

**Situation ②.**
- You're participants of the international lawyers' conference on the essential problems of English and American courts. Take part in panel discussions revealing your attitude towards the following:
  - the organization of courts; court procedures as an art and a tradition; the trial by a jury; the role of a judge in a court.

To make your utterances more convincing and eloquent use the following:

**Popular Phrases**
- Hercules' labour
- The Gordian knot
- The Sword of Damocles
- The wheel of Fortune
- Solomon's judgement
- With the shield or on it
- The end justifies the means
- To wash one's hands

**Proverbs and sayings**
- While there is life, there is hope
- When drums beat, laws are silent
- We may give advice, but cannot give conduct
- Tradition wears a snowy beard
- Good counsel does no harm
- A stitch in time saves nine
- Who breaks, pays
- Truth filters through stone
Situation 3

You're members of the examining board at entrance exams at a law college. Ask the applicants as many questions as possible on the system of Justice in England and the USA.

Situation 4

You're law faculty undergraduates defending your diploma projects. Dwell on the key thoughts of your graduation papers:
- court/jury verdicts
- The usual procedure of trials
- The role of a Jury
- The role of a Judge
- The key concern of the counsel for the defence and the counsel for the prosecution
- The conduct of a defendant in court
- The function of witnesses during the trial
- The hierarchy of courts; their types
- The court systems in America and Britain. How could I reform them if I were responsible for that.

Task 10.  Writing

Give a survey of the system of justice in England and Wales in regard with its similarity and distinguishing features in comparison with that in the USA.

ADDITIONAL READING

Text  “Judicial Review”

The American judiciary exercises its greatest power through judicial review, the authority to declare acts of states, Congress, the presidency or administrative agencies unconstitutional. Interestingly, the term "judicial review", like the word "democracy", is conspicuously absent from the U.S. Constitution. There is no doubt, however, that the Founders were familiar with the concept. By the time the Constitution was drafted in 1787, eight of the 13 states had incorporated judicial review into their own constitutions, and more than half of the delegates to the Constitutional Convention supported it. Of course, the article was not without its critics, including Thomas Jefferson, who attacked judicial review as undemocratic, elitist and violative of separation of powers. Its absence from the text of the Constitution is probably due to the
resistance the provision might have encountered from the states, who would be reluctant to ratify a document giving the national Supreme Court authority to nullify state action.

In theory, judicial review can be exercised by any court. In practice, however, if a lower court declares something unconstitutional, a higher court is certain to review the decision. Because judicial review is not expressly conferred in the Constitution, a divergence of approaches to its use has developed. Proponents of "judicial activism" encourage judges to use judicial review aggressively to ameliorate social problems wherever and whenever possible. Because the judges are not elected, they can focus on what is 'right' even if that is not necessary popular. Judicial review, they argue, allows the courts to be a counterweight to the other branches. Moreover, without it the judiciary would be too weak to play its role in the system of separated powers.

This view is challenged by advocates of "judicial self-restraint", who prefer a limited use of judicial review. If courts act too rashly, they contend, the other branches will retaliate by imposing limits on the judiciary. They stress the democratic element of this approach as well, which opts for deferring to the popularly elected legislative and executive branches, rather than relying on the judgment of the appointed judiciary. Judicial review is valuable as a deterrent, because the states and other branches must take it into consideration before they act lest they risk the courts' rebuke.

Full-scale judicial review exercised by ordinary courts within the regular judicial hierarchy exists in only a handful of countries, including Australia, Brazil, Canada, India, Japan and Pakistan. Several other countries, such as Austria, France, Germany and Italy, have special constitutional courts that convene for a similar purpose.

Text “Measures of Judicial Independence”

To evaluate better the legal systems of different countries, political scientists have identified attributes associated with judicial independence. These measures are especially useful for comparative analysis.

1. Functional separation of the highest judicial body from political branches of government.
2. Tenure of judges.
3. Irreducibility of salaries of highest judicial personnel.
4. Compliance with highest judicial decisions and court orders.
5. Enforcement of highest judicial decisions and court orders.
6. Foundation of highest judicial power (for example, constitutional, statutory or dependence on political leader).
7. Extent of judicial review by highest judicial power (for example, guaranteed by constitution, limited to a few areas or nonexistent).
8. Cross-cultural representation on highest court (relevant in diverse societies).
9. High qualitative standards for selection of highest judges.
10. Fairness and objectivity in internal court procedures.
11. Probity and standards to prevent unfair financial, family or political influence on the court.

Text “Selection of Judges in American Courts”

Judicial independence is also enhanced by the selection process for federal judges. Federal judges are appointed by the president when vacancies occur. They must be confirmed by a majority vote in the Senate before taking office. Presidential appointments of judges leave a visible and important legacy, so presidents carefully consider those whom they select, especially for the Supreme Court. Among the criteria presidents look for in a judicial nominee are judicial philosophy, reputation, judicial record (if any), experience, ideology, partisan background, personal friendship and loyalty, representation of different groups within a diverse society, and qualifications based on rating issued by private groups such as the American Bar Association, the legal professional association.

Judges in the United States receive no special training beyond that of lawyers, which is a juris doctor degree earned after a rigorous three-year graduate program at a law school. Experienced lawyers consider a judicial post the pinnacle of their legal careers, and the appellate courts attract the best practitioners in the profession. Because the United States is the most litigious country in the world, there is no shortage of lawyers. They generally enjoy high status and income and are part of a social elite. This is even more pronounced for judges, who are called "your honor" in court and are considered more prestigious than civil servants or politicians.

Judges are respected for their learning, experience and impartiality. As a result, they are often asked to serve in a variety of public capacities, such as participating on a presidentially appointed commission.

Text “Checks on the Judiciary”

The Constitution provides several checks on the judiciary to be exercised by the other branches to maintain the system of separated powers. No one ascends to a federal judgeship without presidential appointment and Senate approval. The executive has the power of granting pardons and reprieves of judicial sentences, an especially significant check on state judiciaries when exercised by governors. Presidents have this same power but use it less often.

Congress has even more external controls over the courts. The Senate can reject a nominee, although this has happened in fewer than 10 percent of all Supreme Court appointments. Congress can impeach judges, also a rarely invoked but important check. It can effectively nullify a court's interpretation of a statute by passing a new law,
and it can react to a court's constitutional interpretation by introducing a constitutional amendment, which it has done on several occasions, four times successfully.

The legislative branch is also empowered to change the federal court's appellate jurisdiction. Congress can also expand or contract the size of the federal judiciary, including altering the number of justices on the Supreme Court. While it often creates new district court judgeships, it has not changed the number of Supreme Court justices since 1869, when nine became the standard, nor is likely to do so.

Just as judges are aware of external checks on their power, so too are they mindful of self-imposed limitations. For example, the courts will try to avoid ruling on cases they categorize as "political questions", which are more properly resolved by the elected branches. Another doctrine is that of *stare decisis*, literally meaning "let the decision stand", or following precedent in similar cases. Decisions of higher courts are binding on lower courts, but stare decisis implies that decisions of a higher court will be binding on future cases in that same court as well. Courts can and do overturn their previous decisions, but because of the norm of adherence to precedent, "the law" is relatively slow to change. Combined with the long tenure of judges, there is an important institutional memory available for judicial decision-making and a continuity that further strengthens support for the courts.

Reduced to their most basic purpose, all courts in all political systems exist to resolve disputes. Conflicts presented before judges range from minor squabbles among private to the scope and legitimacy of governmental action at the highest levels. Whether judges use written constitutions, elaborate legal codes, a common law tradition or religious texts, their decisions must be based on some generally recognized and approved standard if they are to endure. By removing courts from the daily political pressures and rapidly changing social forces confronted by other government leaders, societies can best preserve the element of judicial independence so vital to stable political systems.

**Text:**

*"The system of justice in Britain"

The system of justice in England and Wales, in both civil and criminal cases, is (as is in North America) an adversarial system. In criminal cases there is no such thing as an examining magistrate who tries to discover the real truth about what happened. In formal terms it is not the business of any court to find out 'the truth'. Its job is simply to decide 'yes' or 'no' to a particular proposition (in criminal cases, that a certain person is guilty of a certain crime) after it has heard arguments and evidence from both sides (in criminal cases these sides are known as the defence and the prosecution).

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or it can be a fine, although if it a person's “first offence” and the crime is not serious, 
they often impose no punishment at all.

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British public life. Magistrates, who are also known as Justices of the Peace (JPs), are 
not trained lawyers. They are just ordinary people of good reputation who have been 
appointed to the job by a local committee. They do not get a salary or a fee for their 
work (though they get paid expenses). Inevitably, they tend to come from the wealthier 
sections of society and, in times past, their prejudices were very obvious. They were 
especially harsh, for instance, on people sometimes had to poach in order to put food on 
their families' tables. In modern times, however, some care is taken to make sure that JPs 
are recruited from as broad a section of society as possible.

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these cases, the JPs only need to decide that there is a *prima facie* case against the 
accused (in other words, that it is possible that he or she may be guilty). They then refer 
the case to a higher court. In most cases this will be a crown court, where a professional 
lawyer acts as the judge and the decision regarding guilt or innocence is taken by a jury. 
Juries consist of twelve people selected at random from the list of voters. They do not 
get paid for their services and are obliged to perform this duty. In order for a verdict to 
be reached, there must be agreement among at least ten of them. If this does not happen, 
the judge has to declare a mistrial and the case must start all over again with a different 
jury. A convicted person may appeal to the Court of Criminal Appeal (generally known 
just as the Appeal Court) in London either to have the conviction quashed (i.e. the jury's 
previous verdict is overruled and they are pronounced 'not guilty') or to have the 
sentence (i.e. punishment) reduced. The highest court of all in Britain is the House of 
Lords (see chapter).
UNIT VIII
Procedure and Evidence

READING MATERIAL

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 the 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 on 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 acknowledging service the defendant has a further 14 days in 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 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 numbers of expert witnesses that may be called by each side.

The trial starts with the plaintiff's barrister outlining the issues involved and calling 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. Mind the stress. State their meaning. Consult the dictionary if necessary.*

- 'prior en'forcement
- 'record ack'nowledge
- 'plaintiff ex'change
- 'claim in'spection
- 'relevant rep'ly
- 'dis'pute

- liqui’date
- infor'mation
- prepa'ration

**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 copy</td>
<td>copyist</td>
<td>copy</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>
<tr>
<td>to liquidate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to deliver</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to reserve</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Ex. 3.** *Pair the words in column B with the ones from column A.*

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

**Ex. 4.** *Decide which verbs you would use with the noun phrases you have identified in ex. 3.*

To serve; to define; to apply; to take; to contain; to cause; to do; to recover.

**Ex. 5.** *How are the following ideas expressed in the text.*

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 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 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 asserts an independent cause of action in favor of defendant;
8) in legal practice, a point of fact or law disputed between parties to the litigation, generally an assertion by one side and denial by the other;

**Ex. 6.** *Match English and Russian equivalents.*

1. to refer to
2. prior proceedings
3. the enforcement of the judgement
4. issuing and serving a writ

<table>
<thead>
<tr>
<th>Ex. 6.</th>
<th>Match English and Russian equivalents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>a) изучение документов;</td>
</tr>
<tr>
<td>to refer to</td>
<td>b) заочное решение суда в пользу истца</td>
</tr>
<tr>
<td>2.</td>
<td>(вследствие неявки ответчика);</td>
</tr>
<tr>
<td>prior proceedings</td>
<td>c) подавать жалобу против истца;</td>
</tr>
<tr>
<td>3.</td>
<td>d) относятся к чему-либо;</td>
</tr>
<tr>
<td>the enforcement of the judgement</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>issuing and serving a writ</td>
</tr>
</tbody>
</table>
5. the defendant acknowledges service e) доставить расписку;
6. an exchange of pleadings f) принуждение к исполнению решения суда;
7. inspection of documents g) предшествующая процедура;
8. an official record h) предмет судебных прений;
9. to enter a defence i) представлять линию защиты;
10. to deliver acknowledgement j) произносить заключительную речь;
11. to file a defence k) обмен судебными пренийами;
12. the object of pleadings l) служба уведомления о получении;
13. to have a complaint against the m) выписывание и доставление повестки;
   plaintiff
14. a default judgement n) официальный протокол;
15. to make a closing speech. o) приступить к защите.

Ex. 7. Choose the best alternative to complete the following sentences.
1. The proceedings prior to trial take much / little time.
2. Appeals procedure and the 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 an opening / closing speech.
8. The judge / foreman presents the verdict.

Ex. 8. 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 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 into trial itself;
f) it cannot be raised at the trial;
g) appeals procedure and the 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) the enforcement of the judgement.

**Discussion**

**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 acknowledging 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. *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 acknowledging service the defendant has 14 days in 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 a number of expert witnesses may be called.
8. The plaintiff’s barrister is outlining the issues involved and calling 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.

Where 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 person to whom it refers.

A summary trial is a trial my magistrates without a jury. The Clerk to 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 leave 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. From this point the procedure is basically similar to the summary procedure.

**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 process 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 process. Note that some of the phrases may have the same meaning as each other!

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. Write a report of the trial. Use the questions and the answers.

What is (are)
What do you mean by
Could you explain to me
Can you tell me about
Who is (was)
When does (do)
Why does (do, did)
1. the offence is not serious;
2. the offence is more serious;
3. the police secure the person to whom it refers;
4. a trial by magistrates;
5. the accused remains silent;
6. witnesses may be cross – examined;
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. 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 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.
— I call ... as witness to support my case.
— 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. 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.
Note: The accused can of course be a man.

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 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 sentence or sets the accused free.

Ex. 9. Fancy the trial and fill the information into the grid.

<table>
<thead>
<tr>
<th>The accused, Witnesses</th>
<th>scene of the crime</th>
<th>weapon</th>
<th>circumstances</th>
<th>motive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salina Cross</td>
<td>Joseph Cross</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Constance Mackensy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alison Mackensy</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Think of a crime story, involving a crime and the trial and conviction of the offenders. Use your dictionary to find words you need for story in English and try to use some of the vocabulary you have learnt in this 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, get ready to compare the trial with jury and without 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, 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. The notion that a jury panel is more likely to acquit brings humanity and compassion to the harsh letter of the law.

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 the 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. State the main idea of each paragraph of the text.

Ex. 3. Quote the text to show:

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

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

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 circumstantial evidence.

There are three methods of proving the facts: by the evidence of witnesses, by documentary evidence, 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 hearsay evidence: 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.

Ex. 1 Points for discussion.
1. Circumstantial evidence.
2. Methods of proving the facts.
3. Types of real evidence.

“Management of Accusation”

Task: scan the text and write down law terms used in it.

The law has long accepted that the accused person is not bound to incriminate himself. It is reasonable to expect that when a person is accused of something he or she will immediately deny it and that the absence of such a denial is some evidence of an admission on the part of the person charged and the truth of the charge.
The challenge, blame, or whatever, should arise from the information which is drawn out in the questioning. Thus a counsel has to design questions so as to elicit, or get the examined party's agreement to certain facts or information, the effect of which will be to challenge or blame the witness defendant. Whether the person being questioned is a defendant or witness a counsel’s question should be designed to dispute or undermine that person's evidence or to attribute some fault or blame to his/her action. Part of the purpose of questioning is to show that the interpretation which should be put on the evidence is different from that which is put on it by the opposing side. It is the function of the court to draw conclusions from the proven facts.

**REVISION TRANSLATION**

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 собирания, проверки, оценки материалов дела. 

Сведения, имеющие доказательственное значение, содержатся в показаниях свидетелей, потерпевшего, подозреваемого, обвиняемого, в заключениях экспертов, протоколах следствий. Все это всегда представляет собой единство определенного фактического содержания и процессуальной формы. 

Для каждого вида доказательств закон устанавливает правила собирания и закрепления, учитывая их особенности. 

Доказательства могут быть ориентиром для разработки версий, подготовки следственных действий. Вместе с тем не являются доказательством сведения воспроизводящие слухи, догадки, анонимные сообщения. 

С учетом вида и характера, доказательства принято делить на личные и вещественные; на прямые и косвенные;
Dialogue 1 “Consulting a Lawyer”

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

**Mrs. B:** Can my husband get released from custody if I put up the necessary amount as security?

**L:** 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. B:** 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.

**L:** 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. B:** 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?

**L:** 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. B:** Thank you, Mr Shaw. I know it's a very time-consuming and costly procedure, but you must try all ways.

**L:** I say, Mrs. Blake, 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. B:** I appreciate your efforts. When are they going to decide whether to release my husband before trial or not?

**L:** 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.

**Useful vocabulary:** to release from custody, to put up money as security, to charge with, aggravating circumstances, conditional bail, to make a decision, to reveal, reassessment, dissatisfaction, time-consuming, costly, to try all ways, all the way to, to appreciate.

**Ex. 1.** Do the translation making further use of it in your retelling:

1. Могут ли моего мужа освободить из-под стражи? 2. Ему обвиняют в убийстве при отягчающих обстоятельствах. 3. Он может не получить условное освобождение до суда. 4. Это дело будет решать жюри присяжных заседателей. 5. 12 человек принимает решение. 6. Дело расследуют. 7. Еще слишком рано что-
Ex. 2. Retell the dialogue in the form of a monologue using the following verbs:

To inquire, to wonder, to remind, to say, to explain, to be sure, to inform, to believe, to regard, to promise, to thank, to know, to appreciate.

Dialogue 2 “Before Hearing the Case”

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

F: Is this court case open to public? I mean I’d like to be present at the trial. The case seems to be quite interesting. And it's the highest court of appeal, too.

Br: Sure. You can witness it. Public is only excluded in case of a closed proceeding involving sexual abuses or security of witnesses. In each case judge makes a decision whether restrictions have to be applied.

F: Are there any restrictions as to who may present a case in court?

Br: A defendant can do it himself, but most people choose to be represented by a professional lawyer. As for this particular case it has got through the whole court system.

F: I know it's the ultimate appeal court. It sounds strange to me: a court as part of Parliament. How many jurors hear the case?

Br: No jurors at all. Law lords appointed for life and certain other government-appointed officials do. The number is not fixed. And their decisions on both civil and criminal matters bind all other courts.
F: I see. In my country the highest judicial decisions are made by the Supreme Court. Its members are appointed from lower courts by the government. Unlike the House of Lords, the Supreme Court is entirely concerned with legal matters and has no role in legislature.

Ин.: Понятно. В моей стране высшие юридические решения принимаются Верховным судом. Его члены назначаются правительством из нижних судов. В отличие от Палаты Лордов, Верховный Суд полностью занимается правовыми вопросами и не играет никакой роли в законотворчестве.

Br: As a matter of fact our court systems don't coincide in many points. This case might prove to be interesting as the defendant appeals against the punishment claiming innocent.

А.: Вообще-то наши судебные системы имеют мало точек соприкосновения. А это дело может оказаться интересным, так как обвиняемый подал апелляцию против наказания, заявляя о своей невиновности.

Ex. 1. Find English equivalents for the following:
Я хочу сказать; дело кажется довольно интересным; высший апелляционный суд; публика не допускается; необходимо ли применение ограничений; относительно того, кто; предпочитают, чтобы их представлял; через всю судебную систему; суд как составная часть парламента; назначенные пожизненно; обязательны для всех других судов; полностью занимается; в отличие от Палаты Лордов; может оказаться интересным.

Ex. 2. Sum up the information you have learned. Use the following words and word combinations:
Court case, to be present at, trial, to witness, to exclude, a closed proceeding, to make a decision, to apply restrictions, to present a case, a particular case, to get through, ultimate appeal court, government-appointed, to fix the number, to bind, unlike, to be concerned with, to coincide, to claim innocent.

Ex. 3. Insert the derivatives from the box:

to prefer – preference, to interfere – interference, to coincide – coincidence, to refer – reference

1. I cannot say we are aware of what they might prefer. We are not sure about their ... .
2. Law regulates to what extent governments can interfere in their citizens' lives. On their part people want to restrict such ... .
3. The two legal systems coincide in many points. This ... might seem unusual unless you know the history.
4. Conducting the case the lawyer referred to the 1949 English case Victoria Laundry vs. Newman Industries. The ... was admitted to be too remote.
LISTENING COMPREHENSION

Text "Death row reprieve for the British tycoon"

Part A Pre-listening activities
I. a) Get acquainted with the main characters of the recording. Their names are given below:
   a defendant – Mr. Krishna Maharaj
   Judge – Jerald Bagley
   a defence lawyer – Mr Ben Kuehne
b) Make sure that you know the following words and word phrases:
   death row = death sentence (penalty)
   to reprieve = to postpone
   to uphold murder convictions = to support murder convictions
   to occur = to happen
   to hamper = to delay
   to reinstate the death sentence = to hold back the death sentence
   tycoon = magnate
   forensic experts = experts in the field of medicine

II. Before listening discuss the following:
which courts do you think would deal with
   a) a divorce case?
   b) a bank robbery?
   c) violent and unnatural death?
   d) a burglary committed by a fifteen-year old?
   e) a case of driving too fast?

Part B Listening activities
I. As you listen to the tape, make brief notes and answer the following questions:
   1. What have you come to know about Mr. Maharaj?
   2. Why was he sentenced to death ten years ago?
   3. Due to what was his death sentence invalid?
   4. Why would he like to have a new trial?
   5. Why could this process take up to a year?

II. Listen to the tape recording once more and fill in the gaps:
   1. Mr. Maharaj was found guilty of ... in the penthouse suite of a hotel.
   2. At his trial one witness claimed ... . Maharaj ... .
3. Maharaj says ... shows that he ... 
4. His lawyers have presented ... showing that he ... when the killings occurred. 
5. The defence will appeal against the convictions to ... , a process could take up to a year.

Part C After listening activities

I. Discuss in pairs.

1. What evidence is there in the tape that Mr Maharaj couldn't have committed such a crime?
2. What do you think his case will be over?

II. Writing task

Make up Summarize the trial.

"Death row reprieve for the British tycoon" (tapescript)

The twelve o'clock news. This is Alan King. David Adams in the Times writes "Businessman wins vital round in long battle to clear his name."

Ten years after he was sentenced to die in Florida's electric chair, a Miami judge yesterday gave British businessman Krishna Maharaj a new lease of life.

Although Judge Jerald Bagley upheld two murder convictions against Maharaj, a former millionaire food importer, he ruled that the death sentence was "invalid" due to improper conduct by both the prosecutor and the sentencing judge.

Maharaj was found guilty by a Miami jury in November 1987 of shooting two Jamaicans in the penthouse suite of a hotel. At his trial one witness claimed seeing Maharaj pull the trigger. But Maharaj says new evidence shows that he could not have committed the murders. His lawyers have presented alibi evidence showing that he was more than 40 miles away when the killings occurred and have named other suspects who had a motive to kill the Jamaicans.

At yesterday's court appearance Maharaj looked solemn at first as the judge denied a series of defence motions for a new trial.

But dismay turned to partial relief when Judge Bagley ordered that Maharaj be moved out of death row and that a new sentencing take place.

Mr Kuehne said a new sentencing would take a few months, depending on the outcome of a likely appeal by the prosecution to reinstate the death sentence. The defence will meanwhile appeal against the convictions to the Florida Supreme Court, a process that could take up to a year.

Maharaj, 58, has said he will not be satisfied until he is given the opportunity to prove his innocence at a new trial.
In order to take the case to a higher level, Maharaj, who is broke, is appealing to the British Government to provide financial assistance. His defence has been hampered by a lack of funds to call forensic experts to testify. Financial aid has mainly come from friends in Britain where Maharaj lived for 25 years.

Dialogue "Suspect"

Part A

Pre-listening activities

I. Make sure that you know the following expressions

to handle foreclosures = лишать права выкупа закладной
hearing and speech impairment = дефект слуха и речи

to resent implication = (зд.) отрицать замешанность в преступлении
to be germane – быть уместным

Part B

Listening activities

I. As you watch this episode from the videofilm make brief notes to help you answer the following questions:

a) Why has the Court provided the defendant, Mr. Anderson, with assistance during the trial?
b) What is Mr. David? Why is he excused from jury service?
c) What is Mr. Sanger? What are his feelings about the capital punishment?
d) Does Mr. Sanger have faith in the American justice system?
e) Why is Mr. Sanger asked about the colour of the hair of the Defence Council?
f) What advice does the Defence Council give to the prospective jurors?

Part C

After listening activities

I. Act out the episode of the selection of the trial jury

"Suspect" (tapescript)

Judge: Ladies and gentlemen, as the defendant, Mr. Anderson, has a hearing and speech impairment, he is unable to write, the Court has provided him with assistance. If you are seated as a juror, you'll be asked to disregard this disability unless it is shown to have direct bearing on the case.

Mr. Stella? Whenever you are ready.

Prosecutor: Thank you, Your Honour. Good morning, I am Charles Stella, an assistant United States Attorney. I'll be asking some questions about your backgrounds and experiences, which may reflect on your ability to sit as fair and impatient jurors.
**Defence Counsel:** Mr David, as a loan officer, is it one of your responsibilities to handle foreclosures?

**Mr. David:** It's part of my job.

**D.C.:** How do you feel about that part of your job? I mean it must be difficult putting people out of their homes.

**Mr. David:** It doesn't trouble me. A person must be responsible for his debts.

**D.C.:** Thank you very much for coming, Mr David. You're excused.

**Prosecutor:** And what are you feelings about capital punishment, Mr. Sanger?

**D.C.:** Objections, My Honour. Mr. Stella knows that capital punishment is not an option in the District of Columbia. I am sure that Mr. Sanger has a thoughtful opinion, but it isn't germane.

**Judge:** I'll determine what's germane.

**D.C.:** It's misleading, My Honour. My client isn't facing the death penalty, much less has he been convicted of any crime, and we resent the implication. Don't bring a rope unless you intend to use it. Would, Your Honour, please, instruct the prospective jurors?

**Judge:** The death penalty is not an option in the District of Columbia, although some of us feel it should be.

**D.C.:** We thank you, Your Honour, for this consideration. Will you, please, answer, Mr. Sanger?

**Mr. Sanger:** I think the punishment should fit the crime.

**D.C.:** Mr. Sanger, you stated that your are congressional adviser. Is that another word for lobbyist?

**Mr. Sanger:** I don't know. That's sort of like calling a lawyer a mouthpiece, isn't it?

**D.C.:** Who are you congressional adviser for?

**Mr. Sanger:** Agribusiness, mostly. The US Milk Producers.

**D.C.:** Now the lobbyists that I know are very persuasive people. They could sell you just about anything.

**Mr. Sanger:** Oh, I don't know. It's sort of an American not to like milk.

**D.C.:** Unfortunately I'm allergic to milk, I'm sorry. Mr. Sanger, are you from Washington?

**Mr. Sanger:** No, Wisconsin.

**D.C.:** And what brought you here?

**Mr. Sanger:** I was a legislative aide for my home senator, Caylord Nedson. I was twenty-one, anything was possible...

**D.C.:** And you learnt pretty quickly that there's more to this town. Thank you, Mr. Sanger. Do you have faith in the American justice system?

**Mr. Sanger:** It seems to work.

**D.C.:** Do you believe that a man is innocent until proven guilty?

**Mr. Sanger:** Absolutely.
D.C.: And you've already stated that you feel that the punishment should fit the crime?
Mr. Sanger: Yes.
D.C.: Would you turn around, Mr. Sanger?
Mr. Sanger: Excuse me.
D.C.: Would you turn around and face the back of the court room, please? Mr. Sanger, could you tell me what colour my hair is?
Mr. Sanger: Brown.
D.C.: Does my hair look brown to you?
Mr. Sanger: You asked me what colour your hair was. I thought you wanted the real colour.
D.C.: You're very observant. But appearance can be deceiving. And sometimes circumstances make the truth almost impossible to find. As jurors you will be asked to keep an open mind, to put aside your assumptions and to look for and find that truth.
Mr. Sanger: What if I'd said black?
D.C.: I ask the questions here. How many challenges do I have left?
Judge: One.
D.C.: Thank you for coming, Mr. Sanger.
Mr. Sanger: Does that mean I'm excused?
D.C.: No, it doesn't.

GRAMMAR SECTION

Grammar to be revised: the Gerund

Ex. 1. Fill in the spaces with a suitable gerund using the words in the box.

Two men escaped from Durham jail this morning by ...(1) a wall. Both men were serving five years for ... (2) an elderly man. Police are looking for a hit-and-run driver who drove off without ...(3) after ...(4) a young woman. Police are interested in ...(5) anyone who saw the accident. It was only natural that he should be suspected of ...(6) Mrs. French. After ...(7) he was taken to prison. He was arrested on the charge of ...(8) a larceny.

| suspect, commit, murder, convict, stop, rob, hit, talk to |

Ex. 2. Make sentences with the same meaning by using a gerund phrase.

Model: 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.

Ex. 3. Join the two sentences to make up one sentence with a gerund.

Model: 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.

Ex. 4. Complete the sentences with the gerund following the model. Mind the preposition "by".

Model: 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).

Ex. 5. Expand the following statements. Choose the appropriate preposition to be used with the gerund.

Model: 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. 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 Lt. 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.
13. She confessed ... being in on the plot from the beginning and helping in the cover-up.

Ex. 7. Read the sentences where John is the doer of the action...

1. I was against John interfering into the matter.
2. Mary was satisfied with John having been acquitted.
3. John's father is proud of John being an honest man.
4. We were surprised at John having asked such a question.
5. John hates being asked such questions.

Ex. 8. Choose the correct form.

1. Everybody is sure of this (winning, having won) the case tomorrow.
2. We knew nothing of the jury (passing, having passed) the verdict already.
3. They insist on (telling, being told) the truth.
4. He denies (seeing, having seen) me last week.
5. He can't stand (involving, being involved) into somebody's hole and corner affairs.
6. I am suspicious about his not (offering, having offered) the pistol in evidence.
7. The prosecutor asked another question with the purpose of (clarifying, being clarified) the details.

Ex. 9. Translate the sentences from English into Russian.

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 amazed everybody speechlessly. 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 exconvict. 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. 10. Translate from Russian into English using gerunds.

1. Разве вы не боитесь, 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 доказательства для предъявления обвинения? 10. Истец утверждает, что его избили и ограбили.

Ex. 11. Insert either infinitives or gerunds.

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.

HOMEREADING SECTION

Text “The Crown V. Menzies”¹
from "The Perfect Murder" by Jeffrey Archer

We all rose when Mr. Justice Buchanan came in. "The Crown v.Menzies", the clerk of the court read out.
The judge leaned forward to tell Menzies that he could be seated and then turned slowly towards the jury box.

He explained that, although there had been considerable press interest in the case, their opinion was all that mattered because they alone would be asked to decide if the prisoner were guilty or not guilty of murder. He also advised the jury against reading any newspaper articles concerning the trial or listening to anyone else's views, especially those who had not been present in court: such people, he said, were always the first to have an immutable opinion on what the verdict should be. He went on to remind the jury how important it was to concentrate on the evidence because a man's life was at stake. I found myself nodding in agreement.

I glanced round the court hoping there was nobody there who would recognize me. Menzies's eyes remained fixed firmly on the judge, who was turning back to face the prosecuting counsel.

Even as Sir Humphrey Mountcliff rose from his place on the bench I was thankful he was against Menzies and not me. A man of dominating height with a high forehead and silver grey hair, he commanded the court not only with his physical presence but with a voice that was never less than authoritative.

To a silent assembly he spent the rest of the morning setting out the case for the prosecution. His eyes rarely left the jury box except occasionally to peer down at his notes.

He reconstructed the events as he imagined they had happened that evening in April.

The opening address lasted two and a half hours, shorter than I'd expected. The judge then suggested a break for lunch and asked us all to be back in our places by half past two.

After lunch Sir Humphrey called his first witness, Detective Inspector Simmons. I was unable to look directly at the policeman while he presented his evidence. Each reply he gave was as if he were addressing me personally. I wondered if he suspected all along a highly professional account of himself as he described in detail how they had found the body and later traced Menzies through two witnesses and the damning parking ticket. By the time Sir Humphrey sat down few people in that court could have felt that Simmons had arrested the wrong man.

Menzies's defence counsel, who rose to cross-examine the Detective Inspector, could not have been in greater contrast to Sir Humphrey. Mr Robert Scott, QC was short and stocky, with thick bushy eyebrows. He spoke slowly and without inflection. I was happy to observe that one member of the jury was having difficulty in staying awake.

For the next twenty minutes Scott took the Detective Inspector painstakingly back over his evidence but was unable to make Simmons retract anything substantial. As the Inspector stepped out of the witness box I felt confident enough to look him straight in the eye.
Sir Humphrey's next witness was Mrs Rita Johnson, the lady who claimed she had seen everything.

"Mrs Johnson, on the evening of April 7th, did you see a man leave the block of flats where Miss Moorland lived?" Sir Humphrey asked.

"Yes, I did."
"At about what time was that?"
"A few minutes after six."
"Please tell the court what happened next."
"He walked across the road, removed a parking ticket, got into his car and drove away."
"Do you see that man in the court today?"
"Yes," she said firmly, pointing to Menzies, who at this suggestion shook his head vigorously.

"No more questions."
Mr Scott rose slowly again.
"What did you say was the make of the car the man got into?"
"I can't be sure," Mrs Johnson said, "but I think it was a BMW."
"Not a Rover as you first told the police the following morning?"
The witness did not reply.
"And did you actually see the man in question remove a parking ticket from the car windscreen?"
Mr Scott asked.
"I think so, sir, but it all happened so quickly."
"I'm sure it did," said Mr Scott. "In fact, I suggest to you that it happened so quickly that you've got the wrong man and the wrong car."
"No, sir," she replied, but without the same conviction with which she had delivered her earlier replies.

Sir Humphrey did not re-examine Mrs Johnson.

I realized that he wanted her evidence to be forgotten by the jury as quickly as possible. As it was, when she left the witness box she also left everyone in court in considerable doubt.

Sir Humphrey didn't re-examine another witness, Maria Lucia, who was Carla's daily, either. He informed the judge that he had completed the case for the prosecution.

Mr Justice Buchanan nodded and said he felt that was enough for the day; but I wasn't convinced it was enough to convict Menzies.

When I got home that night Elizabeth did not ask me where I had been, and I did not volunteer any information. I spent the evening pretending to go over job applications.
The following morning I had a late breakfast and read the papers before returning to my place at the end of a row in Court No.4, only a few moments before the judge made his entrance. Mr Justice Buchanan, having sat down, adjusted his wig before calling on Mr Scott to open the case for the defence. Mr Scott, QC, was once again slow to rise – a man paid by the hour, I thought uncharitably. He started by promising the court that his opening address would be brief, and he then remained on his feet for the next two and a half hours.

He began the case for the defence by going over in detail the relevant parts, as he saw them, of Menzies's past. He assured us all that those who wished to dissect it later would only find an unblemished record.

Menzies could hardly be described as a serious candidate as a murderer. The charge against the accused was, Mr Scott submitted, based almost completely on circumstantial evidence. He felt confident that, when the trial reached its conclusion, the jury would be left with no choice but to release his client back into the bosom of his loving family. "You must end this nightmare," Mr Scott concluded. "It has gone on far too long for an innocent man."

At this point the judge suggested a break for lunch. During the meal I was unable to concentrate or even take in what was being said around me. The majority of those who had an opinion to give now seemed convinced that Menzies was innocent.

As soon as we returned, at ten past two, Mr Scott called his first witness: the defendant himself.

Paul Menzies left the dock and walked slowly over to the witness box. He took a copy of the New Testament in his right hand and haltingly read the words of the oath, from a card which he held in his left.

Every eye was fixed on him while Mr Scott began to guide his client carefully through the minefield of evidence.

Menzies became progressively more confident in his delivery as the day wore on, and when at four thirty the judge told the court, "That's enough for today," I was convinced that he would get off, even if only by a majority verdict.

I spent a fitful night before returning to my place on the third day fearing the worst. Would Menzies be released and would they then start looking for me?

**Notes:**

2. was at stake — была поставлена на карту;
3. opening address — вступительная речь судьи (перед началом слушания дела);
4. parking ticket — штраф за нарушение правил стоянки;
5. the make of the car — марка автомобиля;
6. the man in question — человек, о котором идет речь;
7. daily — (зд.) приходящая домработница;
8. entrance — см. примечание 3 (opening address);
9. to take in — (зд.) сообразить, разобраться;

Proper Names

Paul Menzies [pĀ:lmə:Æ zi:]
Sir Humphrey Mountcliff [ˈhʌmfri ˈmauntklif]
Inspector Simmons [ˈsimʌnz]
Mr Robert Scott, QC [Queen's Counsel]
Mr Justice Buchanan [ˈbʌtʃən An]
Mrs Rita Johnson [ˈdEːns An]
Maria Lucia
Miss Carla Moorland [ˈmuːlʌnd]

Words and Word Combinations

1. jury box — скамья присяжных
2. cross-examine, v — вести перекрестный допрос
3. claim, v — утверждать
4. conviction, n — убежденность
5. re-examine, v — повторно допрашивать
6. dock, n — скамья подсудимых
7. witness box — место, отведенное для дачи свидетельских показаний в суде
8. to reconstruct the events — восстановить события
9. to call a witness — вызвать свидетеля
10. to present [one's] evidence — давать показания
11. to feel confident — чувствовать себя уверенным
12. the charge against the accused — обвинение, выдвигаемое против ответчика
13. circumstantial evidence — косвенные улики

Task 1. Pair the suitable left and right parts to complete the list of the definitions

1. The word "to accuse" can be interpreted as
   a) "to assert" or "to demand one's due"
2. "guilty" is an antonym to  b) to charge, impeach, blame
3. "verdict" is  c) a member of a jury
4. Under "case" one understands  d) a decision reached by a jury (on a question or fact)
5. "oath" is almost the same as  e) promise or pledge, or solemn affirmation
6. "juror" is smb who is  f) "innocent"
7. " to claim" can be used in the meaning of  g) suit, case, cause, action, hearing
8. The primary meaning of the word "trial" is that of  h) suit, action, cause, process, trial
9. a prosecutor is a person who  i) "prosecuting counsel"
10. Pronouncing the world "evidence", one realizes  j) assured, certain, positive, fully convinced
11."defence counsel" is opposite in meaning to  k) testimony, proof, ground or belief
12. When we say "confident", we visualize smb who is  l) accused or charged
13. "to trace" denotes  m) to follow, track
14. a defendant is a person who  n) accuses
15. " painstaking" is viewed as  o) fit, proper, apt, suitable, appropriate, to the point
16. "relevant" is synonymous with  p) laborious, diligent, industrious, careful

**Task 2.** State the difference or similarity between the notions expressed by the following word combinations

1. an accused ~ a defendant
2. cross-examine ~ re-examine
3. case for the prosecution ~ case for the defence
4. jury box ~ witness box ~ dock
5. prosecuting counsel ~ defence counsel
6. delivery ~ evidence
7. circumstantial evidence ~ direct evidence

**Task 3.** Say how you understand the ideas the following sentences convey

1. To a silent assembly he spent the rest of the morning setting out the case for the prosecution.
2. I wondered if he suspected all along there was another man.
3. Simmons gave a highly professional account of himself and later traced Menzies through two witnesses.

4. Scott took the Detective Inspector painstakingly back over his evidence but was unable to retract anything substantial.

5. ... he had completed the case for the prosecution.

6. I wasn't convinced it was enough to convict Menzies.

7. The charge against the accused ... was based ... on circumstantial evidence.

8. I was convinced that he would get off, even if only by a majority verdict.

**Task 4. Paraphrase the following sentences.**

1. ... such people were always the first to have an immutable opinion of what the verdict should be.

2. He went on to remind the jury how important it was to concentrate on the evidence because a man's life was at stake.

3. His eyes rarely left the jury box except occasionally to peer down at his notes.

4. He reconstructed the events as he imagined they had happened.

5. He spoke slowly and without inflection.

6. I was happy to observe that one of the members of the jury was having difficulty in staying awake.

7. ... the lady who claimed she had seen everything.

8. ... she replied ... without the same conviction she had delivered her earlier replies.

9. ... she left everyone in court in considerable doubt.

10. ... she left everyone in the court in considerable doubt.

11. I spent the evening pretending to go over job applications.

12. ... I did not volunteer any information.

13. ... only a few moments before the judge made his entrance.

14. Every eye was fixed on him when Mr. Scott began to guide his client carefully through the minefield of evidence.

**Task 5. Combine the two parts of the sentences to convey the true ideas of the text.**

1. The last word in the court belonged to the jury because she had seen everything

2. The judge reminded the jury that it was important to fix their mind on the evidence except when he had from time to time look down at his notes

3. During his entrance Sir Humphrey Mountcliff fixed his eyes on the jury box almost all the time because a man's life was at stake
4. The witness Miss Rita Johnson claimed d) the judge announced the hearing of the case was over for that day.
5. After Sir Humphrey completed the case for the prosecution, e) the defendant couldn't commit such crime as murder.
6. Before Mr Justice Buchanan called on the Queen's Counsel, Mr Scott, to open the case for the prosecution, f) he adjusted his wig.
7. The Queen's counsel assured everybody present in the court that g) they alone were to decide the fate of the defendant.
8. After Mr Scott's speech the most part of the jury seemed to be convinced that h) the defendant was not guilty.
9. The way Mr. Scott wanted his client to deliver the evidence i) was afraid the defendant would be released.
10. It is evident that the author j) was careful.

Task 6. Answer the following questions. Not to be too categoric in your statements, use:
- As far as I remember (from the text) ..., 
- If I'm not mistaken ..., 
- If my memory doesn't fail, 
- If I understand/ see it correctly. ..., 
- As far as I know/have learnt from the contents... /As far as I can judge from/by the contents.

1. Who and in what way opened the court?
2. What were the contents of the Judge’s speech?
3. How is the prosecuting counsel described and how did he set the case for the prosecution?
4. How long did the opening address last?
5. What was sir Humphrey's first witness and how did he present his evidence?
6. How did the defence counsel lead the cross-examination of the Detective Inspector?
7. What, in your opinion, was the charge against the accused?
8. The prosecuting counsel, Sir Humphrey, and the defence counsel, Mr R.Scott, both wanted the jury to pronounce the verdict in their favour and each of them did their best to produce the most favourable impression on the twelve ordinary men, didn't they? Dwell on the way they managed to do it.
9. How did Mr Scott deliver the case for defence?
10. Say when the defendant was given the word and how the latter presented his evidence.

11. How long did the hearing of the case last? Dwell on the events and procedures of each day of the trial.

12. How is the mood of the jury revealed by the author?

**Task 7. Working in pairs, argue the following statements.**

1. The defendant was suspected (and accused) of murder.
2. During the trial Menzies was all the time looking at the jury.
3. Detective Inspector Simmons, Menzies's defence counsel, spoke expressively and briefly.
4. The witness's evidence was argumented and it was delivered firmly.
5. The jury seemed to be inclined to justify the accused after the Queen's Counsel had completed the case for the defence.
6. The charge against the accused was based, in Mr. Scott’s words, on circumstantial evidence.

**Task 8. Give the Russian version of the following sentences**

1. Menzies's eyes remained fix firmly on the judge...
2. ...while he presented his evidence
3. I realized that he wanted her evidence to be forgotten by the jury as soon as possible.
4. Mr Justice Buchanan, having sat down, adjusted his wig before calling on Mr Scott to open the case for the defence.
5. He started by promising the court that his opening address would be brief, and he then remained on his feet for the next two and a half hours.
6. He could hardly be described as a serious candidate as a murderer.
7. He felt confident that, when the trial reached its conclusion, the jury would be left with no choice but to release his client back in to the bosom of his loving family.
8. The majority of those had an opinion to give now seemed convinced that he was innocent.
9. Paul Menzies left the dock and walked slowly over to the witness box. He took a copy of the New Testament in his right hand and haltingly read the words of the oath...
10. Menzies became progressively more confident in his delivery as the day wore on.

**Task 9. Give the brief summary of the text, paying attention to the succession and character of the events described.**

- the opening of the court
- the case for the prosecution
the case for the defence
the defendant as a witness

**Task 10.** Arrange in groups and organize a kind of a discussion of the text taking the given below statements as step points. Exchanging your opinions, you are welcome to use the following language means:

– I was surprised/taken aback/bewildered/astonished... to hear/learn/get to know...
– I assume/believe... It's my expectation/prediction... It's (not) out of the question/ I predict...
– One can't rule out/judge only by.../ It's impossible to conclude...
– One (we) can't exclude the possibility (of) / There's always the possibility of...
– It's more than likely/probable // In all probability/likelihood...

If someone is supposed to sum your discussion up, let him use the following:

– (Good), that's agreed (then)/ well, that's settled (isn't it?) / so we are agreed (on).../We've come (arrived) at the (unanimous) decision (that)...
– We all seem /appear/ are likely/ adhere to think/ conclude/ regard (that) ...

1. Courts usually last for 3 days.
   (to announce / hear/ present the case, to address the jury, the case for the prosecution/ defence; to examine (re-examine) cross-examine witnesses; to give floor to a defendant; to declare innocent /guilty)

2. The court procedures must be followed in the way they have been established
   (the clerk of the court; the prosecution counsel; the defence counsel; the jury; the police officer; the witness(es); the defendant; the verdict)

3. The prosecuting counsel and the defence counsel are the two elements of the court that influence the verdict of the jury
   (the opening address; to call witnesses; to guide one's client’s witness(es) through the minefield of evidence; to produce an impression on the jury; to predict the decision of the court; to complete the case for defence / prosecution)

4. The judge leads the court procedure, he can interfere with it, but he doesn't normally interrupts either a prosecuting counsel or a defence counsel when they present cases to the court
   (to make an entrance; to address the jury, to call on a prosecuting /defence counsel; suggest a break for lunch; to announce the trial closed /having reached its conclusion)

5. The defendant is normally invited to the witness box on the last day of hearing the case
   (to leave the dock; to go to the witness box; to take a copy of the New Testament; to read the words of the oath)
Task 11. Roleplay the following situations.

Situation 1

- You're all participants of the events described. Take the parts of the characters and reproduce the situation in the court:

  The Judge (considerable press interest; all that matters; to advise against; to concern the trial; an [immutable] opinion on the verdict; to present evidence/ case; to make a statement; to continue one's evidence; to conduct the trial/court procedure; to keep to the point; to obtain objections)

  The prosecuting / defence counsel (to represent one's client in court; to set out the case for the defence/prosecution; to go [straight] on with the matter of...; to call for a witness(es); to produce a fingerprint witness; to prove guilty/innocent; to have objection(s); to take a witness [painstakingly] back over his evidence; (not) to be able to make a witness retract anything substantial; to shift a witness on the time of a victim's death/on the fact that...; to object to a leading question; to wish some witness's evidence to be forgotten by the jury; to establish the truth of one's statement; to produce [convincing] evidence)

  The Detective-Inspector (to give a [highly professional] account of oneself; to describe in detail; to present the evidence with dignity/ on a professional level; one's professional status; to address to call/ inform the police station)

  The Witness(es) (to step into/leave a witness box; not to feel confident/ to deliver replies with/ without conviction; to produce real tangible/ strong/ substantial/ proper/ circumstantial/ irrelevant/ verbal/ written evidence;

  The Defendant (to pronounce the words of the oath; to answer to the point; to feel grow more confident; hardly be described as a serious candidate as a murderer; to dissect one's past; unblemished record; the purpose of the visit; business appointment; to help with a personal insurance plan, to produce smth to establish the truth of one's statement)

Make an ample use of the given below phrases used in trials to make your roleplaying plausible, vivid and professional.

— Господа присяжные, вы пришли к единодушному решению?
— Считаете ли вы ответчика виновным в [совершении преступления]?
— Я должен посоветоваться с присяжными
— Отвечайте по существу
— И вы серьезно пытаетесь уверить присяжных, что ...
— Присяжным будет трудновато вам поверить
— Можете ли вы назвать время, число, проведенные Вами ...
— Разрешите напомнить Вам ...
— Напоминаю Вам о присяге. Вы продолжаете утверждать, что ...
— Милорд, я протестую ...
— Милорд, поскольку свидетель/ответчик признал ...
— Вы можете в этом присягнуть?
— Готовы ли вы присягнуть/ подтвердить под присягой, что...
— Суть этого дела, Ваша честь, — и я рад, что смогу сформулировать ее двумя словами, — состоит в том, что ...
— Протест принимается/отклоняется
— Я ни в чем не собираюсь уверять присяжных
— Ваша честь/милорд [и господа присяжные], разрешите заявить...
— Вызываю ответчика/свидетеля/истца
— Не думаю, чтобы имело смысл настаивать на этом пункте
— Ответчик, видимо, твердо решил не отвечать
— Если вашей милости угодно/Если Вы позволите, Ваша честь
— Решительно отрицаю
— Вы слышали показания предыдущего свидетеля/офицера полиции/ответчика?
— Перед тем как возобновить перекрестный допрос ответчика/свидетеля, я бы хотел, с Вашего разрешения ...
— Этот вопрос возник на основе показания, данного в противовес предположению Вашего защитника, и Вы должны на него отвечать

**Situation 2.**

— You're the judge, the prosecuting counsel, the defence counsel who are being interviewed by the reporters

(to influence the verdict of the jury; (not) to predict the decision of the court; (not) to be bound to reveal one's true opinion/no evidence for smb; to have an [enormous] advantage over smb - [in the matter of evidence]; (not) to make unjustified generalization(s) //to have [far better] facilities for arriving at the truth; to take proceedings on the evidence; (not) to drop the case; to lack corroborative evidence;

**Situation 3.**

— You're the two neighbours of Carla Moorland who — during the break on the third day of the trial — are trying to predict the decision of the court

(to present one's evidence; to guide one's witness [carefully] though the minefield of evidence; to call a witness; to reconstruct the events; to call a defendant to a witness box/ to produce an impression on the jury; to be (in)capable of following one's mental process; to hope to get a verdict / to be released/severely punished/sentenced to ..../ (not) guilty; penal servitude/ (life) imprisonment; a majority verdict;
Situation (4).

■ You're the jury who're going to pronounce the verdict. Let the foreman conduct your discussion

(to arrive at a correct estimate of; (not) to need an alibi; in the face of a charge; to have an enormous advantage over smb – [in the matter of evidence]; to happen (not) to be lawyer's logic // to bring detailed/ circumstantial evidence proofs/ statement into court; to confess frankly; to conceal facts/evidence; to be quite an expert/ a complete failure [where court procedure is concerned] // (not) to identify oneself with someone's interests; (not) to put the affair on a more personal basis; not to pass on idle gossip// to be at stake; to have no right for a mistake; to regard the matter from all the angles, to be impartial; to convict smb; to consult the jury; (not) to think it necessary to hear the witness for the defence/prosecution; to have reached the verdict; to be unanimous)

Situation (5)

■ You're the clerk of the court who is taking notes of the trial. Say what you've written down on Menzies's case.

Task 12. Writing.

■ As the author of the story, write a letter to a friend of yours, giving a full account of the trial and the events preceded it as you imagine them. To make your letters more personal, you're welcome to choose any of the following:

<table>
<thead>
<tr>
<th>Popular phrases</th>
<th>Proverbs and sayings</th>
</tr>
</thead>
<tbody>
<tr>
<td>To take the bull by the horns</td>
<td>To err is human</td>
</tr>
<tr>
<td>To wash one's hands</td>
<td>Virtue is praised by all and practised by few</td>
</tr>
<tr>
<td>To fish in troubled waters</td>
<td>To deceive a deceiver is no deceit</td>
</tr>
<tr>
<td>To sit between two chairs</td>
<td>There's no smoke without fire</td>
</tr>
<tr>
<td>To kill two hares with one stone</td>
<td>Truths and roses have thorns about them</td>
</tr>
<tr>
<td>To dance to one's piping</td>
<td>Well goes the case when wisdom counsels (где ум, там и толк)</td>
</tr>
<tr>
<td>To make a mountain out of the molehill</td>
<td>Ill news travel fast</td>
</tr>
<tr>
<td>To pay [smb] with the same coin</td>
<td>All the run comes to the fall /Everything has an end</td>
</tr>
<tr>
<td>To till at the windmills</td>
<td>It is hard to kick against the pricks /There is no argument with a large fist</td>
</tr>
<tr>
<td>To hang by a thread</td>
<td></td>
</tr>
</tbody>
</table>
Dear Rene,

While you were staying with us during the summer, I remember you asked me a lot of questions about law in this country. I'm afraid I wasn't able to help you much. We read in our papers about trials in the law courts, but few law-abiding citizens are experts on the subject.

You asked me to tell you how criminal trials in England differ from criminal trials in Europe, and I couldn't tell you much – except, I remember, that I said that in England a person accused of crime must always be supposed innocent until he has been proved guilty. Newspapers mustn't describe the accused as 'the thief' or the murderer; he's 'the accused' or 'the prisoner'.

Last month I served as a member of the jury at an important criminal trial, so I learnt quite a lot. I thought you'd be interested, an that's why I'm writing. I'm giving you only some general impressions. The newspaper reports I'm sending separately give a fairly complete account of the trial.

The prisoner was accused of robbing a bank and of wounding the night watchman who tried to stop him. He pleaded 'Not Guilty', so the trial was a long one. We had to listen to some long speeches and a lot of evidence.

I'm over fifty and this was my first experience of serving as a juror. We're liable for jury service between 21 and 60, so you see I might have been called on many years ago. Of the twelve members of the jury, three were women. Two of the men were small shopkeepers, one was a motor mechanic, another was a school teacher. I didn't find out what the others were, but you can see we were a mixed lot.

We had three stories to listen to. First there was the story told by the counsel for the prosecution, then the story told by the defending counsel, and lastly the story told by the judge, a summing up of what was said by counsel and witnesses. By 'counsel' I mean the barrister or barristers employed on either side.

The prosecuting counsel began by telling the court what he intended to prove by evidence. Then he called his witnesses. These persons can say what they know only in answer to questions, so the examination of witnesses is very important. Every witness may be examined by the barrister who is defending the prisoner. This is the cross-examination. The judge can interfere if he thinks any of the questions are unfair. He always objects to what are called 'leading questions', questions that suggest answers.
instead of asking for information. (Perhaps you know the old example: 'When did you stop beating your wife?) Leading questions are allowed, however, in cross-examination.

The defending counsel then had his turn. He called new witnesses who were then cross-examined by the prosecuting counsel.

The law of evidence is very strict. Every witness must, before he goes into the witness box, swear an oath, with his hand on the Bible, 'to tell the truth, the whole truth, and nothing but the truth'. A witness may tell only what he himself knows to be true. 'Hearsay' evidence is not allowed. If, for example, Mr X saw a man forcing a way into a building, he can describe what he saw, and this is evidence. If he tells his wife about it, a description of what happened, given by the wife, is not evidence. She heard her husband's story, but she herself did not see what happened.

When all the evidence had been given, and the examination of the witnesses was finished, counsels for both sides made further speeches. Counsel for the prosecution tried to show that, from the evidence they had heard, the jury could only find the prisoner guilty. Counsel for the defence tried to show that the prisoner was not guilty. Then the judge summed up.

There are quite a lot of people in England who think that twelve ordinary men and women are not capable of understanding properly all the evidence given at criminal trials. I had doubts about this myself until I served as juror last month. I don't feel so doubtful now. Our judges are expert in summing up the evidence. They take notes during the trial. The judge, in the case I'm writing about, called our attention to all the important points in the evidence, and in the speeches made by counsels for both sides. He favoured neither prosecution nor defence. He told us what crime the accused would be guilty of, if the evidence supplied by the prosecution was true.

The members of the jury have to decide only the questions of fact. Questions of law are for the judge. So when the judge had finished his summing up, he said to us, 'Will you please consider your verdict?'

We retired to a private room to do this. I was elected foreman (or chairman). You probably know that if the jury cannot agree they must be discharged and that there is then a new trial with a fresh jury. A verdict has to be unanimous. In this case we were not long in reaching a decision. The evidence against the accused man was so strong that we had no need to discuss it for long. English law requires that the guilt of an accused man must be proved 'beyond reasonable doubt'. We had no doubt at all, so when we returned to the court and I was asked, 'Do you find the prisoner Guilty or Not Guilty?' I gave the answer 'Guilty'.

Here's another interesting point about the law of evidence. The police may know quite a lot about the previous life of the accused man. They may have records to show that he is a habitual criminal, that he has often been accused of crime and proved guilty. But this information cannot be given in court until after the jury have brought in their verdict.
In this case the police records showed that the prisoner had served three terms of imprisonment for robbery, one of them being robbery with violence. If we had known this before we considered our verdict, and if the evidence against the man had been weak, we might have been inclined to declare him guilty, in spite of weak evidence against him.

The prisoner's past record of crime, if he has one, is given after the verdict so that the judge may know better what sentence to pass. If the accused has never before been convicted of crime, the sentence is not likely to be severe, unless the crime is one of violence. First offenders are usually treated with sympathy. If, on the other hand, the accused man has a long record of convictions, the judge will pass a more severe sentence.

There's one more point worth mentioning. The police officers who find and arrest an accused man may appear as witnesses at the trial. But they appear only as witnesses. They have no share in the examination of the accused. There is a clear division between the forces of the law who keep order and the forces who conduct trials in the law-courts.

I've probably told you much that you already know, and perhaps English law is not so different from French law as I think it is. But I hope you'll find this letter interesting. You were here in the summer, when the law-courts were closed. Can you make your next visit when you'll have a chance to attend a criminal trial? We'd be very pleased to see you again.

Best wishes,
Yours sincerely,
John Chuchman

Text

"Appeal Procedure"

If the losing party in an action, whether jury or non-jury, is convinced that some "error" of law was committed on the trial of the case, he may appeal to a higher court. He will serve the other side with a "notice of appeal". Within the required time, he will prepare and serve on his opponent the papers and documents necessary for such an appeal.

These include a "record on appeal" consisting of all the documents in the case such as the summons, complaint, answer and bill of particulars. It will also include a complete tapescript of all the testimony at the trial, and copies of the exhibits. The "appellant" will also be required to serve and file a "memorandum of law" to sustain his claim that an error was committed. The "respondent", also known as the "appellee", will also serve and file a memorandum of law to defeat the arguments of the appellant.

The appeal will be placed on a calendar in the appellate Court. When it is reached in its turn it will be heard in argument. The appellate court may not feel that argument is required and may request both sides to "submit" their papers for its consideration and decision. The appellate court will either affirm the decision of the lower court or reverse it and send the case back for a new trial.
"In court"

**Task:** fill in the missing words in the passage below. Choose from the following and note that two of the words are used twice.

<table>
<thead>
<tr>
<th>accused</th>
<th>acquitted</th>
<th>put on probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>barristers</td>
<td>judge</td>
<td>imprisonment</td>
</tr>
<tr>
<td>Crown Court</td>
<td>jury</td>
<td>fine</td>
</tr>
<tr>
<td>defence</td>
<td>Justice of the Peace</td>
<td>trial</td>
</tr>
<tr>
<td>dock</td>
<td>Magistrates Court</td>
<td>testimony</td>
</tr>
<tr>
<td>evidence</td>
<td>oath</td>
<td>verdict</td>
</tr>
<tr>
<td>fine</td>
<td>prosecution</td>
<td></td>
</tr>
</tbody>
</table>

There are two main courts of law in Britain – the (1) _____ for minor offences, such as speeding, shoplifting, etc. and the (2) _____ for more serious offences such as fraud and murder. The magistrate or (3) _____ who tries cases in the lower court does not have special education or training in law and does not get a salary. (The job is voluntary and part-time.)

At a (4) _____ at a Crown Court, the (5) _____ or defendant stands in the (6) _____ while lawyers question (7) _____ who have to say what they have seen or know and who stand in the (8) _____ . They have to swear an (9) _____ to 'tell the truth, the whole truth and nothing but the truth'. What they say is known as their (10) _____ .

There are usually two lawyers or (11) _____ in the courtroom. One is known as Counsel for the (12) _____ , who speaks for the defendant, and the other as Counsel for the (13) _____ . This person has to try to prove that the person accused of the crime really committed it.

The (14) _____ sits in a large seat facing the defendant and wears a special gown and wig. He or she does not decide whether an accused person is guilty or not. This is left to the (15) _____ , made up of twelve members of the public, to decide. During the trial they sit in silence, listening carefully to all the (16) _____ . Then, they are locked away until they can decide whether the person is (7) _____ or not (18) _____ . This decision is called the (19) _____ .

The (20) _____ now decides the punishment or (21) _____ as it is called. If the person is innocent, he or she is (22) _____ , which means that he or she is released immediately and is free to go home. If the person is guilty and the crime is serious, he or she could be given several years (23) _____ . However, if it is a first offence, the person might be given a (24) _____ instead, for example $1,000, or (25) _____ .
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 16, 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 noncustodial 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 wrongdoing) 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, and 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.

**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'vision

3) pre'vention
   trans'gression
   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) -t, -te, → -tion</th>
<th>(3) application classification</th>
<th>(6) assessment judgement</th>
</tr>
</thead>
<tbody>
<tr>
<td>convict</td>
<td>conviction</td>
<td>assess judge</td>
</tr>
<tr>
<td>prohibit</td>
<td>subjection</td>
<td>imprison</td>
</tr>
<tr>
<td>inflict</td>
<td>humiliation</td>
<td>treat</td>
</tr>
<tr>
<td>violate</td>
<td></td>
<td>punish</td>
</tr>
<tr>
<td>execute</td>
<td></td>
<td>develop</td>
</tr>
<tr>
<td>legislate</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(2)</th>
<th>(4)</th>
<th>(5)</th>
<th>(7)</th>
</tr>
</thead>
<tbody>
<tr>
<td>interpret</td>
<td>demand</td>
<td>decide</td>
<td>break</td>
</tr>
<tr>
<td></td>
<td>control</td>
<td>provide</td>
<td>believe</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(8)</th>
</tr>
</thead>
<tbody>
<tr>
<td>retain</td>
</tr>
</tbody>
</table>

Ex. 3. Write all the words in the same family employing proper prefixes and suffixes. What each word might mean?

<table>
<thead>
<tr>
<th>Word from the text</th>
<th>Related word, prefixes, suffixes</th>
<th>Possible meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. punish (v)</td>
<td>punishment, punishable</td>
<td></td>
</tr>
<tr>
<td>2. justice (n)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. crime (n)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. judge (v)</td>
<td>judge (n), judgement</td>
<td>to hear and decide cases in a law court</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>proportionality</td>
<td></td>
</tr>
</tbody>
</table>

Ex. 4. Which punishment do you think is generally most suitable for each of the crimes?

1. a parking offence
2. rape
3. armed robbery
4. bribery and corruption
5. theft
6. arson
7. assault
8. indecency
9. murder
10. kidnapping
11. drunken driving
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 below do you think is 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. punishment</td>
<td>a) aspect (as an important)</td>
</tr>
<tr>
<td>2. penalty</td>
<td>b) impose (must be)</td>
</tr>
<tr>
<td>3. personality</td>
<td>c) offender (of the)</td>
</tr>
<tr>
<td>4. a large element</td>
<td>d) judgement (of the subjective)</td>
</tr>
<tr>
<td>5. to pass</td>
<td>e) a sentence</td>
</tr>
<tr>
<td>6. to have no previous convictions</td>
<td>f) receive no punishment (person may)</td>
</tr>
<tr>
<td>7. a range</td>
<td>g) of non-custodial sentences</td>
</tr>
<tr>
<td>8. to be obliged</td>
<td>h) to remain good behaviour</td>
</tr>
<tr>
<td>9. the probation</td>
<td>i) form of supervision (is)</td>
</tr>
<tr>
<td>10. monetary deprivation</td>
<td>j) the fine (is)</td>
</tr>
</tbody>
</table>

Ex. 7. Part A.

Match the criminals and wrongdoers 1-16 with 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 they are bored or enjoy 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 imposter            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.

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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.**  *More criminals and people to do with crime and wrongdoing*

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 are 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.


**Ex. 8.** Study the following phrases:

1. to fit the crime – соответствовать совершенному преступлению
2. to be relevant to the case – иметь отношение к делу
3. the subjective judgement – субъективное решение суда
4. the community service orders – наказание работой в сфере коммунальной службы
5. the 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. the 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 – подлежащий наказанию штрафом
14. monetary deprivation – денежный штраф
15. individual and general deterrence – общие и индивидуальные средства устрашения
16. to save from further transgression – спасти от дальнейших нарушений норм права
17. to cure of criminal tendencies – исцелять от уголовных наклонностей
18. the habitual law-breaker – обычный нарушитель закона

**Ex. 9.** Fill in the missing verbs in the sentences below. Choose from the following and make any changes where necessary.

- acquit
- deport
- mug
- shoplift
- assault
- double-cross
- pilfer
- smuggle
- blackmail
- embezzle
- prosecute
- sue
- burgle
- imprison
- prove
- swindle
- convict
- interrogate
- reprieve
- threaten
- defraud
- kidnap
- rob
- trespass
1. An armed gang ____________ the Kingsway Road branch of Barclays bank yesterday afternoon and got away with nearly Ј90,000.

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 Ј300 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. Blake ______________ the others in the gang and escaped to South America with most of the money from the robbery.

12. The cleaner was caught ______________ towels and glasses from the hotel.

13. He threatened to ______________ her for every penny she had if she tried to break her contract.

14. It would be easy to ______________ my father's house as he always leaves his bedroom window open during the day.

15. As the man left the shop, the store detective stopped him and accused him of ______________. He had been caught on camera stuffing three ties into his briefcase.

16. He was so disappointed that his team were losing that he ran onto the pitch and ____________ the opposing team's goalkeeper, hitting him several times in the face.

17. He made large sums of money ______________ refugees into Britain, Holland and Germany.

18. The post office clerk ______________ nearly Ј5,000 over a period of two years.

19. She was walking through the park in broad daylight when a man ____________ her, stealing her handbag containing nearly Ј200.

20. Although the police knew he was guilty, they were unable to ______________ it – they just didn't have sufficient evidence.
21. She was ____________ of manslaughter and sent to prison for five years.
22. The detectives ____________ the suspect for nearly ten hours before finally letting him go.
23. The two directors ____________ the company of nearly J2 million.
24. There was a large sign on the outside of the building which said: "Trespassers will be ____________".

**Discussion**

**Ex. 1.** Which phrase on the right completes each of the four sentences beginning on the left? Do you strongly agree or disagree with 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. 2.**

a) Which of the following do you think should be the main aim in sentencing offenders?

b) Which of these aims applies to each statement from ex.1 above?

c) Put the aims of punishment in order of importance.

Punishment – to punish the offender;
Deterrence – to deter people from committing crimes;
Rehabilitation – to teach the offender to become a normal member of the society;
Protection – to protect society from criminal behavior;
Other – say what.

**Ex. 3.** Mark the statements which are true and give your reasons:

1. Penalty must be imposed first of all 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 breach 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. 4. 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. Why isn’t a person found guilty of a fairly small offence?
5. What is meant under of “suspended sentence”?
6. What are the actions of the offender during the probation order?
7. When can the punishment by the state be justified?
8. What are the measures taken by legislators and the English sentencing system towards offenders?

Ex. 5. Put the punishment in the order you think best on the word ladder below, starting with the least serious and ending with the most serious. For example, you may think that the least serious punishment is probation, followed by a fine, followed by a community service order, as in the example. Give reasons for the position of each punishment.

Ex. 6. How can you qualify the following wrongs committed?
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 brick at a referee during a football match. (The brick struck the referee on the leg.)

Ex. 7. 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? Do you agree with them?

Text B. “Capital punishment”

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 and achieve …

Ex. 3. *Answer the following questions:*

1. What is “capital punishment”?
2. What is the aim of 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. 4. *Give microtexts to the following groups of derivatives:*

I. impose – imposed; crime – criminal; punish – punishment; imprison – imprisonment; organize – organized; abolish – abolished; restrict – restricted;
Ex. 5. *Explain and expand on the following:*

1. Imprisonment as the major sanction for a criminal act.
2. The abolition of death penalty at the international level.
3. Potential criminals and the deterrence theory.
5. Legislatures and politicians.

**Text C.**

*“The Nuremberg Trial”*

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

More than fifty years have passed since the end of the trial of the main nazi criminals in Nuremberg. The International Military Tribunal ruled that unleashing an aggressive war constitutes a grave international crime, while its instigators and perpetrators are liable to be tried as criminals regardless of the position they occupy in the state.

The prosecution and the defence submitted numerous documents, examined evidence, interrogated witnesses. Finally, the judges of the International Military Tribunal announced their verdict and sentences. They established the degree of guilt for each criminal: 12 of the defendants were sentenced to death by hanging; 3 were sentenced to life imprisonment; 1 was sentenced to ten years’ imprisonment; 1 to fifteen years' imprisonment; 2 to twenty years' imprisonment; 3 were acquitted by the tribunal. The sentences were carried out, and those sentenced to imprisonment were taken to prison.

The tribunal also tried fascist military organizations and found them guilty of having committed war crimes and crimes against humanity. This meant that any member of those organizations could be brought to trial and punishment by the legal bodies of any country, not only for crimes committed, but also for the mere fact of having been a member of those organizations.

The prosecutors from the USSR, the USA, Great Britain and France stressed in their statements that the trial would become a chronicle to which historians would be able to turn in search of truth and politicians in search of warnings.
The historical significance of the Nuremberg Trial is that it condemned fascism and its people-hating theory and murderous practice. It established the principle of international accountability for aggression and punishment for the aggression.

Ex. 1. Put the following sentences in the logical order:
1. More than fifty years have passed since the end of the trial of the main Nazi war criminals.
2. The trial was a chronicle to which historians and politicians had to turn in search of truth.
3. The prosecutions and the defence submitted numerous documents, examined evidence, interrogated witnesses.
4. Finally, the judges of the International Military Tribunal announced their verdicts and sentences.
5. The tribunal also tried fascist military organizations and found them guilty of having committed war crimes.
6. The historical significance of the trial is that it condemned fascism and its people.

Ex. 2. State the main idea of each passage of the text.

Text D. “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. Even where serious attempts at prison reform have been made, problems do not disappear overnight. Indeed, censorship of letters, restriction of visitors, overcrowding, shopping out and other traditional forms of prison life in Britain will doubtless remain for decades to come.

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 cells\(^1\), 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 a range from ________________ to medium and minimum security, on the physical structure of the prison, the extent and nature of facilities for watching prisoners, the range of activities available to prisoners, and so on.

Note: cell – камера
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 условиям содержания заключенных данной категории в нашей стране.

Общественное мнение 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.

В разных странах приговор приводится в исполнение по-разному. Существуют долголетние традиции. В некоторых странах применяют различные виды казни. В этом ряду лидируют США, где кроме электрического стула используют газовые камеры, повешение, инъекции с большой дозой снотворных.

Какая смерть ужаснее? Медики судебной экспертизы не знают точного ответа на этот вопрос. Однако некоторые исполнители этого наказания считают, что наиболее "гуманным" оружием лишения человека жизни является французская гильотина, поскольку смерть наступает мгновенно, и жертва не испытывает мучений.
Dialogue 1 “Before trial”

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

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

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

**J:** Defence? What do you mean?

**L:** 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.

**J:** 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.

**L:** 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.

**J:** 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.

**L:** The fact that he’s always been law-abiding might prove helpful as I’m going to insist on a suspended sentence.

**J:** Imprisonment in his case will only do harm and not help re-educate and reform him.

**L:** Indeed I have all evidence to get the sentence mitigated.

**Useful vocabulary:** to shut out from one’s mind, probable, a wrong-doer, a defence, to excuse smb, duress, self-defence, a secondary party, to apply, to cheat into, fair, harsh, community service, a fine, a verdict, a wrong, to lessen, to mitigate, to be in trouble, law-abiding, a suspended sentence, to prove to be helpful, to do smb. some harm, to reform, to get (have) smth done.

**Ex. 1.** Do the translation making further use of it in your retelling:

1. Я не могу отгородиться от того, что происходит в суде. 2. Правонарушитель может получить 3 года тюремного заключения. 3. Это наказание применимо в отношении соучастника преступления. 4. Его вовлекли в это обманом. 5. Это может смягчить приговор. 6. Он никогда раньше не попадал в такие неприятности. 7. Он всегда был законопослушным. 8. Это может оказаться полезным. 9. Я буду настаивать на приговоре с отсрочкой.
Ex. 2. Retell the dialogue in the form of a monologue using the following verbs: to say, to stress, to wonder, to explain, to ask, to add, to hope, to regard, to believe, to think, to consider, to be sure, to insist, to respond, to reply.

Dialogue 2

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

F.: As I know you’ve retained capital punishment though you signed the European Convention.

Br.: It’s not applied de facto. Ultimate penalty is only retained for exceptional crimes such as wartime offences: high treason and so on. The purpose of every punishment is to re-educate and reform the offender. We don’t think death penalty serves the purpose.

F.: Each penalty involves several aims. And revenge is not the least of them as well as understandable wish to separate criminally-minded ones from the rest of society. How about living conditions in your prisons?

Br.: They are perfectly admissible. We think imprisonment is a punishment in itself. It shouldn’t be aggravated.

F.: I don’t think bad conditions for prisoners necessarily mean a certain psychological approach. To my mind it’s a mere lack of money.

Br.: Of course developing societies can’t afford proper prisons. Besides they generally have high crime rates which is due to their economic situation.

F.: Do your courts tend to bring severe verdicts?

Ин.: Насколько я знаю, Великобритания сохраняет высшую меру наказания, хотя вы подписали Европейскую Конвенцию.

А.: Она фактически не применяется. Высшая мера сохраняется только для исключительных преступлений, таких как правонарушения в условиях военного времени: измена и прочее. Целью всякого наказания является перевоспитание преступника. Мы полагаем, что высшая мера не служит этой цели.

Ин.: Всякое наказание включает несколько целей. И месть – не последняя из них, так же как и понятное желание отделить людей с преступными склонностями от остального общества. А как насчет условий содержания в ваших тюрьмах?


Ин.: Я не думаю, что плохие условия для заключенных непременно означают определенный психологический подход. По-моему, это просто нехватка денег.

А.: Конечно, развивающиеся страны не могут позволить себе подходящие тюрьмы. К тому же, у них обычно высокий уровень преступности по причинам экономического положения.

Ин.: Склонны ли ваши суды выносить суровые приговоры?
Br.: It depends. This was certainly the case in the 18th century England. Now we think harsh penalties simply compensate for inability to detect and catch offenders. Is it revenge? Is it to keep criminals out of society? Or is it to reform them?

A.: Это от многого зависит. И так оно определено было в Англии 18-го века. А теперь мы считаем, что жестокое наказание просто компенсирует неспособность раскрывать преступления и ловить преступников. Является ли наказание местью? Должно ли оно держать преступников вне общества? Или оно должно исправлять их?

F.: I see. Each society chooses for itself. Each society gives priorities to what it has chosen.

Ин.: Понимаю. Каждое общество делает свой выбор. И каждое общество отдает приоритеты тому, что оно выбрало.

Ex. 1. Find English equivalents to the following:

to retain capital punishment, to sign the European Convention, to apply, ultimate penalty, high treason, to reform, to serve the purpose, to involve several aims, as well as, understandable, to separate, criminally-minded, to be admissible, to aggravate, psychological approach, to afford, due to, a severe verdict, to compensate for, revenge, to give priorities to.

Ex. 2. Sum up the information you have learned. Use the following words and word combinations:

to receive – reception, to deceive – deception,
to prescribe – prescription, to perceive – perception.

1. Man cannot perceive comprehensibly the mystery of this creation though such _____ would make us cleverer and wiser. 2. Manager cannot receive them, he is not available at the moment. ***** hours are from 10 to 12 every morning. 3. Evidence received by
force is not admitted by court. But if police deceive the suspect or somehow cheat him
the court might find it admissible. So _____ is sometimes used during the investigation.

4. My doctor prescribed me a complete rest somewhere in a quiet country place and I am
going to follow this _____.

LISTENING COMPREHENSION

Text
"Homicide"

Part A
Pre-listening activities

I. Make sure that you know the following words and word phrases:
   to be involved in – to be mixed up in
   to stab smb – to cut smb (to kill with a knife)
   rigid – harsh, challenging
   sober – clear-headed
   to discharge – to release

Part B
Listening activities

I. As you listen to the tape, make brief notes to help you answer the following
   questions:

   a) If you had been the judge would you have given a different sentence? (a lighter
      sentence or a more severe one)
   b) Was justice done?

II. Listen to the tape-recording once more and complete the phrases:

   a) Bernard Lewis became involved in ...
   b) In a fit of rage he ...
   c) The probation department's investigation indicated that ...
   d) Lewis pleaded ...
   e) The judge placed Lewis ...
   f) On probation Lewis ...
   g) A few years later he was discharged as ...

Part C
After listening activities

I. Summarize Bernard Lewis’s case.

"Homicide" (tapescript)

Bernard Lewis, a thirty-six-old man, while preparing dinner became involved in
an argument with his drunken wife. In a fit of a rage Lewis, using the kitchen knife with
which he had been preparing the meal, stabbed and killed his wife. He immediately

called for assistance, and readily confessed when the first patrolman appeared on the scene with the ambulance attendant. He pleaded guilty to manslaughter. The probation department's investigation indicated that Lewis was a rigid individual who never drank, worked regularly, and had no previous criminal record. His thirty-year-old deceased wife, and mother of three children, was a "fine girl" when sober but was frequently drunk and on a number of occasions when intoxicated had left their small children unattended. After due consideration of the background of the offence and especially of the plight of the three motherless youngsters, the judge placed Lewis on probation so that he could work, support, and take care of the children. On probation Lewis adjusted well, worked regularly, appeared to be developed to the children, and a few years later was discharged as "improved" from probation.

Dialogue  The BBC programme “Any Questions”

Part A.  Pre-listening activities

This programme is called “Any questions”. The questions are sent by listeners and are answered by a panel of speakers. The person who actually asked the questions and called upon members of the panel to speak is The Question Master. Questions are put by members of an audience to persons who sit together in front of them. The four persons who answer questions in this discussion are Mr H.White, a barrister, Miss K.Davidson, a journalist, Mr S.Penny a Member of Parliament and Lady A.Nelson, a well-known television star.

Mr John Wells is the Question Master.

I. Before listening make sure that know the following words:

- to temp someone to do smth – to cause someone to do it
- fierce – violent, angry
- to apply to – to concern
- to turn down – to refuse to accept
- Old Testament – first of the two main divisions of the Bible
- to restore – to bring back into use
- jealousy – feeling caused by actual loss of rights of love
- Commandent — one of the ten laws given to Moses “thou shalt do no murder”

Part B.  Listening activities

I. As you listen to the tape, make brief notes to help you answer the following questions:

a) What is Mr H.White’s opinion about the death penalty?

b) Why does Miss Davidson think that the death penalty is a moral question?

c) What’s Mr Penny’s view on the point of capital punishment?
d) Is imprisonment for life better than capital punishment in the opinion of Lady Nelson? What does she suggest on this question?

II. Listen to the tape recording once more and complete the phrases:

a) People who support the death penalty for murder believe that ...
b) A good many murders are not committed by ...
c) My own view is that capital punishment ...
d) The execution of murderers does ...
e) The death penalty is necessary because ...
f) The Old Testament rule for punishment ...

Part C. After listening activities

I. Work in pairs and discuss the problem of the abolition of capital punishment.

“Any Questions” (tapescript)

Mr John Wells: So let’s pass on to the next question. Here it is: “Do members of the panel think that the death penalty for murder is effective? Would it be a good thing to abolish it throughout the world?”

This is the second question this evening about legal matters. Would our learned friend Mr White like to start this discussion?

Mr H. White: People who support the death penalty for murder believe that it protects society from violent crime. A good many murders are not committed by ordinary criminals. Many murders are the result of jealousy or passion, perhaps in a moment of anger at the end of a fierce quarrel. People who commit this kind of murder are not ordinary criminals. I don’t believe a death penalty prevents this kind of murder.

My own view is that capital punishment is not effective in preventing murder. I am in favour of abolishing the death penalty and as you know capital punishment has been abolished in our country since 1965. So have most of the countries of Europe and in South America. Some of the states in the U.S.A. have no death penalties. In these countries figures show that the abolition of capital punishment has not led to an increase in the number of murders and murderers. That seems to me a strong argument against the death penalty and for its abolition.

Mr John Wells: Can we have a women’s opinion on this question? Miss Kate?

Miss Kate Davidson: This is a moral question. The Sixth Commandment is, I’m sure unconditional. It applies to the State as well as to ordinary citizens of the State. Human life is sacred. The execution of a murderer does harm, not good. You all know what happens when a murder trial takes place. The popular newspapers give their front pages to reports of the trial. Newspapers and their readers are corrupted. All those who have anything to do with the execution are corrupted. I
need not speak about the feelings of the man in the condemned cell. What does it mean to the prison officers who must be present at the execution, the clergyman or priest who must be there or the criminal himself? If I had to be present on such an occasion, I know I should feel that I was the criminal. These things are horrible. They should not happen in any country that calls itself civilized.

**Mr John Wells:** Would Mr S.Penny like to speak?

**Mr S.Penny:** I sympathize with the views you’ve just heard from Miss Davidson who has said that human life is sacred. We must not let our judgement of this question be ruled by our feelings. We need information, facts, experience. We’ve heard about the experience of other countries and ours as well where the death penalty has been abolished. Mr White told us that there was afterwards no increase in the number of murders. That would be a good reason for abolishing the death penalty in many other countries, but only if we could be sure of the facts. Mr White didn’t tell you that some countries — New Zealand is one — abolished it and then after some years found necessary to restore it. This is a very difficult problem.

**Mr John Wells:** Lady Nelson?

**Lady H.Nelson:** This is far too difficult a question for me. The Old Testament rule for punishment was a simple one “an eye for an eye and a tooth for a tooth”. We don’t make that demand today. But we still demand a life for a life. I don’t think the death penalty will ever prevent the kind of murder that is committed in a fit of rage or jealousy. But what are we to do with murderers? We can’t let them go free. Is imprisonment for life better than capital punishment? I feel that I would rather die at once than face a whole lifetime in prison, shut up with criminals, unable to see my friends with no hope of ever enjoying all those I love — the theatre, music, dancing, good food and wine, travel. That would be terrible to think about. A murderer is a person whose mind has gone wrong. I think all murderers must be mad. I would not have them put to death. I would not send them to prison I would put every one of them into the care of doctors who deal with mental illness.

**Mr John Wells:** I’m glad the discussion of this difficult questions has ended with this kind-hearted suggestions from Lady Nelson.

**GRAMMAR SECTION**

**Grammar to be revised:** *it – clauses, Subjunctive Mood*

**Ex. 1.** *Say what would happen under certain circumstances.*

**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 law 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. 2. Complete the sentences with conditional clauses, referring to the present or to the future.

Model: If the attorney proved your innocence you ... (to be acquitted)
If the attorney proved your innocence you would be acquitted.

1. If he were convicted of robbery he ... (to receive a custodial sentence).
2. If there were aggravating circumstances the criminal ... (to be punished by eight years imprisonment).
3. If he menaced you with intend to get some money it ... (to be considered a blackmail).
4. If you managed to find the necessary documents your lawyer ... (to be able to prove you are not guilty).
5. Even if I were very poor I ... (never to commit something unlawful).
6. If the court came to the conclusion that deprivation of liberty is undesirable it ... (to pass a suspended sentence).
7. If I were you I immediately (to go to the police and to make a confession).

Ex. 3. Complete the sentences with conditional clauses, referring to the past.

Model: If the man hadn't stolen some goods they ... (not to take him to the police station).

1. If the SD hadn't been found guilty of war crimes its members ... (not to be tried by the International Tribunal in Nuremberg).
2. If the court had found it appropriate not to apply a penalty it ... (to impose educational measures).

3. If you had committed a minor offence you ... (only to be fined).

4. If the neighbours hadn't called the police I ... (to be killed).

5. If he had committed a manslaughter in the state of affect he ... (to be punished less severely).

6. If the jurors had not been sure of the man's guilt they ... (never pass such a verdict).

**Ex. 4. Complete the sentences with if-clauses.**

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 impose imprisonment 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 do it of dire necessity to defend her life).

**Ex. 5. Open the brackets.**

1. If he had no reason he (not to commit) such a crime.

2. The sentence could not be executed if 15 years (to elapse) since the date of the commission of the crime.

3. If the suspect hadn't committed a fresh crime the sentence (not to be executed).

4. If the police (not to stop) the robbers they (to be) in Mexico now.

5. If a British citizen (to commit) a murder anywhere in the world he (to be tried) in a British court.

6. If the detective hadn't found the murderer the sentence (to be) quite different.

**Ex. 6. Show regret for something using wish-clauses.**

*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 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. 9. Penal institutions do not reform offenders.

**Ex. 7.** Change the sentences according to the model.

**Model:** The sentence was 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. 8.** Answer the questions using subjunctive mood.

**Model:** How did he behave? (nothing extraordinary to happen).
He behaved as if (as though) nothing extraordinary had happened.


**Ex. 9.** 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 statute.

Ex. 10. Translate into Russian.
1. We would have less delinquency if people married more wisely, if parental and parent-child relations could be more congenial and understanding. 2. If you knew better how to deal with your son's problems he might not have turned into a juvenile offender. 3. The suspect was afraid lest his previous crimes should come out to light. 4. 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. 5. It is necessary that the case-work should reconcile with an authoritative setting. 6. If his accomplices hadn't revealed some details the sentence could have been quite different. 7. The offender wouldn't be kept in prison if he had kept out of trouble for two years.

Ex. 11. 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. Необходимо, чтобы при вынесении приговора учитывалась тяжесть преступления. 7. Наказание могло бы быть мягкее, если бы Дойл не был ранее судим. 8. Вам могли бы сократить срок наказания, если бы вы вели себя примерно. 9. Необходимо, чтобы в основе пробации было изучение каждого отдельного дела, осуществляемого инспектором, наблюдающим за поведением условно осужденных несовершеннолетних. 10. Противники смертной казни считают, что ее отмена способствовала бы развитию демократии в нашей стране. 11. Если бы преступники содержались в лучших условиях, то тюремное заключение больше бы способствовало их перевоспитанию.
“In the Shadow of the Valley of Death”  
(from “An American Tragedy” by Th. Dreiser)

Lord, it was all so terrible! He was so alone, even in these last few and elusive hours (the swift passing of the days), with his mother and also the Reverent McMillan here with him, but neither understanding.

But, apart from all this and much worse, he was locked up here and they would not let him go. There was a system – a horrible routine system – as long since he had come to feel it to be so. It was iron. It moved automatically like a machine without the aid or the hearts of men. These guards! They with their letters,1 their inquiries, their pleasant and yet really hollow words, their trips to do little favors, or to take the men in and out of the yard or to their baths – they were iron, too – mere machines, automatons, pushing and pushing and yet restraining and restraining one – within these walls, as ready to kill as to favour in case of opposition – but pushing, pushing, pushing – always toward that little door over there, from which there was no escape – just on and on – until at last they would push him through it never to return! Never to return!

Each time he thought of this he arose and walked the floor. Afterwards, usually, he resumed the puzzle of his own guilt. He tried to think of Roberta and the evil he had done her, to read the Bible – even – lying on his face on the iron cot – repeating over and over: "Lord, give me peace. Lord, give me light. Lord, give me strength to resist any evil thoughts that I should not have. I know I am not wholly white2. Oh, no. I know I plotted evil. Yes, yes, I know that. I confess. But must I really die now? Is there no help? Will you not help me, Lord? Will you get the Governor to change my sentence before the final moment to life imprisonment? Will you get the Reverend McMillan to change his views and go to him, and my mother, too? Oh, yes, I will, if you will only spare me. Do not let me die now – so soon. Do not. I will pray. Yes, I will. Give me the strength to understand and believe – and pray. Oh, do!"

It was like this in those short, horrible days between the return of his mother and the Reverend McMillan from their final visit to the Governor and in his last hour that Clyde thought and prayed – yet finally in a kind of psychic terror, evoked by his uncertainty as to the meaning of the hereafter3, his certainty of death, and the faith and emotions of his mother, as well as those of the Reverend McMillan, who was about every day with his interpretations of divine mercy and his exhortations as to the necessity of complete faith and reliance upon it, he, himself coming at last to believe, not only must he have faith but that he had it – and peace – complete and secure. In that state, and at the request of the Reverend McMillan, and his mother, finally composing, with the personal aid and supervision of McMillan, who changed some of the sentences in his presence and with his consent, an address to the world, and more particularly to young men of his own years, which read:
In the shadow of the Valley of Death it is my desire to do everything that would remove any doubt as to my having found Jesus Christ, the personal Savior and unfailing friend. My one regret at this time is that I have not given Him the preeminence in my life while I had the opportunity to work for Him.

If I could only say some one thing that would draw young men to Him I would deem it the greatest privilege ever granted me. But all I can now say is, "I know in whom I have believed, and am persuaded that He is able to keep that which I have committed unto Him against that day" [a quotation that McMillan had familiarized him with].

If the young men of this country could only know the joy and pleasure of a Christian life, I know they would do all in their power to become earnest, active Christians, and would strive to live as Christ would have them live.

There is not one thing I have left undone which will bar me from facing my God, knowing that my sins are forgiven, for I have been free and frank in my talks with my spiritual adviser, and God knows where I stand.

My task is done, the victory won.

Clyde Griffiths

Having written this — a statement so unlike all the previous rebellious moods that had characterized him that even now he was not a little impressed by the difference, handing it to McMillan, who, heartened by this triumph, exclaimed: "And the victory is won, Clyde. 'This day shalt thou be with me in Paradise.' You have His word. Your soul and your body belong to Him. Praised, everlastingly, be His name."

And then so wrought up was he by this triumph, taking both Clyde's hands in his and kissing them and then folding him in his arms: "My son, my son, in whom I am well pleased. In you God has truly manifested His truth. His power to save. I see it. I feel it. Your address to the world is really His own voice to the world." And then pocketing the note with the understanding that it was to be issued after Clyde's death — not before. And yet Clyde having written this, still dubious at moments. Was he truly saved? The time was so short? Could he rely on God with that absolute security which he had just announced now characterized him? Could he? Life was so strange. The future so obscure. Was there really a life after death — a God by whom he would be welcomed as the Reverend McMillan and his own mother insisted? Was there?

In the midst of this, two days before his death and in a final burst of panic, Mrs. Griffiths wiring the Hon. David Waltham: "Can you say before your God that you have no doubt of Clyde's guilt? Please wire. If you cannot, then his blood will be upon your head. His mother." And Robert Fessler, the secretary to the Governor replying by wire: "Governor Waltham does not think himself justified in interfering with the decision of the Court of Appeals."

At last the final day — the final hour — Clyde's transfer to a cell in the old death house, where, after a shave and a bath, he was furnished with black trousers, a white shirt without a collar, to be opened at the neck afterwards, new felt slippers and gray socks. So
accoutered 8 he was allowed once more to meet his mother and McMillan, who, from six o'clock in the evening preceding the morning of his death until four of the final morning, were permitted to remain near him to counsel with him as to the love and mercy of God. And then at four the warden appearing to say that it was time, he feared, that Mrs. Griffiths depart leaving Clyde in the care of Mr. McMillan. (The sad compulsion of the law, as he explained.) And then Clyde's final farewell to his mother, before which, and in between the silences and painful twistings of heart strings, he had managed to say:

"Mama, you must believe that I die resigned and content 9. It won't be hard. God has heard my prayers. He has given me strength and peace." But to himself adding: "Had he?"

And Mrs. Griffiths exclaiming: "My son! My son, I know, I know. I have faith too. I know that my Redeemer liveth 10 and that He is yours. Though we die – yet shall we live!" She was looking heavenward, and seemed transfixed. Yet as suddenly turning to Clyde and gathering him in her arms and holding him long and firmly to her, whispering: "My son – my baby – " And her voice broke and trailed off into breathlessness – and her strength seemed to be going all to him, until she felt she must leave or fall – And so she turned quickly and unsteadily to the warden, who was waiting for her to lead her to Auburn friends of McMillan's.

And then in the dark of this midwinter morning – the final moment – with the guards coming, first to slit his right trouser leg for the metal plate and then going to draw the curtains before the cells: "It is time, I fear. Courage, my son." It was the Reverend McMillan – now accompanied by the Reverend Gibson, who, seeing the prison guards approaching, was then addressing Clyde.

And Clyde now getting up from his cot, on which, beside the Reverend McMillan, he had been listening to the reading of John, 14, 15, 16: "Let not your heart be troubled. Ye believe in God – believe also in me." And then the final walk with the Reverend McMillan on his right hand and the Reverend Gibson on his left – the guards front and rear. 11 But with, instead of the customary prayers, the Reverend McMillan announcing: "Humble yourselves under the mighty hand of God that He may exalt you in due time. Cast all your care upon Him for He careth for you. Be at peace. Wise and righteous are his ways, who hath called us into his eternal glory by Christ Jesus, after that we have suffered a little. I am the way, the truth and the life – no man cometh unto the Father but by me." 12

But various voices – as Clyde entered the first door to cross to the chair room, calling: "Good-by, Clyde." And Clyde, with enough earthly thought and strength to reply: "Good-by, all". But his voice sounding so strange and weak, even to himself, so far distant as though it emanated from another being walking alongside of him, and not from himself. And he was conscious of that familiar shuffle – shuffle – as they pushed him on and on toward that door. Now it was here; now it was being opened. There it was – at last – the chair he had so often seen in his dreams – that he so dreaded – to which he
was now compelled to go. He was being pushed toward that – into that – on – on – through the door which was now open – to receive him – but which was as quickly closed again on all the earthly life he had ever known.

It was the Reverend McMillan, who, gray and weary – a quarter of an hour later, walked desolately – and even a little uncertainly – as one who is physically very weak – through the cold doors of the prison. It was so faint – so weak – so gray as yet – this late winter day – and so like himself now. Dead! He, Clyde, had walked so nervously and yet somehow trustingly beside him but a few minutes before – and now he was dead. The law! Prisons such as this. Strong, evil men who scoffed betimes where Clyde had prayed. That confession! Had he decided truly – with the wisdom of God, as God gave him to see wisdom? Had he? Clyde's eyes! He, himself – the Reverend McMillan had all but fainted beside him as that cap was adjusted to his head – that current turned on – and he had had to be assisted, sick and trembling, from the room – he upon whom Clyde had relied. And he had asked God for strength, – was asking it.

He walked along the silent street – only to be compelled to pause and lean against a tree – leafless in the winter – so bare and bleak. Clyde's eyes! That look as he sank limply into that terrible chair, his eyes fixed nervously and, as he thought, appealingly and dazedly upon him and the group surrounding him...

And then he walked and walked hours before he could present himself to Clyde's mother, who, on her knees in the home of the Rev and Mrs. Francis Gault, had been, since four-thirty, praying for the soul of her son whom she still tried to visualize as in the arms of his Maker.

Notes:

1. ... with their letters
2. I'm not wholly white
3. hereafter
4. ... that I have not given Him the preeminence in my life ...
5. This day shalt thou be with me in Paradise
6. In the midst at this ...
7. ... his blood will be upon your head
8. So accoutered ...
9. I die resigned and content
10. liveth = lives
11. front and rear
12. "Humble yourself under the mighty hand of God that he may exalt you in due time. Cast all your care upon Him
for He careth for you. Be at peace. Wise and righteous are His ways, who haths
called us into His eternal glory by Christ Jesus, after that we have suffered a little.
I am the way, the truth and the life – no man cometh unto the Father but by me"

Proper names
Reverend McMillan – преподобный Мак-Миллан
Mrs Griffiths – Миссис Грифитс
Hon. (Honorable – Am) David Waltham – достопочтенный Дэвид Уолтхэм
Clyde Griffiths – Клайд Грифитс
Robert Fessler – Роберт Феслер
Reverend Gibson – преподобный Гибсон
Rev. and Mrs. Francis Gault – преподобный м-р Фрэнсис Гоилт и его супруга

Word and Word Combinations

1. escape, n – побег
2. restrain, v – сдерживать
3. warden, n – начальник тюрьмы
4. cot, n – железная койка
5. pray, v – молиться
6. persuade, v – убеждать
7. resist, v – противиться, сопротивляться
8. permit, v – позволять, разрешать
9. counsel, v (with) – (утешительно) беседовать (с)
10. guard, n – тюремный надзиратель
11. confess, v – признаваться
12. current, n – (электрический) ток
13. to be compelled to do smth – быть вынужденным сделать что-либо
14. to be conscious of – (о)сознавать; отдавать себе отчет
15. to plot evil – замышлять зло
16. with one’s consent – с чьего-либо согласия
17. consumption of the law – требуемая законом необходимость
**Task 1.** *Pair the suitable left and right parts to complete the list of the definitions*

<table>
<thead>
<tr>
<th>Task 1</th>
<th>Task 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. “counsel” means</td>
<td>a) criminality, iniquity, blame, guiltiness</td>
</tr>
<tr>
<td>2. “to be conscious of” is the same as</td>
<td>b) get free, get away (safely), cut and run, leak out</td>
</tr>
<tr>
<td>3. “to persuade” is understood as</td>
<td>c) a watchman, guardian, warden, keeper</td>
</tr>
<tr>
<td>4. “to restrain” is opposite to</td>
<td>d) to convince, satisfy by proof or evidence</td>
</tr>
<tr>
<td>5. “guilt” is smth that is regarded as</td>
<td>e) interchange of opinion, consultation or advice, instruction</td>
</tr>
<tr>
<td>6. “to pray” bears the meaning of</td>
<td>f) be sensible, self-accusing, inwardly known</td>
</tr>
<tr>
<td>7. “to escape” can be explained as</td>
<td>g) to check, prevent, restrict, limit</td>
</tr>
<tr>
<td>8. “to compel” is similar to</td>
<td>h) “to admit, recognize, acknowledge”</td>
</tr>
<tr>
<td>9. when we say or hear “guard”, we immediately realize</td>
<td>i) to request, solicit, implore, ask, call upon</td>
</tr>
<tr>
<td>10. “to confess” implies</td>
<td>j) to force, oblige, subdue, subject</td>
</tr>
</tbody>
</table>

**Task 2.**

**a) Choose a suitable word from those in brackets to express the true ideas of the sentences**

1. In his thoughts Clyde confessed that he had *planned* (schemed/invented/thought of) evil.

2. Clyde's address to the world and, especially, to the young men of his own years was composed with the *help* (assistance/participation/collaboration) and guidance (superintendence/superiority/superstition) of Mc Millan himself.

3. Clyde’s mother sent a wire to the Governor David Waltham, being in the final gust of *despair* (alarm/dismay/distress).

4. On the eve of Clyde's death, Mrs Griffiths and Rev. Mc Millan were *allowed* (adopted/admitted/given the permission) to stay with him.

5. Governor Waltham did not think he had authorities to *influence* (change/affect/introduce) the *verdict* (judgement/version/jurisdiction) of the Court of Appeal.

6. As Clyde was led to the chair, he clearly *realized* (was aware/was informed/admitted) that it meant the end of his life.

7. When Clyde entered the first door to cross to the chair room, he gave himself an *account* (imagined/acknowledged/realized) that he was *made* (forced/compiled/obliged) to enter that door, behind which all the earthly life he had ever known, would remain.
8. When the cap was put (arranged/admitted/adopted) on Clyde's head and the current was turned on, Mc Millan – who had to support Clyde – himself had hardly lost his consciousness (feelings/conscience/faith).

b) Say how the same ideas are expressed by the author

Task 3. Combine the two parts of the sentences to convey the true ideas of the text

1. Clyde felt that the routine system a) composed his "address to the world"
2. Clyde imagined how b) the evil he had done to Roberta
3. Clyde was ashamed and felt guilty of c) there was no escape from the situation he had found himself in
4. Clyde realized that d) the Governor would change the sentence to life imprisonment
5. Clyde had a secret hope that e) his address to the world would be issued after his death
6. Clyde – in the state of his certainty of death and his faith in God – f) moved automatically
7. Clyde had firm belief (and Mc Millan assured him in it) that g) he would live if he weren't destined to die
8. On the eve of the execution Clyde was transferred to h) his final hour
9. Clyde's death, in all its details, produced such an impression on Mc Millan i) which could hardly give him mental peace till the end of his days
10. Clyde relied upon the Rev. Mc Millan till j) a cell in the old death house

Task 4.

a) Complete choosing the appropriate idea(s)

1. Clyde realized he was going to be punished for
   a) his sinful thoughts
   b) his evil intentions
   c) the evil he had done to Roberta

2. Clyde's mother felt her son
   a) was not guilty
   b) had plotted evil
   c) was sorry for what he had done
3. Clyde confessed he
   a) could resist evil thoughts
   b) would drive out all sinful thoughts
   c) was absolutely innocent

4. Mrs. Griffiths had no doubt of
   a) Clyde's guilt
   b) the justice of the decision of the court
   c) the change in Clyde's mind and soul

5. The Governor Waltham didn't think himself justified in
   a) permitting Clyde's mother to stay near her son in his final hour
   b) changing the decision of the Court of Appeals
   c) permitting Rev. Mc Millan to issue Clyde's address to the world

6. Mr. Griffiths and Rev. Mc Millan were permitted to stay with Clyde to
   a) help him to adjust himself to his new cell
   b) comfort him in his final hours
   c) inform him of the decision of the court of Appeals

b) Say whether the following ideas are true or false. Argue them with your
   partner. Support your ideas using the contents. Use the following
   function words:

   (Sorry), I (can’t) share your opinion;  Can’t [but] agree with [you] (here);
   (Sorry), [it’s] far from that; It could be true (truth)/so/just if ..., but...

1. Clyde didn't have any hesitation, that after having written his address to the world, he
   would be absolutely secure.

2. Clyde believed there was life after death.

3. Clyde's future seemed obscure to him.

4. Governor Waltham changed the sentence to life imprisonment.

5. On the eve of Clyde's death Mrs. Griffiths and Rev. McMillan were allowed to remain
   with him from six o'clock in the evening fill four in the morning.

6. Clyde's final farewell to his mother was long, calm and thoroughly thought of.

7. On Clyde's way to the chair room he was accompanied by the warden.

8. Clyde was morally prepared to enter the chair room as he had often seen it in his
   dreams.

9. Up till the final moment Clyde hadn't lost his trust and hope in Rev. McMillan.

10. Rev. McMillan didn't have the slightest hesitation in the soundness of the court's
    decision on the case of Clyde Griffiths.
Task 5. Give profound answers to the following questions. Support them by the following speech patterns:

I think.../suppose.../believe...; I'm of the opinion that...; As I see it, ...; As far as I'm concerned, ...; to be [quite] frank, ...; If you want to hear my [personal] opinion ...; If I'm not mistaken, ...

1. How did Clyde find himself on the prison cot?
2. Who and in what way tried to console Clyde in his final hours?
3. What did Clyde think of
   – the guards
   – his guilt
   – prisons
   – the system of punishment
4. What hope had been Clyde cherishing until the moment the chair room door closed after him?
5. On whose initiative and with whose aid and supervision did Clyde write his address to the world?
6. How did Rev. Mc Millan react after having listened to Clyde's address?
7. Did Clyde's mother really believe that her son – in his words – was dying "resigned and content"?
8. How was Clyde dressed on the day of his death?
9. What were the contents of Clyde's address to the world?
10. If not the Secretary, but the Governor himself were answering Mrs. Griffits’ wire, what could he say? Why do you think so?

Task 6.

a) dwell on the meaning of the following word combinations

1. trips to do little favours
2. all the earthly life he had ever known
3. mental peace
4. sound, merciful and fair decision
5. rebellious moods
6. the [sad] compulsion of the law
7. to resume the puzzle [of one's own guilt]
8. drive out sinful thoughts
9. to sink limply [into that terrible chair]
10. to visualize smb (as)
b) Say how you understand the ideas the following sentences convey

1. Will you not manifest yourself, as my mother says you will – for me?
2. ... who was about every day with his interpretations of divine mercy and his exhortations as to the necessity of complete faith and reliance upon it ...
3. Having written this – a statement so unlike all the previous rebellious moods that had characterized him that even now he was not a little impressed by the difference, handing it to McMillan, who heartened by his triumph, exclaimed ...
4. Clyde's eyes! That look as he sank limply into that terrible chair, his eyes fixed nervously and, as he thought, appealingly and dazedly upon him and the group surrounding him.
5. Had his decision before Governor Waltham been truly sound, fair and merciful?

Task 7.

a) Give the English equivalents to the following word combinations. Arrange them in logical order so as to have a kind of a plan of the text.

– перевести заключенного в другую камеру (to transfer...)
– изменить решение апелляционного суда (to interfere...)
– не допускать злых мыслей/поступков (to resist...)
– заменить смертную казнь пожизненным заключением (to change...)
– сомневаться в чьей–либо вине (to have doubt)
– замышлять зло/преступление (to plot...)
– быть откровенным с духовным наставником (to trust [faithfully]...)
– выполнять печальную необходимость, требуемую законом (to fulfil...)
– составить письмо/петицию (to compose...) при непосредственной помощи и под руководством (кого-нибудь) (with...)
– испытывать ужас перед близкой и верной смертью (to feel...)

b) Give your translation of

– Clyde's address to the world;
– Clyde's preparation for taking death ("At last the final day ... to say"; and then in the dark ... the cells"
– the Reverend McMillan's view on the law [just after he had witnessed Clyde's death] (The law! ... relied)

Task 8.

a) Give the description of:

– Clyde's state of mind on the eve of his death and in his final hours
(elusive hours; routine system, to move automatically; with their letters; to favour(s); in case of opposition; the puzzle of one's [own] guilt; to resist evil thoughts; to plot evil; to confess; to change the sentence to life imprisonment; in a kind of psychic terror; certainty of death)

– Clyde's appearance on the day of the execution
(a cell in the old death house; a shave and a bath; furnished: black trousers, a shirt without a collar, felt shippers, gray socks)

– Clyde's final preparations for taking death
(to split the right trouser leg (for); to draw the curtains before the cells; the final walk; the guards front and rear; to be conscious of ..., to be compelled to go; to walk nervously and trustingly; to adjust the cap to a [prisoner's] head; to turn on the current)

– McMillan's state of mind after Clyde's death
(to be left in the care of; to have to be assisted; [not] to have mental peace: to rely upon smb; [not] to do right; a truly sound decision)

– Clyde's mother's thoughts of the crime committed by her son and their final hours
(to have [no] doubts in Clyde's guilt; to send a wire to; to be permitted to remain; to counsel with smb; the sad compulsion of the law; to gather smb in one's arms; to leave or fall; to turn quickly and unsteadily; to pray for the soul of...)

– the way Clyde met his death
(the final walk; a strange and weak voice; to walk automatically; to be conscious of; to walk nervously and trustingly; to adjust the cap to the head [of a prisoner]; to turn on the current; to sink limply [into the chair]; to fix one's eyes [nervously and appealingly] upon smb.

b) Using Tasks 4-8, give a brief summary of the text.

Task 9. Prove by the contents. Discuss your opinion with your partner/in your group. The given below colloquial terminology will help you to reveal your attitude towards the problems raised.

It is (n’t) so; it’s (in) disputable
Just/Quite/exactly so; quite /absolutely true; Yes, really; Why not; I’d ...to conduct/object
1. The period between the return of Clyde's mother and the Reverend McMillan from their final visit to the Governor and his final hour was the most sensible, fruitful, the most blissful and at the same time the hardest in Clyde's life

(to be alone in one's last hours; to want smb; to change the views; to spare smb; to drive out sinful thoughts; to be different; to pray in a kind of phychic terror [evoked by the uncertainty]; to have faith [in smth]; rebellious moods; to compose [with the (personal) aid and supersion of]; an address to the world)

2. Clyde's address to the young people was the expression of his own best intentions which he himself strived to realize

(the shadow of the Valley of Death; personal adviser and unfailing friend; regret – (not) to give smb the preeminence in one's life; to deem in the [greatest] privilege; the joy and pleasure of a Christian life; to do all in one's power; to live undone; to bar smb from smth; a spiritual adviser)

3. The routine system of punishment in prisons moved automatically [without the aid or the hearts of men]; pleasant and yet really hollow words; trips to do little favours; mere machines; to restrain; as ready to kill or to favour [in case of opposition]; the door from which there was no escape; to push a prisoner [through the door] never to return; to transfer and furnish the prisoner; to be permitted to remain near a prisoner, the sad compulsion of the law; to split the right trouser leg [for the metal plate]; front and rear; to adjust the cap / [to the head of the prisoner]; to turn on the current)

Task 10. Roleplay the following situations

Situation 1.

■ You're the judge to whom the Rev. McMillan is talking after the verdict of the court on Clyde's case has been pronounced

(to act/do right; a sound, fair and merciful decision; to commit a crime; to be [no] escape (from); to find smb guilty/innocent; to sentence smb to [death]; to execute a judgement)

Situation 2.

■ Reproduce an imaginary conversation between Clyde's mother and the Governor [if their meeting were possible]

(to change the sentence to life imprisonment; a severe punishment; to have mercy/ pity for; [not] to change the decision of the court; [not] to plot evil; to feel oneself
justified; to have [complete] faith in; hierarchy of courts; [not] to be guilty; to have [no] doubt (of); to be in panic; the Court of Appeals)

Situation 3.

You're the two guards who have just transferred Clyde to a death cell. Speak of his preparations for his final hour

[not] to feel pity/sympathy with; [not] to serve smb fight; moral obligation; the puzzle of one's own guilt; the usual routine; to be/have [no] escape from; a death house; a shave and a bath; a shirt without a collar; felt slippers; grey socks; the evening preceding the morning of one's death; to be permitted to remain near smb)

Situation 4.

You're the warden who witnessed Clyde's final farewell to the mother and who accompanied her to McMillan's friends. You are talking to the two guardians who escorted Clyde to the chair

(according to the prison tradition; to leave with the warden; from 6 o'clock in the evening till 4 o'clock in the morning; to split the right trouser leg; to draw the curtains [before the cells]; to listen to the reading from the Bible; to be accompanied by; a strange and weak voice; instead of customary prayers; to walk nervously; all but faint; to have to be assisted)

Situation 5.

You're Governor Waltham who agreed to have a talk to Rev. McMillan after Clyde's death

(on one’s persistent request; moral and mental change; on the eve of the execution; law and morality; personal attitude towards the crime committed (by); ways of upbringing; to come to understanding; to be the witness of smb's death)

Task 11. Writing (to a students' choice)

– Write an imaginary account of the warden to his officials on Clyde Griffiths’ case
– Write what you think of the system of punishment in the US and, in particular, dwell on the capital punishment

For Tasks 9-11 try to make an ample use of

a) the popular phrases:
– The end justifies the means
To tilt at the windmills (to undertake an absurd or impossible task)
To wash one's hands;
A Sisyphean labour (an endless and fruitless task);
The Procrustean bed (any forcible method of reducing people and ideas to one standart); to put smb on ~
The root of all evil
Draconian Laws (extremely harsh and cruel laws)
Spartan upbringing;
Swang song;
A deadly sin;
In the sweat of one's brow;
With the shield or on it

b) the proverbs and sayings:

You can see a mole in another's eye but cannot see a beam in your own;
Murder will out;
It is easy to bear the misfortunes of others;
Still waters run deep;
As you sow, you shall mow;
We know not what is good until we have lost it;
What must be, must be;
To err is human (He is lifeless that is faultless);
The farther in, the deeper;
Danger foreseen is half avoided;
A drowning man will catch at a straw.

**ADDITIONAL READING**

**Text**

"Crime and Punishment"

In the UK a big controversy is about prisons. The UK has one of the highest prison populations in Europe. Six new prisons are being built. Despite police efforts, the crime rate is rising. The controversy is about the purpose of prisons. Are they for punishment only? In which case a severe regime of bare cells, compulsory work, bad food and bad treatment would be appropriate.

Are prisons for rehabilitation to make the criminals into good citizens who will not commit another crime when they are released? In this case training and education seem appropriate, and helping the prisoners to learn how to use their leisure and to live in normal, everyday conditions such as with TV, freedom to meet their families etc. – even spend weekends with them, as they do in Holland. Or are prisons for treatment? If
so, the deeper causes of each prisoner's criminal behaviour need to be discovered by psychiatrists, group therapy sessions, counselling. These causes then need to be treated through psychotherapy, and social therapy, gradually helping each prisoner to adapt in new ways to life outside the prisons. What are the facts? The 'severe regime' for punishment does not effectively deter criminals from committing crime. Such 'regimes' prisoners show seven times more recidivism (the prisoners committing more crimes when they are released) than the 'rehabilitation regimes' prisoners. The reconviction rates are also much higher for criminals sent to any prison than for criminals given sentences to serve in the community.

Prisons don't deter criminals from committing crime, but they do lock up criminals so they can't commit crimes while in prison. Therefore, should the UK simply lock up more criminals, and for longer? The statistics show that to reduce the crime rate by 1%, 25% more criminals would have to be imprisoned each year. It would cost £1 billion more per year to keep these extra 10,000 to 12,000 people locked up. Why is this so ineffective? In the UK, for every 300 crimes committed, only one results in a criminal being caught and put in prison. What do you think? What are the causes of criminal behaviour? What should be done about these causes? How should prisoners be treated? How can the crime rate be reduced? How can more crimes be solved? What happens in your country? What should happen?

Text  
“The Purposes of Imprisonment”

Many Americans take a rather gloomy view of crime-fighting programs. They question whether anything works. Experts themselves are unsure of the most effective methods for dealing with the prison population. Let us consider the four traditional purposes of imprisonment: punishment, rehabilitation, deterrence and selective incapacitation.

Punishment. Prior to 1800 it was widely assumed that the punishment of deviants is required if the community is to feel morally satisfied. Toward the latter part of the eighteenth and the early part of the nineteenth centuries, the focus changed, and the idea that prisons might rehabilitate criminals came to the forefront. The word “penitentiary” was coined to describe a place where a criminal might repent and resolve to follow a law-abiding life. In recent years there has been a renewed interest in punishment – not to satisfy a desire for vengeance, but to restore a sense of moral order.

Rehabilitation. During the last century and a half, the concept of rehabilitation has dominated penal philosophy. It has drawn on a humanistic tradition that has pressed for the individualization of justice and demanded treatment for criminals. In this view, crime resembles “disease”, something foreign and abnormal to most people. Inherent in the definition of a sick person a presumption that individuals are not to blame for the disease, and that we should focus on curing them. Beginning in the 1960s, however, a number of criminologists began questioning the assumptions underlying rehabilitation
strategies. Critics of rehabilitation contend that education and psychotherapy cannot overcome or reduce the powerful tendency for some individuals to continue a criminal career. They cite statistics on the high role of recidivism (relapse into criminal behavior) to back up their arguments.

**Deterrence.** The notion of deterrence rests on assumptions about human nature that are difficult to prove. Even so, sociological studies seem to suggest that the certainty of apprehension and punishment does tend to lower crime rates. Few studies, however, find an association between the severity of punishment and crime. While sociologists recognize that the prospect of punishment has some deterrent effect under some circumstances, they have been more concerned with specifying the conditions under which punishment influences behavior. For instance, people often discount the chances that they will incur punishment. Moreover, allegiance to a group and its norms typically operates as a stronger force than the threat of societal punishment to bring about conformity. On the other hand, informal standards and pressures within delinquent subcultures may counteract the deterrent effects of legal penalties.

**Selective confinement.** There are those who argue that neither rehabilitation nor deterrence really works, so it is useless to send people to prison with these goals in mind. Imprisonment can be used to reduce crime rates by keeping "hard core" criminals off the streets. For example, Marvin E. Wolfgang and his colleagues (1972) tracked the criminal records of about 10,000 young men born in 1945 who lived in Philadelphia. They found that about 6 percent of the men were responsible for more than half the crime committed by the entire group, including most of the serious offenses. A second study of 13,000 boys born in 1958 continued the pattern, with 7.5 percent becoming chronic delinquents and accounting for 60 percent of the offenses recorded by the police for the entire group. About 80 percent of chronic juvenile offenders later become chronic adult offenders.

Yet selective incarceration poses difficulties. For instance, people who engage in robbery and burglary typically retire from these careers fairly early in life; the "out years" in a long sentence might then be a waste of prison capacity. There is also the legal and constitutional difficulty in a democratic nation in sentencing individuals based on forecasts of their future behavior rather than on a verdict arising out of an actual crime. Further, comparable attempts by psychologists and psychiatrists to predict behavior on the basis of certain profile characteristics have been notoriously inaccurate. Indeed, any number of sociologists argue that some amount of crime is normal within modern societies. And they say that a large proportion of offenders is likewise normal, given the realities of contemporary social and economic life. In sum, deviance is and is likely to remain an integral component of social life.
**Text**

“A Life of Crime”

Looking at this little old lady, it is hard to believe that she had spent 20 of her 76 years in jail. Her crime has been pickpocketing. Just a short while ago she was caught practising her trade in Harrods – a favorite hunting ground for the pickpocket as it is frequented by the well-off. Her fingers aren't as quick as they once were and she was spotted by a sharp-eyed store detective more used to catching shoplifters.

Luckily for her the judge let her off. All the same, crime certainly hasn't paid for Rose Jones. She lives in a damp, uncomfortable basement, with no central heating and no company except for her dogs and cats and the TV. Nevertheless, she believes that it is better there than in prison. During her many spells in prison, she met Ruth Ellis, the last woman to be hanged in Britain, and the notorious murderess, Myra Hindley, who would have certainly followed Ellis to the scaffold if hanging had not been abolished. Instead, she was given life imprisonment.

Rose blames her life of crime on her childhood and harsh upbringing. She feels that if her mother hadn't died when she was small, her life would have turned out differently. As it was, her father remarried and her stepmother was cruel to her. Hunger drove young Rose to steal food and she quickly graduated to picking pockets. She was only six at the time. When she was 11, she started doing menial jobs in big houses. She perhaps wishes she had taken that opportunity to go 'straight' but she didn't. She remembers taking a lipstick and a five pound note from some guests' luggage. When her mistress accused her of stealing, she denied everything and, for once, got away with it.

Her life 'inside' started when she was 17. Following a conviction, she was sent to a prison for young people. It was to be the first of many such visits. Yet, in all her long criminal career, Rose has never made any real money. Either she gave it away or she spent it on trivial things. Her husband stole the little money she had managed to save while she was in prison.

Nowadays, she has just about decided that her life of crime is over. After all, she finds it difficult to move around now without any support which makes her line of work rather difficult. In addition, the popularity of credit cards means that people tend to carry less cash around with them than they were once accustomed to. Rose thinks it is time she turned over a new leaf. But is it possible to break the habits of a lifetime?

**Text**

“Some Old Forms of Punishment”

The stocks, the pillory and the ducking-stool are forms of punishment that were common in the seventeenth and eighteenth centuries. Fortunately for wrong-doers today they were abolished a long lime ago.

Stocks were wooden boards with holes in which a person's ankles were made fast. The top board could be lifted and then lowered, after which the two boards were locked together.
The pillory was a larger frame of wood on a wooden post. In this frame there were holes through which a person's head and arms were put.

Stocks and pillories were set up in public places, often in a market place. The purpose of this form of punishment was not only to make the criminal suffer physical discomfort, but also to put him to shame, and to allow the neighbours to make fun of him for hours.

The ducking-stool was a seat at the end of a long board. The person to be punished was tied into the seat, and then lowered into the water of a river or lake suddenly, or 'given a ducking'. This punishment, it is said, was used for dishonest tradesmen, and also for women who were continually finding fault with their husbands. There are no records that the ducking-stool was ever used for punishing husbands who treated their wives badly.

Pillories may still be seen in some English towns and villages, and the word pillory is still used as a verb. If a politician, for example, is pilloried in the press, it means that the newspapers write about him in a way that brings him into contempt.

Text

“The Hangman's Rope”

The electric chair, the hangman's rope, the guillotine. The debate on capital punishment divides people in Britain very neatly into two groups; those for and those against, because this issue is all black and white; there is no grey area.

Did you know?

In the USA, where over 85% of the population over the age of 21 approve of the death penalty, juveniles and 'mentally deficient' people can be executed. In the many states which still have the death penalty, some use the electric chair, which can take up to 20 minutes to kill, while others use gas or lethal injections.

In Britain, capital punishment lasted until 1965, when it was abolished by Parliament. There have been 14 attempts since then to reintroduce it - all unsuccessful.

For

The pro-hanging lobby uses four main arguments to support its call for the reintroduction of capital punishment. First there is the deterrence theory, which states that potential murderers would think twice before committing the act if they knew that they might also die if they were caught. The armed bank robber might, likewise, decide to leave his sawn-off shotgun at home and go back to being an ordinary robber.

Next is the idea of public security. If the death penalty were reinstated, it would mean that a convicted murderer would not be set free after serving 20 years or less of a life sentence is and be able to go on to murder again. The general public would, therefore, be safer.
The other two arguments are more suspect. The idea of retribution demands that criminals should get what they deserve: if a murderer intentionally sets out to commit a crime, he should accept the consequences. Retribution, which is just another word for revenge, is supported by the religious doctrine of an eye for an eye and a tooth for a tooth.

The fourth main pro-hanging argument is the most cold-blooded. It is that it makes economic sense to hang convicted murderers rather than have them in prison wasting taxpayers' money.

Against

The arguments against the death penalty are largely humanitarian. But there are also statistical reasons for opposing it: the deterrence figures do not add up. In Britain, 1903 was the record year for executions and yet in 1904 the number of homicides actually rose. 1946 also saw an unusually high number of executions followed in 1947 by another rise in the murder rate. If the deterrence theory was correct, the rate should have fallen.

The second main argument against reintroducing capital punishment is that innocent people are sometimes wrongly convicted and, while people can be released from prison, they cannot be brought back from the dead if they have been hanged.

The other reasons to oppose the death penalty, which are largely a matter of individual conscience and belief, are firstly that murder is murder and this includes state executions. The state has no more right to take a life than the individual. Indeed, the state should set an example to the individual by not taking lives. It is believed to be a measure of its civilization that a state acts more humanely than its citizens. The second is that Christianity preaches forgiveness, not revenge.
Answer key

UNIT V Reading material

Text A

Word Study

Ex. 3.
1/j; 2/e; 3/i; 4/o; 5/h; 6/l; 7/c; 8/p; 9/a; 10/a; 11/m; 12/f; 13/k; 14/b; 15/g; 16/d.

Ex. 4.
Wrongful act, omission; criminal behaviour, activity; matter; changing habits, norms; fatal offence; serious crimes; summary case, conviction; mental elements; guilty mind, action.

Ex. 5.

| inchoate             | a person         |
| arrestable offence   | property         |
| non-arrestable       | state            |
| minor                | organization     |
| serious              | country          |
| alleged              | punishable or summary conviction |

Ex. 6. 1/f; 2/h; 3/i; 4/b; 5/k; 6/c; 7/l; 8/g; 9/a; 10/d; 12/m; 13/e; 14/o; 15/g; 16/p.

Ex. 7. 1/h; 2/e; 3/k; 4/n; 5/p; 6/a; 7/l; 8/f; 9/b; 10/m; 11/c; 12/g; 13/o; 14/l; 15/i; 16/d.

Ex. 8.
1. robbery; 2. libel; 3. embezzlement; 4. arson; 5. manslaughter; 6. mugging; 7. smuggling; 8. assault; 9. murder; 10. forgery.

Ex. 9.
1. offender; assault; 3. wounding; 4. grievous bodily harm; 5. without a magistrate’s warrant; 6. the death sentence; 7. juvenile.

Discussion

Ex. 9. True: 1, 2, 5, 6.

Homereading Section

Task 1: 1/l; 2/c; 3/a; 4/h; 5/j; 6/g; 7/b; 8/d; 9/f; 10/i; 11/n; 12/e; 13/m; 14/k; 15/o; 16/q; 17/p
Task 2: 1. emphasized; 2. uneasy; 3. dealt; 4. support; 5. appropriate; 6. worked for, dealt with; 7. kind-hearted

Task 3: 1) legal supporter; 2) whether there was such an offence as “kidnapping” in the English law; 3) talk to her confidentially; 4) three weeks; 5) truant; 6) complete exhaustion; 7) a succinct-police fashion; 8) beaten black and blue.

Task 4: 1e; 2d; 3a; 4g; 5h; 6c; 7b; 8f; 9j; 10i

UNIT VI Reading material

Text A

Word Study

Ex. 3; 4:

to be familiar with detective stories;
to call add helmet;
to deal with professional skills;
to gain academic qualification;
to undergone intensive training;
to have police authority

to obey parking regulations;
to be responsible for controlling offences;
to form national force;

Ex. 5. Police; detective; order; uniform; traffic warden; to obey; speeding; investigate;
to patrol; to guard; accident; property;

Ex. 6. 1/e; 2/h; 3/d; 4/j; 5/a; 6/c; 7/b; 8/g; 9/f; 10/l; 11/n; 12/o; 13/k; 14/p; 15/m; 16/i.

Ex. 7.
1. internment; 13. bail;
2. injunction; 14. loot;
3. warden; 15. illicit;
4. coroner; 16. euthanasia;
5. abolished; 17. statement;
6. legislation; 18. clues;
7. warrant; 19. custody;
8. justice; 20. law-abiding
9. amnesty; 21. conviction;
10. martial law; 22. judicial;
11. alibi; 23. on parole.
12. damages;
Ex. 8.
1. twentieth; thought the word;
2. walking in the street;
3. a great variety of new professional skills;
4. a committee of local country councillors and magistrates;
5. ten main functions;
6. the metropolitan Police of London;
7. bring almost all criminal cases to court;
8. majority.

Ex. 9. 1/e; 2/g; 3/f; 4/c; 5/a; 6/d; 7/b; 8/i.

Discussion
Ex. 1. 1/a; 2/b; 3/c; 4/b; 5/a; 6/b.

Ex. 2. True: 3, 7.

Text B
Ex. 1. True: 2; 3; 6.

Text C
Ex. 1. Logical order: sentences № 3; 5; 1; 6; 2; 4.
Ex. 2.

Homereading Section
Task 1: 1f; 2k; 3c; 4o; 5a; 6e; 7h; 8b; 9l; 10g; 11i; 12d; 13j; 14n; 15m
Task 2: 1c; 2b; 3a; 4c; 5a; 6b; 7c, f; 8c, e
Task 3: 1g; 2d; 3a; 4b; 5c; 6e; 7h; 8f; 9i; 10j
UNIT VII Reading material

Text A

Word Study

Ex. 2; 3.
1. to know unitary system; 2. to grant original jurisdiction; 3. to form judicial circuit; 4. to comprise actual decision; 5. to appoint federal judge; 6. to have notable exception.

Ex. 5. unitary court; special case; certain type; federal system; legal custom; unanimous decision; high respect; lowest level.

Ex. 6. 1) trial; 2) juvenile offender; 3) jurisdiction; 4) an appeal; 5) circuit system; 6) decision; 7) claims; 8) litigant; 9) discretion; 10) adjudication; 11) maritime law.

Ex. 7. 1/e; 2/h; 3/a; 4/k; 5/c; 6/m; 7/j; 8/b; 9/n; 10/d; 11/i; 12/f; 13/g; 14/l.

Ex. 8. individuals; state courts; to sue; federal courts; to fall under jurisdiction; to resolve the case; tier; the Supreme Court; litigation; district courts; higher courts; lower courts; the court of last instance; to decide a case; the court of appeal.

Ex. 9. 1/a; 2/b; 3/c; 4/a; 5/b; 6/c; 7/b.

Ex. 10. a) district; b) appeals; c) Supreme; d) Supreme; e) federal; f) district; g) state; h) lower; i) higher; j) appeal; k) authority.

Discussion

Ex. 2. True: 3, 5, 6

Text B

Ex. 1. 1/e; 2/g; 3/i; 4/h; 5/j; 6/a; 7/b; 8/f; 9/c; 10/d.

Text C

Ex. 2. True: 1, 2, 4, 5
Ex. 3.

The House of Lords

Court of Appeal

Criminal Courts

County Courts

Magistrate Court

Civil Courts

High Court

Crown Court

Homereading Section

Task 1: 1d; 2c; 3f; 4b; 5g; 6h; 7i; 8a; 9j; 10e

Task 2: 1e; 2j; 3a; 4h; 5c; 6d; 7b; 8f; 9j; 10i

Task 6. True: 1

UNIT VIII

Reading material

Text A

Word Study

Ex. 3, 4.

To apply a summary judgement

to take necessary steps

to serve official record

to define specific matters

to contain brief statement

to recover the debtor’s goods

to cause the plaintiff’s answer

to do preparatory work

Ex. 5.

1. the enforcement of judgement; 2. a writ; 3. acknowledgement; 4. plaintiff;
5. pleadings; 6. complaint; 7. counterclaim; 8. the issue.

Ex. 6. 1/d; 2/g; 3/f; 4/m; 5/l; 6/k; 7/a; 8/n; 9/o; 10/e; 11/i; 12/h; 13/c; 14/b;
15/j.
Ex. 7.
1. take much time; 2. are proceedings after the trial; 3. to issue a writ; 4. by the plaintiff; 5. a brief statement of the facts relied on; 6. starts; barrister outlining the issues; 7. closing speech; 8. the judge.

Ex. 8. 1/e; 2/g; 3/b; 4/d; 5/h; 6/f; 7/c; 8/a; 9/i; 10/j.

Discussion
Ex. 1. 1/b; 2/c; 3/a; 4/c; 5/c; 6/b.
Ex. 2. True: 2, 5, 7, 10.

Text B
Ex. 1. True: 1; 6; 8.
Ex. 3.
1. after being charged with an offence and especially during the trial;
2. at any time after conviction;
3. before being arrested and charged;
4. after conviction and especially during the period of punishment;
5. (as a general term) at any time after committing a crime; (as a law term) after conviction;
6. after being charged and during the trial.

Ex. 4.
C, H, E / A – in Criminal Law a charge is an accusation;
D, G, F, B – at the trial.
Ex. 7.
a) The judge:
   Call the first witness.
   Member of the jury, how do you find the accused? Guilty or not guilty?
   The prosecution rests.
   The verdict of this court is that you are guilty and therefore sentence you to life imprisonment.
   / call upon the Prosecutor to state the case against the accused.
   Take the witness stand, and recite the oath.
   How do you plead?
   / find this case proved / not proved.

The accused:
   / want to appeal against my sentence.

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/ plead not guilty.
/ call ... as witness to support my case.

A witness:
/ swear by Almighty god that
/ shall tell the truth, the whole truth, and nothing but the truth.

The clerk:
Be upstanding in Court!

The prosecutor:
/ am charging you with attempted murder.
No further questions you Honour.
/ wish to call ... to stand.
Objection.

b)
1. Be upstanding in Court!
2. / call upon the Prosecutor to state the case against the accused.
3. / am charging you with attempted murder.
4. How do you plead?
5. / plead not guilty.
6. / wish to call ... to the stand.
7. / call ... as witness to support my case.
8. Take the witness stand, please, and recite the oath.
9. / swear by Almighty god that / shall tell the truth, the whole truth, and nothing but the truth.
10. Objection.
11. Objection (not) sustained.
12. No further questions, your Honour.
13. Members of the jury, how do you find the accused? Guilty or not guilty?
14. We find this case proved / not proved.
15. The verdict of this court is that you are guilty and / therefore sentence you to life imprisonment.
16. / want to appeal against my sentence.

Text C
Ex. 1:  5, 2, 7, 1, 4, 3, 6, 8.

Homereading Section
Task 1:  1b; 2f; 3d; 4h; 5e; 6c; 7a; 8g; 9n; 10k; 11i; 12j; 13m; 14l; 15p; 16o
Task 5:  1g; 2c; 3b; 4a; 5d; 6f; 7e; 8h; 9j; 10i
UNIT IX                        Reading material
Text A
Word Study

Ex. 2.

<table>
<thead>
<tr>
<th>(1) -t, -te, → -tion</th>
<th>(3) y → -ication</th>
<th>(6) + ment</th>
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<tr>
<td>convict</td>
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<td>inflict</td>
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<td>classification</td>
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<td>violate</td>
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<td>decide</td>
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<td>humiliate</td>
<td>humiliation</td>
<td>provision</td>
</tr>
<tr>
<td>execute</td>
<td>execution</td>
<td>(4) -ide → -ision</td>
</tr>
<tr>
<td>legislate</td>
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<td>interpret</td>
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<td>demand</td>
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<tr>
<td>allege</td>
<td>allegation</td>
<td>demand</td>
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<td>degrade</td>
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<td>break</td>
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<td>execute</td>
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<td>break</td>
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<td>legislate</td>
<td>restorer</td>
<td>belief</td>
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<table>
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<td>supervise</td>
<td>supervision</td>
<td>retain</td>
</tr>
<tr>
<td>deprive</td>
<td>deprivation</td>
<td>retention</td>
</tr>
<tr>
<td>require</td>
<td>requirement</td>
<td></td>
</tr>
<tr>
<td>proportion</td>
<td>proportionality</td>
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Ex. 3.

<table>
<thead>
<tr>
<th>Word from the text</th>
<th>Related word, prefixes, suffixes</th>
<th>Possible meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. punish (v)</td>
<td>punishment, punishable</td>
<td>to cause someone to suffer for crime</td>
</tr>
<tr>
<td>2. justice (n)</td>
<td>—</td>
<td>the quality of being just</td>
</tr>
<tr>
<td>3. crime (n)</td>
<td>criminal</td>
<td>an offence which is punishable by law</td>
</tr>
<tr>
<td>4. judge (v)</td>
<td>judge (n), judgement</td>
<td>to hear and decide cases in a law court</td>
</tr>
<tr>
<td>5. restore</td>
<td>restoration, restorer</td>
<td>to bring back into use</td>
</tr>
<tr>
<td>6. prison</td>
<td>imprisonment, prisoner</td>
<td>a large building where criminals are kept</td>
</tr>
<tr>
<td>7. supervise</td>
<td>supervision, supervisor</td>
<td>to keep watch over as the person in charge</td>
</tr>
<tr>
<td>8. deprive</td>
<td>deprivation, deprived</td>
<td>to prevent from using</td>
</tr>
<tr>
<td>9. require</td>
<td>requirement</td>
<td>to need</td>
</tr>
<tr>
<td>10. proportion</td>
<td>proportionality, proportional</td>
<td>the correct relationship between two things</td>
</tr>
</tbody>
</table>

Ex. 5.

Punishment of a wrong-doer, punishment as an important aspect, to fit the punishment, form of punishment, the punishment for the offences, to receive punishment, the form of a non-custodial punishment, punishment by the state, modern forms of punishment.
**Ex. 6.** 1e; 2b; 3c; 4i; 5d; 6f; 7g; 8a; 9h; 10j

**Ex. 7.** Part A: 1g; 2d; 3m; 4h; 5p; 6j; 7l; 8n; 9a; 10o; 11e; 12i; 13b; 14f; 15k; 16c
   Part B: 1e; 2i; 3o; 4m; 5h; 6k; 7d; 8p; 9a; 10l; 11n; 12b; 13f; 14c; 15j; 16g

**Ex. 9.**

| 6. acquit  | 4. deport  | 19. mug   | 15. shoplift |
| 16. assault | 22. double-cross | 18. pilfer | 10. smuggle |
| 2. blackmail | 23. embezzle | 7. prosecute | 24. sue |
| 14. burgle | 13. imprison | 20. prove | 5. swindle |
| 21. convict | 8. interrogate | 17. reprieve | 9. threaten |
| 11. defraud | 3. kidnap | 12. rob | 1. trespass |

**Discussion**

**Ex. 1.** a/4; b/3; c/1; d/2

**Ex. 2.** a/4 – deterrence; b/3 – deterrence; c/1 – protection; d/2 – punishment

**Text B.**

**Ex. 1.** *Imprisonment, penalty, justification, to deter, homicide, violence*

**Homereading Section**

**Task 1:** 1e; 2f; 3d; 4g; 5a; 6i; 7b; 8j; 9c; 10h

**Task 2:** 1) schemed; 2) assistance, superiority; 3) distress; 4) given the permission; 5) affect, jurisdiction; 6) was aware; 7) realized, forced; 8) arranged, feelings

**Task 3:** 1f; 2g; 3b; 4c; 5d; 6a; 7e; 8j; 9i; 10h

**Task 4a:** 1c; 2c; 3b; 4c

**Task 4b:** true: 3, 5, 9
List of Literature Used

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